



Cortland County Legislature

Legislative Session

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

~ Minutes ~

Thursday, May 27, 2021

6:00 PM

Board Room

Salute to the Flag

Public Hearings

Local Law "E" of 2021, a Local Law Authorizing 12 and 13 Year Old Licensed Hunters

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

Public Hearing for Local Law "D" of 2021 to Amend Local Law 2 of 1966 - Creation of the Office of Public Defender

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

Call to Order

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

Roll Call

Attendee Name	Organization	Title	Status	Arrived
Douglas Bentley	Cortland County, NY	Legislator	Present	
Beau Harbin	Cortland County, NY	Minority Leader	Present	
Cathy Bischoff	Cortland County, NY	Legislator	Present	
Ronald J. Van Dee	Cortland County, NY	Legislator	Present	
Susan Wilson	Cortland County, NY	Legislator	Present	
Richard Stock	Cortland County, NY	Legislator	Present	
Ann Homer	Cortland County, NY	Legislator	Present	
Kevin Fitch	Cortland County, NY	Legislator	Present	
Linda Jones	Cortland County, NY	Legislator	Present	

	NY			
Kelly L. Fairchild-Preston	Cortland County, NY	Legislator	Present	
Christopher Newell	Cortland County, NY	Legislator	Present	
Joseph Nauseef	Cortland County, NY	Legislator	Present	
Eugene Waldbauer	Cortland County, NY	Legislator	Present	
Sandra Price	Cortland County, NY	Legislator	Present	
George Wagner	Cortland County, NY	Majority Leader	Present	
Paul Heider	Cortland County, NY	Chairman	Present	
Mitchel Eccleston	Cortland County, NY	Legislator	Present	
Rob Corpora	Cortland County, NY	County Administrator	Present	
Savannah Hempstead	Cortland County, NY	Deputy Clerk	Present	
Amy Buggs	Cortland County, NY	Grants Administrator	Remote	
Wendy Franklin	Cortland County, NY	Assistant County Attorney	Present	
Sharon MacDougall	Cortland County, NY	Director of Community Services	Present	
Dan Dineen	Cortland County, NY	Director of Planning	Present	
Kristen Monroe	Cortland County, NY	Commissioner of Social Services	Present	
Lisa Perfetti	Cortland County, NY	Public Health Director	Present	
Nicole Anjeski	Cortland County, NY	Deputy Director of Public Health	Present	
Andrea Herzog	Cortland County, NY	Director of Finance	Present	
Laurie Leonard	Cortland County, NY	Deputy Director of Personnel	Present	
Mark Helms	Cortland County, NY	Sheriff	Present	
Nicholas Lynch	Cortland County, NY	Captain	Present	
Tom Gobel	Cortland County, NY	Resident	Present	
Valerie Puma	Cortland Standard	Reporter	Present	
Charles Sudbrink	Cortland County, NY	Superintendent of Highways	Present	
Trisha Jesset	Cortland County, NY	Deputy Superintendent of Highways	Present	

Approval of Minutes

Cortland County Legislature - Legislative Session - Apr 22, 2021 6:00 PM

Mr.

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

Proclamations & Recognitions

Proclamation Recognizing Pride Month in Cortland County

RESULT:	COMPLETED
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Recognizing Cortland County Employee Retirement(S)

RESULT:	COMPLETED
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Proclamation Recognizing Peace Officer's Memorial Day and Police Week in Cortland County

RESULT:	COMPLETED
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Proclamation Recognizing National Correctional Officers Week

RESULT:	COMPLETED
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Privilege of the Floor

Presentation of Petitions, Communications, and Notice

Receive and File

Discussion Items

Receive & File 2020 Annual Report - Department of Social Services

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

Reports of Standing, Special and Ad Hoc Committees

Articles Postponed to Day Certain

Unfinished Business

Executive Session

It was MOVED by Ms. Homer, seconded by Mr. Bentley, to enter into an executive session to discuss the proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof. Mr. Nauseef opposed; MOTION CARRIED.

An executive session was held from 6:24 p.m. to 6:59 p.m., at which time, on motion of Mr. Nauseef, seconded by Ms. Homer, it was unanimously approved by voice vote to exit executive session.

New Business

Resolutions

Resolutions from the Chair

AGENDA ITEM NO. 1 – Local Law "E" of 2021, a Local Law Authorizing 12 and 13 Year Old Licensed Hunters to Hunt Deer with a Firearm or Crossbow During Hunting Season with the Supervision of an Adult Licensed Hunter

RESULT:	ADOPTED [15 TO 2]
MOVER:	Paul Heider, Chairman
SECONDER:	Sandra Price, Legislator
AYES:	Harbin, Bischoff, Van Dee, Wilson, Stock, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
NAYS:	Douglas Bentley, Ann Homer

ON MOTION OF HEIDER

RESOLUTION NO. 113-21

Local Law "E" of 2021, a Local Law Authorizing 12 and 13 Year Old Licensed Hunters to Hunt Deer with a Firearm or Crossbow During Hunting Season with the Supervision of an Adult Licensed Hunter

BE IT ENACTED by the Cortland County Legislature as follows:

Section 1. Legislative Intent

The intent of this Local Law is to authorize Cortland County to permit 12 and 13 year old individuals to participate in the new and safe hunting opportunities in accordance with Environment Conservation Law § 11-0935. The enacted 2021-2022 New York State Budget, include a pilot program, allowing the opportunity for young hunters, ages 12 and 13, to hunt deer with firearms and crossbow through 2023 if a county authorizes such action within their municipality. Cortland County is passing this local law as hunting is a valued tradition for many families, and this new opportunity allows experienced, adult hunters to introduce the value of hunting to the next generation. Furthermore, teaching young people safe, responsible, and ethical hunting practices will ensure a rewarding experience for the youth, while providing quality food to families and contributing to important deer management population control practices.

Section 2. Pilot Program Authorization

Pursuant to Environmental Conservation Law, ECL 11-0935, Cortland County elects to participate in the temporary program to allow for young hunters, ages twelve (12) and thirteen (13), to hunt deer with a firearm, to include rifles, shotguns, and muzzle loaded firearms or crossbow through 2023.

Section 3. State Requirements to Adhere Once Authorized

Twelve (12) and thirteen (13) year old licensed hunters shall be allowed to hunt deer with the following requirements to be followed:

- Twelve (12) and thirteen (13) year old licensed hunters shall be under the supervision of a licensed adult hunter, age 21 years or older, with a rifle, shotgun, or muzzle loading firearm in

- areas where and during the hunting season in which such firearms may be used; and
- Twelve (12) and thirteen (13) year old licensed hunters shall be allowed to hunt deer under the supervision of a licensed adult hunter, age 21 years or older, with a crossbow during the times when other hunters may use crossbows; and
- Supervision of a licensed adult hunter, age twenty-one (21) years or older, with at least three (3) years of experience who exercises dominion and control over the youth hunter at all times is required; and
- All licensed twelve (12) and thirteen (13) year old hunters as well as their adult supervisors shall be required to wear fluorescent orange or pink clothing while engaged in hunting to an extent and covering so designated pursuant to the law, rules, and regulations promulgated by the State of New York; and
- All licensed twelve (12) and thirteen (13) year old hunters shall remain at ground level while hunting deer with a crossbow, rifle, shotgun, or muzzleloader; and
- Notwithstanding any State or Federal Law to the contrary, this local law shall not authorize the hunting of bear by twelve (12) and thirteen (13) year old with a firearm or crossbow.

Section 4. Local Law Filing Requirements

A copy of this local law shall be sent to the New York State Department of Conservation as well as the NYS Department of State

Section 5. Severability

If any clause, sentence, paragraph, subdivision, section or part of this law, or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. Effective Date

This local law shall take effect immediately upon filing and publication in accordance with Section 27 of the Municipal Home Rule.

AGENDA ITEM NO. 2 – Appoint Members - Soil and Water Conservation District Board of Directors

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

ON MOTION OF FITCH

RESOLUTION NO. 114-21

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, AND

WHEREAS, there is a Legislative Representative vacancy, 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	12/31/21

AGENDA ITEM NO. 3 – Re-Affirming the Cortland County's Endorsement of Special State Legislation Amending Article 31 of the New York State Tax Law to Permit Cortland County to Impose a Tax on the Transfer of Real Property (A6953A, S6167A)

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

ON MOTION OF HEIDER

RESOLUTION NO. 115-21

Re-Affirming the Cortland County's Endorsement of Special State Legislation Amending Article 31 of the New York State Tax Law to Permit Cortland County to Impose a Tax on the Transfer of Real Property (A6953A, S6167A)

WHEREAS, the Cortland County Legislature adopted Resolution 88-21 on April 23, 2021 requesting passage of Special State Legislation Amending Article 31 of the New York State Tax Law to Permit Cortland County to Impose a Tax on the Transfer of Real Property, AND

WHEREAS, there were deficiencies in the ordinal enabling State legislation that needed to be amended, AND

WHEREAS, amendments to the Assembly bill (A6953A) were not indexed until April 23, 2021, AND

WHEREAS, each time the enabling state legislation is amended a new home rule request must be filed with the Senate and Assembly Home Rule Counsel offices and the request cannot precede the date of the amendment, AND

WHEREAS, the Cortland County Legislature approved Resolution No. 45-21, "A Home Rule Request For Special Legislation Amending Article 31 of the New York State Tax Law to Permit Cortland County to Impose a Tax on the Transfer of Real, AND

WHEREAS, it is proposed that the rate of such tax shall be one dollar (\$1.00) when the consideration exceeds five hundred dollars (\$500.00), at the rate of one dollar for each five hundred dollars or fractional part thereof, AND

WHEREAS, in order to enact a Property Transfer Tax in Cortland County the New York State Legislature must adopt special Home Rule legislation to enable the County of Cortland to enact a local law for the imposition of such a tax, AND

WHEREAS, Senator Peter Oberacker has introduced New York State Senate bill S6167A and Assembly Member Anna Kelles has introduced Assembly bill A6953A on behalf of Cortland County, NOW THEREFORE BE IT,

RESOLVED, that the Cortland County Legislature endorses and requests State approval of said legislation, and urges its elected representatives in the Senate and Assembly to support this legislation, AND, BE IT FURTHER

RESOLVED, that the Clerk of this Legislature and the County Attorney prepare the documentation necessary for the New York State Legislature to enact said Legislation, AND, BE IT FURTHER

RESOLVED, that the Chairman of the Legislature, upon review and approval by the County Attorney, be and hereby is authorized to execute the appropriate Home Rule Request for the enactment of said special law.

AGENDA ITEM NO. 4 – Authorize Agreement/Amend 2021 Budget - First Transit for Transport of Children to and from New York State Sheriff's Summer Camp

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

ON MOTION OF HEIDER

RESOLUTION NO. 116-21

Authorize Agreement/Amend 2021 Budget - First Transit for Transport of Children to and from New York State Sheriff's Summer Camp

WHEREAS, the Cortland County Sheriff's Office participates in the New York State Sheriff's Institute's Sheriff's Summer Camp for boys and girls between the ages of 9 and 12 who, because of economic reasons would not have an opportunity to attend a summer camp or enjoy a summer vacation, AND

WHEREAS, the camp is held in Penn Yan, NY, AND

WHEREAS, the Sheriff would like to send a group of kids one week in June and one week in July, AND

WHEREAS, transportation would be needed for each group of kids to and from Penn Yan, NY, AND

WHEREAS, funding is available for transportation from the Motor Vehicle Equipment Reserve which is funded by the sale of vehicles and equipment purchased using Section 5311 funding and has a current balance of \$18,728.67, AND

WHEREAS, transportation is available to be provided by First Transit, Inc. at a cost of \$95 per hour, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon approval of the County Attorney or designee, is hereby authorized to enter into an agreement for the transportation of children one week in June and one week in July to Sheriff's Summer Camp in Penn Yan, NY with First Transit, Inc., 600 Vine Street, Suite 1400, Cincinnati, OH 45202 at a cost of \$95 per hour, up to a total of \$2,300, AND BE IT FURTHER

RESOLVED, that the Cortland County Legislature authorized the use of up to \$2,300 from the Motor Vehicle Equipment Reserve, account A386300.STOA, for the transportation of children to and from Sheriff's Summer Camp, AND BE IT FURTHER

RESOLVED, the 2021 County budget be amended as follows:

Increase:

A31105.54055 Professional Services up to \$2,300

A351100 Appropriated Reserves up to \$2,300

Referred from Building & Grounds Committee

Referred from Highway Committee

AGENDA ITEM NO. 5 – Amend 2021 Budget to Accept Consolidated Local Street and Highway Improvement Program (CHIPS), PAVE-NY, and Extreme Winter Recovery Program Funds (EWR) & Create Projects, Authorize Transfer of Funds - Highway Department

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

ON MOTION OF NEWELL

RESOLUTION NO. 117-21

Amend 2021 Budget to Accept Consolidated Local Street and Highway Improvement Program (CHIPS), PAVE-NY, and Extreme Winter Recovery Program Funds (EWR) & Create Projects, Authorize Transfer of Funds - Highway Department

WHEREAS, the State of New York has allocated a total of \$1,992,702.75 in funding for the Consolidated Local Street and Highway Improvement Program (CHIPS), \$555,598.02 under the program known as PAVE-NY, and \$369,997.25 in Extreme Winter Recovery (EWR) capital appropriations in the 2021 New York State Budget to help local governments make necessary repairs to highways and bridges, AND

WHEREAS, the allocation of additional revenue to Cortland County is in the amount of \$646,861.95 for CHIPS, \$259,124.42 for PAVE-NY and \$369,997.25 for EWR, AND

WHEREAS, the additional revenue to be received from the State of New York has been recommended by the Cortland County Highway Committee to fund various road rehab projects, AND

WHEREAS, some of the projects already budgeted for the 2021 construction season are substantially finished, AND

WHEREAS, due to additional un-budgeted revenue the totals budgeted for the previously

authorized projects needs to be revised, AND

WHEREAS, in light of the additional un-budgeted revenue the County Highway Superintendent recommends the creation and authorization of additional highway repair and maintenance projects on Crains Mills Road, McGraw Marathon Road (section F), Preble Road, Daisy Hollow Road, Paige Green Road and Highland Road, NOW, THEREFORE BE IT

RESOLVED, that in accordance with the County Highway Superintendent's recommendations that the following highway projects be modified or created, AND BE IT FURTHER

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

Increase:

CHIPS	D511243.43501	\$646,861.95
PAVE NY	D511243.43501.PAVE	\$259,124.42
Extreme Winter Recovery	D511243.43501.CEWR	<u>\$369,997.25</u>
Total Revenues		\$1,275,983.62

			INCREASE/DECREASE
MAINTENANCE			
PERSONAL SERVICES	D51105.51005		(\$205,800.00)
MCRAW MARATHON RD. D			
PERSONAL SERVICES	D51125.51005.	7137	\$9,000
EQUIPMENT RENT	D51125.54065.	7137	(\$31,474)
MATERIALS	D51125.54077.	7137	<u>\$31,404</u>
TOTAL			\$8,930
MCRAW MARATHON RD. E			
PERSONAL SERVICES	D51125.51005.	7138	\$9,000
EQUIPMENT RENT	D51125.54065.	7138	(\$31,474)
MATERIALS	D51125.54077.	7138	<u>\$31,404</u>
TOTAL			\$8,930
MCRAW MARATHON RD. F			
PERSONAL SERVICES	D51125.51005.	7145	\$30,000
EQUIPMENT RENT	D51125.54065.	7145	\$35,000
MATERIALS	D51125.54077.	7145	<u>\$165,000</u>
TOTAL			\$230,000
OTISCO VALLEY			
PERSONAL SERVICES	D51125.51005.	7139	(\$14,200)
EQUIPMENT RENT	D51125.54065.	7139	(\$44,908)
MATERIALS	D51125.54077.	7139	<u>(\$18,148)</u>
TOTAL			(\$77,256)

<u>WEST KEENEY RD.</u>			
PERSONAL SERVICES	D51125.51005.	7140	\$31,700
EQUIPMENT RENT	D51125.54065.	7140	\$65,000
MATERIALS	D51125.54077.	7140	(\$110,000)
TOTAL			(\$13,300)
<u>EAST RIVER ROAD</u>			
PERSONAL SERVICES	D51125.51005.	7142	(\$14,700)
EQUIPMENT RENT	D51125.54065.	7142	(\$15,900)
TOTAL			(\$30,600)
<u>DAISY HOLLOW</u>			
PERSONAL SERVICES	D51125.51005.	7123	\$60,000
EQUIPMENT RENT	D51125.54065.	7123	\$75,000
MATERIALS	D51125.54077.	7123	\$215,000
TOTAL			\$350,000
<u>PREBLE RD.</u>			
PERSONAL SERVICES	D51125.51005.	7146	\$35,000
EQUIPMENT RENT	D51125.54065.	7146	\$25,000
MATERIALS	D51125.54077.	7146	\$125,000
TOTAL			\$185,000
<u>CRAINS MILLS RD</u>			
PERSONAL SERVICES	D51125.51005.	7076	\$35,000
EQUIPMENT RENT	D51125.54065.	7076	\$50,000
MATERIALS	D51125.54077.	7076	\$200,000
TOTAL			\$285,000
<u>HIGHLAND</u>			
PERSONAL SERVICES	D51125.51005.	7148	\$25,000
EQUIPMENT RENT	D51125.54065.	7148	\$45,000
MATERIALS	D51125.54077.	7148	\$150,000
TOTAL			\$220,000
<u>PAGE GREEN RD.</u>			
MATERIALS	D51125.54077.	7149	\$200,000
TOTAL			\$200,000
<u>HOLD FOR PROJECT ADJUSTMENTS</u>			
	D51125.54077		\$115,079.62
<u>GRAND TOTAL</u>			\$ 1,275,983.62

AGENDA ITEM NO. 6 – Issuing a Negative Declaration Under the New York State Environmental Quality Review Act (SEQR) for the Proposed East River Crossing Road Over Tioughnioga River Bridge Replacement Project - Highway Department

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

ON MOTION OF NEWELL

RESOLUTION NO. 118-21

Issuing a Negative Declaration Under the New York State Environmental Quality Review Act (SEQR) for the Proposed East River Crossing Road Over Tioughnioga River Bridge Replacement Project - Highway Department

WHEREAS, Cortland County and the Cortland County Legislature adopted Resolution No. 339-19 which authorized agreement with the New York State Department of Transportation and established the PROJECT to replace the East River Road Crossing Bridge over Tioughnioga River located in the Town of Homer, Cortland County, New York; AND

WHEREAS, the PROJECT is assumed to be an “Unlisted Action” as defined by the State Environmental Quality Review Act (SEQRA) in 6 NYCRR Part 617.2; AND

WHEREAS, the Barton and Loguidice on behalf of the Cortland County Legislature sent a letter and Part 1 of a Short Environmental Assessment Form (SEAF) to “Involved Agencies” (as this term is defined in the SEQRA Regulations found at 6 NYCRR Part 617.2), indicating the County Legislature’s desire to serve as the “Lead Agency” (as this quoted term is defined in the SEQRA Regulations) and to complete a coordinated review of the PROJECT (in accordance with 6 NYCRR Part 617.6); AND

WHEREAS, responses from Involved and Interested Agencies were requested, and each of the potentially Involved and Interested Agencies has agreed to, or raised no objections to, the County serving as Lead Agency for the PROJECT; AND

WHEREAS, pursuant to the SEQRA Regulations, the Cortland County Legislature has considered the significance of the potential environmental impacts of the PROJECT by (a) using the criteria specified in Section 617.7 of the SEQRA Regulations, and (b) examining the SEAF for the PROJECT, including the facts and conclusions in Parts 1 of the SEAF, together with other available supporting information, to identify the relevant areas of environmental concern, NOW, THEREFORE, BE IT

RESOLVED AND DETERMINED that, the Cortland County Legislature hereby establishes itself as Lead Agency for the PROJECT; AND BE IT FURTHER

RESOLVED AND DETERMINED, that based upon an examination of the SEAF and other available supporting information, and considering both the magnitude and importance of each relevant area of environmental concern, and based further upon the County’s knowledge of the area surrounding the PROJECT, the Cortland County Legislature makes the determination that the PROJECT will not have a significant adverse environmental impact and that the PROJECT will not require the preparation of a Draft Environmental Impact Statement; AND BE IT FURTHER

RESOLVED and DETERMINED, that as a consequence of such findings and declaration, and in compliance with the requirements of SEQRA, the Cortland County Legislature, as Lead Agency, hereby an appropriate representative to sign the SEAF Part 1 - Determination of Significance indicating that a Negative Declaration has been issued for the PROJECT; this Resolution shall take effect immediately.

AGENDA ITEM NO. 7 – Amend the 2021 Budget to Transfer Funds and Authorize the Paving of the Dwyer Memorial Park Parking Lot

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

ON MOTION OF NEWELL

RESOLUTION NO. 119-21

Amend the 2021 Budget to Transfer Funds and Authorize the Paving of the Dwyer Memorial Park Parking Lot

WHEREAS, since its acquisition by the Cortland County Board of Supervisors on September 3, 1941 at a cost of \$7500.00 from the Central New York Power Corporation, Cortland County has owned and maintained the 85 acres that has come to be known as Dwyer Memorial Park, AND

WHEREAS, the park continues to see high levels of usage from the public, AND

WHEREAS, the main parking facility has become worn and is need of rehabilitation, AND

WHEREAS, Cortland County will receive federal recovery funds as part of the American Rescue Plan, AND

WHEREAS, the County Highway Superintendent recommends expanding and repaving the parking facilities at Dwyer Memorial Park, NOW THEREFORE BE IT

RESOLVED, the Cortland County Legislature hereby authorizes the expansion and repaving of the Dwyer Memorial Park parking facilities at a cost not to exceed \$100,000, AND BE IT FURTHER

RESOLVED, the Legislature hereby amends the 2021 budget as follows:

Increase: Account A71105.54076 Building Repairs & Maint. \$100,000

Decrease: Account A359900 Appropriated Fund Balance \$100,000

AND BE IT FURTHER

RESOLVED, that the County General Fund be reimbursed for the cost of this project upon receipt of the federal American rescue plan funds.

Referred from Health & Human Services Committee

AGENDA ITEM NO. 8 – Amend 2021 Budget to Accept New York State Septic System Replacement Grant and Authorize Contract with New York State Environmental Facilities Corporation and New York State Department of Environmental Conservation - Health Department, Environmental Health Division

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

Amend 2021 Budget to Accept New York State Septic System Replacement Grant and Authorize Contract with New York State Environmental Facilities Corporation and New York State Department of Environmental Conservation - Health Department, Environmental Health Division

WHEREAS, the New York State Department of Environmental Conservation (DEC) and the New York State Environmental Facilities Corporation (EFC) provides grant funding to replace cesspools and septic systems to reduce the environmental and public-health impacts associated with the discharge from cesspools and septic systems, AND

WHEREAS, the DEC/EFC has notified Cortland County that it is eligible for up to \$85,000 in grant funding to incentivize the replacement of a cesspool with a septic system, install, replace or upgrade septic systems or septic system components, or install enhanced treatment technologies, including an advanced nitrogen removal system located near priority water bodies, AND

WHEREAS, there is no local match associated with this program, AND

WHEREAS, the County Administrator and Public Health Director both recommend acceptance of this funding and authorize signature of the program contract agreements, NOW THEREFORE BE IT

RESOLVED, the Cortland County Legislature hereby accepts the New York State Septic System Replacement Grant and amends the 2021 budget accordingly, AND BE IT FURTHER

RESOLVED, the Legislature authorizes the County Administrator upon review and approval of the County Attorney or designee, to execute all required contracts and agreements with the New York State Department of Environmental Conservation (DEC) and the New York State Environmental Facilities Corporation (EFC) in accordance with the New York State Septic System Replacement Grant.

AGENDA ITEM NO. 9 – Reject Bid for Transportation for Children with Special Needs – Health Department

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Cathy Bischoff, 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

Reject Bid for Transportation for Children with Special Needs – Health Department

WHEREAS, the Cortland County Health Department advertised and received a bid for Transportation for Children with Special Needs-Birth through Five years, AND

WHEREAS, the County received one (1) bid from First Transit, Inc., 600 Vine Street, Suite 1400, Cincinnati, OH 45202, AND

WHEREAS, the scope of the County's request for proposals for transportation did not include specifics that are required for being in compliance with the Department of Education and Medicaid billing, NOW THEREFORE BE IT

RESOLVED, the Cortland County Legislature hereby formally rejects all bid proposals for Transportation for Children with Special Needs and directs the County Health Department to revise the

scope of services and advertise for Transportation for Children with Special Needs-Birth through Five years for school years 2021-2022 and 2022-2023 including the summer sessions.

AGENDA ITEM NO. 10 – Amend 2021 Budget for Advancing Tobacco Free Communities Grant - Health Department

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Cathy Bischoff, 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

ON MOTION OF BISCHOFF

RESOLUTION NO. 122-21

Amend 2021 Budget for Advancing Tobacco Free Communities Grant - Health Department

WHEREAS, Resolution No. 208-19 gave Cortland County Health Department permission to enter into a grant with New York State Department of Health for funding of the Advancing Tobacco Free Communities Grant, Contract No. C-34796, AND

WHEREAS, for the period of 7/1/20-6/30/21, the contract awarded the Cortland County Health Department \$325,000, AND

WHEREAS, in December 2020, these funds were cut by 14%, or \$45,500 due to COVID funding restrictions, AND

WHEREAS, Resolution No. 66-21 amended the 2021 budget and accounted for the 14% cut due to COVID restrictions, AND

WHEREAS, in April 2021, New York State rescinded the 14% cut and fully funded the grant for the grant year 7/1/20-6/30/21, NOW THEREFORE BE IT

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

Increase:		Current	Increase	Balance
A40105.43450.20TBC	ATFC 2021	\$206,052	\$45,500	\$251,552
A40105.52015.20TBC	Equipment	\$0	\$6,800	\$6,800
A40105.54035.20TBC	Educ/Train	\$4,850	\$2,000	\$6,850
A40105.54048.20TBC	Prog Supply	\$11,844	\$6,700	\$18,544
A40105.54060.20TBC	Advertising	\$30,825	\$15,000	\$45,825
A40105.54815.20TBC	Contracted Agency	\$74,781	\$15,000	\$89,781

, AND BE IT FURTHER

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 with New York State Department of Health to accept these funds.

AGENDA ITEM NO. 11 – Appoint Members - Cayuga/Cortland Workforce Development Board - Employment and Training Grant Administration

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 123-21

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

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

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

Name	Address	Sector	Term
Kay Breed	215 Main Street Cortland, NY 13045	Business/Private - Cortland Plastics International	6/1/21 - 6/30/23
Carrie Knight	51 North Street McGraw, NY 13101	Business/Private - NBT Bank	6/1/21 - 6/30/23
Jason McRae	206 Tompkins Street Cortland, NY 13045	Business/Private - Stupid Choppers/Townline Motors	6/1/21 - 6/30/21
Heather Wineburg	4059 Route 281 Cortland, NY 13045	Community Based Org. - JM Murray	6/1/21 - 6/30/24
Nicole Meeker	59 Pomeroy Street Cortland, NY 13045	Business/Private - Child Development Center	6/1/21 - 6/30/24

AGENDA ITEM NO. 12 – Authorize Agreement with Hillside Children's Services - Department of Social Services

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 124-21

Authorize Agreement with Hillside Children's Services - Department of Social Services

WHEREAS, the Cortland County Department of Social Services desires to increase and expand the number and types of locally certified foster boarding homes to achieve goals of the federal Families First Law and support children staying in our community, AND

WHEREAS, Hillside Children's Services is an authorized child welfare service agency with the expertise and ability to recruit, train and certify foster boarding homes, AND

WHEREAS, the \$79,500 needed for this Agreement from July 1, 2021 – December 31, 2021 is in the 2021 budget Account A60105.54800 due to the other contracts being canceled and on hold since the budget was finalized, AND

WHEREAS, the initial contract will run for 18 months from July 1, 2021 – December 31, 2022 to allow adequate time for positive results, AND

WHEREAS, the additional funds needed for this Agreement will be built into the 2022 budget, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review and approval of the County Attorney or designee, be and hereby is authorized to sign an Agreement for the time period July 1, 2021 – December 31, 2022 with Hillside Children's Services in an amount not to exceed \$238,200, AND BE IT FURTHER

RESOLVED, that said Agreement shall be cancelled December 31, 2021 should funding not be approved in the 2022 County Budget.

Referred from Agriculture/Planning/Environment Committee

AGENDA ITEM NO. 13 – Appoint Director of Planning -Planning Department

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

ON MOTION OF FITCH

RESOLUTION NO. 125-21

Appoint Director of Planning -Planning Department

WHEREAS, the Cortland County Legislature has a vacant position of Director of Planning, AND

WHEREAS, the County Administrator and the Agriculture, Planning and Environmental Committee members Kevin Fitch and Chris Newell conducted interviews and offered a recommendation for this appointment, AND

WHEREAS, the County Legislature has received from the County Administrator and the Agriculture, Planning and Environmental Committee the recommendation for appointment of Trisha Jesset as Director of Planning, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature does hereby appoint Trisha Jesset as Director of Planning at an annual salary of \$80,536 (Grade 4, Step 5, Management Compensation Plan, non-competitive class) effective May 28, 2021 at 12:01 AM.

AGENDA ITEM NO. 14 – Create Position of Temporary Planning Advisor - Planning Department

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kevin Fitch, 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

Create Position of Temporary Planning Advisor - Planning Department

WHEREAS, the needs of the County will be better served by creating one temporary position of Planning Advisor, AND

WHEREAS, the Agriculture, Planning & Environmental Committee and the Finance and Administration Committees recommend the creation of this position, NOW THEREFORE BE IT

RESOLVED, that one temporary position of Planning Advisor, (Management, Grade 4, Step 6, up to 17 hours/week) be created with permission to fill effective May 28, 2021, at 12:01, AND BE IT FURTHER

RESOLVED, that the Planning Advisor position will not be posted and will be filled by the current Director of Planning, AND BE IT FURTHER

RESOLVED, that said position will not exceed eighteen months in duration under Civil Service Law Section 64.3.

AGENDA ITEM NO. 15 – Authorize Community Development Block Grant Application: CARES Act Funding & Authorize Agreement with Thoma Associates for Associated Grant Writing Services

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

Authorize Community Development Block Grant Application: CARES Act Funding & Authorize Agreement with Thoma Associates for Associated Grant Writing Services

WHEREAS, there is grant funding available through the New York State Office of Community Renewal through its Community Development Block Grant Program (CDBG) 2020 CARES Act, AND

WHEREAS, in order to be eligible for these funds municipalities must propose activities that meet national objectives and be related to preparing, preventing, and/or responding to the COVID-19 global pandemic as outlined in the grant program guidance, AND

WHEREAS, Cortland County is eligible for these funds, AND

WHEREAS, all program funds must be expended within 12 months of award, AND

WHEREAS, the program requires the submission of a project consultation form as well as other pre-application requirements including holding two pre-requisite public hearings, AND

WHEREAS, given the technical nature of this grant application it is recommended to retain the assistance of a professional grant writing services to complete and submit this application by the August 27, 2021 deadline,

WHEREAS, Thoma Development Consultants of 34 Tompkins Street Cortland NY 13045 have submitted a proposal for grant writing services for this application in an amount not to exceed \$4500, NOW THEREFORE BE IT

RESOLVED, the Cortland County Legislature hereby authorizes the filing of a CDBG CARES Act grant application, 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 subject to review by the County Attorney or designee to enter into an agreement with Thoma Associates for the purpose of preparing the aforementioned grant application in an amount not to exceed \$4500.00.

AGENDA ITEM NO. 16 – Amend 2021 Budget to Accept New York State Department of Health State Rural Transit Assistance Funding - Planning Department

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

ON MOTION OF FITCH

RESOLUTION NO. 128-21

Amend 2021 Budget to Accept New York State Department of Health State Rural Transit Assistance Funding - Planning Department

WHEREAS, for more than 20 years the New York State Department of Health provided funds to the Department of Social Services to provide the essential service of providing for and arranging for non-emergency Medicaid transportation service for medical appointments, AND

WHEREAS, the Department of Social Services contracted with First Transit, Inc. for said transportation service which included a State approved method of paying a share of costs for operating public transportation to benefit all Medicaid recipients using the system to get to medical appointments, AND

WHEREAS, in 2010, the State Department of Health was given statutory authority under 365-h of Social Services Law to assume the administrative management of non-emergency transportation from counties and has since mandated that a private Medicaid brokerage system be implemented, which began in Cortland County October 1, 2013, AND

WHEREAS, as a result of the transfer of the administrative management of non-emergency transportation to a private Medicaid brokerage system, First Transit lost 40% of its revenue to operate the public transportation service in Cortland County, AND

WHEREAS, transportation providers throughout New York State lobbied to their State Representatives to provide funding to make up for the loss of funding due to the transfer of the administrative management of non-emergency transportation to a private Medicaid brokerage system, AND

WHEREAS, Governor Andrew Cuomo, the New York State Department of Health (NYSDOH) and the New York State Department of Transportation (NYSDOT) have identified a series of action

targets to preserve critical access to necessary Non-Emergency Medical Transportation (NEMT) services through a coordinated public transportation system in upstate New York, AND

WHEREAS, one of these action targets is to provide rescue funding to the public transportation service in Cortland County to address the lost revenue as a result of the transfer of the administrative management of non-emergency transportation to a private Medicaid brokerage system, AND

WHEREAS, on May 3, 2021, a letter was sent from the New York State Department of Health by the Office of Health Insurance Programs notifying Cortland County of an electronic payment in the amount of \$368,241 for a State Medicaid payment intended for Rural Transit Assistance purposes enacted as part of the State Fiscal Year 2020-2021 Enacted Budget, AND

WHEREAS, Cortland County has received a Rural Transit Assistance payment in the amount of \$368,241 which will be paid to Cortland County's public transportation provider, First Transit, Inc.,
NOW THEREFORE BE IT

RESOLVED, the Cortland County Legislature authorizes the County Treasurer's office to release said payment to First Transit and to create the following 2021 budget modification:

	<u>CURRENT</u>	<u>CHANGE</u>	<u>REVISED</u>
Expense: A56305.54815.RESC	0	\$368,241	\$368,241
Revenue: A563043.43594.RESC	0	\$368,241	\$368,241

AGENDA ITEM NO. 17 – Adopt Cortland County Consolidated Agricultural District 2021-2029 - Planning Department

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kevin Fitch, 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

ON MOTION OF FITCH

RESOLUTION NO. 129-21

Adopt Cortland County Consolidated Agricultural District 2021-2029 - Planning Department

WHEREAS, Article 25-AA, Section 303 (a) of the Agriculture and Markets Law, states that the County Legislature shall review any district created eight years after the date of the creation and every eight years thereafter, AND

WHEREAS, the Agriculture and Farmland Protection Board has established a policy whereby any landowners of a parcel of land of less than 7 acres must provide written justification to the Agriculture and Farmland Protection Board as to the capacity of such property to be a viable agricultural land in order for a property of less than 7 acres to be considered for inclusion in the Cortland County Consolidated Agricultural District, AND

WHEREAS, the Agriculture and Farmland Protection Board and the Legislature's Agriculture/Planning/Environment Committee have completed all necessary steps and procedures required for re-establishment of the Agricultural District, AND

WHEREAS, the Agriculture and Farmland Protection Board recommends to the County Legislature for adoption, the re-establishment of the Cortland County Consolidated Agricultural District, NOW,
THEREFORE BE IT

RESOLVED, that revisions to the list of land parcels for inclusion in the reestablished Agricultural District, which include additions to and deletions from the district as shown on the attached list, be made to the Cortland County Consolidated Agricultural District.

Referred from Judiciary & Public Safety Committee

AGENDA ITEM NO. 18 – Amend the 2021 Budget to Accept Bureau of Justice Bulletproof Vest Partnership Grant and Authorize the Associated Contract Agreement - Sheriff's Department

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

ON MOTION OF PRICE

RESOLUTION NO. 130-21

Amend the 2021 Budget to Accept Bureau of Justice Bulletproof Vest Partnership Grant and Authorize the Associated Contract Agreement - Sheriff's Department

WHEREAS, the Bureau of Justice Assistance (BJA), funded under the Fiscal Year (FY) 2020 BVP Patrick Leahy Bulletproof Vest Partnership (BVP) solicitation, has awarded the Cortland County Sheriff's Office a FY 2020 grant in the amount of \$16,000, AND

WHEREAS, the fiscal period for this grant is April 1, 2020 to August 31, 2022, NOW THEREFORE BE IT

RESOLVED, the Cortland County Sheriff's Office is hereby directed to expend the grant funds according to the stated grant guidance, AND BE IT FURTHER

RESOLVED, that the 2021 budget be amended as follows:

		Revised
REVENUE:		
A312043.43306.22BVP	FY 2020 BVP Grant	\$16,000
EXPENSE:		
A312055.52015.22BVP	Department Specific Equipment	\$16,000

, AND BE IT FUTHER

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee and subject to appropriation of funding, be and hereby is authorized to sign the grant contract with Bureau of Justice Assistance (BJA) for the \$16,000 Bulletproof Vest Partnership 2020 award, 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. 19 – Amend 2021 Budget to Accept 2021 Child Passenger Safety Grant and Authorize Agreement with the New York State Governor's Traffic Safety Committee - Sheriff's Department

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

ON MOTION OF PRICE

RESOLUTION NO. 131-21

Amend 2021 Budget to Accept 2021 Child Passenger Safety Grant and Authorize Agreement with the New York State Governor's Traffic Safety Committee - Sheriff's Department

WHEREAS, the New York State Governor's Traffic Safety Committee, has awarded the Cortland County Sheriff's Office a grant to participate in the statewide "Child Passenger Safety" program, CPS-2021-Cortland Co SO-00185-(012), SA00001925, CFDA# 20.616, and receive grant monies from the State for the period of October 1, 2020 to September 30, 2021, NOW THEREFORE BE IT

RESOLVED, the Cortland County Sheriff's Office accept the grant, and that the 2021 budget be amended to reflect the acceptance of these funds with the following adjustments:

		Current	Change	Revised
Revenue	A31205.44389.21CPS	\$0	\$1,200	\$1,200
Expense	A31205.52015.21CPS	\$0	\$ 900	\$ 900
	Department Specific Equipment			
	A31205.54035.21CPS	\$0	\$225	\$225
	Education & Training			
	A31205.54005.21CPS	\$0	\$75	\$75
	Office Supplies			

, AND BE IT FURTHER

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee and subject to appropriation of funding, be and hereby is authorized to sign the grant contract with the New York State Governor's Traffic Safety Committee to participate in the statewide "Child Passenger Safety" program. 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. 20 – Local Law "D" of 2021 a Local Law to Amend Local Law 2 of 1966 - a Local Law Providing for the Creation of the Office of Public Defender, Fixing the Term of Office, Compensation and Duties

RESULT:	REFER TO COMMITTEE - NO VOTE
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Next: 6/10/2021 9:00 AM

ON MOTION OF PRICE

RESOLUTION NO.

Local Law "D" of 2021 a Local Law to Amend Local Law 2 of 1966 - a Local Law Providing for the Creation of the Office of Public Defender, Fixing the Term of Office, Compensation and Duties

WHEREAS, the Cortland County Legislature adopted Local Law 2 of 1966, A Local Law Providing for the Creation of the Office of Public Defender, Fixing the Term of Office, Compensation and Duties, AND

WHEREAS, the Cortland County Legislature's Government Operations Committee has recommended revisions to said Local Law, AND

Whereas, a public hearing was held on May 27, 2021 before the Cortland County Legislature, AND

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

Be it enacted by the Cortland County Legislature of the County of Cortland as follows:

Article II, Section 2 of Local Law No. 2 of 1966 is hereby amended to read as follows:

The term of office of Public Defender shall be for the term for which the membership appointing him/her was elected or for a term as may be determined by local law not to exceed four years.

AGENDA ITEM NO. 21 – Adopt Revisions to New York State Department of Homeland Security and Emergency Services (NYS DHSES) Grant Policy & Procedures - Department of Emergency Response & Communications

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

ON MOTION OF PRICE

RESOLUTION NO. 132-21

**Adopt Revisions to New York State Department of Homeland Security and Emergency Services
(NYS DHSES) Grant Policy & Procedures - Department of Emergency Response &
Communications**

WHEREAS, the Cortland County Legislature adopted Resolution No. 304-13 which established the New York State Department of Homeland Security and Emergency Services (NYS DHSES) grant funding policy, AND

WHEREAS, the (NYS DHSES) has advised the County that the established policy for grant funding needs to be revised to reflect the most current requirements, NOW, THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby adopts the revised policy “Cortland County Policies and Procedures for NYS DHSES Grant Administration” for the Cortland County Department of Emergency Response & Communications.

AGENDA ITEM NO. 22 – Authorize Annual Support and Services Agreement with Automon, LLC for Probation Case Load Software - Probation Department

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

ON MOTION OF PRICE

RESOLUTION NO. 133-21

Authorize Annual Support and Services Agreement with Automon, LLC for Probation Case Load Software - Probation Department

WHEREAS, the Cortland County Probation Department utilizes the AutoMon LLC digital case load Explorer software for the management of Probation clients, AND

WHEREAS, the Annual Support and Services agreement for said software is due to expire on June 30, 2021, AND

WHEREAS, AutoMon LLC has agreed to provide professional services for a twelve month period at a base rate of \$4,576.90 plus \$224.14 for each of the 24 actual or registered users, totaling \$9,956.26, AND

WHEREAS, Cortland County Probation Director and County Administrator both recommend continuing the use of this software, AND

WHEREAS, funds for this service contract are in the 2021 County Budget in Account No. A31405.54015, Maintenance Agreements in the amount of \$9,957, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Administrator, upon approval by the County Attorney or designee, be and hereby is authorized to execute an agreement with AutoMon, LLC, 6621 North Scottsdale Road, Scottsdale, AZ 85250, for a twelve month term commencing July 1, 2021 and concluding June 30, 2022, for maintenance of case load Explorer software and licensing in the Cortland County Probation Department.

Referred from Government Operations Committee

AGENDA ITEM NO. 23 – Amend Resolution 170-06 to Affirm the Terms of Office of Majority Leader and Minority Leader

RESULT:	REFER TO COMMITTEE - NO VOTE
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Next: 6/10/2021 10:00 AM

ON MOTION OF WILSON

RESOLUTION NO.

Amend Resolution 170-06 to Affirm the Terms of Office 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, 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

WHEREAS, there is a need to amend Resolution 170-06 to reflect the adoption of Local Law 7 of 2019, NOW THEREFORE BE IT

RESOLVED, that: SECTION 5 of Resolution 170-06 is hereby amended as follows:

SECTION 5. OATH OF OFFICE

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

AGENDA ITEM NO. 24 – Amend "Appendix B" of Local Law 2 of 2008 - Adopting a County Code of Ethics and Requiring Financial Disclosure by Certain County Officials and Employees

Ms. Homer made a MOTION to amend the resolution to include Assistant District Attorneys, Assistant Public Defenders and Assistant County Attorneys, the MOTION WAS SECONDED by Mr. Wagner, and adopted by voice vote of members present. Mr. VanDee voted NO.

RESULT:	ADOPTED AS AMENDED [16 TO 1]
MOVER:	Susan Wilson, Legislator
SECONDER:	Ann Homer, Legislator
AYES:	Bentley, Harbin, Bischoff, Wilson, Stock, Homer, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
NAYS:	Ronald J. Van Dee

ON MOTION OF WILSON

RESOLUTION NO. 134-21

Amend "Appendix B" of Local Law 2 of 2008 - Adopting a County Code of Ethics and Requiring Financial Disclosure by Certain County Officials and Employees

WHEREAS, Local Law No. 2 of 2008, Adopting a County Code of Ethics and Requiring Financial Disclosure by Certain County Officials and Employees as outlined on "Appendix B" incorporated into the law by reference, AND

WHEREAS, Article IV. FINANCIAL DISCLOSURE (A) Positions Required to File states: "Attached hereto as "Appendix B", which is fully incorporated into this law by this reference, is a listing of all positions for which financial disclosure is required of the persons holding one or more positions contained therein. Said "Appendix B" may be amended by the adoption of a Resolution of the Legislature, as needed, subject to provisions of this law and New York State statutes. Any such amendments shall be effective immediately, and a certified copy thereof shall be filed with the Board of Ethics within five (5) days of adoption.", AND

WHEREAS, upon review of "Appendix B" it has been determined there is a need to amend said "Appendix B", to more accurately reflect the addition, deletion, and amendment of the titles of County Officials and Employees that are subject to this Local Law, AND

WHEREAS, the Cortland County Personnel Officer has reviewed "Appendix B" and updated it with the proper titles and positions to complete a Financial Disclosure form, AND

WHEREAS, the Government Operations Committee and the Board of Ethics has reviewed and recommends the amendments to said "Appendix B", NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature, upon review by the County Attorney or designee, hereby amends Local Law 2 of 2008, Adopting a County Code of Ethics and Requiring Financial Disclosure by Certain County Officials and Employees "Appendix B" as follows:

APPENDIX "B"
Officers and Employees Required to File
Financial Disclosure Statement

County Legislators	Director of Information Technology
Clerk of the Legislature	Deputy Director of Information Technology
Deputy Clerk of the Legislature	Public Defender
County Attorney	Chief Assistant Public Defender
Chief Assistant County Attorney	Assistant Public Defender(s)
Assistant County Attorney(s)	County Coroners
Director of Veterans' Services	District Attorney
County Clerk	Chief Assistant District Attorney
Deputy County Clerk(s)	Assistant District Attorney(s)
Director of Finance	Grant Administrator
Deputy Director of Finance	Administrative Services Manager
Manager of Audit and Financial Projects	Employment and Training Director
County Treasurer	Plan Administrator (Assigned Counsel)
Superintendent of Highways	Director of Emergency Response and Communications
Deputy Superintendent of Highways	Deputy Director of Emergency Response & Communications
Director of Community Services	Probation Director II
Personnel Officer	Commissioners of Elections
Deputy Personnel Officer	Public Health Director
Commissioner of Social Services	Deputy Director of Public Health
Deputy Commissioner(s) of Social Services	Director of Environmental Health
Director of Social Services (Administrative Services)	Director of Planning
Chief Social Services Attorney(s)	County Administrator
Sheriff	Director of Real Property Tax Services
Undersheriff	Director of Weights and Measures (Sealer)
Director of Area Agency on Aging	Superintendent of Buildings and Grounds
Assistant Director of Area Agency on Aging	Building Maintenance Foreperson
Supervisor, Solid Waste Management	

Advisory Boards and Committees

Members of the Cortland County Board of Ethics
Members of the Cortland County Industrial Development Agency/Business Development Corporation
Members of the Cortland County Board of Health
Members of the Tobacco Asset Securitization Corporation
Members of the Tompkins Cortland Community College Board of Trustees
Members of the Cortland County Planning Board

, AND BE IT FURTHER

RESOLVED, that upon adoption, the Clerk of the Legislature is hereby directed to file with the Cortland County Board of Ethics a certified copy of this resolution within the required five day period.

AGENDA ITEM NO. 25 – Appoint County Personnel Officer - Personnel/Civil Service Department

RESULT:	ADOPTED [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

ON MOTION OF WILSON

RESOLUTION NO. 135-21

Appoint County Personnel Officer - Personnel/Civil Service Department

WHEREAS, the Cortland County Legislature has a vacant position of Personnel Officer AND

WHEREAS, the County Administrator and Government Operations Committee members, Susan Wilson and George Wagner were delegated and conducted interviews and offered a recommendation for this appointment, AND

WHEREAS, the County Legislature has received from the County Administrator and Government Operations Committee the recommendation for appointment of Laurie Leonard as Personnel Officer, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature does hereby appoint Laurie Leonard as Personnel Officer at an annual salary of \$83,246 (Grade 3, Step 4 Management Compensation Plan non-competitive class) in accordance with Section 15 of the New York State Civil Service Law, effective May 28, 2021 through November 17, 2022 AND BE IT FURTHER

RESOLVED, that the incumbent shall have the right to return to his/her previous position for one year from appointment, which includes a ninety day notice from the incumbent to return to said position or upon a mutually agreeable time period.

AGENDA ITEM NO. 26 – Create Position of Personnel Technician Trainee/Personnel Technician - Personnel/Civil Service Department

RESULT:	ADOPTED [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

ON MOTION OF WILSON

RESOLUTION NO. 136-21

Create Position of Personnel Technician Trainee/Personnel Technician - Personnel/Civil Service Department

WHEREAS, the needs of the Personnel/Civil Service Department will be better served by creating one Personnel Technician Trainee/Personnel Technician position, AND

WHEREAS, the Government Operations Committee has reviewed the request and recommends the creation of this position, NOW THEREFORE BE IT

RESOLVED, that one Personnel Technician Trainee/Personnel Technician position (Management/Management Confidential Grade 4 \$20.2040 - \$24.5813, competitive class) be created with permission to fill effective May 28, 2021 at 12:01 a.m.

AGENDA ITEM NO. 27 – Reallocate Salary Grade for Personnel Officer - Personnel/Civil Service Department

RESULT:	ADOPTED [14 TO 3]
MOVER:	Susan Wilson, Legislator
SECONDER:	Kelly L. Fairchild-Preston, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Stock, Fitch, Fairchild-Preston, Newell, Waldbauer, Price, Wagner, Heider, Eccleston
NAYS:	Ann Homer, Linda Jones, Joseph Nauseef

ON MOTION OF WILSON

RESOLUTION NO. 137-21

Reallocate Salary Grade for Personnel Officer - Personnel/Civil Service Department

WHEREAS, the County Administrator and the Personnel Officer have reviewed the salary grade for the Personnel Officer, AND

WHEREAS, the County Administrator and the Personnel Officer each recommend that the aforesaid position be reallocated from Grade 3 to Grade 1, NOW THEREFORE BE IT

RESOLVED, that the position of Personnel Officer be and hereby is reallocated from Management / Management Confidential Compensation Employment Policy Grade 3 (\$74,005 - \$90,037) to Grade 1 (\$85,522 - \$104,050) effective November 18, 2022.

Referred from Finance & Administration Committee

AGENDA ITEM NO. 28 – Authorize Transfer of 2020 "Casino Money" to Buildings & Grounds Capital Project Reserve - Finance Department

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

ON MOTION OF WAGNER

RESOLUTION NO. 138-21

Authorize Transfer of 2020 "Casino Money" to Buildings & Grounds Capital Project Reserve - Finance Department

WHEREAS, the Cortland County Legislature adopted Resolution No. 315-16 which directed that the Oneida Indian Nation Exclusivity Settlement known as "Casino Money" be placed into a dedicated jail reserve fund, AND

WHEREAS, the Cortland County Finance and Administration Committee recommends moving the funds into the Buildings & Grounds Capital Project Reserve, AND

WHEREAS, these funds are recorded into revenue account no. A132543.43014 ("Indian Gaming Settlement"), AND

WHEREAS, the County received \$315,526.25 in "Casino Money" in 2020, NOW THEREFORE BE IT

RESOLVED, that Resolution No. 315-16 be and hereby is rescinded, AND BE IT FURTHER

RESOLVED, that \$315,526.25 be moved from account A390900, unreserved, unappropriated

fund balance, to account A386300.B&G, Buildings & Grounds Capital Project Reserve.

AGENDA ITEM NO. 29 – Authorize First Quarter 2021 Sales Tax Distribution - Budget & Finance

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

ON MOTION OF WAGNER

RESOLUTION NO. 139-21

Authorize First Quarter 2021 Sales Tax Distribution - Budget & Finance

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 first quarter sales tax information has been provided by the New York State Comptroller's Office showing a total collection for first quarter 2021 to be \$7,951,339.94, AND

WHEREAS, the total amount available for distribution is \$7,576,339.94, 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 \$4,091,223.57 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 first 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
Cortland, City of	\$1,344,800.34	\$-0-	\$1,344,800.34	\$-0-
Cincinnatus, Town of	\$64,713.07	\$-0-	\$64,713.07	\$-0-
Cortlandville, Town of	\$654,022.36	\$-0-	\$654,022.36	\$-0-
Cuyler, Town of	\$57,091.32	(\$115,000.00)	\$-0-	\$(57,908.68)

Freetown, Town of	\$44,514.36	\$-0-	\$44,514.36	\$-0-
Harford, Town of	\$71,001.61	\$(70,000.00)	\$1,001.61	\$-0-
Homer, Town of	\$227,985.08	\$-0-	\$227,985.08	\$-0-
Homer, Village of	\$161,505.25	\$-0-	\$161,505.25	\$-0-
Lapeer, Town of	\$92,638.28	\$(310,000.00)	\$-0-	\$(217,361.72)
Marathon, Town of	\$70,054.64	\$(30,000.00)	\$40,054.64	\$-0-
Marathon, Village of	\$35,970.35	\$-0-	\$35,970.35	\$-0-
McGraw, Village of	\$29,716.72	\$-0-	\$29,716.72	\$-0-
Preble, Town of	\$117,247.68	\$-0-	\$117,247.68	\$-0-
Scott, Town of	\$70,077.56	\$-0-	\$70,077.56	\$-0-
Solon, Town of	\$60,431.28	\$-0-	\$60,431.28	\$-0-
Taylor, Town of	\$38,874.84	\$(20,000.00)	\$18,874.84	\$-0-
Truxton, Town of	\$83,530.00	\$(90,000.00)	\$-0-	\$(6,470.00)
Virgil, Town of	\$205,341.96	\$(65,000.00)	\$140,341.96	\$-0-
Willet, Town of	\$55,599.67	\$-0-	\$55,599.67	\$-0-
Total	\$3,485,116.37	\$700,000.00)	\$3,066,856.77	\$(281,740.40)

, 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.

Announcements

Adjourn



Cortland County Legislature

Legislative Session

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

~ Minutes ~

Thursday, April 22, 2021

6:00 PM

Board Room

Salute to the Flag

Public Hearings

A Local Law Implementing a Demonstration Program Imposing Owner Liability for Failure of an Operator to Stop for a School Bus Displaying a Red Visual Signal and Stop-Arm

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

Call to Order

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	Remote	
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	Excused	

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George Wagner	Cortland County, NY	Majority Leader	Present	
Paul Heider	Cortland County, NY	Chairman	Present	
Mitchel Eccleston	Cortland County, NY	Legislator	Present	
Eric Mulvihill	Cortland County, NY	Clerk, of the Legislature	Present	
Karen Howe	Cortland County, NY	County Attorney	Present	
Annette Barber	Cortland County, NY	Personnel Director	Present	
Kathy Taylor	Cortland County, NY	Virgil Resident	Present	
Dale Taylor	Cortland County, NY	Virgil Resident	Present	
Becky Preve	Cortland County, NY		Remote	
Greg Olsen	Cortland County, NY		Remote	
John Marraffa	Cortland County, NY	Kinney Drugs	Remote	
Judy Standish	Cortland County, NY		Remote	
Jaimie Costa	Cortland County, NY	Cortland Standard	Remote	
Rebecca Stone	Cortland County, NY	Superintendent, Marathon Central Schools	Remote	
Amy Bancroft	Cortland County, NY		Remote	
Bob Pittman Mark Helms	Cortland County, NY	Chief of Police of Homer	Present	
Mark Helms	Cortland County, NY	Sheriff	Present	
Amanda Barber	Cortland County, NY	Director, Soil & Water Conservation Dist.	Remote	

Roll Call

Approval of Minutes

Cortland County Legislature - Legislative Session - Mar 25, 2021 6:00 PM

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

Proclamations & Recognitions

Foster Parent Month Proclamation

RESULT:	ANNOUNCED
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National Sexual Assault Awareness & Prevention Month

RESULT:	ANNOUNCED
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Mental Health Awareness Month

RESULT:	ANNOUNCED
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National Community Action Month

RESULT:	ANNOUNCED
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Monthly Retiree Proclamation

RESULT:	ANNOUNCED
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Proclamation for Older Americans Month

RESULT:	ANNOUNCED
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Proclamation National Nurses Week

RESULT:	ANNOUNCED
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Privilege of the Floor

Coping with Family Members with Mental Health Issues Presentation - Dale and Kathy Taylor

Minutes Acceptance: Minutes of Apr 22, 2021 6:00 PM (Approval of Minutes)

Presentation of Petitions, Communications, and Notice

Health Department COVID Update

RESULT:	COMPLETED
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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 – A Resolution in Support of Reintroduction into the New York State Senate and Assembly of Senate Bill S2761 of 2018, Also Known as “Laree’s Law,” to Amend the New York Penal Law by Adding a New Subdivision 21 to § 220.00, Defining an “Opiate Controlled Substance” and Creating a New Section, § 125.24, to Establish an Offense of “Homicide by Sale of a Controlled Substance.” - District Attorney

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

ON MOTION OF PRICE

RESOLUTION NO. 87-21

A Resolution in Support of Reintroduction into the New York State Senate and Assembly of Senate Bill S2761 of 2018, Also Known as “Laree’s Law,” to Amend the New York Penal Law by Adding a New Subdivision 21 to § 220.00, Defining an “Opiate Controlled Substance” and Creating a New Section, § 125.24, to Establish an Offense of “Homicide by Sale of a Controlled Substance.” - District Attorney

WHEREAS, deaths due to opioid overdoses in the United States have been at an epidemic level since 2010, such as to cause a decrease in the average life expectancy by three (3) years from 2010 to 2017; 1 AND

WHEREAS, deaths due to opioid overdoses in the United States have caused the average life expectancy to decrease by one (1) full year in 2020; 2 AND

WHEREAS, opioid deaths, particularly in the County of Cortland, New York, in 2020 have increased approximately two (2) fold from 2019; AND

WHEREAS, many illicit drugs encountered by local law enforcement agencies are found or suspected to be laced with the highly addictive and deadly fentanyl; AND

WHEREAS, the illegal trade in narcotics in large measure facilitates such overdose deaths, AND

Minutes Acceptance: Minutes of Apr 22, 2021 6:00 PM (Approval of Minutes)

WHEREAS, law enforcement, in the investigation of such overdose deaths, is often able to trace the source of illicit drugs that caused such overdose deaths; AND

WHEREAS, there presently exists no statutory mechanism by which to investigate, arrest, prosecute, convict, and punish the sale, exchange, gift, or disposal of opioids, or other drugs that are the cause of such overdose deaths, AND

WHEREAS, the proposed legislation would define specifically an “opiate controlled substance;” as well as create an offense of *Homicide by Sale of a Controlled Substance* by which law enforcement and prosecutors may then investigate, arrest, prosecute, convict, and punish the sale, exchange, gift, or disposal of opioids found to be the cause of an overdose drug death; NOW THEREFORE BE IT

RESOLVED, that this Cortland County Legislature hereby entreats the New York State Legislature to enact Senate Bill S2761 of 2018, also known as “Laree’s Law;” AND BE IT FURTHER

RESOLVED, that the Clerk of this Legislature is hereby directed to transmit a copy of this resolution to the New York State Governor, President *Pro Tempore* of the New York State Senate, the Speaker of the New York State Assembly, Senator Oberacker, and Members of Assembly Kelles and Lemondes, urging their sponsorship and enactment of this legislation.

AGENDA ITEM NO. 2 – Endorsing Special State Legislation Amending Article 31 of the New York State Tax Law to Permit Cortland County to Impose a Tax on the Transfer of Real Property (A6953, S6167)

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

ON MOTION OF HEIDER

RESOLUTION NO. 88-21

Endorsing Special State Legislation Amending Article 31 of the New York State Tax Law to Permit Cortland County to Impose a Tax on the Transfer of Real Property (A6953, S6167)

WHEREAS, the Cortland County Legislature approved Resolution No. 45-21, “A Home Rule Request For Special Legislation Amending Article 31 of the New York State Tax Law to Permit Cortland County to Impose a Tax on the Transfer of Real, AND

WHEREAS, it is proposed that the rate of such tax shall be one dollar (\$1.00) when the consideration exceeds five hundred dollars (\$500.00), at the rate of one dollar for each five hundred dollars or fractional part thereof, AND

WHEREAS, in order to enact a Property Transfer Tax in Cortland County the New York State Legislature must adopt special Home Rule legislation to enable the County of Cortland to enact a local law for the imposition of such a tax, AND

WHEREAS, Senator Peter Oberacker has introduced New York State Senate bill 6167 and Assembly Member Anna Kelles has introduced Assembly bill 6953 on behalf of Cortland County, NOW THEREFORE BE IT,

RESOLVED, that the Cortland County Legislature endorses and requests State approval of said legislation, and urges its elected representatives in the Senate and Assembly to support this legislation, AND, BE IT FURTHER

Minutes Acceptance: Minutes of Apr 22, 2021 6:00 PM (Approval of Minutes)

RESOLVED, that the Clerk of this Legislature and the County Attorney prepare the documentation necessary for the New York State Legislature to enact said Legislation, AND, BE IT FURTHER

RESOLVED, that the Chairman of the Legislature, upon review and approval by the County Attorney, be and hereby is authorized to execute the appropriate Home Rule Request for the enactment of said special law.

Referred from Building & Grounds Committee

AGENDA ITEM NO. 3 – Amend the Cortland County Tent Policy - Buildings & Grounds

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

ON MOTION OF HARBIN

RESOLUTION NO. 89-21

Amend the Cortland County Tent Policy - Buildings & Grounds

WHEREAS, the Cortland County Legislature adopted Resolution 347-16 which established the Cortland County Tent Policy, AND

WHEREAS, there is a need to review and amend the Cortland County Tent Policy, as the referenced New York State 2015 International Fire Code is no longer in compliance, AND

WHEREAS, New York State has adopted the 2020 International code system as of April of 2020, AND

WHEREAS, the Legislature's Buildings and Grounds Committee has reviewed the amendment and recommends adopting the amendment, NOW THEREFORE BE IT,

RESOLVED, that the Cortland Legislature hereby authorizes the County Administrator upon review and approval of the County Attorney to update this document for compliance with New York State's current 2020 code.

Referred from Highway Committee

AGENDA ITEM NO. 4 – Authorize 2021 Landfill Tipping Fee Credit for Municipalities - Highway Department, Division of Solid Waste

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

ON MOTION OF NEWELL

RESOLUTION NO. 90-21

Minutes Acceptance: Minutes of Apr 22, 2021 6:00 PM (Approval of Minutes)

Authorize 2021 Landfill Tipping Fee Credit for Municipalities - Highway Department, Division of Solid Waste

WHEREAS, the Municipalities of Cortland County will be better served by authorizing a credit to be used at the Cortland County Landfill for the disposal of wastes other than garbage at no charge, AND

WHEREAS, the County Administrator and County Highway Superintendent recommend that there be a no tipping fee 30-ton limit per Municipality, AND

WHEREAS, the Cortland County Landfill no longer accepts tires at their facility, AND

WHEREAS, the Superintendent of the Highway Department is to be authorized to establish a credit for each municipality to dispose of wastes at no charge, NOW THEREFORE BE IT

RESOLVED, that Superintendent of the Highway Department shall provide each municipality in Cortland County a credit of \$2,400.00 for 2021 and allow said municipalities to dispose of their wastes other than garbage at the Cortland County Landfill, AND BE IT FURTHER

RESOLVED, that only authorized municipal representatives utilizing authorized municipal vehicles may bring the waste to the County Landfill in order to make use of the above referenced credit, AND BE IT FURTHER

RESOLVED, that any metal objects (including white goods), construction and demolition waste, and tree wastes shall be separated by category at the landfill site by the municipality making delivery, AND BE IT FURTHER

RESOLVED, that tires shall be excluded as an item that is accepted from the Municipalities wishing to utilize the amnesty credit, AND BE IT FURTHER

RESOLVED, that the Superintendent of the Highway Department shall furnish the Legislature with an accounting of all wastes delivered to the landfill utilizing the amnesty credit.

AGENDA ITEM NO. 5 – Amend the 2021 Budget to Reallocate 2020 Airport Fund Balance to Airport Reserve - Highway Department/Cortland County Airport

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

ON MOTION OF NEWELL

RESOLUTION NO. 91-21

Amend the 2021 Budget to Reallocate 2020 Airport Fund Balance to Airport Reserve - Highway Department/Cortland County Airport

WHEREAS, the Cortland County Legislature adopted Resolution No. 269-17 which directed that the gain or loss from A5610 accounts be placed into a dedicated reserve fund, AND

WHEREAS, the Airport gain in 2020 was \$59,621.22, AND

WHEREAS, a Board resolution is required annually to move the funds into said Airport Reserve, NOW THEREFORE BE IT

Minutes Acceptance: Minutes of Apr 22, 2021 6:00 PM (Approval of Minutes)

RESOLVED that the Airport Reserve (A386300.ARPT) be increased \$59,621.22 for 2020 gains.

AGENDA ITEM NO. 6 – Award Engineering Construction Inspection Services for Replacement of the Loring Crossing Over Tioughnioga River, PIN 3755.43; (BIN 3312300) Bridge Replacement Project - Highway Department

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

ON MOTION OF NEWELL, BISCHOFF

RESOLUTION NO. 92-21

Award Engineering Construction Inspection Services for Replacement of the Loring Crossing Over Tioughnioga River, PIN 3755.43; (BIN 3312300) Bridge Replacement Project - Highway Department

WHEREAS, Cortland County has been awarded \$4,258,772.00 in Locally Administered Federal funding under the BRIDGE-NY Program to design and construct the replacement of the Loring Crossing Bridge, AND

WHEREAS, the Cortland County Legislature has accepted the funding for said project by Resolution # 9-19, AND

WHEREAS, the Highway Department solicited and received proposals from firms interested in providing Professional Engineering 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 Cortland County Legislature approved an agreement with Barton & Loguidice Engineers, DPC for design of said project by Resolution 11-19, AND

WHEREAS, the Highway Committee recommends Barton and Loguidice Engineers, DPC for the Construction Inspection Services for the said project, AND

WHEREAS, the funding for said services is budgeted in the 2021 Capital Projects Budget, AND

WHEREAS, the amount of the Construction Inspection for said services is \$287,000.00, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby approves the Supplemental Agreement # 1 with Barton and Loguidice Engineers, DPC for Construction Inspection Services to the Cortland County Highway Department for an amount not to exceed \$287,000.00, AND BE IT FURTHER

RESOLVED, that the County Administrator upon review and approval as to form by the County Attorney or designee, is hereby authorized to execute a contract agreement with Barton and Loguidice Engineers, DPC, 443 Electronics Parkway, Liverpool, NY 13088 for Professional Services for the Construction Inspection of the Loring Crossing Bridge (BIN 3312300) Replacement.

Minutes Acceptance: Minutes of Apr 22, 2021 6:00 PM (Approval of Minutes)

Referred from Health & Human Services Committee

AGENDA ITEM NO. 7 – Authorize Agreement Between Cortland County and the New York Nurse's Association

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 93-21

Authorize Agreement Between Cortland County and the New York Nurse's Association

WHEREAS, the Cortland County and New York State Nurse's Association (NYSNA) negotiating committees have not been able to meet to negotiate a new contract due to COVID-19, AND

WHEREAS, the parties have agreed to a one year extension of the current contract effective July 1, 2021 to June 30, 2022, AND

WHEREAS, NYSNA has ratified the contract extension, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby approves the extension of the current contract between the County and NYSNA effectively July1, 2021 to June 30, 2022.

AGENDA ITEM NO. 8 – Amend 2021 Budget/Authorize Agreement with New York State Office of Mental Health to Accept Systems of Care Mini-Grant Funds - Mental Health Department

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 94-21

Amend 2021 Budget/Authorize Agreement with New York State Office of Mental Health to Accept Systems of Care Mini-Grant Funds - Mental Health Department

WHEREAS, the New York State Office of Mental Health has awarded the Cortland County Mental Health Department a Systems of Care Mini-Grant in an amount not to exceed \$25,000 to invest in software and equipment for a Systems Of Care platform, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon approval of the County Attorney or designee, is hereby authorized and directed to sign an agreement with the Office of Mental health to accept these funds, AND BE IT FURTHER

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

Increase:

Revenue:

A43104.44490.4200

\$25,000.00

Minutes Acceptance: Minutes of Apr 22, 2021 6:00 PM (Approval of Minutes)

Expense:

A43105.52060.4200

\$25,000.00

Referred from Agriculture/Planning/Environment Committee

AGENDA ITEM NO. 9 – A Resolution of the Cortland County Legislature Supporting the Finger Lakes National Heritage Area

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

ON MOTION OF FITCH

RESOLUTION NO. 95-21

A Resolution of the Cortland County Legislature Supporting the Finger Lakes National Heritage Area

WHEREAS, the Finger Lakes form a unique and diverse region in Upstate New York and encompasses a patchwork of cultures and history, as well as spectacular natural, scenic and recreational resources that reflect a unique contribution to the collective American identity, AND

WHEREAS, the Finger Lakes is distinguished by eleven pristine lakes formed over 19,000 years ago at the end of the “Ice Age” that have over the years been Native American hunting grounds and villages, rich agricultural lands that inspired settlement, villages and small towns, a world renowned wine industry, which have together formed a unique and distinctive landscape, AND

WHEREAS, the Congress of the United States has the authority to designate National Heritage Areas that encompasses a region where natural, cultural, historic and recreational resources combine to form a cohesive, nationally distinctive landscape shaped by geography and cultural traditions, AND

WHEREAS, the Finger Lakes National Heritage Area Feasibility Study was authorized by the John D. Dingell, Jr. Conservation, Management, and Recreation Act of 2019, which directed the Secretary of the Interior to evaluate the natural, historic, cultural, educational, and recreational resources of the Finger Lakes, AND

WHEREAS, the legislation identified the following counties to be considered as part of the study: Cayuga, Chemung, Cortland, Livingston, Monroe, Onondaga, Ontario, Schuyler, Seneca, Steuben, Tioga, Tompkins, Wayne, and Yates, AND

WHEREAS, Cortland County is within the Finger Lakes Tourism region, as designated by New York State law and the National Heritage Area study area and has a plethora of natural, cultural, historic, agricultural and recreational resources pertinent to the study, AND

WHEREAS, the Finger Lakes Tourism Alliance has worked since 2014 with regional and area civic organizations, local jurisdictions and local governments, business community and numerous other stakeholders and non-profit groups in submitting the original request to the National Park Service which resulted in the Feasibility Study in 2021, and continues to work the National Park Service to gather input from the public regarding the creation of a national heritage area in the Finger Lakes, NOW,
THEREFORE BE IT

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RESOLVED, that the Cortland County Legislature supports the Finger Lakes National Heritage Area designation and the inclusion of all fourteen counties including Cayuga, Chemung, Cortland, Livingston, Monroe, Onondaga, Ontario, Schuyler, Seneca, Steuben, Tioga, Tompkins, Wayne, and Yates counties in the National Heritage Area, and supports Finger Lakes Tourism Alliance in their current and future leadership role in administering the National Heritage Area.

AGENDA ITEM NO. 10 – Amend and Adopt the Cortland County Consolidated Housing Plan - Cortland County Planning Department

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

ON MOTION OF FITCH

RESOLUTION NO. 96-21

Amend and Adopt the Cortland County Consolidated Housing Plan - Cortland County Planning Department

WHEREAS, the Cortland County Legislature adopted Resolution No. 180-17 which updated the Cortland County Consolidated Housing Plan w in accordance with 24 CFR Subpart c - Local Governments; Contents of a Consolidated Plan, 91.200, AND

WHEREAS, the Consolidated Plan is an extensive look at all aspects of the community's housing and non-housing needs and is used for future housing-related, economic development, and infrastructure funding requests, AND

WHEREAS, the Cortland County Legislature adopted Resolution No. 213-18 which authorized an application for funds from the New York State Office of Community Renewal through its Community Development Block Grant Program for the purpose of conducting a Substandard Housing Survey, AND

WHEREAS, funds were awarded to conduct such a survey, AND

WHEREAS, the Substandard Housing Survey has now been completed and the document must be added to the Cortland County Consolidated Plan, AND

WHEREAS, failure to adopt an updated Plan may limit State and Federal funding for new or existing housing development projects, programs and services as funding sources often require funding requests to be in conformance with up-to-date community plans, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby officially amends and adopts the revised Cortland County Consolidated Housing Plan.

AGENDA ITEM NO. 11 – Authorize the County Administrator to Sign Contracts for Transit Display Advertising on County-Owned Buses - Planning Department

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

Authorize the County Administrator to Sign Contracts for Transit Display Advertising on County-Owned Buses - Planning Department

WHEREAS, Cortland County-owned buses have space for transit display advertising, AND

WHEREAS, it is in the best interest of Cortland County for the County Administrator in conjunction with the County Mobility Manager to administer the transit display advertising contracts, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee, is hereby authorized and directed to sign agreements for transit display advertising on County-owned buses.

AGENDA ITEM NO. 12 – Adopt Cortland County Coordinated Public Transit Human Services Transportation Plan 2020 - Cortland County Planning Department

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

Adopt Cortland County Coordinated Public Transit Human Services Transportation Plan 2020 - Cortland County Planning Department

WHEREAS, the New York State Department of Transportation/Federal Transit Authority requires that an updated Transportation Needs Assessment be completed by Cortland County to address federal mobility management goals that were first established under the Safe, Accountable, Flexible, Efficient Transportation Equity Act (SAFETEA-LU) and continued under the Moving Ahead for Progress in the 21st Century Act (MAP-21) which was passed in 2012, and were reaffirmed through the FAST Act (Fixing America's Surface Transportation Act) signed into law December 2015, AND

WHEREAS, Resolution No. 263-13 authorized the adoption of a Cortland County Coordinated Public Transit Human Services Transportation Plan 2013 which addressed the federal mobility management goals first established under the SAFETA-LU and continued under the MAP-21 which passed in 2012, AND

WHEREAS, Cortland County is currently utilizing the Federal Transportation Administration programs Section 5311 Formula Grant for Rural Areas, Section 5310 Enhanced Mobility for Seniors and Individuals with Disabilities, and the Coronavirus Aid, Relief and Economic Security (CARES) Act to improve public transportation services available to residents of Cortland County, AND

WHEREAS, the Cortland County Coordinated Public Transit Human Services Transportation Plan 2020 was prepared to address federal mobility management goals first established under the SAFETA-LU, MAP-21, and the FAST Act, AND

WHEREAS, the adoption of the Cortland County Coordinated Public Transit Human Services Transportation Plan 2020 will update the coordinated plan currently in effect to better address the transportation needs of Cortland County by encouraging coordination efforts between providers of transportation and cooperation between human service agencies which could increase efficiencies in operation and provide more transportation options; marketing current and proposed services to the general

public and educating the public and those who work with specialized populations on the available transportation services; working with other counties in the region to create a transportation network not constrained by county borders; and using available FTA funding to work on coordination efforts and the creation of new services to address unmet transportation needs, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby officially adopts the Cortland County Coordinated Public Transit Human Services Transportation Plan 2020.

AGENDA ITEM NO. 13 – Create the Position of Cortland County Mobility Manager

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

ON MOTION OF FITCH

RESOLUTION NO. 99-21

Create the Position of Cortland County Mobility Manager

WHEREAS, the needs of the County will be better served by creating one full time position of Mobility Manager, AND

WHEREAS, the funding for this position will be provided through grants, AND

WHEREAS, Agriculture, Planning & Environmental Committee, the Health and Human Services Committee and the Finance and Administration Committees recommend the creation of this position, NOW THEREFORE BE IT

RESOLVED, that one position of Mobility Manager (Management, Grade 11, \$41,494-\$50,484/year, competitive class) be created effective April 23, 2021 at 12:01 A.M., with approval to fill, AND BE IT FURTHER

RESOLVED, that maintaining said position in the future is contingent upon continued grant funding.

AGENDA ITEM NO. 14 – Adopt the Cortland County Transportation Advisory Committee Bylaws - Planning Department

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

ON MOTION OF FITCH

RESOLUTION NO. 100-21

Adopt the Cortland County Transportation Advisory Committee Bylaws - Planning Department

WHEREAS, the Cortland County Legislature adopted Resolution No. 289-19 which authorized the establishment of the Transportation Advisory Committee as a Citizen's Advisory Committee, AND

WHEREAS, the Cortland County Transportation Advisory Committee has developed bylaws to

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formalize the committee with said bylaws subject to Legislative review and approval, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Transportation Advisory Committee by-laws are hereby approved by the Cortland County Legislature, AND BE IT FURTHER

RESOLVED, that a copy of the bylaws shall be kept on file with the Clerk of the Legislature.

AGENDA ITEM NO. 15 – Appoint Members to Transportation Advisory Committee - Planning Department

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

ON MOTION OF FITCH

RESOLUTION NO. 101-21

Appoint Members to Transportation Advisory Committee - Planning Department

WHEREAS, Resolution Number 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, the following agencies would best support the transportation system within Cortland County, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature appoint the following community service and government agency representatives or designee to the Transportation Advisory Committee.

Aaron Baier	Access to Independence
Liz Haskins	Area Agency on Aging
Lindy Glennon	CAPCO
Marie Walsh	Catholic Charities
Robert Corpora	Cortland County Administrator
Kevin Fitch	Cortland County Legislature
Dan Dineen*	Cortland County Planning Department
Amy Buggs	Cayuga/Cortland Workforce Development Board
Kristen Monroe	Cortland County Department of Social Services
Carol Morse*	First Transit, Inc
Michele Gravel	JM Murray Center

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Catherine Wilde*	Mobility Manager
Zach Newswanger	SUNY Cortland
Greg Lyons	TC3 Card Office
Jackie Leaf	Seven Valleys Health Coalition
Jennifer Hillman	Cortland County Health Department
Sharon MacDougall	Cortland County Mental Health Department

(* - Ex-Officio)

AGENDA ITEM NO. 16 – Amend 2021 Budget to Accept New York State Operating Assistance (STOA) State Funding Year 2020- 21 “Clean Up” Funding New York State Department of Transportation Federal Section 5311 - Planning Department

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

ON MOTION OF FITCH

RESOLUTION NO. 102-21

Amend 2021 Budget to Accept New York State Operating Assistance (STOA) State Funding Year 2020- 21 “Clean Up” Funding New York State Department of Transportation Federal Section 5311 - Planning Department

WHEREAS, the Public Transportation Bureau has sent vouchers to the New York State Comptroller that distributes the SFY 2020-2021 State Wide Mass Transportation Operating Assistance (STOA) “Clean Up” payments to the upstate formula bus systems. These payments distribute the remaining 2020-2021 STOA appropriation balances for the upstate formula bus systems, AND

WHEREAS, the County has received SFY 2020-2021 STOA “Clean Up” payment of \$89,288.10 from the New York State Department of Transportation under Federal Section 5311 for transit operating assistance AND

WHEREAS, the Budget and Finance has adjusted the Revenue account A563044.44589 to indicate the acceptance of the funding, AND

WHEREAS, the Budget and Finance has adjusted the Expense account A56305.54081, AND

WHEREAS, to continue this program for the period of January 1, 2021 to December 31, 2021, NOW THEREFORE BE IT

RESOLVED, the Cortland County Board of Legislature authorizes the release said payment to First Transit and create the following 2021 budget modification.

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	<u>CURRENT</u>	<u>CHANGE</u>	<u>REVISED</u>
Expense: Bus Operations Program Expense Increase A56305-54800	\$772,448	+\$89,288.10	\$861,736.10
Revenue: 5311 STOA Passenger and Miles Decrease A563044.43589	\$516,948	+\$89,288.10	\$606,236.10

Referred from Judiciary & Public Safety Committee

AGENDA ITEM NO. 17 – A Local Law Implementing a Demonstration Program Imposing Owner Liability for Failure of an Operator to Stop for a School Bus Displaying a Red Visual Signal and Stop-Arm

RESULT: REFER TO COMMITTEE-VOTE [13 TO 3]

Next: 7/8/2021 9:00 AM

MOVER: Ann Homer, Legislator

SECONDER: George Wagner, Majority Leader

AYES: Bentley, Bischoff, Wilson, Stock, Homer, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Wagner, Eccleston

NAYS: Beau Harbin, Ronald J. Van Dee, Paul Heider

EXCUSED: Sandra Price

ON MOTION OF PRICE

RESOLUTION NO.

A Local Law Implementing a Demonstration Program Imposing Owner Liability for Failure of an Operator to Stop for a School Bus Displaying a Red Visual Signal and Stop-Arm

BE IT ENACTED BY THE BOARD OF COUNTY LEGISLATORS OF THE COUNTY OF CORTLAND, STATE OF NEW YORK, AS FOLLOWS:

SECTION 1. PURPOSE AND INTENT.

The Cortland County Legislature hereby finds and determines that New York State has authorized counties to implement a demonstration program or monitoring program which will allow Cortland County to install cameras on the exterior of school buses in participating school districts, and impose monetary liability on vehicles that fail to stop behind or in front of a school bus while the school bus stop signs are extended, including traffic traveling in both directions on divided highways.

The Cortland County Legislature also finds and determines that cars that fail to stop when a school bus operator engages the bus stop signs pose a threat to the safety of the children entering and exiting the bus.

The Cortland County Legislature further finds and determines that it is difficult to ticket drivers who disregard school bus stop signs without video evidence of the violation, as there are usually no members of law enforcement witnessing the violation.

The Cortland County Legislature determines that this school bus photo violation monitoring program will not only help to keep children safe when entering and exiting the school bus, but will also act as a deterrent to those who debate passing a school bus while the stop signs are engaged.

Therefore, the purpose of this law is to implement a demonstration program to impose monetary liability on the owner of a vehicle for failure of the operator to stop when a school bus has its stop signs extended in Cortland County through the installation and monitoring of external school bus cameras.

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SECTION 2. DEFINITIONS.

For the purposes of this Local Law, the following terms shall have the following meanings:

- A. "County" shall mean the County of Cortland.
- B. "Manual on Uniform Traffic Control Devices" or "MUTCD" shall mean the manual and specifications for a uniform system of traffic control devices maintained by the Commissioner of the Department of Transportation pursuant to Section 1680 of the New York Vehicle Traffic Law.
- C. "Owner" shall have the meaning provided in Section 239 of the New York Vehicle and Traffic Law.
- D. "School Bus Photo Violation Monitoring System" shall mean a device that is capable of operating independently of an enforcement officer which is installed to work in conjunction with a school bus stop-arm and which automatically produces two or more photographs, two or more microphotographs, a videotape or other recorded images of a vehicle at the time it is used or operated in violation of subdivision (a) of Section 1174 of the New York Vehicle and Traffic Law.

SECTION 3. PROGRAM ESTABLISHED.

- A. There is hereby established, pursuant to Section 1174-a of the New York State Vehicle and Traffic Law, a demonstration program imposing monetary liability on Owners of vehicles for failure of the operators thereof to comply with Section 1174 of the New York State Vehicle and Traffic Law when meeting a school bus marked and equipped as provided in subdivisions 20 and 21-c of Section 375 of the New York State Vehicle and Traffic Law in Cortland County.
- B. Under such demonstration program the County is hereby authorized to install and operate School Bus Photo Violation Monitoring Systems which may be stationary or mobile, and which may be installed, pursuant to an agreement with a school district within the County on school buses owned and/or operated by such school district. Provided, however, that:
 - I. No stationary School Bus Photo Violation Monitoring System shall be installed or operated by the County, except on roadways under the jurisdiction of the County; and
 - II. No mobile School Bus Photo Violation Monitoring System shall be installed or operated on any such school buses unless the County and such school district enter into an agreement for such installation and operation.
- C. To carry out the demonstration program, the County, acting by and through the County Administrator, is authorized to enter into agreements with school districts for the installation, maintenance and use of School Bus Photo Violation Monitoring Systems, for the proper handling and custody of photographs, microphotographs, videotapes, other recorded images and data produced by such systems, and for the forwarding of such photographs, microphotographs, videotapes, other recorded images and data to the County, subject to the provisions of this section and Section 1174-a of the New York Vehicle and Traffic Law and approval of the Board of County Legislators.
- D. Nothing in this Local Law shall be construed to prevent the County or school district at any time from withdrawing from or terminating an agreement for the installation, maintenance and use of School Bus Photo Violation Monitoring Systems, provided however, that the County or the school district shall provide no less than thirty days' required notice to the other for such

withdrawal, if any, prior to such withdrawal.

E. Cost of Program and Reports Relating Thereto.

- I. The total cost to the school district of the installation, maintenance and use of School Bus Photo Violation Monitoring Systems pursuant to an agreement authorized by this Local Law shall be borne entirely by the County.
 - II Any participating school district, acting by and through the Superintendent of Schools of such district, or his or her designee shall provide any report required of the district, pursuant to Section 1174-a of the Vehicle and Traffic Law, to the State or any official thereof.
 - III. To the extent that the County shall be required to issue any report to the State or any official thereof as a result of the adoption of this Local Law and/or Section 1174-a of the Vehicle and Traffic Law, the Cortland County Sheriff's Office shall cause the same to be prepared pursuant to this Local or applicable State law.
- (a) Pursuant to Section 1174-a (a)(3)(i) of the Vehicle and Traffic Law, any school district participating in the demonstration program shall be prohibited from accessing any photographs, microphotographs, videotapes, other recorded images and data from School Bus Photo Violation Monitoring Systems but shall provide, pursuant to the agreement with the County, as provided in this Local Law, for the proper handling and custody of such photographs, microphotographs, videotapes, other recorded images and data produced by such systems, and for the forwarding of such photographs, microphotographs, videotapes, other recorded images and data to the County for the purpose of determining whether a motor vehicle was operated in violation of subdivision of Section 1174 of the New York Vehicle and Traffic Law and imposing monetary liability on the Owner of such motor vehicle therefor.
 - (b) The agreements between the County and the school district shall provide that photographs, microphotographs, videotapes other recorded images and data produced by School Bus Photo Violation Monitoring Systems shall be destroyed (i) ninety days after the date of the alleged imposition of liability if a notice of liability is not issued for such alleged imposition of liability pursuant to this Local Law; or (ii) upon final disposition of a notice of liability issued pursuant to this Local Law.
- F. The County shall adopt and enforce measures to protect the privacy of drivers, passengers, pedestrians and cyclists whose identity and identifying information may be captured by a school bus photo monitoring device. Such measures shall include:
- I. Utilization of necessary technologies to ensure, to the extent practicable, that photographs produced by such School Bus Photo Violation Monitoring Systems shall not include images that identify the driver, the passengers, the contents of the vehicle, pedestrians and cyclists, provided, however, that no notice of liability issued pursuant to this section shall be dismissed solely because a photograph or photographs allow for the identification of the contents of a vehicle, provided that the County has made a reasonable effort to comply with the provisions of this paragraph; and
 - II. A prohibition of the use or dissemination of vehicles' license plate information and other information and images captured by School Bus Photo Violation Monitoring Systems except: (a) as required to establish liability under this section or collect payment of penalties; (b) as required by court order; or (c) as otherwise required by law; and
 - III. Oversight procedures to ensure compliance with the privacy protection measures

required herein.

- G. The County, acting by and through the Commissioner of the Department of Public Works (DPW) shall also undertake the installation of signage in conformance with standards established in the MUTCD. Such signage shall be installed at each roadway entrance of the jurisdictional boundaries of the County giving notice that School Bus Photo Violation Monitoring Systems are used to enforce restrictions on vehicles violating Section 1174 of the New York Vehicle and Traffic Law. For the purposes of this paragraph, the term "roadway" shall not include state expressway routes or state interstate routes but shall include controlled-access highway exit ramps that enter the boundaries of the County.

SECTION 4. PENALTIES.

An Owner liable for a violation of subdivision (a) of Section 1174 of the New York Vehicle and Traffic Law pursuant to this Local Law shall be liable for monetary penalties in accordance with the following schedule of fines and penalties:

- A. Two hundred fifty dollars (\$250.00) for a first violation;
- B. Two hundred seventy-five dollars (\$275.00) for a second violation committed within eighteen (18) months of the first violation;
- C. Three hundred dollars (\$300.00) for a third violation or subsequent violation all of which were committed within eighteen (18) months from the first violation; and
- D. An additional penalty of twenty-five dollars (\$25.00) for each violation for the failure to respond to a notice of liability within the prescribed time period.

SECTION 5. NOTICE OF LIABILITY.

- A. A notice of liability shall be sent as provided by New York State Law by first class mail to each person alleged to be liable as an Owner for a violation of subdivision (a) of Section 1174 of the New York Vehicle and Traffic Law. Personal delivery on the Owner shall not be required. A manual or automatic record of mailing prepared in the ordinary course of business shall be prima facie evidence of the facts contained therein. To the extent that New York State Law does not preclude the County from causing such mailing to be made, the County shall undertake or cause to be undertaken such mailing.
- B. A notice of liability shall contain the name and address of the person alleged to be liable as an Owner for a violation of subdivision (a) of Section 1174 of the New York Vehicle and Traffic Law, the registration number of the vehicle involved in such violation, the location where such violation took place, the date and time of such violation and the identification number of the camera which recorded the violation or other document locator number.
- C. A notice of liability shall contain information advising the person charged of the manner and the time in which he or she may contest the liability alleged in the notice. Such notice of liability shall also contain a warning to advise the persons charged that failure to contest in the manner and time provided shall be deemed an admission of liability and that a default judgment may be entered thereon.
- D. The notice of liability may contain such other information as the entity causing such notice of liability to be mailed deems appropriate to communicate the law, the adjudicatory process if the addressee of the notice wishes to contest the notice of liability.

SECTION 6. OWNER LIABILITY.

- A. The Owner of a vehicle shall be liable for a penalty imposed pursuant to this Local Law if such vehicle was used or operated with the permission of the Owner, express or implied, in violation of subdivision (a) of Section 1174 of the New York Vehicle and Traffic Law and such violation is evidenced by information obtained from a School Bus Photo Violation Monitoring System; provided however that no Owner of a vehicle shall be liable for a penalty imposed pursuant to this Local Law where the operator of such vehicle has been convicted of the underlying violation of subdivision (a) of Section 1174 of the New York State Vehicle and Traffic Law. For purpose of this Section and this Local Law, there shall be a presumption that such vehicle was used and operated with the consent of the Owner at the time it was used and operated in violation of subdivision (a) of Section 1174 of the New York Vehicle and Traffic Law.
- B. If the Owner receives a notice of liability pursuant to this Local Law for any time period during which the vehicle was reported to the police as having been stolen, it shall be a valid defense to an allegation of liability for a violation of subdivision (a) of Section 1174 of the New York Vehicle and Traffic Law pursuant to this Local Law that the vehicle had been reported to the police as stolen prior to the time the violation occurred and had not been recovered by such time. For purposes of asserting the defense provided by this subdivision, it shall be sufficient that a certified copy of the police report on the stolen vehicle be sent or delivered to a court of competent jurisdiction or parking violations bureau having jurisdiction where any contested notice of liability would otherwise be determined.
- C. An Owner who is a lessor of a vehicle to which a notice of liability was issued pursuant to this Local Law shall not be liable for the violation of subdivision (a) of Section 1174 of the New York Vehicle and Traffic Law, provided that he or she complies with the provisions of Section 1174-a of the New York Vehicle and Traffic Law and otherwise sends to the Court of competent jurisdiction or other adjudicatory bureau or agency of competent jurisdiction, a copy of the rental, lease or other such contract document covering such vehicle on the date of the violation, with the name and address of the lessee clearly legible, within thirty-seven (37) days after receiving notice from the agency or entity which caused such notice of liability to be issued, together with the information contained in the original notice of liability. Failure to send such information within thirty seven (37) day time period shall render the Owner liable for the penalty prescribed by this Local Law. Where the lessor complies with the provisions of this paragraph, the lessee of such vehicle for purposes of this Section, shall be deemed to be the Owner of such vehicle on the date of such violation for the purposes of this Section, shall be subject to liability for the violation of subdivision (a) of Section 1174 of the New York Vehicle and Traffic Law pursuant to this Local Law and shall be sent a notice of liability pursuant to Section 4 of this Local Law.
- D. A certificate, sworn to or affirmed by a technician employed by the County, or a facsimile thereof, upon inspection of photographs, microphotographs, videotapes, other recorded images produced by a School Bus Photo Violation Monitoring System, shall be prima facie evidence of the facts contained therein. Any photographs, microphotographs, videotapes, or other recorded images evidencing such a violation shall be available for inspection in any proceeding to adjudicate the liability for such violation.
- E. It shall be a defense to any prosecution for or allegation of a violation of subdivision (a) of Section 1174 of the New York Vehicle and Traffic Law pursuant to this Local Law that such school bus stop-arms were malfunctioning at the time of the alleged violation.
- F. An imposition of liability under this Local Law shall not be deemed a conviction and shall not be made part of the operating record of the person upon whom such liability is imposed nor shall

it be used for insurance purposes in the provision of motor vehicle insurance coverage.

- G. All fines and penalties collected pursuant to this law shall be deposited with the County Treasurer.
- H. For the purpose of informing and educating Owners for motor vehicles in this County during the first thirty-day (30) period in which a School Bus Photo Violation Monitoring System is in operation pursuant to the provisions of this Local Law, all Owners of motor vehicles who would otherwise be held liable for failure of operators thereof to comply with Section 1174 of the New York Vehicle and Traffic Law when meeting a school bus marked and equipped as provided in subdivisions 20-21-c of Section 375 of such Law, shall be issued a written warning in lieu of a notice of liability.

SECTION 7. ADJUDICATION OF LIABILITY.

Liability pursuant to the demonstration program established hereunder shall be imposed upon Owners by the Court of competent jurisdiction in Oneida County or in another other manner pursuant to the New York State General Municipal or Vehicle and Traffic Law(s).

SECTION 8. ACTION FOR INDEMNIFICATION.

If the Owner held liable for a violation of subdivision (a) of Section 1174 of the New York Vehicle and Traffic Law pursuant to this Local Law was not the operator of the vehicle at the time of the violation, the Owner may maintain an action for indemnification against the operator.

SECTION 9. REPORTING REQUIREMENTS.

- A. The County, acting by and through the Cortland County Sheriff's Office, shall develop and cause to be submitted an annual report on the results of the use of a School Bus Photo Violation Monitoring System to the Governor, the president of the Senate and the speaker of the Assembly on or before June 1 of each year in which the demonstration program is operable. Such report shall include any information required by Section 1174- a (m) of the New York Vehicle and Traffic Law to be included as a result of the enactment of this Local Law.
- B. Pursuant to the requirements of Section 1174-a of the New York State Vehicle and Traffic Law, courts, bureaus, and agencies conducting adjudications as a result of this Local Law shall report at least annually to the County on the quality of the adjudication process and its results including the total number of hearings scheduled, re-scheduled, and held; the total number of persons scheduled for such hearings; the total number of cases where fines were paid on or before the hearing date; and the total number of default judgments entered.
- C. The County, acting by and through the Cortland County Sheriff's Office, shall annually provide a copy of the annual report submitted pursuant to subsections A and B of this Section, to each Local Law enforcement agency having jurisdiction to enforce violations of the vehicle and traffic law or any ordinance, rule or regulation relating to traffic adopted pursuant to such law on roadways within the County.

SECTION 10. APPLICABILITY.

This Local Law shall apply to all actions in school districts that have agreements with the County for any school year commencing on or after September 1st, 2021.

SECTION 11. SEVERABILITY.

If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be

adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this Local Law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 12. EFFECTIVE DATE

This Local Law shall take effect on June 1, 2021.

AGENDA ITEM NO. 18 – Appoint Cortland County Coroner

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

ON MOTION OF PRICE

RESOLUTION NO. 103-21

Appoint Cortland County Coroner

WHEREAS, due to the resignation of Kevin Sharp as County Coroner a vacancy exists, AND

WHEREAS, New York State County Law, Section 400 provides for the appointment of Coroner when a vacancy exists, NOW THEREFORE, BE IT

RESOLVED, that Brian Riccardi be and hereby is appointed County Coroner to serve from April 23, 2021 until December 31st, 2021 and be compensated in accordance with the Management/Management Confidential Compensation Employment Policy.

AGENDA ITEM NO. 19 – Amend the 2021 Budget Related to the Lease of Sheriff's Department Vehicles - Sheriff's Department

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

ON MOTION OF PRICE

RESOLUTION NO. 104-21

Amend the 2021 Budget Related to the Lease of Sheriff's Department Vehicles - Sheriff's Department

WHEREAS, the Cortland County Sheriff's Department leased vehicles in 2020, AND

WHEREAS, due to the impact of the COVID-19 pandemic, the vehicles were not received until December of 2020, and therefore the vehicles were not placed into service until 2021, AND

WHEREAS, the Sheriff's Department incurred expenses for the leased vehicles in 2021, NOW THEREFORE BE IT

RESOLVED, the Cortland County Sheriff's 2021 budget be amended as follows:

Increase 2021:

A31205.54301	Leased Equipment	\$20,000
A31505.54301	Leased Equipment	\$2,500
A31205.54765	Judgment & Claims	\$2,240
A359900	Appropriated Fund Balance	\$24,740

Referred from Government Operations Committee

AGENDA ITEM NO. 20 – Adopt the Administrative Manual: the Policies and Procedures of Cortland County Government

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

ON MOTION OF FAIRCHILD-PRESTON

RESOLUTION NO. 105-21

Adopt the Administrative Manual: the Policies and Procedures of Cortland County Government

WHEREAS, there is a need to establish an Administrative Manual for all Cortland County Policies, AND

WHEREAS, there is a need to establish a clear procedure for amending the Administrative Policy and to ensure that all policies and procedures of the Administrative Manual are reviewed and updated through a coordinated and monitored process, NOW THEREFORE BE IT

RESOLVED, upon recommendation of the Government Operations Committee, the Administrative Manual is hereby adopted.

AGENDA ITEM NO. 21 – Amend Management/Management Confidential Compensation Policy – Personnel Department

RESULT:	ADOPTED [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, Wagner, Heider, Eccleston
EXCUSED:	Sandra Price

ON MOTION OF FAIRCHILD-PRESTON

RESOLUTION NO. 106-21

Amend Management/Management Confidential Compensation Policy – Personnel Department

WHEREAS, the Cortland County Legislature adopted a local law on November 14, 2011 entitled “A Local Law to Adopt the County of Cortland Employment Policy Manual for Department Heads,

Minutes Acceptance: Minutes of Apr 22, 2021 6:00 PM (Approval of Minutes)

Management Employees, Management/Confidential Employees and a Grade and Step plan for employees falling under the plan”, AND

WHEREAS, the Legislature's Government Operations Committee has reviewed recommended amendments to the County of Cortland Employment Policy Manual for Department Heads, Management Employees, Management/Confidential Employees and supports the various amendments, NOW THEREFORE BE IT

RESOLVED, the Cortland County Legislature hereby adopts the amended County of Cortland Employment Policy Manual for Department Heads, Management Employees, Management/Confidential Employees.

AGENDA ITEM NO. 22 – Authorize Contract with the Cortland Enlarged Central School District for Use Voting Machines for School Board Elections & Budget Vote - Board of Elections

RESULT:	ADOPTED [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, Wagner, Heider, Eccleston
EXCUSED:	Sandra Price

ON MOTION OF FAIRCHILD-PRESTON

RESOLUTION NO. 107-21

Authorize Contract with the Cortland Enlarged Central School District for Use Voting Machines for School Board Elections & Budget Vote - Board of Elections

WHEREAS, Resolution No. 92-19 authorized a two-year contract with Cortland County School Districts and the Cortland County Board of Elections to conduct said elections, AND

WHEREAS, the Board of Elections and the Cortland Enlarged City School District wish to enter into a new two year contract, AND

WHEREAS, the County has established rates for the use of voting machines, AND

WHEREAS, all revenue received from the from the rental of said voting machines shall be deposited into account # A145042.41289.SCH, Departmental Fees, School, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review and approval of the County Attorney or designee, is authorized to sign agreements with the Cortland Enlarged City School district for use of voting machines for school board elections and budget vote, AND BE IT FURTHER

RESOLVED, that the term of said agreement shall be for two years.

AGENDA ITEM NO. 23 – Authorize Agreement with Dominion Voting Systems Corporation for Lease of Voting Machines - Board of Elections

Minutes Acceptance: Minutes of Apr 22, 2021 6:00 PM (Approval of Minutes)

RESULT:	ADOPTED [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, Wagner, Heider, Eccleston
EXCUSED:	Sandra Price

ON MOTION OF FAIRCHILD-PRESTON

RESOLUTION NO. 108-21

Authorize Agreement with Dominion Voting Systems Corporation for Lease of Voting Machines - Board of Elections

WHEREAS, the Cortland County voting machines have reached the end of their useful life, AND

WHEREAS, The New York State Board of Elections has approved the use of two types of voting machines, AND

WHEREAS, both types of voting systems have gone through very strict certification before being authorized by use in New York State, AND

WHEREAS, after reviewing the Dominion Voting Systems Corporation proposal to lease 33 voting machines for seven years at a cost of \$60,295.00 per year, AND

WHEREAS, the Cortland County Board of Elections and the Cortland County Administrator recommends the County Legislature authorize the Dominion proposal and related lease agreement, AND

WHEREAS, the Legislature's Government Operations Committee has reviewed the recommendations of the Board of Elections and the County Administrator, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature authorizes the County Administrator upon review and approval of the County Attorney or designee to enter into a multi-year agreement with Dominion Voting Systems Corporation at a cost of \$60,295.00 per year with cost such agreement to be paid from account #A14505.54065.

AGENDA ITEM NO. 24 – Reclassification of Fiscal Officers to Fiscal Managers in the Highway and Public Health Departments - Personnel Department

RESULT:	ADOPTED [13 TO 3]
MOVER:	Susan Wilson, Legislator
SECONDER:	Ronald J. Van Dee, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Stock, Homer, Fitch, Newell, Waldbauer, Wagner, Heider, Eccleston
NAYS:	Linda Jones, Kelly L. Fairchild-Preston, Joseph Nauseef
EXCUSED:	Sandra Price

ON MOTION OF FAIRCHILD-PRESTON

RESOLUTION NO. 109-21

Reclassification of Fiscal Officers to Fiscal Managers in the Highway and Public Health Departments - Personnel Department

WHEREAS, the needs of the Highway and Health departments will be better served by reclassifying two positions of Fiscal Officer, one in the Highway Department and one in the Public Health Department, AND

WHEREAS, the County Administrator and Personnel Officer have reviewed the duties of these

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positions and recommend that the positions be re-classified to the position of Fiscal Manager to reflect the expanded duties, AND

WHEREAS, the Highway, Health and Human Services, Government Operations, and Finance Administration committees have reviewed the recommendations of the County Administrator and Personnel Officer, NOW, THEREFORE, BE, IT

RESOLVED, that two positions of Fiscal Officer (Grade 10, \$44,607-\$54,272 Management Compensation competitive class) be and hereby are abolished effective April 22, 2021 at 12:00 p.m, AND BE IT FURTHER

RESOLVED, that two positions of Fiscal Manager (Grade 9, \$47,952 - \$58,341 Management Compensation competitive class) be created effective April 23, 2021 at 12:01 a.m., AND BE IT FURTHER

RESOLVED, that the current incumbents will fill the newly created positions.

Referred from Finance & Administration Committee

AGENDA ITEM NO. 25 – Reallocate Salary Grade for Undersheriff, Director, Area Agency on Aging, and Personnel Department Payroll Coordinator - Personnel Department

RESULT:	ADOPTED [13 TO 3]
MOVER:	George Wagner, Majority Leader
SECONDER:	Ronald J. Van Dee, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Stock, Homer, Fitch, Newell, Waldbauer, Wagner, Heider, Eccleston
NAYS:	Linda Jones, Kelly L. Fairchild-Preston, Joseph Nauseef
EXCUSED:	Sandra Price

ON MOTION OF WAGNER

RESOLUTION NO. 110-21

Reallocate Salary Grade for Undersheriff, Director, Area Agency on Aging, and Personnel Department Payroll Coordinator - Personnel Department

WHEREAS, the County Administrator and the Personnel Officer have reviewed the salary grade for Undersheriff, Area Agency on Aging Director, and Payroll Coordinator (Personnel Department), AND

WHEREAS, the County Administrator and the Personnel Officer each recommend that the aforesaid positions be reallocated as follows:

Undersheriff - Grade 3 to Grade 2

Area Agency on Aging Director - Grade 5 to Grade 4

Payroll Coordinator - Grade 4 Management Confidential to Grade 5 Management Confidential,

NOW, THEREFORE, BE IT

RESOLVED, that the aforementioned positions are hereby reallocated in the Management/Management Confidential Compensation Employment Policy as follows:

Undersheriff - Grade 3 \$74,005 - \$90,037 to Grade 2 \$79,554 - \$96,791

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Area Agency on Aging Director - Grade 5 \$64,039 - \$77,913 to Grade 4 \$68,842 - \$83,755

Payroll Coordinator - Grade 4 \$20,2040 - \$24,5813 Management Confidential to Grade 5 \$21,8569 - \$26,5925 Management Confidential

AND BE IT FURTHER

RESOLVED, that the effective date is April 23, 2021.

AGENDA ITEM NO. 26 – Reject Bids for Property Tax Foreclosure Auction Services

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

ON MOTION OF WAGNER

RESOLUTION NO. 111-21

Reject Bids for Property Tax Foreclosure Auction Services

WHEREAS, the Cortland County Treasurer advertised and received bids for Property Tax Foreclosure auction services, AND

WHEREAS the County received bids from the following auctioneers;

Absolute Auctions, 45 South Ave. Pleasant Valley NY 12569

Auctions International, 11167 Big Tree Road, East Aurora, NY 14052

Collar City Auctions Realty & Mgmt., 9423 Western Tpke. Delanson, NY 12053

Mel Manasse & Sons Auctionners, LLC., 12 Henry St., PO Box 738, Whitney Point, NY 13862

AND

WHEREAS, the COVID-19 Pandemic has forced a need to reevaluate the manner in which Cortland County property tax foreclosure auctions are conducted; including but not limited to conducting such auctions remotely via the internet, AND

WHEREAS, the scope of the County's request for proposals for property tax foreclosure auctioneer services did not include provisions for remote auctions and were not requested, AND

WHEREAS, it is in the County's best interest to revise the scope of services for property tax foreclosure auctioneer services and advertise accordingly, NOW THEREFORE BE IT

RESOLVED, the Cortland County Legislature hereby formally rejects all bid proposals for Property Tax Foreclosure Auctioneer services and directs the County Treasurer to revise the scope of services and advertise for Property Tax Foreclosure Auctioneer services for Cortland County tax foreclosure auctions for tax years 2019, 2020, 2021, and 2022.

AGENDA ITEM NO. 27 – Authorize Semi-Annual Mortgage Tax Collections Disbursement to Various Municipalities for the Period of October 1, 2020-March 31, 2021

Minutes Acceptance: Minutes of Apr 22, 2021 6:00 PM (Approval of Minutes)

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

ON MOTION OF WAGNER

RESOLUTION NO. 112-21

Authorize Semi-Annual Mortgage Tax Collections Disbursement to Various Municipalities for the Period of October 1, 2020-March 31, 2021

WHEREAS, in accordance with NYS Tax Law, Article 11, § 261, the Semi Annual Mortgage Tax Report for October 1, 2020-March 31, 2021, has been prepared and submitted by the Cortland County Clerk and has been approved by the NYS Department of Taxation and Finance, AND

WHEREAS, the Basic Mortgage Tax has been submitted with interest to the Cortland County Treasurer, AND

WHEREAS, the mortgage tax has been calculated to apportion the basic mortgage between the towns and villages, NOW THEREFORE BE IT

RESOLVED that the Cortland County Legislature authorize the County Treasurer to make payments to each of the tax districts within the County of Cortland as shown below, either by check or by electronic bank deposit based on the request of the receiving municipality.

Cortland, City of	\$249,683.55	
Cncinnatus, Town of	7,692.82	
Cortlandville, Town of	155,769.15	
McGraw, Village of		4,434.94
Homer, Village of		482.06
Cuyler, Town of		9,833.70
Freetown, Town of	6,307.66	
Harford, Town of	6,489.22	
Homer, Town of	38,930.70	
Homer Village of		29,237.23
Lapeer, Town of	10,654.86	
Marathon, Town of	7,442.19	
Marathon, Village of	4,081.80	
Preble, Town of	17,669.44	
Scott, Town of	6,709.83	

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Solon, Town of	6,076.79
Taylor, Town of	897.88
Truxton, Town of	7,424.78
Virgil, Town of	28,128.05
<u>Willet, Town of</u>	<u>3,659.71</u>
TOTAL	\$601,606.36

Executive Session

Mr. Heider made a motion to enter executive session, Ms. Bischoff seconded the motion. Mr. Nauseef opposed. The Legislature entered executive session at 8:05 PM

Ms. Homer made a motion to return to regular session, Mr. Wagner seconded the motion; the Legislature returned to regular session at 8:26 PM.

Adjourn

Ms. Howe announced her planned retirement from County service. Her final day will be May 21, 2021.

Cortland County Proclamation



Declaring June 2021 to be Pride Month in Cortland County

WHEREAS, Our LGBTQIA residents will always be an accepted and valued part of our vibrant and diverse Cortland County community, AND

WHEREAS, the month of June is designated Pride Month to commemorate the Stonewall Uprising of June 1969 which is considered the birth of the modern LGBTQIA rights movement, AND

WHEREAS, despite the tremendous progress that has been made since then, members of the LGBTQIA community continue to face violence and discrimination, suffering higher rates of depression and suicide, with LGBQ youth in Cortland County 6x more likely to attempt suicide compared to straight peers and transgender youth in Cortland County 3.5x more likely to attempt suicide compared to cisgender youth, AND

WHEREAS, Pride Month serves as a reminder of the LGBTQIA community's tireless efforts to secure dignity and equality, and calls on us to continue this fight until all may live and love freely, AND

WHEREAS, this month we celebrate the resilience of our LGBTQIA neighbors, friends, and family members, and recommit ourselves to building an inclusive community where all residents can take pride in who they are and who they love, **NOW THEREFORE BE IT**

RESOLVED, that, I, Paul Heider, Chair of the Cortland County Legislature, on behalf of all residents of Cortland County, do hereby proclaim the month of June 2021 as Pride Month in Cortland County.

IN WITNESS WHEREOF, I have hereunto set my hand this 27th day of May, 2021.

Paul Heider, Chair
Cortland County Legislature

Cortland County Proclamation



Recognizing Retiring Cortland County Employees for Their Time and Service

WHEREAS, several County employees are ending their distinguished careers with Cortland County and moving into retirement, **AND**

WHEREAS, the Cortland County Legislature wishes to express its appreciation to those retiring employees for their years of dedicated service to the residents of Cortland County, **NOW THEREFORE BE IT**

RESOLVED, the Legislature recognizes the following employees and their years of service;

Annette Barber, Personnel Department – 31 years of service
Karen Howe, County Attorney – 30 years of service

, **AND BE IT FURTHER**

RESOLVED, that the Legislature acknowledges that these individuals' knowledge and expertise will be missed, **AND BE IT FURTHER**

RESOLVED, that on behalf of the entire County Legislature, I, Paul Heider, Chairman of the Legislature, want to express our sincere appreciation to these employees for their loyalty to the County of Cortland and wish each of them much happiness as they begins this exciting new chapter in their lives.

Signed on the 27nd day of May, 2021.

Paul Heider, Chair
Cortland County Legislature

Cortland County Proclamation



Peace Officer's Memorial Day & Police Week in Cortland County

WHEREAS, by Presidential Executive Order and Resolution of the Congress, May 15 of each year is recognized as Peace Officer's Memorial Day, honoring all law enforcement officers who have died in the line of duty, AND

WHEREAS, the week in which Peace Officer Memorial Day falls is celebrated as National Police Week, recognizing the important role that law enforcement officers play in safeguarding the rights and freedoms of all citizens, AND

WHEREAS, law enforcement officers perform an essential public service under difficult circumstances, especially today, in view of the COVID pandemic and the nation's unrest, AND

WHEREAS, the vast majority of law enforcement officers are selfless public servants who accept as part of their profession being exposed to great danger in order to protect the life and property others, AND

WHEREAS, these dedicated officers deserve to be honored for their willingness to perform that essential public service on behalf of all our citizens, AND

WHEREAS, the Cortland County Legislature wishes to acknowledge the difficult job we ask our Deputy Sheriffs and other police officers to perform, and to thank them for their willingness to do it, AND

WHEREAS, the Cortland County Legislature is desirous of recognizing and honoring all those law enforcement officers who, over the years, have lost their lives in the line of duty, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature does hereby acknowledge and honor the service of our Deputy Sheriffs, and all other police officers who have served, and who are serving in the County, AND BE IT FURTHER

RESOLVED, that the Cortland County Legislature does hereby declare May 15, 2021 to be Peace Officer Memorial Day in the County and does further declare the week of May 9 to 15, 2021 to be Police Week in Cortland County.

Signed on the 27th day of May, 2021.

Paul Heider, Chair
Cortland County Legislature

Cortland County Proclamation



National Correctional Officers Week

WHEREAS, on May 5, 1984, President Ronald Reagan did proclaim that the first full week of May each year would be observed as National Correctional Officers Week, in recognition of the important role these officers play in our criminal justice system, AND

WHEREAS, in the year 2021 Correctional Officers and other Correctional Employees continue to play that important role, but in an ever more stressful environment due to the current pandemic sweeping our nation and the world, AND

WHEREAS, even as President Reagan observed in his 1984 Proclamation, the position of Correctional Officer, once considered merely that of a “guard”, has become increasingly more complex and demanding, involving simultaneously custodial, supervisory and counselling roles, and that complexity continues to grow, AND

WHEREAS, the Cortland County Legislature wishes to acknowledge the difficult job we ask these officers and employees to perform, locked inside a facility for a large part of their day, where they must securely, safely and humanely keep those committed to the jail, respecting the rights and dignity of all the inmates, including those who have been found guilty and those only awaiting adjudication, AND

WHEREAS, the important and difficult role these Correctional Officers and correctional employees fulfill is not always recognized or appreciated by the general public, AND

WHEREAS, the Cortland County Legislature is desirous of recognizing the good work being done by the Correctional Officers and Correctional Employees at the Cortland County Jail, NOW THEREFORE BE IT

RESOLVED, that I, Paul Heider, on behalf of the Cortland County Legislature do hereby acknowledge the conscientious, difficult and dedicated service our Correctional Officers and Correctional Employees perform for the People of Cortland County, and does further extend to those good public servants our gratitude for jobs well done.

Signed on the 27th day of May, 2021.

Paul Heider, Chair
Cortland County Legislature



CORTLAND COUNTY DEPARTMENT OF SOCIAL SERVICES

2020

ANNUAL REPORT

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This report serves as the 2020 Cortland County Department of Social Services Annual Report as required by Section 81 of Title 5 of the Social Services Law.

VISION, MISSION, AND GUIDING VALUES

Vision

To eliminate poverty and family violence in Cortland County

Mission

Our mission is to accurately and efficiently provide benefits and services to the people of Cortland County in a respectful and responsive manner that protects the vulnerable, encourages self-sufficiency, and promotes dignity.

Values

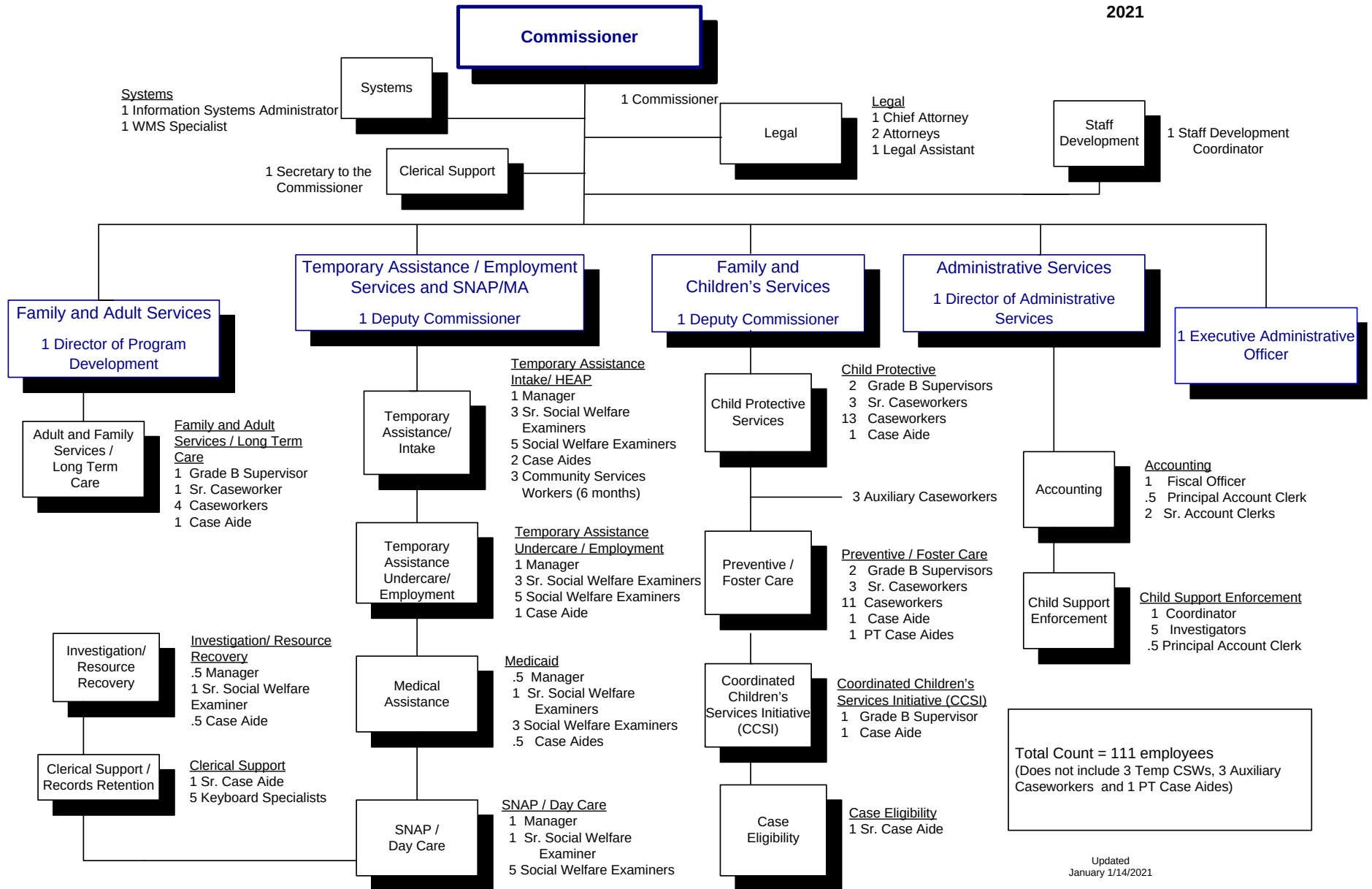
- Strength-based partnerships
- Teamwork
- Self-sufficiency and individual responsibility
- Safe and healthy environments
- Family preservation and permanency
- Respect for all people
- Outcome focused approach
- An energizing positive work environment

ORGANIZATIONAL CHART

- See next page for a January 2021 chart

Cortland County Department of Social Services

2021



Administrative and Supportive Services

ADMINISTRATION

Administration encompasses the work to administer programs and services, manage personnel, develop and manage contracts, develop operational policies and procedures, implement state policy directives, comply with various audits and reviews, comply with various mandated state plans, coordinate with community partner agencies, develop efficient work flow processes, assess data and outcomes, resolve complaints and problems, and to manage a 30-million-dollar budget. The work described in this section is performed by the Commissioner, two Deputy Commissioners, Director of Program Development, Director of Administrative Services, Executive Administrative Officer, Secretary to Commissioner and Staff Development Coordinator.

Personnel management includes assessment and assignment of job duties, evaluating positions needed, requesting permissions to fill, civil service compliance and paperwork, interviewing, screening and offering positions, orientation, training arrangement, registration and permission, monitoring and approving leaves of absences, employee evaluations, employee skill development, and payroll processing. Additionally, employee injuries and threats require urgent responses, assessment, paperwork, and follow-up.

In 2020, we had 29 positions turnover or abolished. Of the 29 total positions, 16 required the hiring of a new person to the department, 6 involved the promotion of an internal candidate and 7 were abolished. There were 21 exits from the department 3 were due to failing probation, a provisional employee being unreachable on a civil service list, or a voluntary demotion, 8 were resignations, 9 were retirements and one was an abolished position. Of the 9 retirements 6 were from the incentive offered. For three months during COVID, we furloughed 35 people for a savings of about \$300,000 in salaries.

The department developed or renewed 63 contracts in 2020. Of them, 10 were for foster care placements, 9 were with day care centers, 9 were for work site placements for the Work Experience program. The rest were for various administrative and program services. In 2020, the department held 10 contracts with other county departments for a total of \$712,000.

In 2020, we received 115 state policy directives from the Office of Children and Family Services (OCFS), the Office of Temporary and Disability Assistance (OTDA) and the State Department of Health. Many of these required changes and updates to our policies and procedures. Most noteworthy ones involved the following topics:

- Various COVID related policies and funding directives
- Home Energy Assistance component directives (regular, emergency, cooling and clean and tune)
- Changes in how replacement clothing is paid for foster children
- Child welfare blind removal and kin-first firewall practices
- New shelter regulations
- Mobile document submission and electronic application processes

There were many state plan documents required in 2020. Plans required were:

- OTDA Emergency Solutions Grant – COVID (ESG-CV) spending plan
- OTDA Monthly FEMA reports
- OTDA Homeless Services Plan and quarterly reporting requirements
- OTDA Temporary Housing Budget Report
- OTDA Fraud Plan
- OTDA Code Blue housing and funding plan
- OCFS Monthly Day Care Program waiver plans
- OCFS Family and Children’s plan
- OCFS Raise the Age funding plan
- OTDA Flexible Fund for Family Services (FFFS) funding plan and monthly reporting requirements
- OCFS Foster Parent Recruitment plan with Blind Removal Process added
- OCFS Supervision and Treatment Services for Juveniles Plan (STSJP) funding plan and quarterly reporting requirements.
- OCFS Child and Family Services Plan

Additionally, in 2020 we managed formal case and program reviews/audits. These included:

- Child Welfare Practice Case Review
- Long Term Care agency Medicaid audits
- OCFS Quarterly IV-E Claims Reviews
- Preventive Services IV-E candidacy case reviews
- Adoption IV-E case review
- Employment services case review
- 2019 Federal Single Audit Review

Our Staff Development Coordinator led 3 work groups with staff across the department in 2020. These groups were developed to establish, clarify, and implement improved processes and procedures on topics that involve multiple units where needs were identified by an administrator.

SUPPORTIVE SERVICES

Accounting Unit

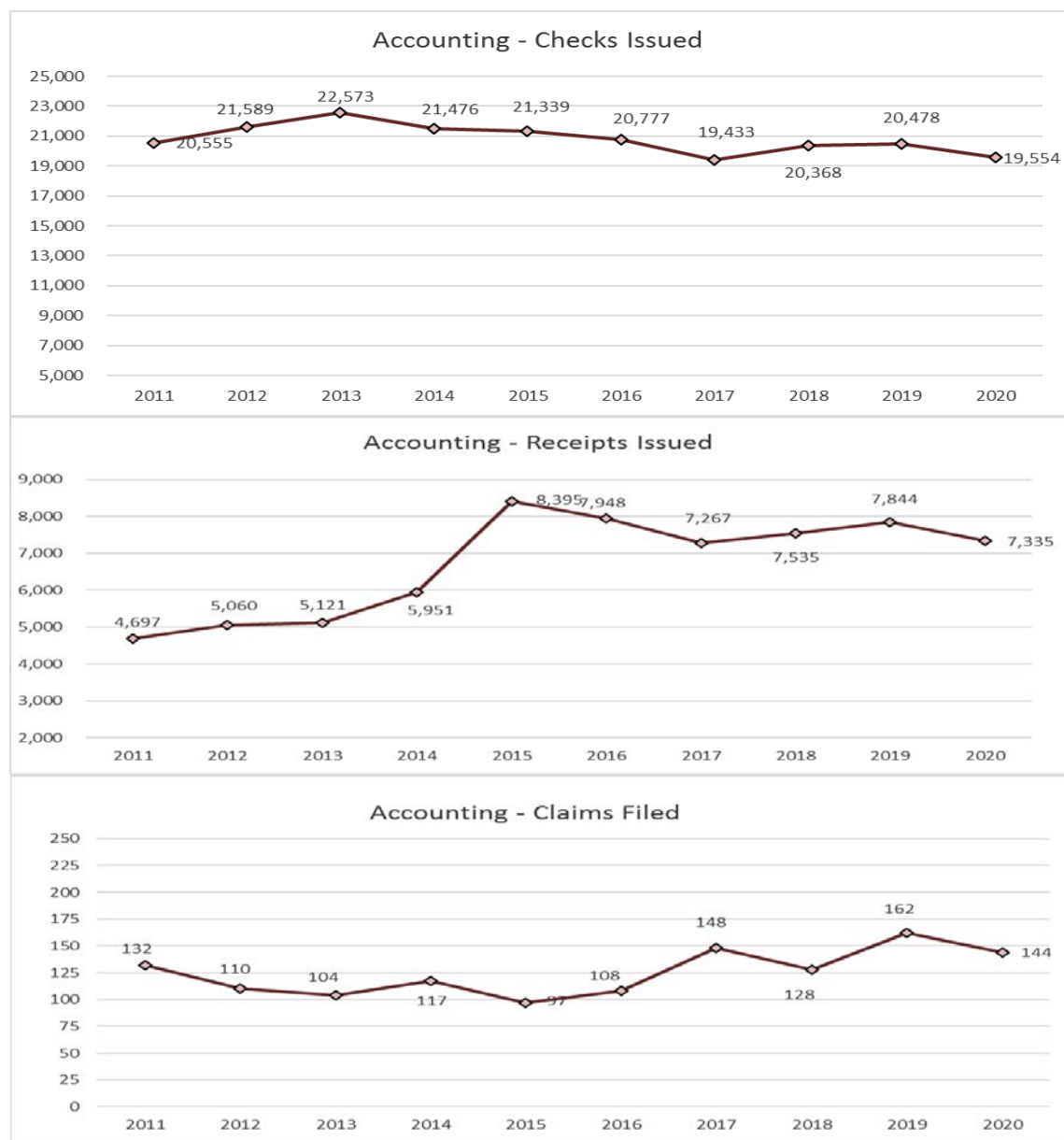
This unit is responsible to audit and code various original source documents to ensure correct payment and claiming. Payments are produced using three different computer systems; a state system for client benefits, a county system for administrative payments, and a locally created system for representative payee accounts. In 2020, there were 418 administrative payments, 2,890 program payments, and 16,246 trust account payments generated.

There were fewer payments made in person or by mail in 2020, which explains the decrease in receipts in the chart below.

There are different program and administrative expenditures and claims processes. Both require staff to calculate, code and record expenditures for monthly claiming of state and federal

reimbursement utilizing the Automated Claiming System (ACS). In 2019 some changes associated with ACS claiming led to an increase in the number of supplemental claims, 2020 saw a small decrease.

The department budget involves the management of 78 appropriation accounts, 43 revenue accounts, and 7 trust accounts.



Legal Unit

This unit handles an array of legal matters involving the department, including the following things:

- Family and Children's Services - Litigation and preparation of petitions, answers, motions, discovery, orders, memoranda of law, appellate briefs, and other legal documents for Family Court, and offering legal advice in child welfare law. There were 142 petitions, 287 orders and 169 permanency reports filed in 2020. These numbers were only slightly lower due to the pandemic.
- Support Collection Unit - Litigation and preparation of petitions, orders, motions, objections and other legal documents for Support Magistrate and Family Court Judge. Also appear as counsel on behalf of the Support Collection Unit for Child Support Services (CSS) recipients who request such service.
- Adult Services – Assist with legal matters involving the elderly and incapacitated. Preparation of petitions, orders and other legal documents/reports for proceedings in Surrogate's and Supreme Court.
- Investigation Unit and Chronic Care – Provide legal advice and representation for recovery of agency funds through the Resource Recovery Unit, and advise Chronic Care on such issues as Medicaid eligibility, trusts, and spousal resources.
- Bankruptcy – Provide clearinghouse for all bankruptcy notices received by the agency and render legal advice with respect to proper procedures upon notification of filing.
- Fair Hearings - Coordination of Fair Hearing requests with appropriate units including obtaining summaries from workers, coordinating the fair hearing schedule on hearing day, and providing attorney representation for the agency. For Family and Children's Fair Hearings, the legal office is responsible for preparing the record that will be used during the hearings. In 2020 there was only one income maintenance program fair hearing and 12 Child Protective Services investigation determination hearings requiring attorney representation. These numbers were low due to the pandemic and various state waivers and process holds.

Reception

The Receptionists manage a large volume of visitors, phone calls, and mail. They direct individuals, phone calls, and mail to appropriate employees, provide requested applications and paperwork to visitors, process paperwork left by visitors, and pick up and deliver all out-going mail.

Additionally, the Reception team receives all applications for assistance, registers applications, and assists individuals with setting their Personal Identification Number (PIN). They also assist with records management throughout the department. This work involves filing, maintaining records databases, and destroying records in accordance with retention requirements.

Historically we have counted the number of visitors to our Reception area. This is typically quite significant, for example we totaled 27,715 visitors in 2019. The COVID pandemic has forced us to dramatically change our processes in regard to how we conduct interactions with our clients, and since March of 2020 all visitors who did need to visit our agency have been routed through the County Office Building gymnasium instead of Reception. Most of the mandatory in-person appointments for our programs were waived by New York State and processes were put in place allowing individuals to communicate by phone and submit documents electronically. It remains to be seen if any of these state mandate waivers will become permanent.

Systems

The Systems Administrator and Welfare Management Specialist deploy and maintain all hardware including 140 network computers, 25 printers, 6 copiers, 15 label makers, and 159 phone lines. They also manage numerous programs requiring set-up and user rights configurations. There are approximately 39 software and data programs required by our employees to do their jobs. Every month, they generate approximately 1,467 data report needed for staff from the state Benefits Issuance Control System (BICS).

Income Maintenance Division

TEMPORARY ASSISTANCE

Description of programs:

- Family Assistance (FA) provides temporary cash assistance to eligible needy families that include a minor child. FA is a federal Temporary Assistance for Needy Families (TANF) funded assistance program. Eligible adults are limited to receiving benefits for a total of 60 months.
- Safety Net Assistance (SN) provides temporary cash assistance to eligible single adults, childless couples, and families who have exhausted their 60-months of eligibility for FA. SN is a state assistance program.
- Emergency Assistance: People with urgent needs, such as shelter and utilities, may be eligible for Emergency Assistance for Families (EAF), Emergency Assistance for Adults (EAA), or Emergency Safety Net (ESN) assistance, depending on their household income and resources.
- Employment Services- Within a week of an application, the employment unit becomes involved with TA applicants who are determined employable. They are required to attend a weeklong Job Search Workshop. Individuals who do not obtain employment are required to work with the employment unit to undergo an assessment and participate in assigned programs. Supportive services, including daycare and transportation assistance, are provided to clients to enable them to move forward to self-sufficiency. Work activities can include, but are not limited to, job search, Work Experience assignments, volunteer activities, vocational training, community service, therapy, counseling, etc. Individuals who do not comply with employment assignments are subject to sanctions that decrease or discontinue their benefits for certain time frames. Many individuals are exempt from work activities due to mental health, substance abuse or physical medical exemptions.
- Work Experience Program - The work experience program introduces the value of work by having participants develop work habits and job skills from participation in work assignments. Individuals are assigned to work sites at government or non-profit agencies with whom agreements are established.
- Disability Analyst – This position is provided via a contractual agreement with the J.M. Murray Center, Inc. and is located at the Department. The Disability Analyst establishes disability determinations for TANF and SN individuals presenting medical issues. This involves meeting with individuals and working with their doctors to obtain medical documentation that results in an exemption from employment activities and/or the pursuit of social security benefits.

Annual Update:

The COVID pandemic has led to a decrease in Temporary Assistance application numbers, particularly emergency assistance, which we attributed to the enhanced unemployment benefits, stimulus payments, and eviction and utility shut-off moratoriums.

	2016	2017	2018	2019	2020
New TA apps registered per year (Total of FA, SN, EAA, EAF, ESN)	1,951	1,835	1,702	1,677	1,225
FA apps registered	465	493	419	351	361
SN apps registered	1,280	1,042	1,233	1,105	822
Average number of days from FA application to determination	32	34	31	25	19
Average number of days from SN application to determination	40	39	38	28	38

Emergency trends over the last five years are charted below, including EAF and EAA application expenditures. Things covered include emergency housing, evictions, utility, and fuel shut offs, etc.

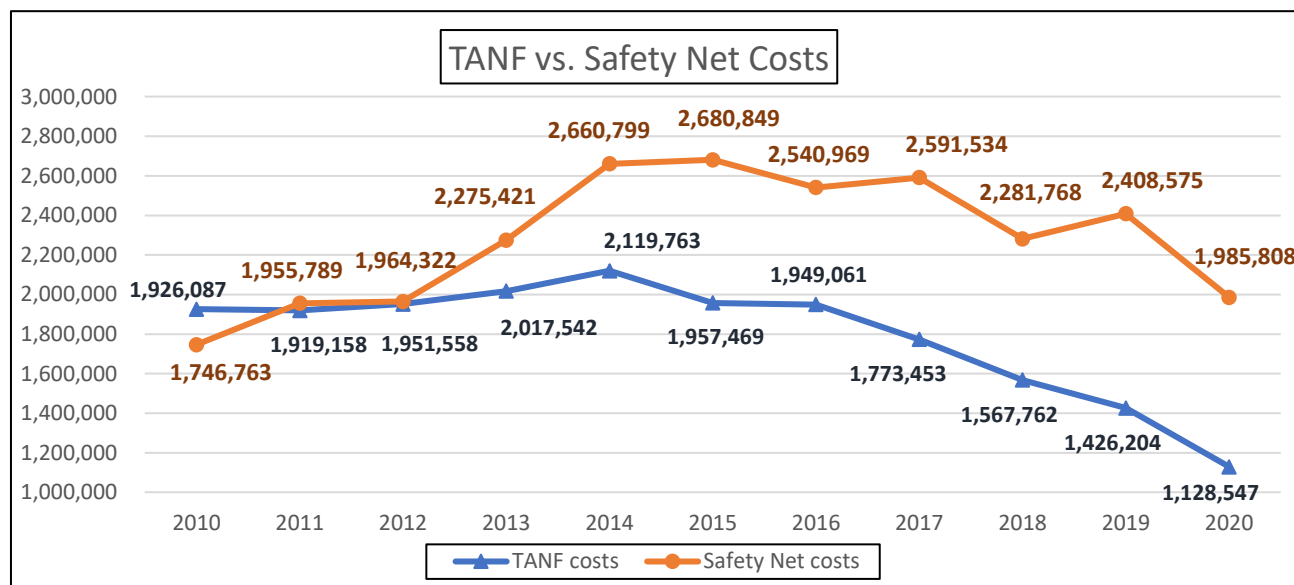
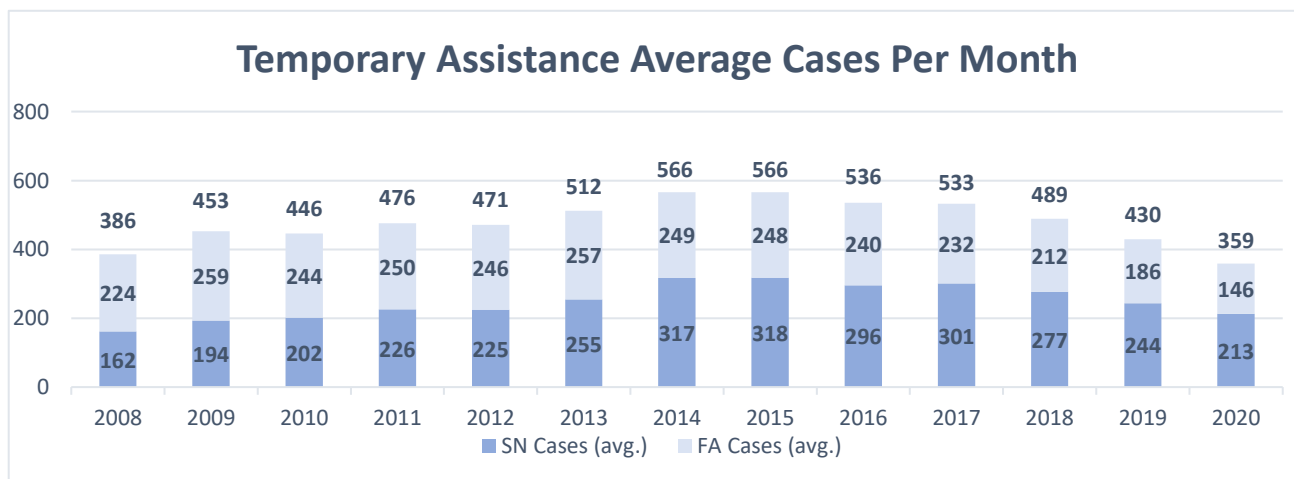
	2016	2017	2018	2019	2020
EAF apps registered	217	193	163	174	24
Amount of EAF emergency payments made	\$136,974	\$145,779	\$91,862	\$123,003	\$55,447
EAA payments	94	93	71	62	18
Amount of EAA emergency payments made	\$32,064	\$47,876	\$29,066	\$21,285	\$9,591

While everyone has the right to complete a Temporary Assistance application, not all applications are opened. Case situations change, applicants may not comply with eligibility requirements, or applicants may be determined programmatically ineligible. We open a relatively low percentage of applications received.

	2016	2017	2018	2019	2020
Percentage of TA applications opened for ongoing assistance	28%	31%	27%	24%	24%

In July 2020, the State began allowing on-line TA applications due to the pandemic. This has resulted in more applications being received. We think this is due to an easier application process encouraging those not in dire need to apply, which results in less follow-through and more case denials. We received 180 of these electronic TA applications between July 2020 and March 2021.

Our Temporary Assistance caseload has decreased over the past several years. This caseload number is impacted by many factors, including the number of new applications, cases opened, and employment opportunities available in the community. We restructured our Temporary Assistance/Employment Unit in 2018, which we believe has allowed us to better track and enforce employment requirements. While the COVID pandemic has undoubtedly led to a decrease in our caseload in 2020. Since 2011, the county cost share of SN cases has been 71% while it is 0% for FA. The charts below outline historical costs and caseloads.



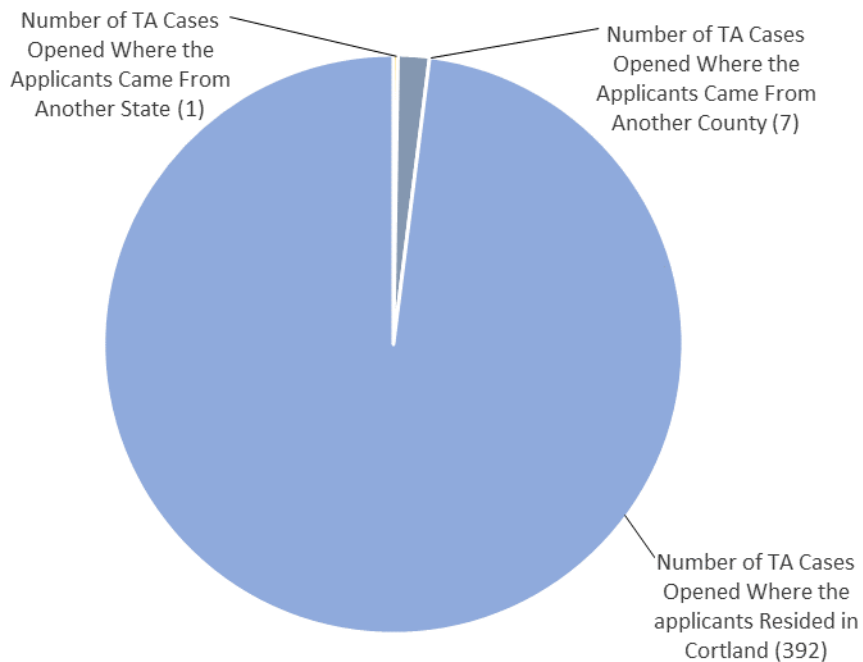
Our indigent burial numbers fluctuate but are relatively stable year to year.

	2016	2017	2018	2019	2020
Number of indigent burials	72	89	71	82	67
Burial expenditures	\$156,915	\$203,601	\$176,166	\$207,033	\$175,948

Because New York State requires counties to accept applications from anyone who applies in a county without any residency restrictions, we typically track the number of TA applicants received from other counties and states. The COVID pandemic has caused our TA screening process to be eliminated as individuals are not coming into our agency to apply and be screened, and are currently applying for TA online, through the mail, or by dropping off applications. After the pandemic we can begin to collect this information again. In recent years, we have seen decreases in the number of people applying from other states and counties, and of those who do apply a very low percentage of them open for TA.

	# from another state applying for TA	# from another state who opened TA	# from another county applying for TA	# from another county who opened TA
2014	58	9 (15%)	131	19 (14%)
2015	61	12 (19%)	116	22 (18%)
2016	69	5 (7%)	107	12 (11%)
2017	39	7 (17%)	94	19 (20%)
2018	26	3 (11%)	99	14 (14%)
2019	8	1 (12%)	88	7 (8%)
2020	No data due to pandemic			

Origin of TA Openings in 2019



One factor we analyze is the history of those who are applying for TA. Specifically, we consider whether they have received TA in the past in our county. This is done to help us consider service needs and how to best assist applicants escape the cycle of poverty. In 2017 we started to see a lower percentage of people applying for TA for the first time, instead seeing increased numbers of people applying who have received TA in the past and are returning.

	2016	2017	2018	2019	2020
New TA recipients who are new to TA	321 (57%)	222 (40%)	163 (35%)	187 (47%)	121 (41%)
New TA recipients who have received TA in the past	235 (43%)	341 (60%)	297 (65%)	213 (53%)	173 (59%)

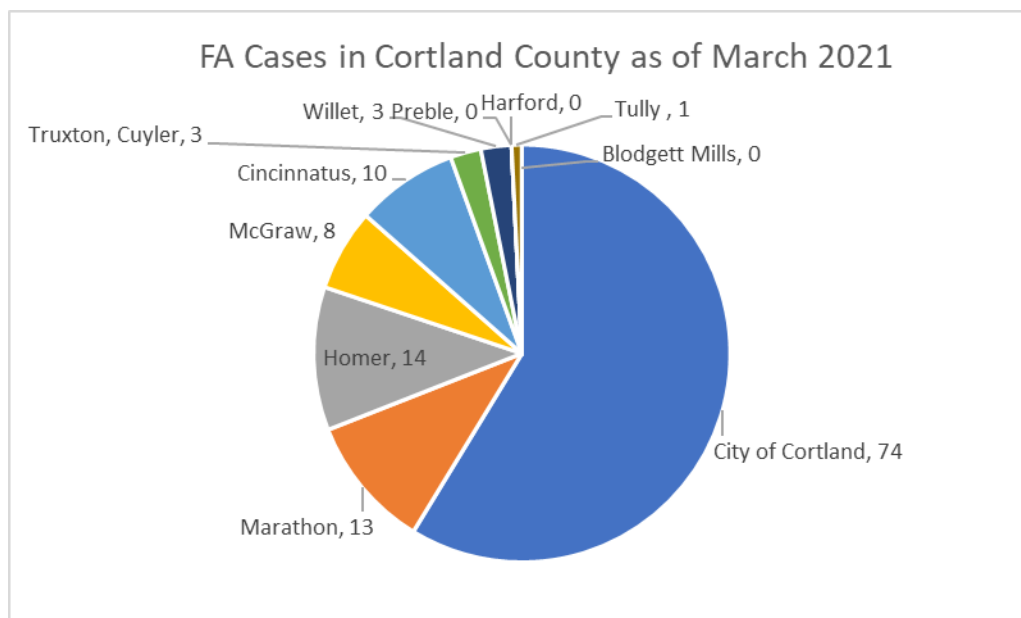
An ongoing challenge is the number of Temporary Assistance adult recipients who are exempt from work requirements due to a physical, mental health, or an alcohol/drug dependency issue. In accordance with New York State regulations, individuals who are exempt cannot be required to work on their job skills or search for employment. Those who are expected to be permanently disabled are assisted in applying for disability benefits. There are regular meetings and communications with local treatment and medical providers to ensure that exemption determinations are accurate and current, and that individuals are held accountable to comply with treatment recommendations. The COVID pandemic has led to an even lower number of TA recipients who are working due to state pandemic waivers and reduced caseloads. This number is expected to increase when employment requirements can be enforced again.

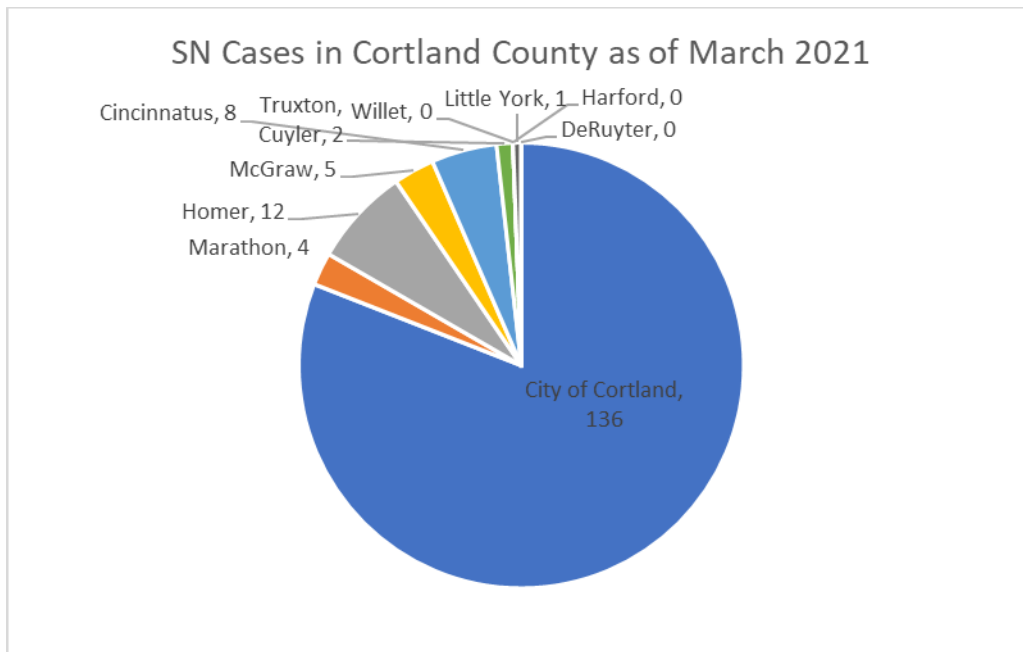
	2016	2017	2018	2019	2020
# of all adult TA recipients who are exempt and unemployable (monthly avg)	368 (74%)	356 (76%)	334 (77%)	289 (79%)	247 (79%)
# of all adult TA recipients who are nonexempt and employable (monthly avg)	126	115	102	77	51
Of the nonexempt TA recipients above, those who are currently working either full or part-time (monthly avg)	48	35	34	26	8

Homeless individuals have presented a challenge because many individuals face chronic mental illness and substance abuse challenges making it difficult to maintain housing. Additionally, there are limited housing resources that are affordable.

	2017	2018	2019	2020
Number of instances cases (individuals or families) were housed as homeless	246 (221 separate households, 25 were housed more than once)	339 (295 separate households, 36 housed more than once)	356 (316 separate households, 50 housed more than once)	311 (226 separate households, 45 housed more than once)
Of those housed, the number of cases which were SN single males	116	163	218	187
# of homeless parolees housed	61 (25% of the total cases housed)	56 (17% of the total cases housed)	63 (18% of the total cases housed)	58 (19% of the total cases housed)
Average # of days each case was housed	28days	22days	28days	33 days
Total amount spent on homeless housing	\$313,501	\$341,191	\$550,099	\$465,864

As of March 2021, most of the cases are located within the city of Cortland (210 total cases, 74 Family Assistance and 136 Safety Net). The charts below indicate a higher percentage of Safety Net (SN) cases are concentrated within the City of Cortland than are Family Assistance (FA) cases. Any zip code areas within Cortland County not represented on either of these charts contained no cases. Not all current TA cases are represented here, as certain types of cases do not contain a local address, such as those in congregate care, rehab, shelter, or non-custodial caretaker cases outside of our county. We also carry cases for a specific amount of time when the recipient has moved out of county.





INVESTIGATION

Description:

This is the work done to avert fraudulent applications, investigate fraud allegations and to complete various resource recovery actions.

Annual Update:

We place a great deal of emphasis on our fraud investigation work. Applications with factors which may indicate possible fraud are referred to the Investigation Unit as FEDS (Front End Detection System) referrals. A high percentage of our TA applications are reviewed as FEDS, helping us ensure that new applications do not contain fraud. Due to the COVID pandemic, FEDS requirements have been waived, but we hope to start these again mid-2021. Open assistance cases may be referred to the Investigation Unit if staff suspect possible fraud, and we accept and investigate any outside referrals.

	2016	2017	2018	2019	2020
# of TA FEDS referrals investigated	309	317	459	572	95
% of TA applications referred for FEDS investigation	18%	18%	26%	34%	7%
# of TA FEDS referrals found with case discrepancies	83	76	92	131	17
# of TA applications denied or withdrawn due to FEDS investigation	49	62	52	63	8
FEDS Cost Avoidance/for one month	\$84,863	\$108,882	\$88,453	\$93,955	\$12,492
# of open case investigations (may be from any program area)	135	143	113	105	138
# of individuals arrested for fraud	20	20	14	16	9
Fraud Investigation Recoveries	\$155,048	\$97,805	\$77,778	\$54,155	\$86,807
TA Lien Recoveries	\$64,596	\$25,000	\$8,666	\$10,328	\$7,125

SNAP/MEDICAID/HEAP/DAYCARE

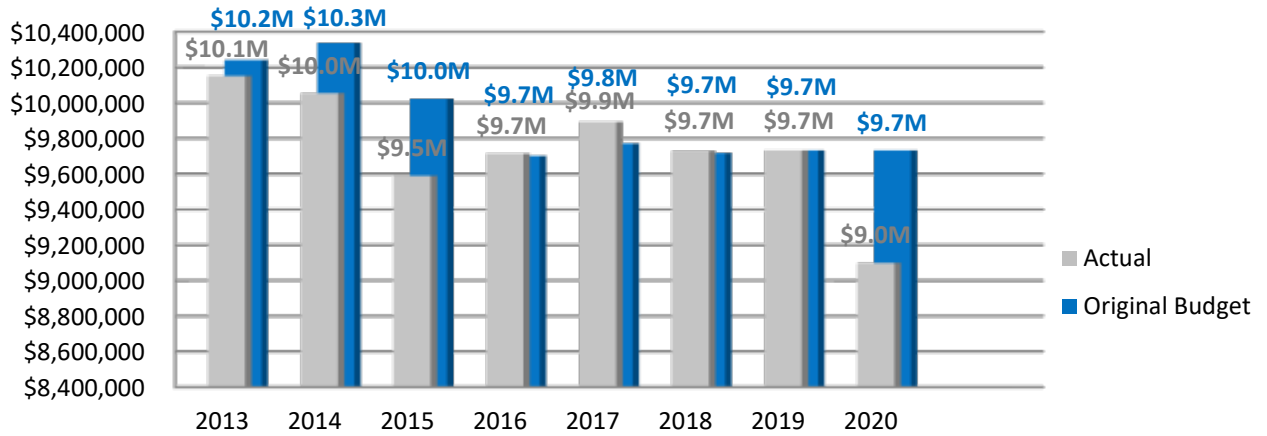
Descriptions:

- Supplemental Nutrition Assistance Program (SNAP) – This is a federally funded program that provides those who qualify with benefits to purchase food.
- Medicaid – This is a federal, state and locally funded program to provide various levels of health care coverage to individuals.
 - Community Medicaid – Cases for persons who qualify for Medicaid. These types of cases are being taken over by the NYS Exchange and are referred to as Maximum Adjusted Gross Income (MAGI) cases.
 - Chronic Care Medicaid – Cases that qualify for Medicaid under the Medicare Savings Program, the Medicaid Buy-In Program, and for those who are in receipt of Supplemental Security Income (SSI) or are a nursing home resident.
- Home Energy Assistance Program (HEAP) - This is a federally funded energy assistance program that helps with heating bills, furnace repairs and, in some years, with summer cooling benefits and furnace maintenance.
- Daycare – The Low-Income Daycare Program (LIDC) is for working parents whose earnings are within 200% of the poverty level and/or for parents transitioning from Temporary Assistance. Daycare is also provided to Temporary Assistance recipients when they are engaged in employment activities.

Annual Updates:

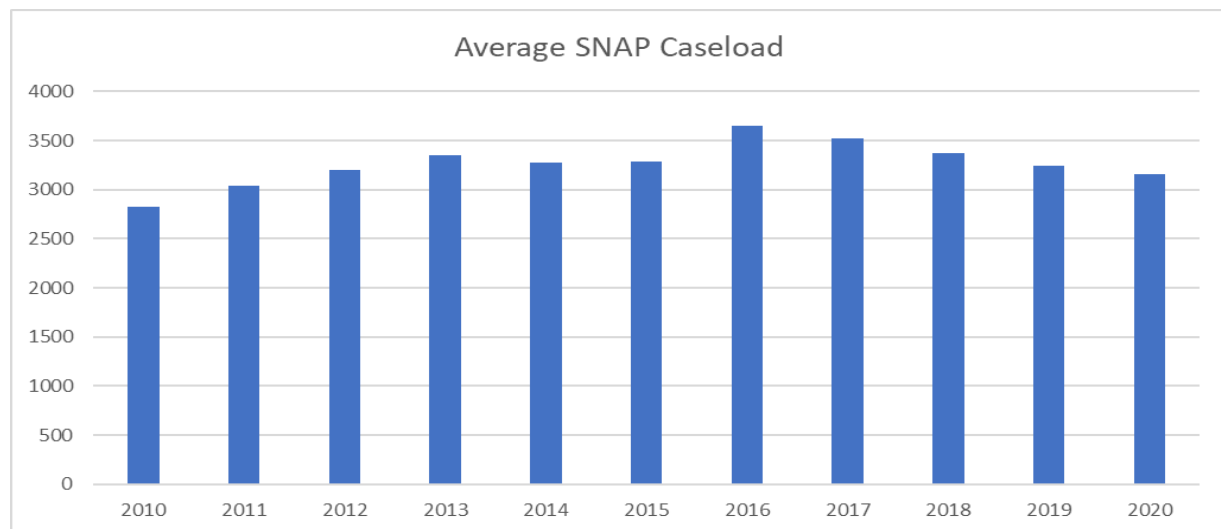
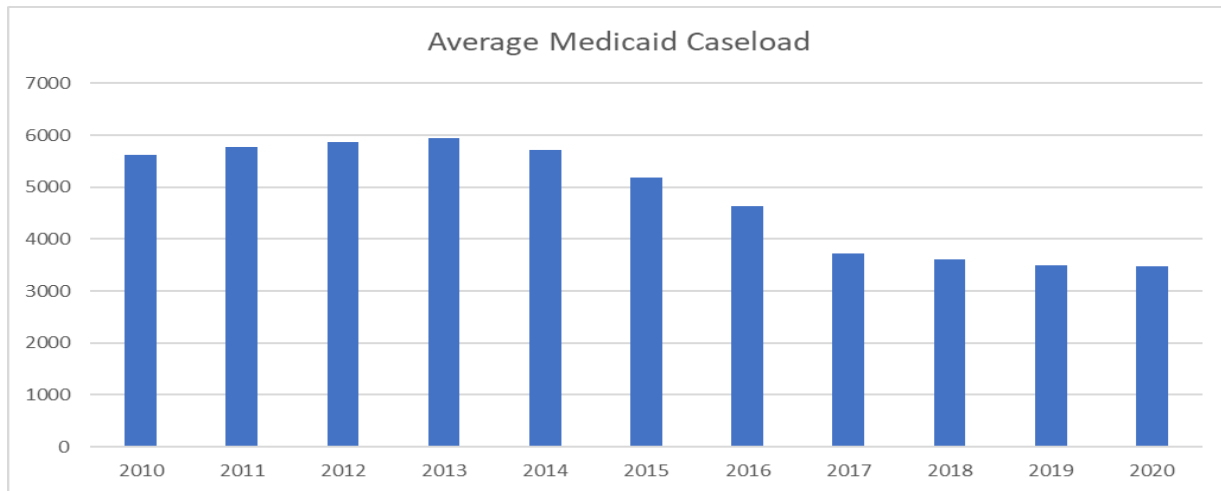
Medicaid costs are the largest driver of our DSS budget. They accounted for 60% of the county funds used in our DSS budget in 2020. This account is all local share and COMPLETELY OUT OF OUR CONTROL. Annual weekly share increases were to go to 0% after 2014, but then the impact of the Affordable Care Act (ACA) decreased our local weekly shares. The weekly shares are still estimated at this time and SFYs in 2016, 2017, 2018, 2019 and 2020 are not yet reconciled. The County could owe or be owed money. In 2020 the weekly share was decreased after the first quarter due to enhanced federal pandemic funding. This is an area we anticipate to negatively affect the county budget in future years as the temporary pandemic related reductions in county share will diminish.

MMIS Costs (Medicaid)



Medicaid cases have decreased in the past few years as New York State continued to transition some cases away from local districts. The number of local Medicaid staff has decreased accordingly by 4 FTEs over recent years. The number of SNAP cases has decreased over the last five years. HEAP cases tend to fluctuate depending upon the severity of the winter season and the amount of funding provided. The COVID pandemic has significantly decreased the number of employed individuals in need of Low-Income Daycare assistance.

	2016	2017	2018	2019	2020
# of open SNAP cases (monthly avg.)	3,646	3,520	3,376	3,240	3,159
Average number of days from SNAP app to determination	18	17	15	13	12
# of open local MA cases (monthly avg.)	4,633	3,721	3,613	3,488	3,475
Average number of days from MA application to determination	31	29	33	20	17
Total number of HEAP benefits (regular/emergency/furnace)	4,752 (2015/2016)	4,510 (2016/2017)	4,907 (2017/2018)	4,901 (2018/2019)	4,114 (2019/2020)
Average number of days from HEAP app to determination	25	18	21	15	27
# of Low-Income Daycare cases (monthly avg.)	114	116	100	101	71



SNAP, HEAP, and most Medicaid payments on behalf of recipients are paid outside of our county budget but represent significant federal and state spending. During the pandemic, the State authorized increased benefits to households.

Expenditures	2018	2019	2020
SNAP benefits authorized	\$8,527,097	\$8,067,816	\$11,329,129
HEAP benefits paid by OSC (FFY)	\$2,051,277	\$2,038,549	\$2,025,799
HEAP benefits paid locally	\$27,516	\$22,889	\$20,270
Medicaid paid locally (MMIS Account)	\$9,729,612	\$9,732,996	\$9,099,414
Total Medicaid for Cortland Residents	\$103,564,614	\$109,051,979	\$110,058,617

CHILD SUPPORT SERVICES

Description:

Child Support Services include the establishment of paternity, obtainment and enforcement of support orders, and the disbursement of funds. There are two types of cases. The largest type is Child Support Services (CSS) cases. These are private cases that are sought by one parent from another. Anyone in the County can receive assistance from the department in filing for paternity, support, or enforcement of an existing order. The other type of case is called Department of Social Services (DSS) cases. These are ones initiated by the department when money is owed for reimbursement of cash assistance or foster care placement. They can be considered either open or closed cases. Closed cases are those that have arrears owed to the department and a percentage of money might go to the department towards arrears while the rest goes to a custodial parent.

Annual Update:

The amount of money collected and distributed is as follows:

Collections	2018	2019	2020
Reimbursement to DSS	\$356,720	\$325,313	\$485,594
Distributed to a Custodian	\$4,571,983	\$4,487,017	\$4,519,853

There are performance measures monitored by the NYS Office of Temporary and Disability Assistance (OTDA). These measures are a percentage of the amount possible based on our active caseload each year.

Measures	2018	2019	2020
Paternity Established	98.50%	97.76%	98.37%
Support Established	95.65%	95.95%	96.04%
Support Collected	74.95%	74.09%	78.46%
Active Caseload (monthly average)	3,318	3,185	3,047

Our Child Support Investigators file petitions for CSS and DSS cases and our Child Support Attorney represents us on the DSS petition cases in court.

Petitions	2018	2019	2020
Total Petitions	943	938	733
DSS Petitions	424	356	321
CSS Petitions	519	582	412
Paternity Petitions	39	37	21
Support Petitions	338	279	224
Violation Petitions	182	154	133
Modification Petitions	300	351	272
Genetic Petitions	8	14	5
Uniform Interstate Family Support Act Petitions	76	103	78

Services Division

PREVENTIVE and FOSTER CARE

Description and Annual Updates:

Preventive services are provided on a voluntary or court ordered basis to work with families to identify needs and implement service plans. This is done by providing case management with contacts at least twice a month. The services provided meet mandated preventive services regulations in that families must have a child at risk of out of home placement for a specific documented reason. We have a contract with Probation whereby two Sr. Probation Officers provide preventive services case management to families eligible through the Persons in Need of Supervision (PINS) program.

Ave. per Month	2018	2019	2020
Number of open Preventive cases/month	124	112	86
Number of PINS Preventive cases/month (Probation)	20	20	22
Number of cases court ordered	49	55	32
Number of Extension of Supervision court petitions	2	2	1

There were two large preventive services contracts that support our case management services. One was with Liberty Resources that provided masters level social work counseling to families with youths involved with the Juvenile Justice System and at risk of out of home placement. At the end of the year we decided to end this contract to invest in a new collaborative with Cortland County Mental Health because it can better meet our needs and be more cost effective. The other is with Elmcrest Children's Services for parent education (parent aide) services and family support with visitation services. It is designed to protect children, reduce trauma, engage families, and provide a discharge/permanency plan that can be achieved in the shortest amount of time possible. The program is rooted in safety and security for the children, while recognizing that foster care should be as temporary as possible on the path to permanency, and families should always be supported in staying together whenever possible. There was a drop in visitation hours provided due to COVID and the need to shift to virtual visitation.

During 2020, we spent a great deal of time planning for the implementation of the federal Families First law in October 2021. This law will provide increased federal money for certain approved out of home placement prevention programs for cases meeting rigorous eligibility requirements. We have a grant funded consultant who is helping us assess our service needs, qualifying cases, and program development opportunities. We met many times in 2020 and plan to continue these efforts through 2021.

Monthly Ave Cases Serviced	2018	2019	2020
Liberty Resources (monthly average)	20	19	16
Elmcrest Parent Education Program (monthly average)	34	44	36
Elmcrest Family Support Placement cases (monthly average)	9	9	10
Total Visitation hours provided by Elmcrest in year	3,436	2,792	2,422

Children who need to be placed out of their homes due to parent or child behaviors can be placed in DSS custody (foster care) unless there is another parent or relative with whom they can be placed. Reunification efforts need to be made with parents in most instances regardless of who a child is placed with. In the past several years, we have seen more children placed with relatives. Due to a change in the law in 2016, we are now having several children in a new type of placement called a “release” to a non-custodial parent when removed from the custodial parent. This type of placement requires our department to provide services as though the child were placed with a relative until one of the parents is ready to have a private custody order granted by the court.

Monthly or Annual stats	2018	2019	2020
Children in foster care (monthly)	59	59	71
Children entering foster care (DSS custody) in year	54	36	59
- Child Protective Entries	34	27	41
- PINS/Voluntary Entries	4	0	2
- Relative Placements moved to foster care	16	9	16
Children with a relative/other parent (monthly average)	31	33	28
Children entering relative placement in first instance (annual)	36	15	24
Emergency foster care and relative removals total (annual)	70	42	83

Children placed in foster care must be placed in the least restrictive level of care. The least restrictive level is family boarding homes, which are recruited, trained, and certified by our department. When the needs of children are too challenging to be met in family homes, children are placed in therapeutic foster homes, group homes or residential centers that are operated by private agencies. Youths can be placed in non-secure or secure detention by the Juvenile Justice System either in DSS or their parent’s custody. In 2020, there was a significant law change in that Persons In Need of Supervision (PINS) youths can no longer be placed in non-secure detention, and if they are placed in foster care there is no reimbursement at all for the costs.

Monthly or Annual stats	2018	2019	2020
Number of children in foster homes (monthly average)	48	49	60
Number of children in higher levels of care (monthly average)	11	9	11
Number of children and bed days in non-secure detention (annual)	6 children/107 days	6 children/93 days	0
Number of children and bed days in secure detention (annual)	2 children/13 days	0	0
Raise the Age Placements	n/a	0	1
OCFS Custody Placements	1	1	0

The amount paid in foster care costs can vary from year to year based on the number of children in care and the numbers in costly higher levels of care.

Our average costs for foster care in 2020 were:

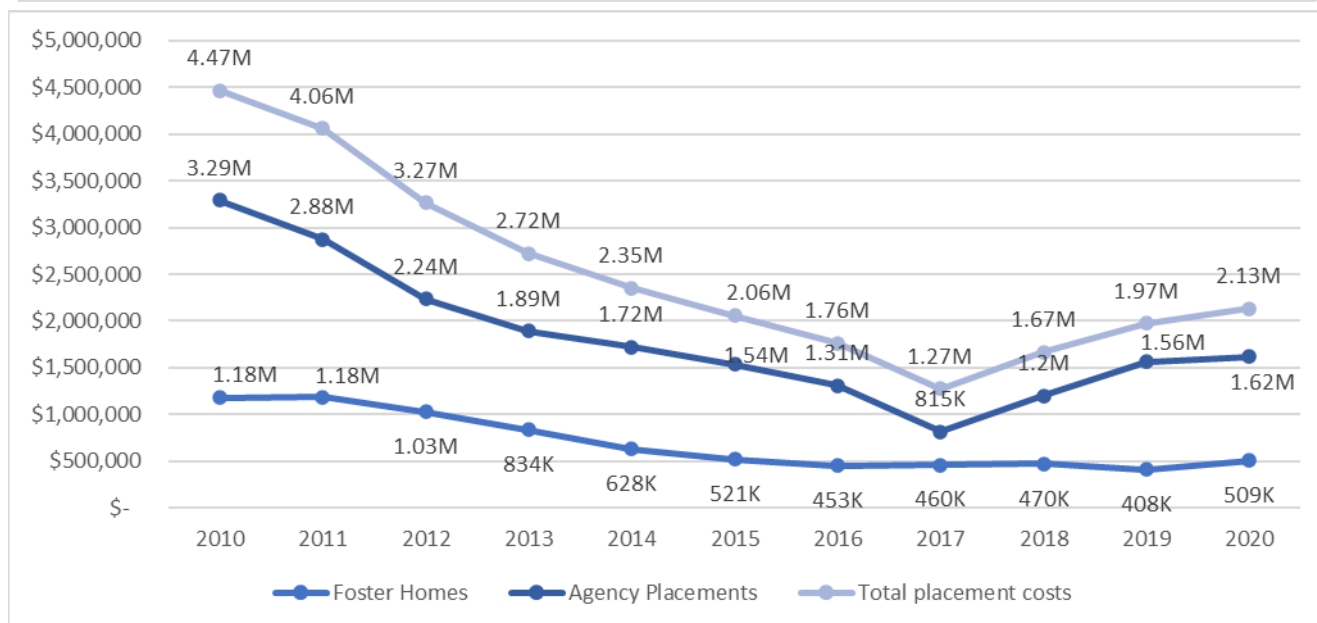
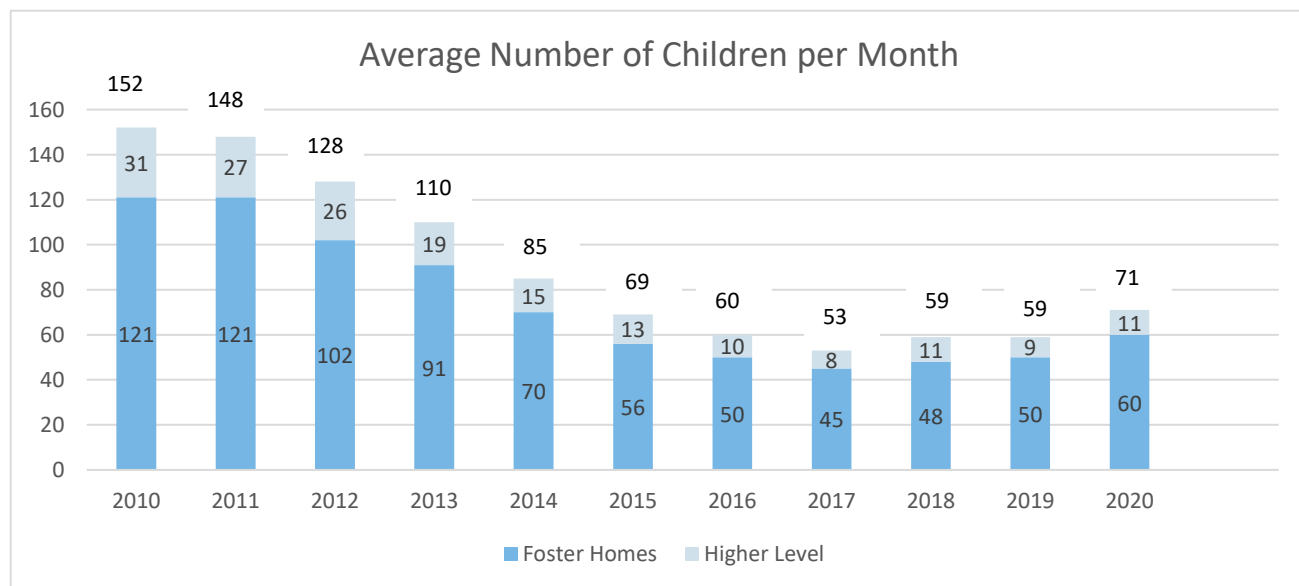
Higher levels of care average rates:

- Therapeutic Foster Homes - \$45,672/year
- Group Homes - \$68,100/year
- Residential Treatment Centers - \$239,000/year

County foster home rates:

- 0-3 yrs old - \$6,300 - \$12,246 /year
- 4-5 yrs. old - \$5,661 - \$11,607/year
- 6-11 yrs. old - \$6,899 - \$11,731/year
- 12-15 yrs. old - \$8,114 - \$12,049/year
- 16-21 yrs. old - \$8,278 – 12,213/year

The charts below demonstrate what the financial impact is of higher levels of care for children who cannot be safely cared for in our local county family foster homes. In 2020, 15% of our higher-level foster care placements accounted for 76% of our total foster care costs as indicated in the charts below.

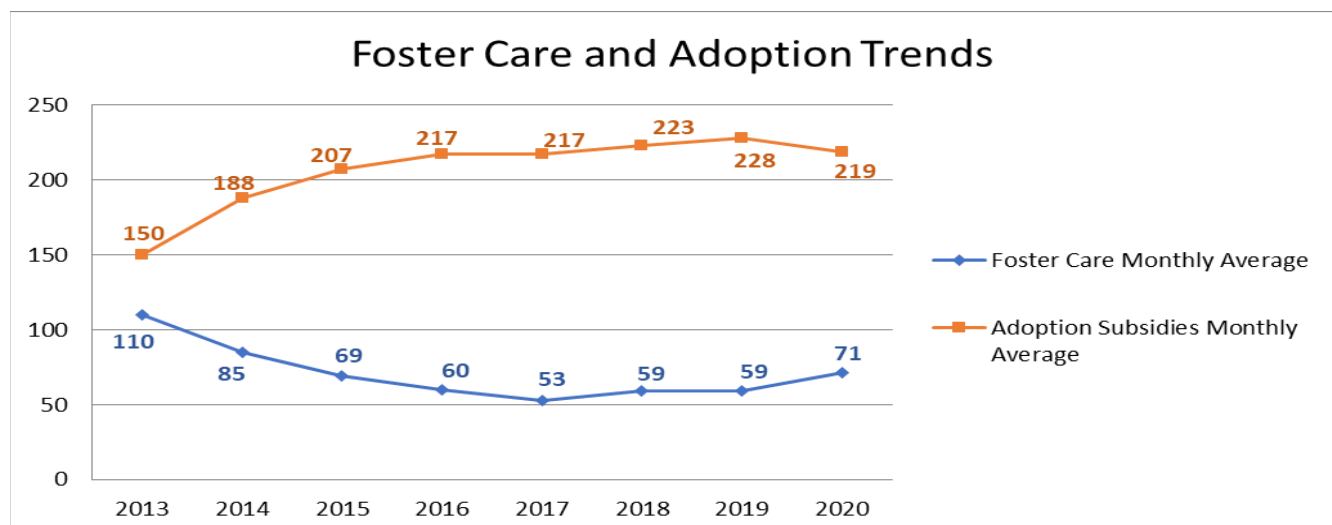


The federal Families First law will provide reduced funding for children who are placed in Residential Treatment Center levels of care. The costs above will be difficult to lower because the children in the highest cost programs are only those who cannot be maintained in lower level community foster homes. Many of these children would have been served in state operated programs for those with severe mental health needs or development disabilities in years past, but the State has closed those programs thereby forcing children into the foster care system when residential care is needed. Additionally, Families First law will reduce the reimbursement we receive for these placements. For this reason, we will be seeking to invest money into intensive programs to recruit and train more foster homes as well as more preventive service programs to prevent out of home placements whenever possible.

Whenever children are placed in DSS custody, efforts must be made to reunify them with their parents or other family members. If they cannot be reunified, efforts must be made to achieve another permanency option as soon as possible and after no longer than 15 months in foster care. This can be achieved through the termination or surrender of parental rights and adoption, or through a permanent custody or guardianship arrangement with another related adult. Catholic Charities ended the contract we had with them in August 2020 for adoption casework services including facilitating the completion of adoption paperwork with the adoptive parents, their attorneys, and the Surrogate Court. We absorbed this work back into the Department utilizing a caseworker in the foster care unit.

Annual stats	2018	2019	2020
Children Leaving Foster Care	46	40	29
Permanency Reports filed for children in out of home placement	148	137	169
Extension of Placement petitions (JD and PINS youths)	0	1	0
Termination of Parental Rights petitions	7	24	6
Surrenders accepted from parents	31	10	30
Children reunited with parent removed from	19	8	3
Children placed permanently/released with another parent or relative	15	18	1
Children adopted	10	11	9
Children Aged Out to Independence	n/a	3	1
Adoption subsidies (annual cost)	\$1,947,539	\$1,999,593	\$1,917,371

As we have reduced foster care over the past several years, the number of children for whom we pay a monthly adoption subsidy has increased as represented in the following chart.



CHILD PROTECTIVE SERVICES (CPS)

Description

CPS reports are received locally from the State Central Registry (SCR) through the Connections computer system. The Department is required to assess the safety of all children in the household within 24 hours, which typically requires a face-to-face contact and assessment of the home. This service needs to be provided 24 hours a day, 365 days a year, which necessitates on-call staffing. The Department has 60 days to complete an investigation. If there is some credible evidence found to support the allegations of the report, then it is indicated. An indicated report will stay on file in the system until the youngest child in the household is 28 years of age. If there is no credible evidence to support the allegations in a report, then the report is designated unfounded, sealed, and retained for 10 years. The Department must assess risk and safety of all children named in a report and provide the least intrusive intervention, when necessary. This could include referrals to community services, opening a preventive services case voluntarily, or court intervention that could order services and/or removal of children from their homes. There is a team of three employees, a Sr. Caseworker and two Caseworkers, assigned to work in the Child Advocacy Center as part of the Multi-Disciplinary Team (MDT) to perform joint investigations of potential abuse cases.

Annual Update

A record number of CPS reports were received in 2018 and 2019. However, in 2020, we received slightly fewer reports with more high-risk situations leading to more emergency removals of children. Cortland County has a history of being one of the highest counties for CPS reports per 1,000 children. In fact, in 2019, we were the second highest in the state at 95.8/1,000 children. We are awaiting our 2020 rank. Due to the high number of reports and an on-going challenge with caseworker vacancies and leaves of absence, our workers received many more reports than recommended. The State recommended number of new reports assigned to a worker each month is 6, with no more than 15 cases open at any given time. Caseloads for our workers exceeded that all during 2020.

We almost never achieve full staff capacity because the training takes 3-4 months, and not all new workers can successfully do the job, therefore, some attrition is expected.

	2018	2019	2020
Total CPS Reports (annual)	1,287	1,274	1,017
Consolidated Subsequent Reports of total (annual)	163	163	134
Reports involving substance abuse	333	332	291
Overdue Reports (monthly average)	45%	53%	37%
Percentage of workers with more than 15 open reports each month	48%	49%	14%
New reports per worker (monthly average)	8	9	9

Court intervention is always a last resort after referrals to community services and voluntary preventive services are ruled out, and children would be at high risk of harm without caretakers being under a court order. There are three main outcomes from neglect and abuse petitions. They are court ordered preventive services with or without orders of protection against an adult on behalf of children, placement of children in foster care, and placement of children with another parent or relative.

Annual Petition Totals	2018	2019	2020
New Petitions for Services	50	26	9
New Petitions for Out of Home Placement (foster care or relative)	53	40	42

COORDINATED CHILDREN'S SERVICES INITIATIVE (CCSI)

Description

The Coordinated Children's Services Initiative (CCSI) is intended to be a six to eight-month process of assessment, wraparound meetings, and evaluation that is used to help assist families and their youths in overcoming multiple system needs and to prevent out of home placements. A parent partner is assigned and available to work alongside a family 24/7 to help them address immediate needs, offer support, provide a family voice, identify family strengths and concerns, and to help them navigate the various services available. Wraparound meetings are arranged for each family to include all service providers and natural family supports. The participants of the wraparound meeting review needs and strengths of the family. A services plan is devised based upon those findings, and roles and responsibilities are outlined in the plan. Follow up wraparound meetings are scheduled as needed throughout the time the case is open.

Annual Updates

CCSI services were implemented in 2011 and have existed in partnership with Catholic Charities for contract parent partners since that time. The program served 75 families in 2020. There were only 29 family wraparound meetings in 2020 due to the pandemic. Tremendous success has been found with this program as evidenced by the following data.

Outcomes	2018	2019	2020
Out of home placements diverted	28	24	22
Number of youths placed out of home	5	0	3
Successfully Discharged	41	38	27

An important component of the CCSI program is the monthly community partner meetings that focus on collaboration and addressing service gaps. In 2020, the group, called Tier 2, was unable to meet and focus on new goals. The 2019 priority goals are left in place for future work:

1. First, work will continue on sharing information regarding local youth programs and services with community agencies. This involves having presentations from community agencies at Tier 2 and having a team of presenters go to a group of regional school social workers to share the information.
2. The second main goal focuses on sharing information and changes to the Health Home Care Management system. In addition to presentations, the group will collect concerns and challenges faced by the community with accessing these services so that they can be shared with a regional representative of the umbrella agency (CHUNNY).
3. The group will provide updated information to community providers regarding changes to CSE regulations and what services and supports are available to students including how to best support youths post-pandemic.

ADULT PROTECTIVE SERVICES AND LONG-TERM CARE

Description

Reports for Adult Protective Service (APS) are received and accepted locally based on three criteria including an individual's impairment, risk of harm to self or others and no one willing and able to assist. Cases are investigated for up to 60 days at which time they are closed or open for on-going monthly contacts. There are limited court interventions that can be taken in serious high-risk situations where an adult is in imminent danger and is unwilling or unable to accept essential services and competency is in question. These actions include court orders to grant DSS access to a home with law enforcement, to involuntarily take a person for a medical evaluation, and to appoint a guardian for someone's personal or property decisions. Additionally, APS works with individuals on a day-to-day basis to manage money and resolve things like homelessness and utility shut offs. They also assess and authorize various in-home Medicaid service supports for those with medical needs.

Annual Update

There had been a consistent increase in Adult Protective referrals each year, yet this year there was a decline by 16%. The pandemic impacted the number of Adult Protective referrals the agency received in 2020, however, there was an increase in the percentage of Adult Protective referrals that became investigations. In 2019, 45% of the referrals became investigations and in 2020, 71% became investigations. These cases were complex due to individuals being socially isolated during the Pandemic. Many of them lacked technology to remain connected to friends, family, and service providers, and service providers were not making face-to-face contact with these individuals.

We received more referrals involving mental health concerns. In 2020, we received 26, and in 2019 we received 16. There are regular monthly meetings with the hospital, County Mental Health Clinic, Office for Aging, Access to Independence and others to strategize how to best meet the needs of the most difficult to serve individuals. Referrals from law enforcement decreased from 19 in 2019 to 14 in 2020. To help us better investigate and assist with financial exploitation situations, we continued to participate in a multi-disciplinary team under the leadership of the non-profit LifeSpan funded by the NYS Office for Aging. In 2020, there were 29 cases involving financial exploitation, which is down from 32 cases in 2019.

Statistics	2018	2019	2020
Adult Protective Referrals (annual)	137	203	175
Adult Protective Investigations (annual)	63	92	125
On-going Protective Cases (monthly average)	6	6	4
Number of Court Interventions involving DSS (annual)	3	0	3
Number of Guardianship cases in year	5	3	2

Adult Services work includes financial management services for clients who cannot manage their own finances. The Social Security Administration appoints our Department as representative payee when an individual has no one else willing and able to do so. Caseworkers assist clients in becoming more financially independent when appropriate.

This unit also provides homeless, utility shut-off, domestic violence, and general intake assessments.

Statistics	2018	2019	2020
Number of Financial Management Cases (monthly average)	180	199	187
Number homeless assessments (annual)	357	392	272
Number domestic violence waiver assessments	73	94	44
Utility shut offs addressed	10	10	2
Under 21 Referrals (Individuals under age 21 applying for TA)	36	51	50

Long term care services involve various types of Medicaid funded in-home aide and supportive services that are authorized after a doctor verifies a need, and a caseworker and nurse assess the person's level of need for services. There are many complicated ways individuals qualify for these services involving both fee-for-service and managed care systems. The State had planned to increase the services to be provided in this area during 2019 but has yet to follow through with plans.

Average Cases per Month	2018	2019	2020
Number of Long-Term Care Cases	44	46	43
Number of Consumer Directed Cases	32	35	35
Number of PERS (personal response devices)	14	13	15

FISCAL REPORT for 2020

EXPENDITURE ACCOUNT DESCRIPTIONS

Administration: Salaries, Fringe Benefits, Equipment, Contractual

Daycare: This category reflects subsidies for families eligible for low-income daycare, families in receipt of public assistance and families transitioning off public assistance.

Services for Recipients: This category reflects services purchased for recipients of child protective services, foster care, mandated preventive services, domestic violence services, and adult protective services.

Medical Assistance: This category reflects any Medicaid related costs paid directly by our Department such as health insurance premiums paid on behalf of eligible Medicaid recipients.

MMIS: This stands for the Medicaid Management and Information System. Expenditures from this category are billed to us by the State and cover the various community services billable to Medicaid as defined by the State. Only the local share of Medicaid is reflected in this account. Beginning in 2006, expenditures from this category were capped at set weekly rates to cover the total local Medicaid costs for this MMIS account and the Medical Assistance account. The cap amount increased by approximately 3% each year until 2013 when the methodology changed, and the increase was only 2%. In 2014, the increase was 1% and thereafter the increase is 0% from year to year. However, the weekly share amounts are now being reduced due to enhanced federal funding for certain single adult populations related to the Affordable Care Act provisions.

Family Assistance: This category reflects any expenditure made for families who are eligible for Family Assistance cash benefits including emergency benefits and employment services. It also reflects any expenditure made for families in receipt of mandated preventive services and/or foster care services that meet eligibility criteria for EAF (Emergency Aid to Families).

Child Care: This category reflects any expenditure made for children in foster care who qualify for federal Title IVE funding, and for those children who are placed due to neglect or a voluntary instrument who do not qualify for any federal Title IVE or EAF funding. The costs for all children receiving an adoption subsidy are included in this account. Also, in this category, are the room and board costs for any children placed in a residential facility by school districts through the CSE (Committee on Special Education) and the tuition costs of children placed in the Office of Mental Health Residential Treatment facilities.

Juvenile

Delinquent: This category reflects any expenditure made for children in foster care who are adjudicated a PINS or JD and who are not eligible for federal Title IVE or EAF funding. This category also contains the expenditures made for any child placed in a detention facility.

State Training: This category reflects only the local share of costs for children placed in the custody of the New York State Office of Children and Family Services and placed at state operated facilities. These are children who have been adjudicated with serious JD offenses.

Safety Net: This category of cash assistance reflects any expenditure made for childless adults or families who have exhausted their 60-month time limit for Family Assistance who qualify for the state operated Safety Net cash assistance program. It includes emergency services for those who qualify.

HEAP: This is the Home Energy Assistance Program. It reflects any expenditure made for eligible applicants who qualify for a renter's benefit when heat is included in rent or who have vendors, such as wood vendors, that do not participate in the Office of State Comptroller vendor payment program.

Emergency

Aid to Adults: This category of assistance reflects expenditures made for those SSI recipients who qualify for an emergency benefit such as a utility shut-off or eviction.

2020 REVENUE DISTRIBUTION

Federal Share	\$7,027,202	25.9%
State Share	\$3,605,851	13.3%
County Share	\$15,073,161	55.5%
Local Revenue/Repayments	<u>\$1,439,591</u>	<u>5.3%</u>
Total	\$27,145,805	100.0%

2020 COSTS BY ACCOUNT

ADMINISTRATION

Administrative Costs	\$8,435,808
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Special Allocations

Non-Residential Domestic Violence	\$23,157
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Redlich Horowitz iPads	10,000
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Raise the Age	0
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Code Blue	<u>151,963</u>
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Total Grant Expenditures	\$185,120
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Total Administration	\$8,620,928
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PROGRAM ACCOUNTS

Family Assistance	\$2,139,054
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Cash Assistance	\$1,128,546
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Foster Care	\$595,868
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Preventive Services	<u>\$414,640</u>
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Safety Net	\$1,985,808
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Emergency Aid to Adults	\$9,591
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Juvenile Delinquent Care	\$0
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State Training Schools (OCFS)	\$157,571
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Child Care	\$4,061,750
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Foster Care	\$1,536,886
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Adoption Subsidies	\$1,917,371
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Raise the Age	\$92,223
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CSE & RTF	<u>\$515,270</u>
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Medical Assistance	\$0
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MMIS	\$9,099,414
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Services for Recipients	\$609,099
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Home Energy Assistance Program	\$20,270
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Daycare	\$442,320
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Total Program	\$18,524,877
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TOTAL BUDGET EXPENDITURES	\$27,145,805
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2020 Annual Report

Financial Review and Program Highlights

Summary of 2020 Budget

	<u>2020 Budget</u>	<u>2020 Actual</u>	<u>Difference</u>
Expenditures	\$31,429,678	\$27,145,805	\$(4,283,873)
Revenue	\$16,356,517	\$12,072,644	\$(4,283,873)
County Share	\$15,073,161	\$15,073,161	\$0

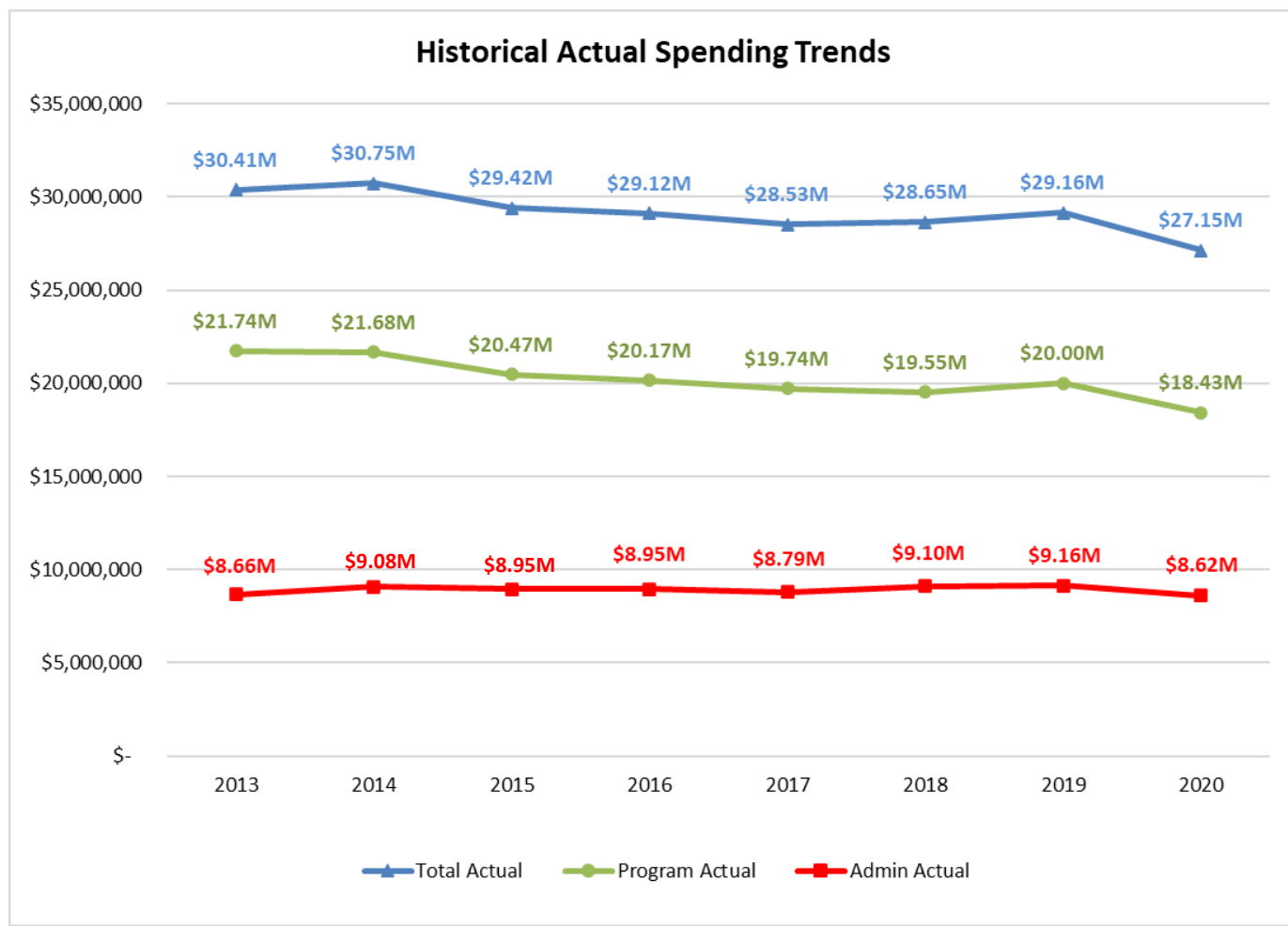
Summary of Expenditures

Administrative Accounts

	<u>Original Budget</u>	<u>Actual</u>	<u>Difference</u>	<u>Estimated Local Share</u>	<u>Significant Highlights</u>
Salaries	\$5,332,545	\$4,940,362	(\$392,183)	\$1,596,839 33%	- CSEA raises were 2% - Retirement incentives resulted in higher vacation payouts 35 staff furloughed; 6 positions eliminated
Fringe	\$2,743,136	\$2,634,028	(\$109,108)	\$869,229 33%	- Workers Comp & Health Insurance costs were lower - Retirement costs were higher
Equipment	\$8,200	\$18,073	\$9,873	\$5,964 33%	Redlich Horowitz grant used to purchase iPads
Contractual	\$1,298,081	\$876,502	(\$421,579)	\$289,246 33%	- Sheriff security costs decreased due to use of gym - Multiple contracts were underspent: Veteran's, Adoption Svcs., Job Search Workshop, Drug/ Alcohol Screenings, DNA testing - Very little travel after March
Code Blue	\$179,000	\$151,963	(\$27,037)	\$12,653	Local share is portion of revenue that will be claimed in 2021
Raise the Age	\$1,372,765	\$92,223	(\$1,283,691)	\$3,149	- We had a child placed under RtA in April, paid only 2 full months - Local share is portion of revenue claimed in 2021

Program Accounts

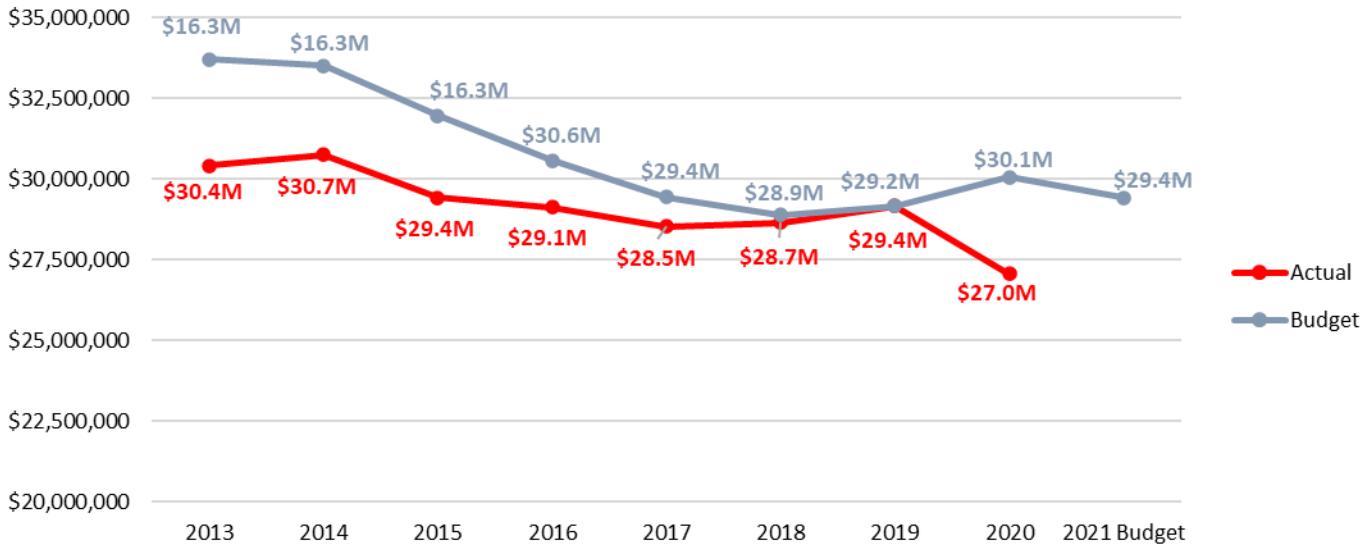
	<u>Original Budget</u>	<u>Actual</u>	<u>Difference</u>	<u>Estimated Local Share</u>	<u>Significant Highlights</u>
Daycare	\$652,000	\$442,320	(\$209,680)	\$53,422 12%	- Processed all applications received and put waivers in place for closures and absences due to COVID, but underspent - Appropriation based on block grant plus rollover funds
Services for Recipients	\$618,342	\$609,099	\$(9,243)	\$322,308 53%	- Shift in case eligibility from EAF to this account - Elmcrest contract underspent
MMIS Medicaid	\$9,732,996	\$9,099,414	0	\$9,099,414 100%	- This is all local share - Weekly share was reduced in April due to federal money
Medical Assistance	\$0	\$0	(\$0)	(\$47,365) 0%	Local share shows as negative due to recoveries that we receive and return to State/Federal
Family Assistance	\$2,919,513 w/o RTA	\$2,139,054	(\$780,459)	\$25,671 1%	- Foster Care shifted from this account to Child Care - Preventive costs shifted from this account to POS - TA caseload was down; many fewer emergencies due to COVID
Child Care	\$3,713,200 w/o RTA	\$3,969,527	\$256,327	\$1,523,677 38%	- Foster care costs increased for higher level care facilities - FCBG decreased - Slight decrease in Adoption subsidies
Juvenile Delinquent Care	\$143,500 w/o RTA	\$0	(\$143,500)	\$0 Approx. 47%	- No foster care placements - No non-secure detention placements
State Training	\$120,000	\$157,571	37,571	\$156,969 100%	- We used the last of our credit for these costs - We had 3 kids placed, total of 270 days @ \$638 per day local cost (2018 costs)
Safety Net	\$2,510,400	\$1,985,808	(\$524,592)	\$1,147,634 58%	- Local share was reduced due to SSI Repayments - Caseload is down, much fewer emergencies due to COVID
HEAP	\$30,000	\$20,270	(\$9,730)	\$9,334 0%	No local share (Prior yr. revenue makes up difference)
Emergency Aid to Adults	\$46,000	\$9,591	(\$36,409)	\$5,017 52%	SSI emergencies fluctuate every year and COVID reduced this year.



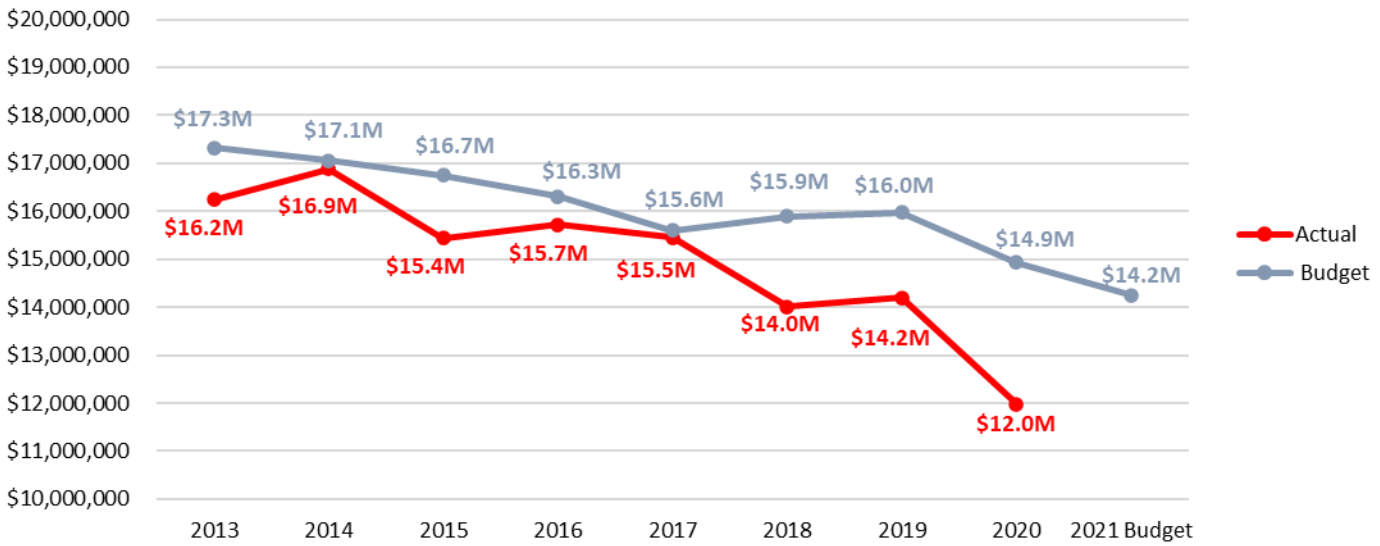
2020 Budget Summary Notes

- Expenditures decreased in 2020 because of lower staff costs due to furloughs and eliminated positions, lower contract costs, lower Temporary Assistance costs, and lower Medicaid costs.
- Overall expenditures have not been our biggest budget challenge over the years. Reductions in revenue for mandated programs have been our challenge.
- Declining revenues have increased our county share in recent years.
 - Much of the actual revenue difference to budgeted amount in 2020 was due to decreased spending because when we do not spend, we do not draw down certain open-ended matching state and federal revenue streams.
 - We changed how we recognize child welfare revenue that is advanced to us then reconciled a year or more later. This money is being placed in a deferred revenue account rather than being recognized as cash when it is received. This allows us to recognize it after the State confirms final amounts owed to us. It is the reason we were able to make our 2021 budget balance exactly to the county share budgeted amount. We only recognized what was needed to balance while keeping a reserve for future funding challenges.

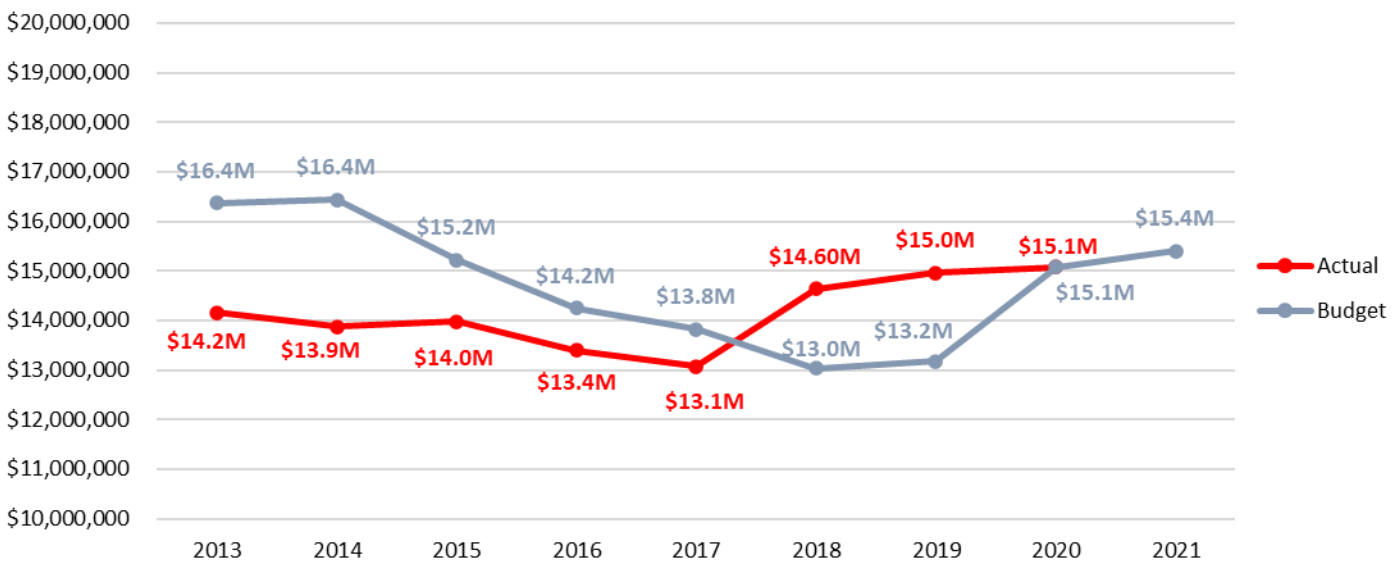
Expenditures



Revenues



County Share



Soil & Water Conservation District Board of Directors – January 2021			
Name	Address	Capacity	Term Expiration
James Murphy	1122 Route 392, Cortland, NY 13045	At-Large Member	12/31/22
Eugene Wright	100 Grange Place, Suite 205, Cortland, NY 13045	Grange Representative	12/31/23
Tracey Evanick	2260 Snyder Hill Road, Marathon, NY 13803	Farm Bureau Representative	12/31/21
Linda Jones	2087 E. River Road Homer, NY 13077	Legislative Representative	12/31/21
Kevin Fitch	6961 Route 41 Homer, NY 13077	Legislative Representative	12/31/21

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: East River Crossing over the Tioughnioga River Bridge Replacement Project.			
Project Location (describe, and attach a location map): East River Crossing Road and East River Road in the Town of Homer, Cortland County, New York			
Brief Description of Proposed Action: The project action focuses on the need to restore the long-term integrity of the bridge structure that carries East River Crossing Road over the Tioughnioga River (BIN 3312310). The East River Crossing Bridge is a one-span arch structure. The bridge was built in 1913 and there are multiple records of the bridge being rehabilitated. The structure received a General Recommendation of "3" from the 2019 Biennial Inspection. The project proposes to replace the bridge on a modified horizontal alignment with a raised vertical alignment. Replacing the existing structure is the only alternative that will restore the long-term structural integrity of the bridge and the only alternative that meets the project objectives. Approximately 900 feet of full depth reconstruction along East River Crossing is proposed for the project. This alternative also proposes approximately 1.40 feet of full depth reconstruction on East River Crossing Road to correct non-standard sight distances, and includes the new intersection with East River Crossing Road.			
Name of Applicant or Sponsor: Cortland County Legislature - Robert J. Corpora - County Administrator		Telephone: 607-753-5051 E-Mail: rcorpora@cortland-co.org	
Address: 60 Central Avenue			
City/PO: Cortland		State: NY	Zip Code: 13045
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO ☒	YES ☐
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: NYSDOT/FHWA Funding, USACE Nationwide 404 Permit, NYSDEC 401 WQC, SPDES General Permit		NO ☐	YES ☒
3. a. Total acreage of the site of the proposed action? _____ 3.75 acres b. Total acreage to be physically disturbed? _____ 1.92 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 10+ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action: ☐ Urban ☒ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☒ Forest ☒ Agriculture ☒ Aquatic ☐ Other(Specify): ☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☐	☒
b. Consistent with the adopted comprehensive plan?	☐	☐	☒
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
b. Are public transportation services available at or near the site of the proposed action?	☒	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies:	N/A		
N/A	☐	☐	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____	N/A		
N/A	☐	☐	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____	N/A		
N/A	☐	☐	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	☒	☐	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☐	☒	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	☐	☒	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☐	☒	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____			
Toughnioga River and associated federally regulated wetland. The project will include permanent impacts to a wetland located to the southeast of the East River Crossing Bridge. Total impacts will be approximately 40 SF. The project will not impact the Toughnioga River; all work will occur behind the existing abutments.			

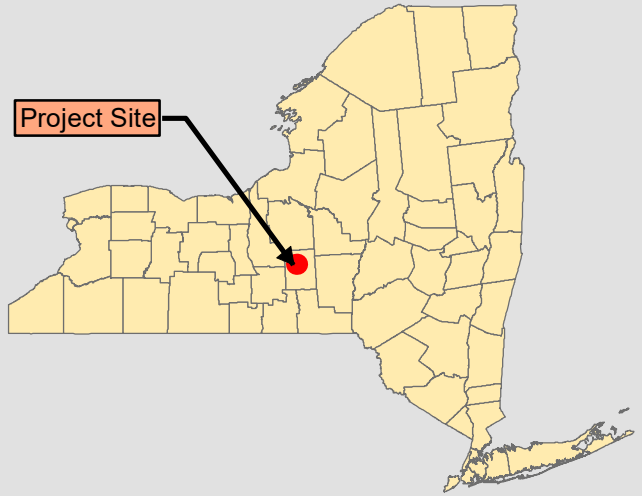
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
☒ Shoreline ☒ Forest ☒ Agricultural/grasslands ☐ Early mid-successional ☒ Wetland ☐ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO ☐	YES ☒
16. Is the project site located in the 100-year flood plan?	NO ☐	YES ☒
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO ☐	YES ☒
a. Will storm water discharges flow to adjacent properties?	☐	☒
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	☐	☒
Existing roadside drainage will be modified, but outfall locations emptying into the Tioughnioga River will remain. The project will not create additional stormwater flows. The project will include erosion and sediment control items.		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO ☒	YES ☐
49. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO ☒	YES ☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO ☒	YES ☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: _____ Date: _____ Signature: _____ Title: _____		

Legend

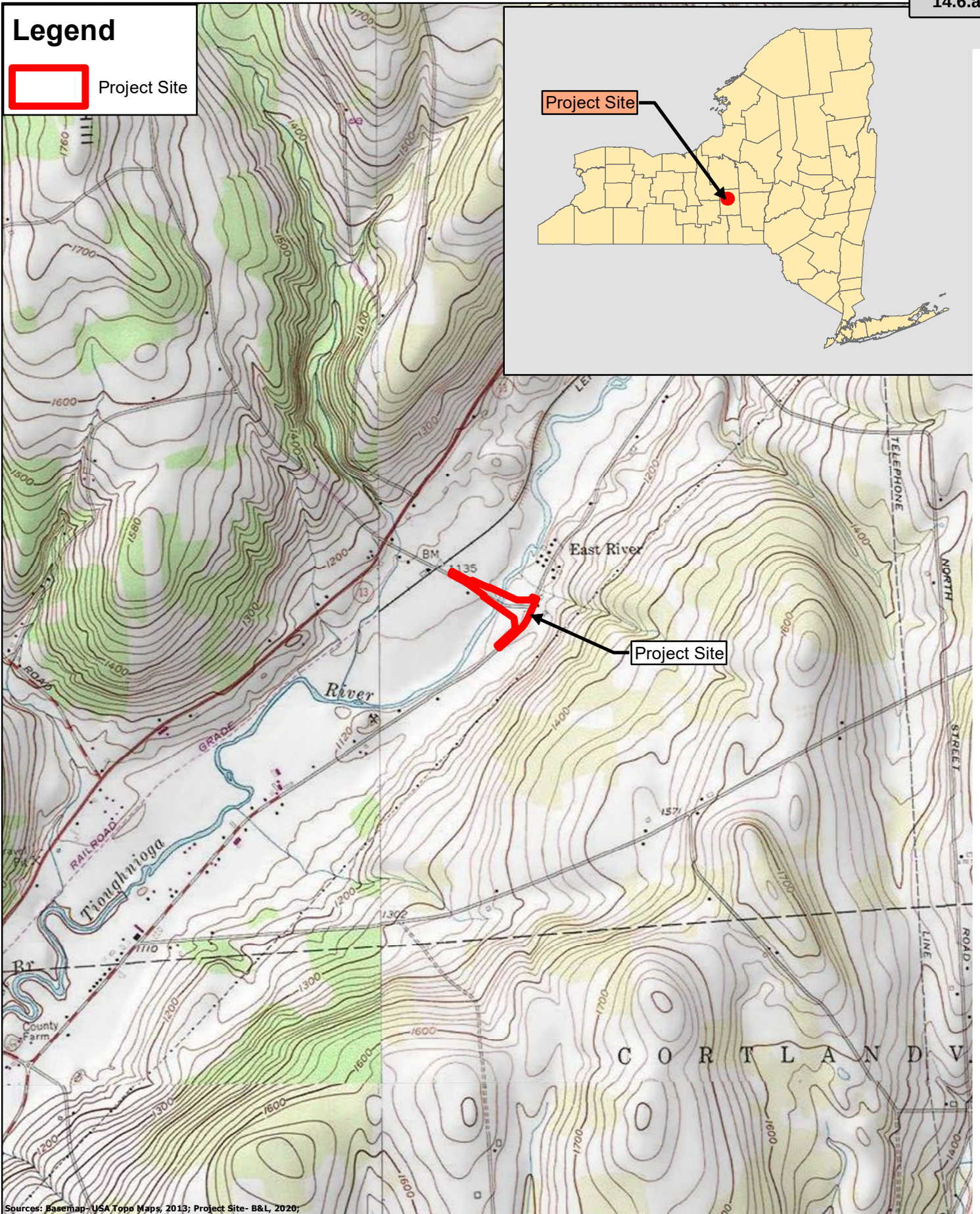


Project Site

Project Site



Project Site



Sources: Basemap- USA Topo Maps, 2013; Project Site- B&L, 2020;

**Barton
& Loguidice**



0 1,000 2,000 4,000 Feet

East River Crossing Road over
Toughnioga River

Topographic Project Location Map

Cortland County

March 2021

N

Packet Pg. 104

Figure
1

**East River Crossing Road Bridge Replacement Project
Cortland County
SEQRA – Interested and Involved Agencies**

Involved Agencies

Elizabeth Tracy, Regional Permit Administrator
NYSDEC Region 7
615 Erie Blvd. West, Room 206
Syracuse, NY 13204-2400
elizabeth.tracy@dec.ny.gov

Charles Sudbrink, Superintendent of Highways
Cortland County
60 Central Avenue
Cortland, NY 13045
csudbrink@cortland-co.org

Richard Sawczak
NYSDOT Region 3
333 East Washington Street
Syracuse, NY 13202
Richard.Sawczak@dot.ny.gov

Interested Agencies

Michael Lynch, Director
Division for Historic Preservation
NYSOPRHP
Peebles Island
PO Box 189
Waterford, NY 12205-0189
Michael.Lynch@parks.ny.gov

Frederick J. Forbes, Sr., Supervisor
Town of Homer
31 North Main Street
Homer, NY 13077
supervisor@townofhomer.org

Other Entities Provided Copies of SEQRA Correspondence

Steven Metivier
U.S. Army Corps of Engineers
1776 Niagara Street
Buffalo, NY 14207
Steven.V.Metivier@usace.army.mil

Matthew Patterson, P.E.
Barton & Loguidice, D.P.C.
443 Electronics Parkway
Liverpool, NY 13088
mpatterson@bartonandloguidice.com



Kristen Monroe
Commissioner

**Justification for Contracting with Hillside Children's Services
Foster Home Certification and Training
May 2021**

Overview:

We need more county family care foster homes able to care for children with complex challenging behaviors and needs. Without investing to create more depth and capacity in our foster home program, we cannot improve outcomes for children and prevent costly out of county residential placements.

Foster parent recruitment, training and certification is specialty work that requires dedicated attention and experienced staff to be done successfully. Hillside Children's Services has the experience and expertise to do this.

This proposal is to contract with Hillside Children's Services from 7/1/21 – 12/31/22 (18 months) to do foster home recruitment, training, and certification for both non-kin and kin foster homes. This service will cost \$159,000 for a full year. For the first 6 months of the contract in 2021, the cost will be \$79,500. The total for the 18-month contract will be \$238,200.

We have the money to invest in this contract in 2021 because Catholic Charities ended their contract with us for \$67,000 and we have savings of over \$30,000 due to not spending for the Job Search Workshop contract due to the pandemic. The \$159,000 needed for the contract in 2022 will be built into our department proposed budget. We anticipate this being offset by a reduction in our use of emergency shelter placements and by preventing some children from being moved to costly higher levels of care placements because we will have more local homes that can meet their needs.

Background:

The one employee that has been dedicated to doing foster parent/recruitment, training, certification, and recertification for decades is not enough.

The federal Families First law going into effect in October 2021 will compound our current challenge of serving high needs children in local foster homes because federal funding will be lost for children needing to go to higher levels of residential care. Additionally, when we remove children due to health and safety concerns, and place them with relatives, we are mandated to certify relatives as foster homes within short timeframes or we lose federal funding. We had 6 children in relative placements that converted to foster care homes in 2020.

In 2020, we removed 59 children who needed to go to a foster home as there were no relative options. Seven of them ranging in ages from 6 yrs to 17 yrs old had to go to an emergency shelter placement in Broome County because we had no foster home available. Collectively, they spent 297 days at this shelter for a cost of \$96,758. This is a terrible way to have children begin a traumatic out of home placement.

Goals and Objectives:

1. To reduce the use of an emergency shelter when we have no foster homes to take children.
2. To increase the number of homes, as well as the depth of foster homes able to take special populations including teenagers, youth who identify as LGBT, sexually abused children, children with severe mental health and developmental disability needs, and sibling groups.
3. To reduce the number of children needing to be placed in out of county higher levels of placements.
4. To provide kinship home foster care training and certification in a timely manner to draw down federal reimbursement for children placed.

Operational Impact:

These will be our certified homes and we will have a larger pool of homes to use allowing us to better match children to homes that can meet their needs. We will continue to maintain these foster homes once they have been certified by Hillside and do all the annual recertification work.

This contract will provide a stronger local foster care system and allow us to use our current home finder to help meet other unmet needs, such as supporting our absorption of the adoption caseloads.

If we have more foster homes that can better meet the needs of children matched to their interests and capabilities, there should be fewer moves of children to other homes and higher levels of foster care placement. Children experience trauma every time they are moved from home to home, which compounds their behavior challenges and increases the likelihood they will need placement in higher levels of private agency care settings. All these settings are out of county further traumatizing children and detaching them from their communities.

Fiscal Impact:

This contract will cost \$159,000 for one full year. Just one or two children prevented from going to a higher level of foster care will offset the cost. Additionally, we can better avoid using the emergency shelter for initial foster care placements. This service cost us almost \$97,000 last year.

Higher levels of care are costly with the following average rates in 2020:

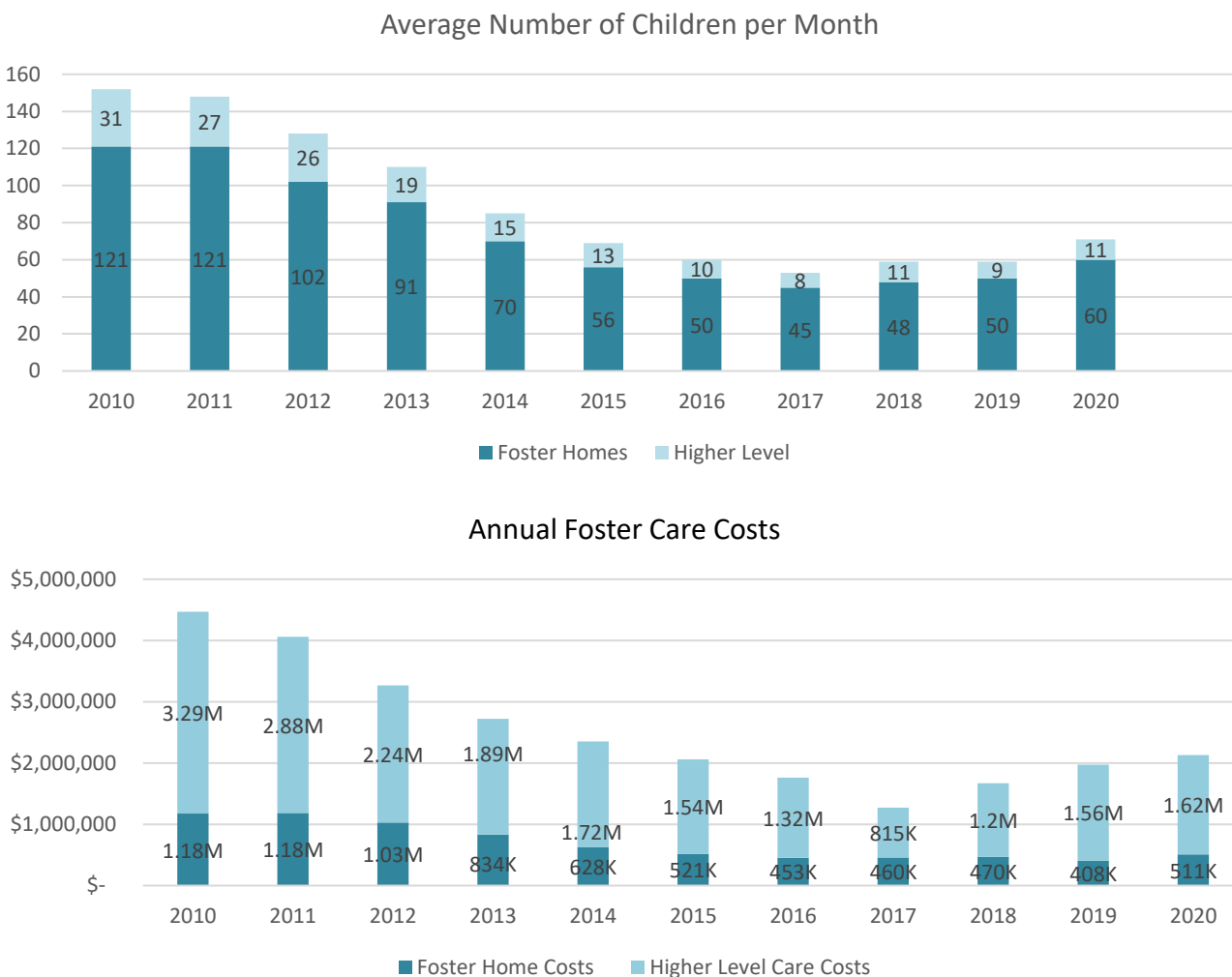
- Therapeutic Foster Homes - \$45,672/year
- Group Homes - \$68,100/year
- Residential Treatment Centers - \$239,000/year

Our county foster home rates are:

- 0-3 yrs old - \$6,300 - \$12,246 /year
- 4-5 yrs old - \$5,661 - \$11,607/year
- 6-11 yrs old - \$6,899 - \$11,731/year
- 12-15 yrs old - \$8,114 - \$12,049/year
- 16-21 yrs old - \$8,278 – 12,213/year

As an example, a 13-year-old child in a county foster home would likely cost \$8,114/year. That same child in a higher level of residential care will cost between \$68,100 - \$239,000, a difference or savings of \$59,986 - \$230,886/year if we can maintain him in a county foster home.

In 2020, 15% of our higher-level foster care placements accounted for 76% of our costs as indicated in the charts below. We want to reduce the number of children in these costly placements.



Anticipated Benefits:

In addition to cost savings, we will be able to keep more children in local foster homes if we increase our pool of homes. We will be more likely to keep children in their home school districts, in homes with well-matched capacity and capabilities, and reduce the number of times they must change to a different home.

Anticipated Barriers:

We do not know if the best recruitment, engagement, assessment, and training of foster parents will yield more capable foster homes. We do not know if there are families willing to take on this most difficult but rewarding work.

Parcels Added to the Cortland County Agricultural District

<u>Town</u>	<u>Parcel ID Number</u>	<u>Owner</u>	<u>Parcel Address</u>	<u>Acres</u>
Cortlandville	77.13-01-01.100	East River Acres, LLC	Route 13	11.42
Freetown	130.00-03-15.000	Niverth, Thomas M	Carter Slcoum Road	22.77
Harford	145.00-01-19.000	Helms, Linda A	Hilsinger Road	10.00
Harford	154.00-01-08.200	Tillotson, John W	Babcock Hollow Road	4.11
Harford	154.00-01-13.000	Burvee, Robert J	1011 Burvee Road	132.32
Homer (Town)	47.00-01-06.111	Head, Gaelen	Maxson Rd	26.41
Homer (Town)	47.05-01-03.000	New Hope Haven, LLC	6001 Route 281	1.86
Homer (Town)	54.00-01-07.000	New Hope Haven, LLC	5299 Harrison Rd	204.10
Homer (Town)	56.00-01-02.200	New Hope Haven, LLC	Route 281	79.40
Homer (Town)	67.00-15-03.000	East River Acres, LLC	McDonald Road	388.60
Lapeer	147.00-06-03.000	Hayes Trust	Valentine Hill Road	28.46
Lapeer	148.00-01-07.000	McEvoy, Kenneth C	US Route 11	12.00
Marathon (Town)	148.00-01-09.000	McEvoy, Kenneth C	US Route 11	56.60
McGraw	88.15-01-33.000	Ross, Danny G	12 Church St	0.20
Truxton	51.00-02-07.000	Burnette, Blake	Brown Road	7.02
Total Acres Added to District				985.27

<u>MUNICIPALITY</u>	<u>TAX ID</u>	<u>OWNER NAME</u>	<u>ADDRESS</u>	<u>ACRES</u>
Cincinnati	112.00-02-04.112	Knickerbocker Donald E II	5076 KNICKERBOCKER RD	0.91
Cincinnati	112.00-02-04.200	Cortland County	5088 KNICKERBOCKER RD	0.23
Cincinnati	113.00-01-16.110	Delee, Joseph A	3158 CINCINNATUS RD	0.95
Cincinnati	113.00-01-16.120	McKee, Allen H	CINCINNATUS RD	6.76
Cincinnati	113.00-04-02.000	Venerable, Carolyn	CINCINNATUS RD	1.49
Cincinnati	113.00-04-03.000	Venerable, Carolyn	CINCINNATUS RD	3.41
Cincinnati	121.00-01-05.100	Coblentz, Noah E	4676 FOX RD	5.08
Cincinnati	122.00-04-15.200	Lamoree Bryan G	5212 Piety Hill Rd	3.14
Cincinnati	123.00-04-02.000	McUmbert, Daniel J	2522 LOWER CINCINNATUS WILLET	0.38
Cincinnati	132.00-01-07.110	Tuning, Martha J	ROUTE 26	0.76
Cincinnati	141.00-01-06.000	Sautter, Stephen S	4692 GEE BROOK RD	2.05
Cortlandville	76.00-07-03.000	Bell, Arthur Jr	4275 BELL CREST DR	2.53
Cortlandville	76.00-07-04.100	Bell, Arthur C Jr	4255 BELL CREST DR	2.00
Cortlandville	76.00-07-04.200	Bell, Arthur C Jr	4245 BELL CREST DR	1.56
Cortlandville	76.00-07-06.200	Bell, Arthur C	1135 BLUE CREEK RD	1.98
Cortlandville	78.00-01-19.120	Johnson, Patrick	STREETER RD	0.60
Cortlandville	84.00-03-03.000	Wheeler, Tina	227 SEARS RD	1.02
Cortlandville	84.00-03-04.120	Sears Trust	242 Sears Rd	5.09
Cortlandville	84.00-03-05.000	Brown, Nicholas P	365 SEARS RD	4.72
Cortlandville	85.00-01-22.112	Kozer, Patrick	4245 KINNEY GULF RD	5.03
Cortlandville	85.00-09-06.000	ADREH LLC	371 HOY RD	4.59
Cortlandville	85.00-09-07.000	Randolph, Robert E	375 HOY RD	2.52
Cortlandville	85.00-09-08.000	Randolph, Earl R	397 HOY RD	2.44
Cortlandville	85.00-09-17.000	ADREH, LLC	400 HOY RD	3.99
Cortlandville	85.00-09-18.000	ADREH, LLC	408 HOY RD	4.06
Cortlandville	85.00-10-09.000	Williams, Thomas A	918 BLUE CREEK RD	4.22
Cortlandville	85.00-10-17.000	Morgan, Brandy Leeann	4086 KINNEY GULF RD	2.40
Cortlandville	87.00-03-02.200	Thomas, Kathleen M	1554 E RIVER RD	5.18
Cortlandville	88.00-01-75.000	Mikochik, James	3746 McGraw Marathon Rd	2.14
Cortlandville	95.00-09-06.200	Forkey & Son Property LLC	LUKER RD	0.33
Cortlandville	95.00-11-14.000	Viglietta, Theodore	396 ROUTE 222	2.07
Cortlandville	98.00-04-12.122	Jenin George	South Hill Rd	3.92
Cortlandville	105.00-01-33.100	The Wetland Trust Inc	GRACIE RD	4.76

Cortlandville	105.00-03-16.000	C'Ville, LLC	OSBECK LN	4.97
Cortlandville	105.00-03-17.000	C'Ville, LLC	3156,3172 BYRNE HOLLOW CROSSING	4.79
Cortlandville	105.00-03-18.000	C'Ville, LLC	OSBECK LN	5.66
Cortlandville	105.00-03-19.000	C'Ville, LLC	3144 BYRNE HOLLOW CROSSING	4.35
Cortlandville	105.00-03-21.000	C'Ville, LLC	3114 BYRNE HOLLOW CROSSING	2.47
Cortlandville	105.00-03-23.000	C'Ville, LLC	3117 BYRNE HOLLOW CROSSING	6.59
Cortlandville	105.00-03-27.000	C'Ville, LLC	3145 BYRNE HOLLOW CROSSING	6.14
Cortlandville	105.00-03-28.000	C'Ville, LLC	3153 BYRNE HOLLOW CROSSING	4.79
Cortlandville	105.00-03-29.000	C'Ville, LLC	3165 BYRNE HOLLOW CROSSING	5.93
Cortlandville	105.00-04-04.200	KAJEN, LLC	Route 13	3.68
Cortlandville	106.00-01-08.200	Quail, Travis	3198 ROUTE 215	1.70
Cuyler	11.00-06-07.200	Stone, Adrian I	W KEENEY RD	0.28
Cuyler	11.00-07-01.000	Maplehurst Property LLC	W KEENEY RD	1.27
Cuyler	22.00-07-04.000	Crossway, Kenneth S	7083 STOCKTON RD	3.92
Cuyler	22.00-07-05.200	Crossway, Kenneth S	STOCKTON RD	1.46
Cuyler	22.00-09-09.000	Mead, Michael J	Route 13	3.00
Cuyler	31.00-01-04.000	Young, Martin	Tripoli Rd	6.77
Cuyler	52.00-03-06.000	State of New York	5898 ENZES RD	149.00
Cuyler	52.00-03-10.000	Amorin, Frank E	ENZES RD	6.64
Freetown	109.00-01-07.120	Boughton, Peter J	2892 STONE RD	2.52
Freetown	110.00-01-11.200	Brown, Wade Gregory	2854 MCGRAW MARATHON RD	2.73
Freetown	110.00-02-05.200	Poth, Nicholas E	3101 MCGRAW MARATHON RD	6.74
Freetown	111.00-01-06.120	Horler, April I	ROUTE 41	6.76
Freetown	119.00-01-09.200	Hutto, Nancy E	CLOCK RD	4.93
Freetown	119.00-01-10.210	Fleming, James B	2707 STONE RD	2.28
Freetown	120.00-07-14.200	Chase, Sherri	FREETOWN XRD	4.64
Freetown	120.00-08-01.000	Port, Richard C	CLOCK RD	5.26
Freetown	120.00-08-14.000	Huizinga Properties LLC	MCGRAW MARATHON RD	6.13
Freetown	120.00-08-15.000	Huizinga Properties LLC	STONE RD	5.11
Freetown	120.00-08-22.000	Port, Richard C	2681 MCGRAW MARATHON RD	5.26
Freetown	131.00-05-04.000	Nabinger, Edward D	4457 SCHOOLHOUSE RD	2.96
Freetown	140.00-01-26.120	Meyer, Orin P	4320 IRISH HILL RD	3.57
Freetown	140.00-02-06.000	Warner, Cody K	PARKER RD	6.61
Freetown	140.00-02-07.000	McCracken, Timothy	IRISH HILL RD	6.30

Freetown	140.00-02-08.000	McCracken, Timothy	IRISH HILL RD	5.87
Harford	144.00-04-05.111	Shilliff Cory D	650 VIRGIL CREEK RD	3.00
Harford	146.00-01-02.200	Fritts, Lauren	FRITTS HILL RD	1.01
Harford	153.00-01-07.112	Klein, David A	866 ADAMS RD	6.35
Harford	153.00-01-43.000-2	Laertes Solar LLC	Daisy Hollow Rd	0.01
Harford	154.00-01-09.200	Burns, John E	960 HILSINGER RD	4.82
Harford	154.00-01-30.120	VanDeWeert, Joseph W	1540 ROUTE 221	4.77
Harford	155.00-01-04.110	Brown, Adrian	ROUTE 221	3.78
Harford	162.00-01-46.120	Torrey, Monroe	Creamery Rd	1.55
Harford	162.00-07-10.000	State University of NY	Creamery Rd	6.62
Harford	172.00-01-10.112	Enterprise TE Prod Pipeline Co	116 ROUTE 200	4.48
Homer (Town)	38.00-01-02.000	Brooks, Clinton S	6150 E HOMER BALTIMORE RD	0.74
Homer (Town)	47.00-01-23.220	Equity Trust Co	ROUTE 11	2.00
Homer (Town)	47.00-01-34.000	Gallow, Paul M	5702 ROUTE 11	4.40
Homer (Town)	47.00-02-01.200	Niswender Enterprises LLC	1811 LITTLE YORK XING	6.14
Homer (Town)	48.00-03-02.000	Boyden, Karl	E HOMER BALTIMORE RD	2.82
Homer (Town)	48.00-03-04.000	Seamans, Jason	5839 E HOMER BALTIMORE RD	2.14
Homer (Town)	48.00-03-05.000	Brooks, Clinton S	E HOMER BALTIMORE RD	1.09
Homer (Town)	48.00-03-06.200	Boyden, Eric H	E HOMER BALTIMORE RD	2.44
Homer (Town)	48.00-05-04.200	Yao, Shih-Shan	5608 Dillon Rd	5.00
Homer (Town)	55.00-01-09.000	Perry, Jeffery A	5531 ROUTE 41	1.44
Homer (Town)	55.00-01-16.120	Dann, Chad P	5459 ROUTE 41	5.00
Homer (Town)	56.00-01-48.200	Wright, Eugene	5400 BRAKE HILL RD	8.05
Homer (Town)	57.00-01-60.000	Vandenburg, Jerry C Jr	CHAPMAN RD	1.31
Homer (Town)	58.00-06-02.000	Gilbert, David M	2623 ROUTE 13	2.81
Homer (Town)	58.00-07-02.000	Henry, Christopher	2789 ROUTE 13	2.62
Homer (Town)	58.00-07-07.000	Trinity Valley LLC	ROUTE 13	2.40
Homer (Town)	58.00-07-08.000	Brown, Brandon	Route 13	0.22
Homer (Town)	65.00-01-35.000	White, Stephen C	490 Route 90	1.81
Homer (Town)	66.00-02-16.200	Willsey, Timothy	CREAL RD	1.73
Homer (Town)	66.00-05-06.220	Skeels, Adam B	1121 Creal Hill Rd	2.40
Homer (Town)	66.00-06-01.200	Colvin, Emily W	5063 ROUTE 281	2.39
Homer (Town)	66.00-07-04.111	Expanding View LLC	ROUTE 90	3.51
Homer (Town)	66.00-07-04.112	Expanding View LLC	COSMOS HILL RD	3.49

Homer (Town)	66.00-07-04.120	Expanding View LLC	COSMO HILL RD	3.48
Homer (Town)	66.00-07-04.200	McClure, Diana	COSMOS HILL RD	1.38
Homer (Town)	67.00-13-06.200	Forbes, Frederick J Sr	5051 FORBES RD	1.53
Homer (Town)	67.00-15-05.000	Young, Zachary C	1654 O'SHEA RD	2.21
Homer (Town)	67.00-15-09.000	Smith, Victor M	5011 MCDONALD RD	5.36
Homer (Town)	75.00-03-14.200	Wood, Richard L	Bond Rd	0.43
Homer (Town)	77.00-04-09.200	Daugherty, Paul M	MCDONALD RD	2.19
Lapeer	147.00-05-22.000	Drake, Richard D Jr	1310 MUCKEY RD	1.85
Lapeer	156.00-08-10.200	Byler, David D	HIGHLAND RD	2.41
Lapeer	165.00-01-53.200	Cornell, Brent	COOPER HILL RD	6.53
Marathon (Town)	139.00-02-10.200	McEvoy, Kenneth C	1436 ROUTE 11	1.02
Marathon (Town)	141.00-01-24.100	Sautter, Stephen S	1580 BLOODY POND RD	5.68
Marathon (Town)	149.00-02-08.120	Orr, Justin L	TEXAS VALLEY RD	1.51
Marathon (Town)	149.00-07-05.000	Stanley, Ronald H Jr	PIETY RIDGE RD	2.18
Marathon (Town)	149.00-08-06.110	Barrett, Brandon F	3976 PIETY RIDGE RD	6.02
Marathon (Town)	149.00-08-13.000	Ensign, Nicholas E	1164 SALT RD	5.76
Marathon (Town)	149.00-09-09.000	Robinson, James R	McMahon Rd	3.27
Marathon (Town)	157.00-03-05.100	Bliss, Donald R	HIGHLAND RD	1.56
Marathon (Town)	157.00-03-06.000	Bliss, Donald R	3299 HIGHLAND RD	4.04
Marathon (Town)	158.00-04-07.112	Shonk, Reiko	4276 DEANS POND RD	1.85
Marathon (Town)	158.00-04-08.000	Dairyland LLC	DEANS POND RD	4.90
Marathon (Town)	159.00-01-04.000	Quail, Martin A	933 FISH HILL RD	5.15
Preble	6.00-03-03.000	VanPatten, Jeffery T	7585 OTISCO VALLEY RD	1.72
Preble	6.00-03-04.000	Swayze, Matthew S	1515 SONG MOUNTAIN RD	6.53
Preble	8.00-01-18.112	White, Daniel J	7484 ROUTE 11	2.07
Preble	17.00-05-17.000	Currie, John H Jr	2267 CURRIE RD	2.41
Preble	18.00-05-05.000	Currie LLC, JNT	7184 ROUTE 11	1.04
Preble	18.00-05-11.000	Vormwald, David A	Vormwald Rd	2.50
Preble	27.00-02-06.000	Caughey, Michael D	6571 STEGER RD	3.39
Preble	37.00-01-30.121	Kendall, Andrew G	6336 ROUTE 281	3.57
Scott	5.00-04-04.000	Siddall, Christopher	7509 Ripley Hill Rd	1.02
Scott	15.00-05-01.100	Filkins, Vernon B II	7365, 7367 ROUTE 41	3.49
Scott	25.03-01-13.000	Ten Mile Holdings, LLC	Route 41	3.90
Scott	25.03-01-14.000	Ten Mile Holdings, LLC	6703 Route 41	1.00

Scott	35.00-01-06.111	Siddiqui, Shahid M	6387 ROUTE 41	2.91
Scott	35.00-03-03.200	Cottrell, Matthew D	6073 W SCOTT RD	2.18
Scott	35.00-04-03.000	Adams, Trevor Thomas	6197 W SCOTT RD	1.72
Solon	79.00-04-18.000	Brown, Scott E Sr	4290 LAPP HILL RD	6.29
Solon	89.00-07-04.000	DeRusha, Frank	4256 ROUTE 41	4.63
Solon	91.00-01-05.200	Thornton, Roy A	4420 TELEPHONE RD	2.31
Taylor	82.00-04-06.100	Allen, Michael A	5152 Allen Hill Rd	5.00
Taylor	83.00-01-01.112	Marcham Bruce	UNION VALLEY RD	2.98
Taylor	92.00-01-16.120	Thompson, Dale E	Jordan Rd	6.70
Taylor	102.00-05-05.000	Blanchard, Jason	3346 TAYLOR VALLEY RD	11.03
Taylor	103.00-01-15.120	McUmbler, Lynn M	3351 ROUTE 26	6.97
Taylor	103.00-02-04.000	Boix, Trino	UNION VALLEY RD	6.40
Truxton	20.00-02-16.000	Barney, Jarred	Route 91	3.01
Truxton	29.00-02-01.200	Currie, Sean	6729 HAIGHTS GULF RD	5.67
Truxton	39.00-01-48.000	Dawson, Carlton	HAIGHTS GULF RD	4.28
Truxton	49.00-05-01.000	Potter, Stephanie A	KENNEY BROOK RD	2.18
Truxton	49.00-05-05.000	Potter, Stephanie A	3455 ROUTE 13	5.34
Truxton	59.00-01-08.200	Twin Oaks Farm	3404 E RIVER RD	2.17
Truxton	59.00-01-12.120	Curtis, Lisa M	5358 MAYBURY RD	0.67
Truxton	59.00-05-04.000	Henry, Adam	3288 E RIVER RD	6.75
Virgil	105.00-05-06.200	Scenic Meadows LLC	SHERMAN RD NORTH	3.94
Virgil	106.00-04-05.000	Rice, Joshua	1634 TOWER RD	5.07
Virgil	106.00-06-01.120	Radford, Jesse A	931 SHERMAN RD NORTH	2.64
Virgil	106.00-06-01.200	Williams, Michael T	919 SHERMAN RD NORTH	6.35
Virgil	107.00-03-07.000	McKenna, Daniel M	3027 Lash Rd	3.81
Virgil	107.00-03-12.000	Umbehauer, Craig	LASH RD	3.43
Virgil	107.00-03-13.000	Umbehauer, Craig	LASH RD	3.44
Virgil	115.00-14-03.000	Logan, Walter J	2754 S CORTLAND VIRGIL RD	2.64
Virgil	116.00-01-03.200	McGrath, Kevin	2844 S CORTLAND VIRGIL RD	3.00
Virgil	116.00-01-37.122	Ligas, Mark M	Holler Rd	0.66
Virgil	116.00-01-59.100	Campbell, Danielle	2740 S Cortland Virgil Rd	3.14
Virgil	116.00-06-06.000	Reynolds, Kenneth A	2601 HOLLER RD	5.33
Virgil	117.00-07-25.200	Hall, Travis	CLUTE RD	0.50
Virgil	126.00-01-49.110	Ligas, Mark M	2355 HOLLER RD	2.36

Virgil	126.00-03-03.000	Gambitta, Carl	S CORTLAND VIRGIL RD	4.88
Virgil	126.00-03-20.000	Klamm Irrevocable Trust	2213 S CORTLAND VIRGIL RD	5.14
Virgil	126.00-04-07.000	Fitts, James E	1010 W STATE RD	6.40
Virgil	126.00-07-04.000	Benner, Nicholas	1483 Route 392	1.08
Virgil	126.00-10-05.000	Eckard, Robert C Sr	TIMMERMAN HILL RD	1.01
Virgil	126.00-10-06.000	Eckard, Robert C Sr.	TIMMERMAN HILL RD	6.74
Virgil	126.00-10-11.100	McConnell, Barney	VANDONSEL RD	3.99
Virgil	126.00-11-06.120	Bush, Christopher R	2231 HOLLER RD	3.03
Virgil	126.00-11-06.210	Carr, Julia A	2277 HOLLER RD	4.29
Virgil	135.00-01-36.000	Sega, Joseph H	384 ROUTE 392	1.11
Virgil	135.00-01-41.120	Shilliff Cory D	629 VIRGIL CREEK RD	5.36
Virgil	135.00-01-62.000	Avery, Robert A	VIRGIL CREEK RD	2.27
Virgil	135.00-03-14.120	Poirier, Jarid M	DAISY HOLLOW RD	1.77
Virgil	135.00-03-14.200	Poirier, Jarid M	1646 DAISY HOLLOW RD	3.89
Virgil	139.00-01-03.112	Hoyt, Gary	ROUTE 392	0.95
Willet	142.00-01-07.120	NYS Electric & Gas Corp	ROUTE 26	6.67
Willet	142.00-02-11.210	Rice, Joshua	5224 Beach Rd	3.36
Willet	150.00-01-18.200	Sautter, Stephen S	JOHNSON RD	6.02
Willet	150.00-01-20.000	Hall, Bryan S	TURNER HILL RD	1.50
Willet	150.00-01-31.112	Elmira Savings Bank	1130 BLOODY POND RD	3.78
Willet	151.00-01-06.122	Adams Andrew	5350 Conrad Rd	4.10
Willet	168.00-01-06.200	Kemak, Matthew P	399 FISH HILL RD	2.97
			Total Acres to be Removed from District	814.35

Town	Total Acreage	Parcel Count
Cincinnati	25.16	11
Cortlandville	118.18	33
Cuyler	172.33	8
Freetown	77.64	16
Harford	36.39	10
Homer	82.51	30
Lapeer	10.78	3
Marathon	42.94	12
Preble	23.23	8
Scott	16.22	7
Solon	13.23	3
Taylor	39.08	6
Truxton	30.06	8
Virgil	98.21	29
Willet	28.38	7
Total	814.35	191

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not use brackets for matter to be eliminated and do not use italics for new matter.

County
City of Cortland
Town
Village

Local Law No. 2 of the year 1966

A local law PROVIDING FOR THE CREATION OF THE OFFICE OF PUBLIC DEFENDER,
FIXING THE TERM OF OFFICE, COMPENSATION AND DUTIES

Be it enacted by the Board of Supervisors of the
(Name of Legislative Body)

County
City of Cortland
Town
Village as follows:

ARTICLE I
Office of Public Defender

Section 1. The office of Public Defender in the County of Cortland, State of New York, be and hereby is, created effective January 1, 1967.

ARTICLE II
Appointment, Term of Compensation for Office

Section 1. The Public Defender shall be designated and appointed by resolution of the Board of Supervisors of Cortland County.

Section 2. The term of the Public Defender shall be for one year from January 1, 1967 to December 31, 1967 and thereafter for a term of two years.

Section 3. The Compensation for the office of Public Defender shall be fixed by resolution of the Board of Supervisors prior to making such appointment and shall not be increased or decreased during the term of office for which the appointment was made except as authorized by Law.

ARTICLE III
Powers and Duties

Section 1. The Public Defender shall have such powers and duties as provided by Article 18-A of the County Law and such other powers and duties as may be granted or imposed by statute or resolution of the Board of Supervisors of Cortland County provided, however, that said Board shall not grant or impose powers or duties inconsistent with statutory provisions.

ARTICLE IV
Confirming Actions heretofore Taken

Section 1. All actions heretofore taken by the Public Defender of Cortland County appointed by Resolution of this Board, Number 121 for the year 1965 to the position created by Resolution of this Board and Number 121 for the year 1965 and all expenditures heretofore

(If additional space is needed, please attach sheets of the same size as this and number each)

or hereafter made by the County in connection with said Office of Public Defender before the effective date of this law are hereby authorized, ratified and confirmed.

ARTICLE V
Effective Date

Section 1. This Local Law shall be, and become effective on January 1, 1967

ON MOTION OF *M. Colasurdo*

RESOLUTION NO. *235*

ADOPTING LOCAL LAW NO. 2 FOR THE YEAR 1966

WHEREAS, proposed local law No. 2 for the year 1966 providing for the creation of the office of Public Defender, fixing the term of office, compensation and duties was introduced by Mr. Hollister, a member of this Board at the meeting of this Board held on December 8, 1966, and

WHEREAS, said local law has been in its final form upon the desks of the members at least 7 calendar days exclusive of Sunday prior to this date; and

WHEREAS, a public hearing thereon has been held before this Board after publication of notice thereof as required by law.

Now, therefore, be it

RESOLVED, that Local Law No. 2 for the year 1966 entitled "A Local Law Providing for the Creation of the Office of Public Defender, fixing the term of office, compensation and duties" be passed and enacted in the following form effective January 1, 1967:

LOCAL LAW NO. 2 FOR THE YEAR 1966

A LOCAL LAW PROVIDING FOR THE CREATION OF THE OFFICE OF PUBLIC DEFENDER, FIXING THE TERM OF OFFICE, COMPENSATION AND DUTIES

Be it enacted, by the Board of Supervisors of the County of Cortland, State of New York, as follows:

ARTICLE I

Office of Public Defender

Section 1. The office of Public Defender in the County of Cortland, State of New York, be and hereby is, created effective January 1, 1967.

ARTICLE II

Appointment, Terms of and Compensation for Office

- Section 1. The Public Defender shall be designated and appointed by resolution of the Board of Supervisors of Cortland County.
- Section 2. The term of the Public Defender shall be for one year from January 1, 1967 to December 31, 1967 and thereafter for a term of two years.
- Section 3. The Compensation for the office of Public Defender shall be fixed by resolution of the Board of Supervisors prior to making such appointment and shall not be increased or decreased during the term of office for which the appointment was made except as authorized by law.

ARTICLE III

Powers and Duties

- Section 1. The Public Defender shall have such powers and duties as provided by Article 18-A of the County Law and such other powers and duties as may be granted or imposed by statute or resolution of the Board of Supervisors of Cortland County provided, however, that said Board shall not grant or impose powers or duties inconsistent with statutory provisions.

ARTICLE IV

Confirming Actions Heretofore Taken

- Section 1. All actions heretofore taken by the Public Defender of Cortland County appointed by Resolution of this Board, Number 141 for the year 1965 to the position

created by Resolution of this Board Number 121 for the year 1965 and all expenditures heretofore or hereafter made by the County in connection with said Office of Public Defender before the effective date of this Law are hereby authorized, ratified, and confirmed.

ARTICLE V

Effective Date

Section 1. This Local Law shall be, and become effective on January 1, 1967.

STATE OF NEW YORK }
County of Cortland } ss.:
Board of Supervisors }

I, Albert C. Kenney, Clerk of the Board of Supervisors of the County of Cortland, New York, do hereby certify, that a Resolution, of which the foregoing is a copy, was duly adopted by said Board at a meeting of said Board, held December 20, 1966; that the same is now in full force and effect; that I have compared the foregoing copy with the original Resolution, and that the same is a correct transcript of such original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Board of Supervisors of the County of Cortland, New York, at the City of Cortland, this 20th day of December, 1966.

Albert C. Kenney
Clerk

Attachment: Local Law 2 of 1966 - Creation of the Office of Public Defender, fixing term of office, compensation and duties (8552 : Local Law

CORTLAND COUNTY
DEPARTMENT OF EMERGENCY RESPONSE & COMMUNICATIONS
NYSDHSES GRANT ADMINISTRATION POLICY

Policy: New York State Homeland Security & Emergency Services (DHSES) Grant Administration Policies and Procedures.

Purpose: To create a formal policy designed to provide a process of applying for, receiving and administering of Federal and State grants awarded through NYS Division of Homeland Security & Emergency Services (NYSDHSES).

Scope: Cortland County, and its Implementing Agency (IA), the Department of Emergency Response and Communications (DOERC) will be responsible for the grant administration of NYSDHSES funds that are awarded to the County's Department of Emergency Response.

A. Application

There are many Federal and State grant programs in which Cortland County may apply through NYSDHSES. When the County is made aware of the grant programs available, County Administration will review with staff the guidance documents and make a decision to apply for the funds.

1. County Administration or its designee, hereinafter referred to as the Implementing Agency (IA) Director will seek verbal permission from the County Administrator or their designee.
2. Upon receipt of verbal permission by the County Administrator or their designee to proceed with the development of the grant application the IA Director, will draft the application in accordance with the guidelines distributed within the grant application.
3. The IA Director, or designee, will submit the grant via the DHSES E-grants system. After the grant is submitted, upon receipt that the grant has been awarded and a contract has been developed by DHSES, the IA Director will draft a resolution to accept the grant award and submit it through the established legislative procedure. Upon receipt of a copy of the approved resolution, along with a copy of the fully executed contract, said document(s) will be kept on file in the office of the IA Director. File will be labeled with the DHSES Grant Year, Period, Contract Number, and Total Award.
4. Per the resolution an account will be established in the County's Financial Accounting System. The County will ensure that the grant funds are not commingled with other sources of funding by establishing separate project codes to be attached to the department/object number. These codes will be labeled with, at least as a minimum, the grant name and fiscal year, but can include the NYS Contract # and full period of

performance. In the case of a DHSES grant award for a specific capital project in its entirety, the same procedure would be established to the capital account specific to that grant. No items will be purchased until a signed contract is executed and on file with County Administration.

B. Procurement

1. Once all application materials are in place and accounted for, all procurements will be done in accordance with NYS Contract and Appendices, Code of Federal Regulations 2 CFR Part 200, Uniform Guidance NYS General Municipal Law or Cortland County's Procurement Policy, whichever is more restrictive.
2. Written justification and supporting documentation for all procurements must be maintained on file and made available upon request. If questions about the procurement of goods and services arise the questions will be forwarded to the Purchasing Department for review and resolve.

Procurement Process will follow these standards:

- a) i.e. A purchase order requires no quote* if the cost of the item is \$500 or under and the purchase order total for all items is less than \$1,500. *Three (3) price comparisons should be maintained in grant folder to show price reasonableness for any item purchased.
 - b) A purchase order requires three (3) verbal quotes if cost of an item is between \$501 to \$3,000 and/or the total dollar amount of all items on the purchase order is between \$1,501 and \$3,000. Written documentation of verbal quotes must be maintained in grant folder.
 - c) A purchase order requires three (3) written quotes if the total amount of all items on the purchase order is between \$3,001 and \$9,999.
 - d) Any items or purchase order \$10,000 and over require Competitive Sealed Bid or a Request for Proposal.
 - e) Any purchases made will include any grant specific requirements, including but not limited to, proving reasonableness of price.
3. Purchase orders must include the state contract number, if used, resolution number, county contract number and a copy of the award letter, along with the specific company information.
 4. If the item to be purchased has unique requirements, thereby limiting the purchase to a sole/single source vendor/bidder, all documentation substantiating such justification must be presented to NYSDHSES for prior approval. Such purchases will adhere to the guidelines in the "Cortland County Procurement Policy for Non-Competitive Procurement" or Federal or State purchasing guideline; whichever is more restrictive.

Copies of all documentation must be kept in the grant folder, as well as provided to the Cortland County Audit Department for final approval before proceeding with the procurement process. A copy of the DHSES justification of Non-competitive procurement is attached in the appendix.

5. A copy of the proposal(s) or bid document(s) will be stamp dated and initialed by the assigned County official when received and a copy will be kept on file in the office of the IA Director.
6. Pre-approval of all procurement documents will be reviewed prior to award by the Director of Cortland County's Department of Emergency Response & Communications. All questions about the procurement of goods will be responded to by the IA Director or designee. Once the Cortland County Legislature has awarded the contract with an approved legislative resolution number, a copy of the Grant Acceptance letter, and other required documents, (i.e., insurance and bonding certification, if required) the Implementing Agency may proceed with generating a requisition and/or purchase order, depending on total cost of the purchase.
7. In order for a purchase to occur, a Cortland County Purchase Order must be drafted and approved.

C. Receipt of Goods and Equipment

1. All items will be ordered and shipped to the address provided on the purchase order or the address defined in the purchase contract with Cortland County. When said items arrive or are installed, the IA Director, or designee, will sign and date the packing slip to verify the items and check it in accordance with the packing slip or contract. If there is no packing slip, a written document, to include the items purchased, signed and dated should be produced and kept in the grant file. If any errors occur, the items will not be accepted until it can be reconciled with the vendor.
2. All equipment will be placed in the fixed asset system established by Cortland County fixed asset policy as well as labeled "Purchased with Homeland Security Funds". The following information will be recorded by award and filed in the office of the IA Director:

As per 2 CFR §200.313(d), the inventory records should include, but may not be limited to the following fields:

- a. Description of the property
- b. Serial Number or other identification number
- c. The source of the property
- d. Who holds title
- e. The acquisition date
- f. Cost of property
- g. Percentage of federal participation in the cost of the property

- h. Location of equipment
 - i. Use and condition of the property (*should be updated after first inventory from "new"*)
 - j. Any ultimate disposition data including the date of disposal and sale price of the property
 - k. Dates of inventory
3. Any equipment, furniture or supplies or other property purchased pursuant to the DHSES Agreement is deemed to be the property of the State, except as may otherwise be governed by Federal or State laws, rules or regulations or stated in the NYSDHSES Agreement.
 4. It is noted that if this property is deemed no longer needed, NYSDHSES must be notified prior to the disposition of the property. If the property is sold the sale price must be documented and a portion of those proceeds may need to be returned to NYSDHSES.
 5. A physical inventory of all DHSES grant purchased equipment must be performed at a minimum of every two years in accordance with Federal Regulations 2 CFR 200.313(d)(1,2), or more frequently if required by the *Grantee's Fixed Asset* policy and recorded on file.
 6. Any loss or damage to any equipment will be reported immediately and a record maintained.

D. Record of Time

1. Some grants involve the documentation and record of time for reimbursement purposes. Specific documentation must be maintained as support for project related personal service expenditures. Depending on the nature or extent of personal service provided under the NYSDHSES Agreement, Cortland County will maintain semi-annual (or more frequent) personal service certifications and/or a personnel activity reporting system (or equivalent) which complies with all applicable laws, regulations and program guidance.
2. When time needs to be recorded it will be done in the following manor:
 - a. Any contractor working for the County on a time accrual basis must have a contract on file prior to performing the work. Once a contract is on file the contractor may work on a requested basis at the direction of the IA Director, or designee. Once the contractor has completed the duties assigned, a record of time and any associated attendance sheets and/or paperwork will be submitted to the appropriate office within ten working days.
3. When time is recorded for reimbursement for any employee, whether it be back fill or training or grant administration, the time will be recorded on a spreadsheet of hours

worked and tasks performed along with any required personal service certifications. This spreadsheet along with copies of overtime payment requests, who the employee backfilled for and why (documentation must also be provided for where the original employee was with proof of what they were completing), and sign in sheets will be submitted with payroll and approved by the IA Director, or designee.

E. Payment

1. Prior to payment, all items must be reconciled and received by an IA Director or designee.
2. All invoices received will be dated and a copy placed in the appropriate grants folder.
3. The invoice will be compiled by the responsible department's Accounts Payable designee, according to department procedure. Prior to forwarding to the County Legislature per the auditing schedule for payment, a note will be attached requesting the Treasurer to cut the check for only the specific SHSP purchase based on the voucher or purchase order issued.
4. Upon Legislative approval the County Treasurer will issue payment to the vendor.
5. Once processed, all vouchers will be printed and supporting documentation will be attached. Supporting documentation shall include purchase orders, signed equipment authorizations, copy of grant resolution, packing slips and any other pertinent information.
6. Once the check is cut and mailed to the vendor the check number will be documented in the Cortland County accounting system as well as written on the copy of the purchase order or voucher placed in the grants file located in the office of the IA Director. A request will be made for the Treasurer's Office to forward the requesting department a copy of the cancelled check to add to the supporting documentation.
7. This information will be used to complete the required quarterly reporting and to verify all expenditures from said grant.
8. Any other Department or Municipality that is a part of or will benefit from any grant administered by the *Grantee and/or its Implementing Agencies* will adhere to all policies set forth in this policy including documentation for payments.

F. Fiscal Reporting

1. State Aid Vouchers will be sent to NYS DHSE for reimbursement along with the attached Fiscal Cost Reports (FCRs) and detailed Itemization Forms (DIFs).

2. A copy of the State Aid Vouchers will also be copied for the office of the IA Director so that the IA Fiscal Officer can assign incoming funds to the appropriate account.
3. The IA Director will sign all submitted FCRs along with the IA Fiscal Officer prior to sending to the state.
4. Reports will be sent in the time frame required by the grant. If there will be a delay in report submission, contact will be made by the designated staff member and a date for proposed completion provided.
5. NYSDHSES quarterly progress reports will be submitted on E-Grants system by the designated staff (IA Fiscal Officer or designee) in a timely manner.
6. The Primary person submitting reports will be the administrative point of contact for NYSDHSES grants (IA Fiscal Officer) with the IA Director to serve as the secondary or back up in case the Primary person is unable to assist the NYSDHSES staff due to leave of absence, work load, accident etc.

G. Retention of Records

1. Original records must be retained for six years following the submission of the final claim against the NYSDHSES Agreement or the end of the Agreement Period, if later.
2. In cases where litigation, a claim, or an audit is ongoing, the records must be retained until formal completion of the action and resolution of issues or the end of the six-year Period, whichever is later.
3. In the event of an audit, the project manager or a designated responsible party must be prepared to produce source documents that substantiate claimed expenditures
4. NYSDHSES requires that all documentation materials be organized, readily accessible, and cross-referenced to the Fiscal Cost Reports previously submitted.
5. If fiscal records, such as purchase orders, vouchers, payroll registers, payroll tax records, property records or equipment inventory records, etc., are to be kept in a fiscal office which is separate and apart from the program office, the project manager must have access to these original records.
6. All fiscal records and/or support documentation must readily identify the associated NYSDHSES Grant and Contract for each grant period.

For additional information and guidance, refer to:

2 CFR Part 200 (Uniform Guidance)
NYS General Municipal Law Article 5A; §§103, 104
NYS DHSES Contract Appendix A-1

ON MOTION OF KEVIN WHITNEY, CHAIR

RESOLUTION NO. 304-13

**Adopt Policy Cortland County Policies and Procedures for NYSDHSES Grant
Administration Information Technology**

WHEREAS, Cortland County receives grants from the New York State Department of Homeland Security and Emergency Services (NYSDHSES) AND

WHEREAS, NYSDHSES requires the County to have written policies and procedures for applying for and administering those grants NOW, THEREFORE, BE IT

RESOLVED, that the Cortland County adopt the policy “Cortland County Policies and Procedures for NYSDHSES Grant Administration” for NYSDHSES grant administration.

STATE OF NEW YORK) SS:
COUNTY OF CORTLAND)

This is to certify that I, the undersigned, Clerk of the Cortland County Legislature, have compared the foregoing copy with the original now on file in this office, and that the above actions were passed by the Cortland County Legislature on the 21st day of November, 2013 and that the same is a correct and true transcript of such actions taken.

IN WITNESS WHEREOF I have hereunto set my hand
and the official seal of the CORTLAND COUNTY
LEGISLATURE, this 21st day of November, 2013.


Jeremy D. Boylan, Clerk of the Legislature
Cortland County

CORTLAND COUNTY NYSDHSES GRANT ADMINISTRATION POLICY

Subject: Homeland Security Grant Administration – Policies and Procedures			
References: DHSES			
Policy:	Distribution:	Amends:	
Prepared by: Brenda DeRusso/Jack Hess Approved:	Date of Issue: 10/23/2013	Effective Date:	Standards:

Policy: New York State Homeland Security & Emergency Services Grant Administration Policies and Procedures.

Purpose: To create a formal policy on the handling of NYS Division of Homeland Security & Emergency Services (NYSDHSES) grant awards. This policy is designed to provide a process of applying for, receiving and administering grant funding awarded by the Division of Homeland Security and Emergency Services.

Scope: Cortland County as the Implementing Agency (IA), will be responsible for the grant administration of NYSDHSES funds that are awarded to the County (DHSES Grantee). This guideline is designed to provide a step by step process of applying for, receiving, and administering NYSDHSES funds within Cortland County.

A. Application

There are many grant programs in which Cortland County may apply through NYSDHSES. When the County is made aware of the grant programs available, County Administration will review with his/her staff the guidance documents and make a decision to apply for the funds.

1. County Administration or its designee, hereinafter referred to as the Implementing Agency (IA) Director will first seek verbal permission from the Chairperson of the Judiciary & Public Safety (JPS) Committee, the legislative committee assigned oversight of public safety affairs.
2. Upon receipt of verbal permission by the JPS Chairperson to proceed with the development of the grant application the IA Director, will draft the application in accordance with the guidelines distributed within the grant application. The IA Director will solicit information and advice from appropriate emergency planning and response agencies before completing the application to maximize the benefit of the grant award.
3. The IA Director will draft a resolution and schedule attendance at the JPS Committee to explain the grant, the total award, and the percentage of the local share (matching funds) of the award, if any. If matching funds are required:
 - a. Upon JPS Committee approval the resolution will be forwarded it to the Budget & Finance Committee of the County Legislature. If the Budget & Finance Committee approves the resolution, it will be returned to the IA Director to be for further processing.

4. The IA Director, or designee, will submit the grant via the DHSES E-grants system. After the grant is submitted, upon receipt that the grant has been awarded and a contract has been developed by DHSES, the IA Director will draft a resolution to accept the grant award and submit it through the established procedure as noted above. Upon receipt of a copy of the approved resolution, along with a copy of the fully executed contract, said document(s) will be kept on file in the office of the IA Director in the "ACTIVE GRANTS" file drawer; said file will be labeled with the DHSES Grant Year, Period, Contract Number, and Total Award.
5. Per the resolution an account will be established for the distribution of funds. The County will ensure that the grant funds are not commingled with other sources of funding by establishing separate project codes to be attached to the department/object number, with the last 2 digits of the project code corresponding to the last two digits of the grant fiscal year specific to each DHSES grant award. In the case of a DHSES grant award for a specific capital project in its entirety, the same procedure would be established to the capital account specific to that grant. No items will be purchased until a signed contract is executed and on file County Administration.

B. Procurement

1. Once all application materials are in place and accounted for, the process of procurement can begin. All procurements will be done in accordance with the Cortland County Procurement Policy. Written justification and documentation for all procurements will be maintained on file, and will be made available upon request.
2. Purchase orders must include the state contract number, if used, resolution number, county contract number and a copy of the award letter, along with the specific company information.
3. If the item to be purchased has unique requirements, thereby limiting the purchase to a sole source vendor/bidder, as defined in the Cortland County Procurement Policy, then all documentation substantiating such justification must be presented to NYSDHSES for prior approval. Such purchases will adhere to the guidelines in the "Cortland County Procurement Policy for Non Competitive Procurement". Copies of all documentation must be kept in the grant folder as well as provided to the Cortland County Audit Department for final approval before proceeding with the procurement process.
4. A copy of the proposal(s) or bid document(s) will be stamp dated and initialed by the Implementing Agency Fiscal Officer when received and a copy will be kept on file in the office of the IA Director.
5. Pre-approval of all procurement documents will be reviewed prior to award. All questions about the procurement of goods will be responded to by the IA Director or designee. Once the Cortland County Legislature has awarded the contract with an approved legislative resolution number, a copy of the Grant Acceptance letter, and other required documents, (i.e., insurance and bonding certification, if required) the Implementing Agency may proceed with generating a requisition and/or purchase order, depending on total cost of the purchase.
6. In order for a purchase to occur, a Cortland County Purchase Order must be drafted and approved. The Purchasing Director signs all purchase orders and forwards a copy of the purchase order to the requesting department. The purchase order can now be sent to the appropriate vendor(s).

C. Receipt of Goods and Equipment

1. All items will be ordered and shipped to the address provided on the purchase order or the address defined in the purchase contract with Cortland County. When said items arrive or are installed, the IA Director, or

designee, will verify the items and check it in accordance with the packing slip or contract. If any errors occur, the items will not be accepted until it can be reconciled with the vendor.

2. All equipment will be placed in the fixed asset system established by Cortland County fixed asset policy as well as labeled “Purchased with Homeland Security Funds”. The following information will be recorded by award and filed in the office of the IA Director:
 - a. Description of the property
 - b. Serial Number or other identification number
 - c. The source of the property
 - d. Who holds the title
 - e. The acquisition date
 - f. Cost of property
 - g. Percentage of federal participation in the cost of the property
 - h. Location of equipment
 - i. Use and condition of the property
 - j. Any ultimate disposition data including the date of disposal and sale price of the property
 - k. Fiscal project code
3. Any equipment, furniture or supplies or other property purchased pursuant to the DHSES Agreement is deemed to be the property of the State, except as may otherwise be governed by federal or State laws, rules or regulations or stated in the NYSDHSES Agreement.
4. It is noted that if this property is deemed no longer needed, NYSDHSES must be notified prior to the disposition of the property. If the property is sold the sale price must be documented and a portion of those proceeds may need to be returned to NYSDHSES.
5. A physical inventory of the equipment must be performed at a minimum of every year in accordance to “Cortland County’s Fixed Asset Policy” and recorded on file.
6. Any loss or damage to any equipment will be reported immediately and a record maintained.

D. Record of Time

1. Some grants involve the documentation and record of time for reimbursement purposes. Specific documentation must be maintained as support for project related personal service expenditures as the NYSDHSES Agreement is supported by federal funds. Depending on the nature or extent of personal service provided under the NYSDHSES Agreement, Cortland County will maintain semi-annual (or more frequent) personal service certifications and/or an after-the-fact personnel activity reporting system (or equivalent) which complies with all applicable laws, regulations and program guidance.
2. When time needs to be recorded it will be done in the following manor:
 - a. Any contractor working for the County on a time accrual basis must have a contract on file prior to performing the work. Once a contract is on file the contractor may work on a requested basis at the direction of the IA Director, or designee. Once the contractor has completed the duties assigned, a record of time and any associated attendance sheets and/or paperwork will be submitted to the appropriate office within ten working days.

- When time is recorded for reimbursement for any employee, whether it be back fill or training or grant administration, the time will be recorded on a spreadsheet of hours worked and tasks performed along with any required personal service certifications. This spreadsheet along with copies of overtime payment requests, who the employee backfilled for and why (documentation must also be provided for where the original employee was with proof of what they were completing), and sign in sheets will be submitted with payroll and approved by the IA Director, or designee.

E. Payment

- Prior to payment, all items must be reconciled and received by an IA Director or designee.
- All invoices received will be dated and a copy placed in the appropriate grants folder.
- The invoice will be compiled by the responsible department's Accounts Payable designee, according to department procedure. Prior to forwarding to the County Legislature per the auditing schedule for payment, a note will be attached requesting the Treasurer to cut the check for only the specific SHSP purchase based on the voucher or purchase order issued.
- Upon Legislative approval the County Treasurer will issue payment to the vendor.
- Once processed, all vouchers will be printed and supporting documentation will be attached. Supporting documentation shall include: purchase orders, signed equipment authorizations, copy of grant resolution, packing slips and any other pertinent information.
- Once the check is cut and mailed to the vendor the check number will be documented in the Cortland County accounting system as well as written on the copy of the purchase order or voucher placed in the grants file located in the office of the IA Director. A request will be made for the Treasurer's Office to forward the requesting department a copy of the cancelled check to add to the supporting documentation.
- This information will be used to complete the required quarterly reporting and to verify all expenditures from said grant.

F. Fiscal Reporting

- State Aid Vouchers will be sent to the state for reimbursement along with the attached Fiscal Cost Reports (FCRs) and detailed Itemization Forms (DIFs).
- A copy of the State Aid Vouchers will also be copied for the office of the IA Director so that the IA Fiscal Officer can assign incoming funds to the appropriate account.
- The IA Director will sign all submitted FCRs along with the IA Fiscal Officer prior to sending to the state.
- Reports will be sent in the time frame required by the grant. If there will be a delay in report submission, contact will be made by the designated staff member and a date for proposed completion provided.
- NYSDHSES quarterly progress reports will be submitted on E-Grants system by the designated staff (IA Fiscal Officer or designee).

6. The Primary person submitting reports will be the administrative point of contact for NYSDHSES grants (IA Fiscal Officer) with the IA Director to serve as the secondary or back up in case the Primary person is unable to assist the NYSDHSES staff due to leave of absence, work load, accident etc.

G. Retention of Records

1. Original records must be retained for six years following the submission of the final claim against the NYSDHSES Agreement or the end of the Agreement Period, if later.
2. In cases where litigation, a claim, or an audit is ongoing, the records must be retained until formal completion of the action and resolution of issues or the end of the six year Period, whichever is later.
3. In the event of an audit, the project manager or a designated responsible party must be prepared to produce source documents that substantiate claimed expenditures
4. NYSDHSES requires that all documentation materials be organized, readily accessible, and cross-referenced to the Fiscal Cost Reports previously submitted.
5. If fiscal records, such as purchase orders, vouchers, payroll registers, payroll tax records, property records or equipment inventory records, etc., are to be kept in a fiscal office which is separate and apart from the program office, the project manager must have access to these original records.
6. All fiscal records and/or support documentation must readily identify the associated NYSDHSES Grant and Contract for each grant period.

WHEREAS, the County Legislature form of government was created by Local Law No. 02 for the year 1972 which was submitted to a mandatory referendum in the manner provided by law and was approved by referendum and became effective as of January first, nineteen hundred seventy-four, AND

WHEREAS, Article II, of Local Law No. 02 for the year 1972 provides that the County Legislature constitutes the legislative, appropriating, policy determining and governing body of the County, AND

WHEREAS, the Legislature by Resolution Number 361 of 1974 created the positions of Majority Leader and Minority Leader without a specific term of office, AND

WHEREAS, the Legislature's intent is to provide for the Office of Majority Leader and for the Office of Minority Leader with a term of office, NOW THEREFORE BE IT

RESOLVED, that:

SECTION 1. CREATION OF THE OFFICE OF MAJORITY LEADER

The position of Majority Leader is hereby abolished and the Office of Majority Leader is hereby created with a term of office of two years.

SECTION 2. CREATION OF THE OFFICE OF MINORITY LEADER

The position of Minority Leader is hereby abolished and the Office of Minority Leader is hereby created with a term of office of two years.

SECTION 3. ELECTION OF MAJORITY LEADER

The members of the Legislature belonging to the political party having the greatest number of total votes on said Legislature shall elect from its members a Majority Leader. The name of the Majority Leader shall be submitted to the Clerk of the Legislature in writing on the prescribed form signed by a majority of members of the respective party within five (5) calendar days of the biennial organization meeting.

SECTION 4. ELECTION OF MINORITY LEADER

The members of the Legislature belonging to the political party having the second greatest number of total votes on said Legislature shall elect from its members a Minority Leader. The name of the Minority Leader shall be submitted to the Clerk of the Legislature in writing on the prescribed form signed by a majority of members of the respective party within five (5) calendar days of the biennial organization meeting.

SECTION 5. OATH OF OFFICE

The Majority and Minority Leaders, after taking the oath of office, shall serve as officeholders until the expiration of their current terms as Legislators.

SECTION 6. POWERS AND DUTIES

The Majority and Minority Leaders:

- A. may sit on Standing and/or Special Committees to which they are not appointed, ex-officio, without vote;

- B. Shall note the absence of their respective members from a meeting because of medical reasons, death in the immediate family or an irrevocable commitment to other County business, and ask the Chair to excuse said members;
- C. May serve as temporary Chair of the Legislature. The Majority Leader shall serve as temporary Chair in the absence of the Chair for a meeting. In the absence of the Chair and the Majority Leader, the Minority Leader shall serve as the temporary Chair. In the absence of the Chair for a period longer than a Legislative session, the temporary Chair shall have all the duties power and duties of the Chair, except for committee assignments and reassignments.
- D. Shall carry out such other tasks and assume such other legislative responsibilities not inconsistent with the responsibilities of other elected or appointed officials, as the Chair or Legislature directs.
- E. Shall become familiar with the property, functions, and fiscal affairs of the County while serving as temporary Chair;
- F. May attend meetings of all boards, commissions, or other bodies appointed by the Legislature; those exercising County functions; or those expending County funds;
- G. May inspect all books, accounts, records, or documents pertaining to the property, money, or assets of the County over which the County has control while serving as temporary Chair;
- H. May make recommendations to the Legislature on legislation, rules, and regulations and such other matters deemed material and advisable and shall report to their respective caucus on matters brought to their attention by the Chair, County Administrator or department heads;

NEW YORK STATE DEPARTMENT OF STATE

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☒ County☐ City of Cortland☐ Town☐ VillageLocal Law No. 2 of the year 20 08

A local law Adopting a County Code of Ethics and Requiring Financial Disclosure

(Insert Title)

by Certain County Officials and Employees; and Rescinding Local Law No. 5 of 1984

Be it enacted by the Cortland County Legislature of the
(Name of Legislative Body)☒ County☐ City of Cortland☐ Town☐ Village

as follows:

SEE ATTACHED LOCAL LAW

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 20 08 of the (County)(City)(Town)(Village) of COUNTY OF CORTLAND was duly passed by the CORTLAND COUNTY LEGISLATURE on AUGUST 28 20 08, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ and was deemed duly adopted (Elective Chief Executive Officer*) on _____ 20 _____, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20 _____ (Elective Chief Executive Officer*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special)(annual) election held on _____ 20 _____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20 _____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20 _____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

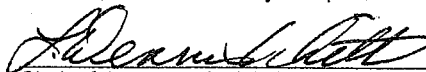
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20 _____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20 _____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.



Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

(Seal)

Date: September 4, 2008

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF CORTLAND

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.



Signature
COUNTY ATTORNEY
Title

County
City of CORTLAND
Town
Village

Date: October 7, 2008

Attachment: local law 2 of 2008 - code of ethics (134-21 : Amend "Appendix B" of Local Law 2 of 2008 - Adopting a County Code of

A Local Law Adopting a County Code of Ethics
and Requiring Financial Disclosure by Certain County
Officials and Employees; and Rescinding Local Law No. 5 of 1984

Be it enacted by the Cortland County Legislature

Article I. Purpose and Intent.

Pursuant to the provisions of Article 18 of the General Municipal Law, the Cortland County Legislature recognizes that there are rules of ethical conduct for public officers and employees which must be observed if a high degree of moral conduct is to be obtained and if public confidence is to be maintained in our unit of local government. The proper administration of the government of Cortland County requires its officers and employees, whether elected or appointed, paid or unpaid, including members of administrative boards, commissions or other agencies, to be impartial and free from conflicts of interest in fulfilling their public responsibilities.

The purpose of this article is to state, for those officers, employees and appointees of Cortland County, and for the citizens of the county, standards of conduct necessary to assure these goals, in addition to, and in accordance with, the standards prescribed in Article 18 of the General Municipal Law. Further, it is the purpose of this article to promulgate the rules and serve as a guide of official and ethical conduct for officers, appointees and employees of Cortland County.

These rules of ethical conduct, as adopted, shall not conflict with, but shall be in addition to, any prohibition of Article 18 of the General Municipal Law or any other general or special law relating to ethical conduct and interest in contracts of municipal officers and employees.

Article II. Definitions

- (A) Child - any son, daughter, stepson or stepdaughter of a County officer, employee or elected official, if such child is under (eighteen) 18 or is a dependent of the officer, employee or appointed official, as defined in the Internal Revenue Code Section 152(a)(1) and (2) and any amendments thereto.
- (B) Interest - a direct or indirect pecuniary or material benefit accruing to a County officer, employee or appointed official, spouse or child, whether the result of a contract with the County or otherwise. For the purpose of this chapter, a County officer, employee or appointed official shall be deemed to have an interest in the contract if (i) a spouse and/or children, except a contract of employment with the County; (ii) a firm, partnership or

association of which such officer, employee or appointed official or spouse or child is a member or employee; (iii) a corporation of which such officer, employee or appointed official, or child is an officer or director; and (iv) the outstanding capital stock of a corporation which is owned by, or controlled directly or indirectly by an officer, employee or appointed official, or his/her spouse or child.

- (C) Legislation - a matter which appears upon the calendar of the Cortland County Legislature, or upon a committee thereof, upon which any official action has been taken including adopted acts, local laws or resolutions.
- (D) Officer or employee - any officer or employee of Cortland County, whether paid or unpaid, including elected officials, appointed officials and heads of any agency, institution, department, district, office, branch, division, council, commission, board or bureau of the County.
- (E) County elected official - a member of the County's governing body, Coroner, County Clerk, County Treasurer, District Attorney, or Sheriff.
- (F) Appointed official - any individual appointed by the Chairman of the County's governing body, the County's governing body, or anyone having authority to appoint, derived from either of the foregoing, to any agency, institution, department, district, office, branch, division, council, commission, board or bureau, whether unpaid or paid.
- (G) Reporting officer, employee or appointed official - an officer, employee, appointed official or candidate for County elected office who is required to complete and file an annual statement of financial disclosure, pursuant to this Local Law.
- (H) Spouse - the husband or wife of an officer, employee or appointed official subject to the provisions of this Local Law, unless legally separated from such officer, employee or appointed official.
- (I) Jurisdiction - having authority, capacity, power or right to act with regard to the management and administration of policy and supervision of personnel of the County agency in which she/he is an officer, employee or appointed official.
- (J) Chief Elected Official - for the purposes of interpreting this local law only, the Chairperson of the County's governing body or designee.

Article III. Code of Ethics

(A) Prohibited Activities

It is the policy of the County that all officers and employees must avoid conflicts or potential conflicts of interest. A conflict, or a potential conflict exists, whenever an officer, employee or relative, as defined above, has an interest, direct or indirect, which conflicts with their duty to the County or which could adversely affect an individual's judgment in the discharge of their responsibilities. No officer, employee or relative shall:

1. Take action or participate, in any manner whatsoever, in their official capacity, in the discussion, negotiation or awarding of any contract, or in any business or professional dealings with the County, or any agency thereof, in which the official or employee has, or will have an interest, direct or indirect, in such contract or professional dealings.
2. Have an interest in any contract with the County of which they are an officer or employee as described in Section 801 of General Municipal Law except in those circumstances described in Section 802 of General Municipal Law.
3. Engage in, solicit, negotiate for or promise to accept private employment or render services for their personal benefit, when such employment or service creates a conflict or impairs the proper discharge of their official duties.
4. Directly or indirectly, solicit any gifts, or receive or accept any gift having the value of SEVENTY-FIVE DOLLARS (\$75.00), or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or in any other form, under circumstances in which it could be reasonably inferred that the gift was intended to influence them, or could reasonably be expected to influence them, in the performance of their official duties, or was intended as a reward for any official action.
5. Disclose confidential information acquired in the course of official duties or use such information to further their personal interest, or use, for profit, information about the property, affairs, finances or government of the County that is not generally available to the public, exclusive of information available to the public under Freedom of Information laws.
6. Take action on a matter before the County or any instrumentality thereof when the

performance of that action would provide a pecuniary or material benefit to themselves, their spouse or their child.

7. Pursue a course of conduct which will raise suspicion among the public that they may be engaged in acts that are in violation of the public's trust or give the appearance of impropriety or unethical conduct.
8. No person who has served as an officer or employee of the county or any county agency shall, within a period of six months after termination of such service or employment, appear before any board or agency of Cortland County or receive any compensation for services rendered on behalf of any person (other than for themselves), firm, corporation or association in relation to any case, proceeding or application, with respect to which such person was directly concerned or in which they personally participated during the period of their service or employment or was under consideration.
9. Use or permit the use of county property (including land, vehicles, equipment, materials and/or any other property) for personal convenience or profit, except when such use is available to county citizens, generally, or is provided as a condition of county employment or as a matter of departmental or county policy.

(B) Disclosure of Interest

1. Any officer or relative who has, will have or intends to acquire a direct or indirect interest in any matter being considered by the Board of the County or by any other official, board, agency, officer or employee of the County, and who participates in the discussion or gives an opinion or advice to any board, agency or individual considering the same, shall, as soon as reasonably possible, publicly disclose on the official record the nature and the extent of such interest.
2. Any officer, employee or relative who has, will have or later acquires an interest in any actual or proposed contract with the County of which they are an officer or employee shall publicly disclose the nature and extent of the interest in writing to the County Legislature as soon as there is knowledge of such actual or prospective interest.
3. Any officer or employee of the County, or relative, who has knowledge of any matter being considered by any board, agency, officer or employee of the County in which matter they have, will have, or intends to acquire any direct or indirect interest, shall be required to immediately disclose, in writing, such interest to the board, agency, officer or employee, and the nature and extent thereof, to the degree that such disclosure gives substantial notice of any potential conflict of interest.

(C) Limitation upon filing for election; Dual Office Holding

1. No appointed County Officer or Department Head may run for the County Legislature without first resigning their appointive position. The reason for this prohibition is to avoid the appearance of conflict that inevitably occurs when one in a position to render advice or information to the legislature places him/herself in a position to compete for the elective office to which he/she renders advice.
2. A County Officer shall be deemed to have offered themselves for nomination or election to the County Legislature upon the filing of a nomination paper pursuant to New York State Election Law or formal public declaration of candidacy for such office, whichever occurs first.
3. The resignation of the County Officer duly filed in writing with the officer, board or commission having jurisdiction of the office shall, if not accepted within ten days, be deemed to have become effective as of the date of filing.
4. No person shall hold the Office of Election Commissioner concurrently with that of Chairman of any Political Party.
5. A person violating any provision of this section is guilty of misfeasance in office and the office held by such person shall be declared vacant.

(D) Annual Code of Ethics Review

Every official and employee, as defined by this legislation, shall attest, on an annual basis, to having reviewed the Code of Ethics of Cortland County and such attestation shall be made on or before May 15th of each year.

Article IV. Financial Disclosure

(A) Positions Required to File

Attached hereto as "Appendix B", which is fully incorporated into this law by this reference, is a listing of all positions for which financial disclosure is required of the persons holding one or more positions contained therein. Said "Appendix B" may be amended by the adoption of a Resolution of the Legislature, as needed, subject to provisions of this law and New York State statutes. Any such amendments shall be effective immediately, and a certified copy thereof shall be filed with the Board of Ethics within five (5) days of adoption.

(B) Filing

1. Current Officials and Employees: Financial disclosure shall be accomplished by completing a copy of the Financial Disclosure Form, attached to this law as "Appendix A", which is fully incorporated into this law by this reference. Financial disclosure shall be required through the discretionary designation of the Board, as stated in Article IV Section (A) above, and is applicable to those persons as defined in Article II, sections (D), (E), and (F) above, and to those who may not fall within the specific purview of this section but are, with proper discretion, deemed to be "policy making" within the construction of Article 18 of the New York State General Municipal Law, and whose position is listed in Appendix B, attached hereto. This form shall be completed and filed with the Board of Ethics on or before May 15 of each year for which the employment is in effect.
2. New Appointees and Amendments: Any person required to file an annual statement of financial disclosure who becomes so required, experiences a change in reporting levels, is elected to office or is appointed to an office or employment with the County after April 15th, shall file the appropriate annual statement within thirty (30) days of the date upon which the change becomes effective, or the office or employment commences. The Board of Ethics may grant, upon written application, an extension of no more than thirty (30) additional days to a person filing pursuant to this paragraph upon finding that additional time is needed to file. Further extensions may only be granted for cause, upon a request made under the provisions of Article IV, Section (D).

(C) Multiple Filings

A person subject to financial disclosure filing requirements from more than one municipality may satisfy the requirements of this local law by filing only one annual statement of financial disclosure with one municipality, and filing a notice with the appropriate officials of the other(s) that such filing has been made. Such notice shall include the date and place of the filing, and a copy of the financial disclosure form so filed.

(D) Extensions of Time to File

1. Automatic Extension: Any person subject to the reporting requirements of this local law, who shall timely file with the Internal Revenue Service an application for automatic extension of time in which to file their individual income tax return for the immediately preceding calendar or fiscal year, which would extend filing with the IRS beyond May 15 of the reporting year, shall be required to submit notice of said application, on or before April 15 of the reporting year, to the Board of Ethics. Such person shall file a disclosure form, complete, except for only those portions stated to

be within the application to IRS for automatic extension, on or before May 15 of the reporting year. A supplementary statement, containing all item(s) as were incomplete on the annual statement of financial disclosure shall be filed. There shall be no liability under Article IV of this local law, if said supplementary statement is filed within fifteen (15) days of the expiration of the automatic IRS extension.

2. Extensions for Cause Shown: Any person required to file an annual statement of financial disclosure may request, prior to May 1 or 15 days prior to the date the filing would otherwise be due, an extension of time to file for an additional specific period. Such request shall be made in writing to the Board of Ethics, with approval based upon substantiation of justifiable cause or undue hardship. The Board of Ethics may grant or deny the request, by vote of the membership, and extensions shall be for no longer than the specific period of additional time requested.

Article V. Ethics Advisory Board

(A) Established; Appointments; Quorum

1. Pursuant to Article 18 of the General Municipal Law, there is hereby established a County Board of Ethics, which shall be charged with general responsibility for ensuring full compliance with this code of ethics and disclosure and which shall serve at the pleasure of the Cortland County Legislature as more fully described in Article V, (C) below.
2. The County Board of Ethics shall consist of five (5) members, each appointed by a majority vote of the County Legislature. The Chairman of the Board of Ethics shall be selected by the Chairman of the County Legislature. Members of the Board of Ethics shall be construed, under this local law, as policy-making officials, and thus be subject to all appropriate ethics and disclosure requirements.
 - (1) Each member of the Board of Ethics must be a resident of the County of Cortland.
 - (2) At least one member of the Board shall be an elected or appointed officer or employee of the County or a municipality of the County. In no instance shall elected or appointed officers or employees of the County or municipalities of the County constitute a majority of the Board.
3. The presence of three (3) members shall constitute a quorum. Any action of the Board of Ethics shall require at least three (3) affirmative votes.

(B) Reimbursement; Terms; Vacancies

1. Members of the Board of Ethics shall serve without compensation, but shall be

entitled to reimbursement of reasonable expenses and mileage, in accordance with rules established by the County Legislature.

2. Members of the Board of Ethics shall serve terms of four (4) years, however for the purpose of staggering the terms, initial appointments shall be as follows:

- 1 member shall serve 1 year
- 1 member shall serve 2 years
- 1 member shall serve 3 years
- 2 members shall serve 4 years

3. Vacancies shall be filled for the remainder of the unexpired term of the predecessor.

(C) Removal

In addition to penalties defined specifically for violation of the Cortland County Ethics Law, and other pertinent sections of local, state and federal law, members of the Board of Ethics may be removed by the Chairman of County Legislature with the concurrence of two-thirds of the County Legislature. Prior to removal, the Board of Ethics member shall be given written notice thereof, and be provided with an opportunity to reply.

(D) Powers and Duties

1. Statutory Powers - The Board of Ethics shall possess all power and duties authorized by Section 808 of General Municipal Law, as amended.
2. Necessary and Proper Powers - The Board of Ethics shall possess, exercise and enjoy all the rights, powers and privileges necessary and proper to the enforcement of the Code of Ethics and the completion and filing by officers, employees and appointed officials, of annual statements of financial disclosure required by this law.
3. Regulatory Powers; Rule Promulgation - The Board of Ethics shall promulgate rules and regulations in furtherance of its powers and duties, including rules governing the conduct of adjudicatory proceedings and appeals relating to the assessment of civil penalties herein authorized, and shall maintain appropriate records of its opinions and proceedings. The Board of Ethics shall have the authority to conduct investigations necessary to carry out the provisions of this law. Pursuant to this power and duty, the Board of Ethics may administer oaths or affirmations, subpoena witnesses, whether or not a County officer, employee or appointed official, compel their attendance and require the production of any document, books or records deemed relevant or material to the resolving any adjudicatory proceeding.

4. **Advisory Opinions -** The Board of Ethics shall render advisory opinions, in writing, to officers, employees and appointed officials of the County, regarding specific matters pertaining to potential conflicts of interest, filings and reporting categories, with respect to this Law and Article 18 of the General Municipal Law, within 30 business days, whenever possible, after fully investigating the circumstances surrounding the request. Such opinions shall be rendered only upon written request of the officer, employee or appointed official concerning only the subject of the inquiry, as it pertains to the requesting individual's own filing requirements or inquiry. An opinion rendered by the Board of Ethics, until amended or revoked, shall be binding on the Board in any subsequent proceeding concerning the person who requested the opinion and who acted in good faith, unless material facts were omitted or misstated by the person in the request for an opinion. Such opinion may also be relied upon by such person and may be introduced in any criminal or civil action.
5. **Opinion Disclosure -** Opinions shall not be publically disclosed, unless required by the Freedom of Information Law (Public Officers Law Article 6), in which case the identity of the person requesting the opinion shall not be disclosed, or unless required for use in a disciplinary proceeding or proceeding under Article VII of this Local Law. Whenever a request for access to an advisory opinion is received, the officer, employee or appointed official who originally requested the opinion shall be notified of the request within forty-eight (48) hours of the receipt of the request.
6. **Filing Repository -** The Board of Ethics shall be the repository for completed annual statements of financial disclosure, pursuant to Section 808(5) of the General Municipal Law and Article IV herein, and such other written instruments, affidavits, and disclosures as required under this local law.
7. **Review of Disclosure Statements -** The Board of Ethics shall review the filed Financial Disclosure Statements and attestations submitted by officials and employees, as required by this Law, to ascertain whether any person subject to these reporting requirements has violated any local or state law governing conflicts of interest or prohibited activities.
8. **Recommendation of Conflict Resolution -** In addition to other powers conferred by this Local Law, the Board of Ethics may recommend to the official or employee, the manner in which the conflict of interest or appearance of impropriety may be resolved. An affidavit by the official or employee detailing compliance with the recommendation may be sufficient reason to rescind the Board of Ethics decision to make a disclosure. The affidavit must be delivered to the Board of Ethics, at a specific time and place as determined and delineated by the Board of Ethics, through

a certified, return receipt requested, letter to such official or employee. If the official or employee fails to follow the recommendations of the Board of Ethics by eliminating the conflict of interest or appearance of impropriety, that fact shall also be disclosed. Nothing contained herein shall be construed or interpreted to mean that the Board of Ethics is under a duty to make such recommendations to the official or the employee.

9. The County Board of Ethics shall not act with respect to the officers and employees of any municipality located within such county or agency thereof, if the municipality has established its own Board of Ethics, except that the local Board of Ethics may, at its option, refer matters to the County Board of Ethics.

Article VI. Violations of the Code of Ethics

(A) Complaints - The Board of Ethics shall receive and investigate complaints alleging a violation of the Code of Ethics.

1. All ethics complaints against county officials or employees must be in writing, signed and sworn to, and must contain sufficient allegations of fact to support the accusation. All complaints shall be filed with the Clerk of the Legislature, on behalf of the Board of Ethics. If, after review, a majority of the members of the Board of Ethics find that the complaint may have merit the Board of Ethics shall further investigate, pursuant to its rules and this Local Law.
2. If a reporting person has filed a statement revealing a possible violation of the Code of Ethics, or the Board of Ethics receives a sworn complaint alleging such a violation, or if the Board of Ethics determines, on its own initiative, to investigate a possible violation, the Board of Ethics shall notify the reporting person, in writing, describe the possible violation and provide the person fifteen (15) days to submit a written response setting forth information relating to the activities cited as a possible or alleged violation of law.
3. If the Board of Ethics thereafter makes a determination that further inquiry is justified, it shall give the reporting person an opportunity to be heard. The Board of Ethics shall also inform the reporting individual of its rules regarding the conduct of adjudicatory proceedings and appeals and the due process procedural mechanisms available to such individual.
4. If the Board of Ethics determines that there is reasonable cause to believe that a violation has occurred, it shall send notice of reasonable cause to the reporting person, to the complainant, if any, and to the Clerk of the County Legislature.

5. If the Board of Ethics determines, at any stage of the proceeding, that there is no violation or that any potential conflict of interest violation has been rectified, it shall so advise the reporting person and the complainant, if any, and the Clerk of the County Legislature.
6. If the Board of Ethics finds the complaint frivolous or otherwise without merit, it shall dismiss the complaint. Any record of a dismissed complaint shall be sealed and not subject to disclosure or inspection under the Freedom of Information Law or other applicable law, unless disclosure is ordered by a court of county-wide or statewide jurisdiction, or a court of the United States.

All of the foregoing proceedings shall be confidential, except as otherwise provided in the Freedom of Information Law and Public Officer Law.

(B) Rules for Proceedings; Penalties; and Appeals

1. Rules of Proceedings - Concerning adjudicatory proceeding, the Board of Ethics shall operate as if it were an agency within the meaning of Article 3 of the State Administrative Procedure Act and shall adopt rules governing the conduct of adjudicatory proceedings and appeals taken pursuant to a proceeding commenced under Article 78 of the Civil Practice Law and Rules as they relate to the assessment of the civil penalties herein authorized and Board denials of requests for certain deletions or exemptions to be made from a financial disclosure statement as authorized in Article IV, paragraph E herein. Such rules, which shall not be subject to the approval requirements of the State Administrative Procedure Act, shall provide for due process procedural mechanisms substantially similar to those set forth in such Article 3 of the State Administrative Procedure Act, but such mechanisms need not be identical in terms or scope.
2. Civil Penalty; Referral - A reporting individual who knowingly and willfully fails to file an annual statement of financial disclosure or who intends to deceive, makes a false statement or gives information known to be false shall be assessed a civil penalty, in an amount not to exceed TEN THOUSAND (\$10,000) DOLLARS. Assessment of a civil penalty shall be made by the Board of Ethics. For a violation of this section, other than for conduct which constitutes a violation of subdivision twelve of section seventy-three of the Public Officers Law, the Board of Ethics may, in lieu of a civil penalty, refer a violation to the appropriate prosecutor and upon such conviction, shall be punishable as a Class A misdemeanor. A civil penalty for false filing may not be imposed hereunder in the event a category of "value" or "amount" reported hereunder is incorrect unless such reported information is intentionally understated. Upon an appropriate determination and vote, the Board of Ethics may file a written recommendation with the Chief Elected Official or other disciplinary body, establishing grounds for removal for cause, in accordance with other provisions of Cortland County laws, rules, regulations or policies governing conduct of officers, officials and employees. Notwithstanding any other provision of law to the contrary,

no other penalty, civil or criminal may be imposed for a failure to file, or for a false filing, of such statement, except that the appointing authority may impose disciplinary action as otherwise provided by law.

3. Appeal - Assessment of a civil penalty or the Board of Ethics denial of any request shall be final, unless modified, suspended or vacated within 30 days of imposition, with respect to the assessment of such penalty, or unless such denial of request is reversed within such time period and, upon becoming final, shall be subject to review at the insistence of the affected reporting individuals in a proceeding commenced against the Board pursuant to Article 78 of the Civil Practice Law and Rules.

Article VII. Administrative and Legal Support

- (A) Legal Counsel - The Cortland County Attorney may provide counsel to the Board of Ethics upon request. In the event of a conflict involving the County Attorney, the Board of Ethics shall advise the Chairman of the County Legislature, who may authorize another attorney, admitted to practice in the State of New York, to serve as counsel to the Board of Ethics.
- (B) Support Staff - The Board of Ethics may request from the County Legislature, support staff assistance in furtherance of its duties and responsibilities.
- (C) Clerical Assistance - The confidential staff to the County Administrator may assist the Board of Ethics for the purpose of (1) receiving and filing all disclosure forms, correspondence and documentation on behalf of the Board of Ethics, (2) directing and disseminating correspondence, documents, notices, etc., to the Board of Ethics' members, and (3) such other clerical duties as the Board of Ethics may direct, to the extent that other clerical staff have not been provided by the County Legislature.

Article VIII. Records and Meetings of the Board of Ethics

(A) Records

Notwithstanding the provisions of Article Six of the Public Officers Law, and pursuant to Article 18 of the General Municipal Law, the only records of the Board of Ethics which shall be available for public inspection are:

- (1) the information set forth in an annual statement of financial disclosure filed pursuant to this law, except the categories of value or amount and any other information deleted pursuant to an exemption granted pursuant to Article IV, (E). of this law, which shall remain confidential;
- (2) Notice of Delinquency issued;

- (3) Notice of reasonable cause to believe that a violation has occurred, after issuance; and
- (4) Notice of civil assessments imposed.

(B) Meetings

Notwithstanding the provisions of Article Six of the Public Officers Law, and pursuant to Article 18 of the General Municipal Law, no meeting or proceeding of the Board of Ethics shall be open to the public, except if expressly provided otherwise by the Board of Ethics.

Article IX. Annual Statement of Financial Disclosure

The County Legislature hereby designates the "Financial Disclosure Form" attached as Appendix A, incorporated by reference, as the annual statement of financial disclosure for the purpose of fulfilling the requirements of the Cortland County Ethics and Disclosure Law and the General Municipal Law of the State of New York.

Article X. Severability

The various elements of the Cortland County Ethics Law are explicitly intended to be construed within the application of Article 18 of the New York State General Municipal Law. Should any portion of this law be determined to be unconstitutional, improper, or otherwise void by any administrative body or court having jurisdiction, said determination shall have no bearing on the severable remainder of this local law.

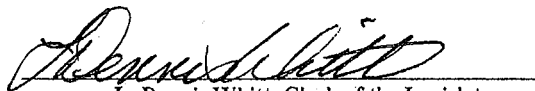
Article XI. Consistency with Laws

This Local Law is a policy of the Cortland County Legislature, and supercedes all previously adopted Resolutions and Local Laws.

STATE OF NEW YORK) SS:
COUNTY OF CORTLAND)

I, the undersigned, Clerk of the Cortland County Legislature, County of Cortland, hereby certify the above document was passed by the Cortland County Legislature of said County on the 28th day of August, 2008 and that the same is a correct and true transcript of actions taken by the Cortland County Legislature.

IN WITNESS WHEREOF I have hereunto set my hand
And the official seal of the CORTLAND COUNTY
LEGISLATURE, this 4th day of September, 2008.


L. Dennis Whitt, Clerk of the Legislature
Cortland County

ANNUAL STATEMENT OF FINANCIAL DISCLOSURE
FOR THE
CORTLAND COUNTY
FOR 2007

1. Name and Address.

Last Name	Middle Initial	First Name
Title		
Department of Agency		
Department or Agency Address		Telephone No.
Residence Address		Telephone No.

2. Financial Interests.

a. Business Positions. Do you now hold any office, trusteeship, directorship, partnership, or other position in any business, association, proprietary, or not-for-profit organization involved with the County in any manner? (If yes, describe)

b. Outside Employment. Do you have any outside occupation, employment, trade, business, or profession providing more than \$1,000/year for you? (If yes, describe)

c. Future Employment. Do you have any contract, promise or other agreement between you and anyone else with respect to your employment after leaving your County office or position? (If yes, describe)

d. Real Estate holdings. Do you have any real estate within the County, or within five (5) miles thereof? (If yes, describe)

e. Investments. Do you have any investments in excess of \$5,000 or five percent (5%) of the value in any business, corporation, partnership, any real estate within the County, or within five (5) miles thereof? (If yes, describe)

3. Gives and Honorariums. Have you received any gifts aggregating in excess of \$75.00 during the last year, excluding gifts from a relative? The term "gifts" includes gifts of cash, property, personal items, payments to third parties on your behalf, forgiveness of debt, honorariums, and other payments that are not reportable as income. (If yes, describe)

4. Third Party Reimbursements. Have you during the last year, received any third-party reimbursement for travel-related expenditures in excess of \$250.00 for any matter that relates to your official duties? The term "reimbursement" includes any travel-related expenses provided by anyone other than the County for speaking engagements, conferences, or fact-finding events that relate to your official duties. (If yes, describe)

5. Debts. Do you have any debts over \$5,000 wherein the creditor does business with the County? (If yes, describe)

I HEREBY REPRESENT THAT I AM FAMILIAR WITH THE CORTLAND COUNTY CODE OF ETHICS AND UNDERSTAND THAT I MUST ABIDE BY ALL THE PROVISIONS IN SAID CODE. IF IN THE FUTURE, IT IS ALLEGED BY COMPLAINT THAT I MAY BE IN VIOLATION OF THE CODE OF ETHICS OR, IN THE EVENT THAT CONDITIONS COME ABOUT SO THAT A CONFLICT OF INTEREST SHOULD BE REPORTED TO THE COUNTY, I AGREE TO SO REPORT THE CONFLICT AND TO COMPLETE A FINANCIAL DISCLOSURE FORM AND WILL INCLUDE THE MATTER CONSTITUTING A CONFLICT OF INTEREST WHETHER THAT INFORMATION IS REQUESTED IN THE FORM OR NOT, PROVIDED THE CONFLICT OF INTEREST IN QUESTION IS DEFINED AS SUCH IN THE CORTLAND COUNTY CODE OF ETHICS.

Signature

REQUESTED IN THE FORM OR NOT, PROVIDED THE CONFLICT OF INTEREST IN QUESTION IS DEFINED AS SUCH IN THE CORTLAND COUNTY CODE OF ETHICS.

Signature

Date: _____

LEGAL NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held before the Cortland County Legislature, on August 28, 2008 at 6:00 p.m. in the Legislative Chambers of the Cortland County Office Building, 60 Central Ave., Cortland, NY 13045, to consider to Adopt Local Law No. 2 of the year 2008: A Local Law Adopting a County Code of Ethics and Requiring Financial Disclosure by Certain County Officials and Employees; and Rescinding Local Law No. 5 of 1984, AND

PLEASE BE ADVISED, that a copy of the Local Law shall be available in the Office of the Clerk of the Legislature for review prior to such public hearing, AND

PLEASE BE FURTHER ADVISED, that at the aforementioned time and place, any and all persons wishing to be heard on the matter will be afforded an opportunity to speak, AND

PLEASE BE FURTHER ADVISED, that the Legislature will consider any and all opinions expressed in writing and mailed or otherwise delivered to reach the Office of the Clerk of the Legislature at the aforementioned address prior to the time of said hearing, AND

PLEASE BE FURTHER ADVISED, that filing with the Secretary of State of the State of New York is required for said Local Law.

By the Order of the
Cortland County
Legislature

/s/Brianne C. Parker
Deputy Clerk of the
Legislature

Date Issued:
August 18, 2008

199-11

APPENDIX "B"

Officer's and Employees Required to File
Financial Disclosure Statement

County Legislators	County Administrator
Clerk, Board of Legislature	Personnel Officer
Director, Real Property Tax Service Agency	County Clerk
Deputy County Clerk	County Attorney
Assistant County Attorney	Director of Probation
Highway Superintendent	Director of Planning
Deputy Highway Superintendent	Director of Public Health
Director of Community Services (Mental Health)	Mental Health Admin.
Deputy Director Public Health	Jacobus Director
Commissioner of Social Services	Environmental Health Dir.
Director of Social Services	County Auditor
Director of Financial Management	County Treasurer
Director of Administrative Services	Sheriff
Hospice Director	Public Defender
Deputy County Treasurer	Undersheriff
Director of Nursing Service	Social Services Attorney
Commissioners of Election	Youth Bureau Director
Director of Data Processing	County Coroners
Deputy Director of Data Processing	District Attorney
Director of Fire/Emergency Management	
1st Assistant Public Defender	
County Historian/Records Management Officer	
Director of Weights and Measures (Sealer)	
1st Assistant District Attorney	
Director of Veterans Service Agency	

ADVISORY BOARDS AND COMMITTEES

Members of Ethics Advisory Board
 Members of Cortland County Industrial Development Agency/BDC
 Members of the Cortland County Board of Health
 Members of the Community Services Board
 Members of the Tobacco Asset Securitization Corporation
 Members of the TC3 Board of Trustees

APPENDIX "B"
Officers and Employees Required
to File Financial Disclosure
Statement

County Legislators	Director of Information and Technology
Clerk, Board of Legislature	Deputy Director of Information Technology
Deputy Clerk, Board of Legislature	Public Defender
County Attorney	Chief Assistant Public Defender
Chief Assistant County Attorney	County Coroners
Director of Veteran's Services	District Attorney
County Clerk	Chief Assistant District Attorney
Deputy County Clerk(s)	Supervisor, Solid Waste Management
Director of ~~Budget and~~ Finance	Grant Administrator
<u>Deputy Director of Finance</u>	Administrative Services Manager
<u>Manager of Audit and Financial Projects</u>	Employment and Training Director
<u>Fiscal Manager</u>	Plan Administrator (Assigned Counsel)
County Treasurer	Director of Emergency Response and
Superintendent of Highways	Communication
Deputy Superintendent of Highways	Deputy Director of Emergency Response
Director of Community Services ~~(Mental Health)~~	and Communication
Personnel Officer	Probation Director II
Deputy Personnel Officer	Commissioners of Election
Commissioner of Social Services	Public Health Director
<u>Deputy Commissioner(s) of Social Services</u>	Deputy Director Public Health
Director of Social Services <u>(Administrative</u>	Director of Environmental Health
<u>Services)</u>	Director of Planning
Chief Social Services Attorney(s)	County Administrator
Sheriff	Director, Real Property Tax Service Agency
Undersheriff	Director of Weights and Measures (Sealer)
<u>Director of Area Agency on Aging</u>	<u>Superintendent of Buildings and Grounds</u>
<u>Assistant Director of Area Agency on Aging</u>	<u>Building Maintenance Foreperson</u>
 <u>Advisory Boards and Committees</u>	
Members of ~~Ethics Advisory Board~~ <u>Board of Ethics</u>	
Members of Cortland County Industrial Development Agency/BDC	
Members of Cortland County Board of Health	
Members of the Tobacco Asset Securitization Corporation	
Members of the Tompkins Cortland Community College Board of Trustees	
~~Member of the Community Services Board and its Subcommittees~~	
~~——(Mental Health Subcommittee; Development Disabilities Subcommittee, Chemical Dependence~~	
~~Subcommittee)~~ <u>Members of Cortland County Planning Board</u>	