



Cortland County Legislature

Legislative Session

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

~ Agenda ~

Thursday, June 22, 2023

6:00 PM

Board Room

WebEx Meeting Information

<https://cortlandny.webex.com/cortlandny/j.php?MTID=m3dd334bba16a816ef32634a595edb22e>

Thursday, June 22, 2023 6:00 PM

Meeting number: 2341 321 3864

Password: Y796RmtP4cm

Join by phone

+1-415-655-0001 US Toll

Access code: 234 132 13864

Public Hearings

1. Local Law "F" of 2023 - a Local Law Opting Out of Real Property Tax Law Section 487

Salute to the Flag

Call to Order

Roll Call

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

Approval of Minutes

1. Cortland County Legislature - Legislative Session - May 25, 2023 6:00 PM

Presentation

1. Update from President Kremenek & Vice President of Finance & Administration, Bill Talbot, of
Tompkins Cortland Community College

Privilege of the Floor

Proclamations & Recognitions

Presentation of Petitions, Communications, and Notice

Receive and File

1. 2023 State of the County Address

Reports of Standing, Special and Ad Hoc Committees

Articles Postponed to Day Certain

Unfinished Business

New Business

Resolutions

Resolutions from the Chair

Referred from Building & Grounds Committee

ON MOTION OF HEIDER

AGENDA ITEM NO. 1

Award Bid/Authorize Contract 37 Church Street Shingle Roof Replacement - Buildings and Grounds

WHEREAS, a Request for Proposals (RFP) was issued for the tear-off, repair and replacement of the shingled portion of the roof at 37 Church Street, Cortland, New York 13045, AND

WHEREAS, bids were received from the following:

Company	Address	Amount

WHEREAS, based upon the results of the bid, the Building and Grounds Committee recommends that bid be awarded to the lowest responsible bidder, NOW THEREFORE BE IT

RESOLVED, that _____ is here by awarded the bid for the tear-off, repair and replacement of the shingled portion of the roof at 37 Church Street, Cortland, New York 13045, AND BE IT FURTHER

RESOLVED, that the funds for this project are to come from the Buildings & Grounds Capital

Project Reserve Fund, Account No. A388301, AND BE IT FURTHER

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee, is hereby authorized to enter into a contract with _____ for the tear-off, repair and replacement of the shingled portion of the roof at 37 Church Street, Cortland, New York 13045 at a cost not to exceed \$_____.

ON MOTION OF HEIDER

AGENDA ITEM NO. 2

Award Bid/Authorize Contract Walk-In Cooler & Freezer at County Correctional Facility - Buildings and Grounds

WHEREAS, a Request for Proposals (RFP) was issued for the tear-out, disposal and replacement of the walk-in cooler and freezer at the Cortland County Correctional Facility, AND

WHEREAS, bids were received from the following:

Company	Address	Amount

WHEREAS, based upon the results of the bid, the Building and Grounds Committee recommends that bid be awarded to the lowest responsible bidder, NOW THEREFORE BE IT

RESOLVED, that _____ is here by awarded the bid for the tear-out, disposal and replacement of the walk-in cooler and freezer at the Cortland County Correctional Facility, AND BE IT FURTHER

RESOLVED, that the funds for this project are to come from the Jail Project Reserve Fund, Account No. A386300.JAIL, AND BE IT FURTHER

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee, is hereby authorized to enter into a contract with _____ for the tear-out, disposal and replacement of the walk-in cooler and freezer at the Cortland County Correctional Facility at a cost not to exceed \$_____.

ON MOTION OF HEIDER

AGENDA ITEM NO. 3

Award Bid/Authorize Contract for Parking Lot Sealing and Striping - Buildings and Grounds

WHEREAS, a Request for Proposals (RFP) was issued for the sealing, cleaning, crack sealing and striping of County-owned parking lots, AND

WHEREAS, bids were received from the following:

Company	Address	Amount
UA Maintenance	1075 Buffalo Road, Suite 200 Rochester, NY 14624	\$36,675
Luizzi Asphalt Services	70 Tivoli Street, Albany, NY 12207	\$95,545

WHEREAS, based upon the results of the bid, the Building and Grounds Committee recommends that bid be awarded to the lowest responsible bidder, NOW THEREFORE BE IT

RESOLVED, that UA Maintenance of 1075 Buffalo Road, Rochester, New York 14624 is here by

awarded the bid for sealing, cleaning, crack sealing and striping of County-owned parking lots, AND BE IT FURTHER

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee, is hereby authorized to enter into a contract with UA Maintenance of 1075 Buffalo Road, Rochester, New York 14624 for the sealing, cleaning, crack sealing and striping of County-owned parking lots at a cost not to exceed \$36,675.

ON MOTION OF HEIDER

AGENDA ITEM NO. 4

Appoint Cortland County Security Officer and Continue Cortland County IT Steering Committee - Information Technology

WHEREAS, Resolution No. 51-21 established the Information Technology (IT) Steering Committee to define a vision of delivering information technology services in Cortland County to support all departments and employees in the most cost efficient, secure and flexible methods possible, AND

WHEREAS, Resolution No. 51-21 stated that the Information Technology Steering Committee is to dissolve on December 31, 2023, AND

WHEREAS, it is the recommendation of the Buildings and Grounds Committee to keep the Information Technology Steering Committee beyond the December 31, 2023 date to continually improve and address the technological needs of Cortland County due to the ever changing advances in technology and technological requirements, AND

WHEREAS, it is the recommendation of the IT Steering Committee to appoint a Security Officer for Cortland County, AND

WHEREAS, it is the recommendation of the Buildings and Grounds Committee to appoint Lisa Perfetti as the Security Officer for Cortland County, NOW THEREFORE BE IT

RESOLVED, the Cortland County Legislature hereby establishes that the Cortland County Information Technology Steering Committee be and hereby will remain in effect indefinitely, unless discharged by a subsequent resolution, AND BE IT FURTHER

RESOLVED, that the Cortland County Information Steering Committee shall be under the direction of the Director of Information Technology for Cortland County, AND BE IT FURTHER

RESOLVED, that the Cortland County Legislature be and hereby appoints Lisa Perfetti as Security Officer in and for Cortland County.

ON MOTION OF HEIDER

AGENDA ITEM NO. 5

Award Bid - Site Work - 22 West Court Street

WHEREAS, the County advertised, received and opened proposals for a Phase V (five) of renovations (site work) to 22 West Court Street, AND

WHEREAS, the proposals for Phase V are as follows:

Boland's Excavating 1403 Millburn Drive Conklin, NY 13748	\$426,400
Rasmussen Excavation 4371 S Lebanon Road	\$509,030

Earlville, NY 13332

Siteworx
2370 US Highway 11
Whitney Point, NY 13862

\$525,800

, AND

WHEREAS, based upon the results of the bid, the Building and Grounds Committee recommends that bid be awarded to the lowest responsible bidder, AND

WHEREAS, it would be in the best interest of Cortland County to contract with Boland's Excavating of 1403 Millburn Drive, Conklin, NY 13748 for the site work at 22 West Court Street for the total proposed amount of \$426,400, AND

WHEREAS, the funds for the contract for Phase V of the renovation of 22 West Court Street are coming from a grant from the New York State Department of Homeland Security with no cost to the county and the funds are available in account A30205.52320.SICG, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby authorizes the County Administrator, upon review and approval by the County Attorney or their designee, to enter into an agreement with Boland's Excavating of 1403 Millburn Drive, Conklin, NY 13748 for Phase V (five) of the renovation to 22 West Court Street as outlined in the accepted proposal at a cost not to exceed \$426,400.

Referred from Highway Committee

Referred from Health & Human Services Committee

ON MOTION OF PRICE

AGENDA ITEM NO. 6

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 Cortland and Cayuga Counties, which have been designated as a workforce area, to appoint/reappoint members to the Workforce Development Board for said area, NOW THEREFORE BE IT

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

Name	Sector	Term Ending
Carrie Knight	Business - NBT Bank	6/30/2026
Kay Breed	Business - Cortland Plastics Int.	6/30/2026
Jackie Newton	Business - Paragon Home Loans	6/30/2026
Kansas Underwood	Business - Guthrie	6/30/2026

ON MOTION OF PRICE

AGENDA ITEM NO. 7

Appoint Member Cortland County Board of Health

WHEREAS, due to the resignation of Cindy Johnson, M.D., a vacant position for a physician exists on the Cortland County Board of Health, AND

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

RESOLVED, that Matthew Noble, D.O., c/o Family Care Medical Center, 1259 Fisher Ave., Cortland, NY 13045 be and hereby is appointed to said Board to fill the remainder of the term of Cindy Johnson, M.D., starting August 1, 2023 and ending December 31, 2023.

ON MOTION OF PRICE

AGENDA ITEM NO. 8

Create Compliance/Privacy Officer - Mental Health Department

WHEREAS, the needs of the agency will be better served by creating one full-time position of Compliance/Privacy Officer, AND

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

RESOLVED, that one full time position of Compliance/Privacy Officer (Management, grade 7, \$68,718-91,464/yr, competitive class, with benefits) be created with approval to fill on June 23, 2023.

Referred from Health & Human Services and Government Operations Committee

ON MOTION OF PRICE & STOCK

AGENDA ITEM NO. 9

Reallocate Salary Grade for Various Positions - Department of Social Services

WHEREAS, the Personnel/Civil Service Office has reviewed the salary grade for many positions in the Cortland County Department of Social Services, AND

WHEREAS, it is recommended that the following positions, which are in the CSEA Local 812, Unit 6550 labor contract, be reallocated as follows:

Case Aide: Grade 7 to Grade 8
Senior Case Aide: Grade 9 to Grade 10
Social Welfare Examiner Trainee: Grade 9 to Grade 10
Social Welfare Examiner: Grade 10 to Grade 12
Senior Social Welfare Examiner: Grade 12 to Grade 15
Support Investigator: Grade 10 to Grade 12
Senior Support Investigator: Grade 12 to Grade 15

, NOW THEREFORE BE IT

RESOLVED, that the positions noted below are hereby reallocated in the CSEA Local 812, Unit 6550 labor contract as follows effective June 23, 2023 at 12:01 AM:

Case Aide: Grade 7 to Grade 8
Senior Case Aide: Grade 9 to Grade 10
Social Welfare Examiner Trainee: Grade 9 to Grade 10
Social Welfare Examiner: Grade 10 to Grade 12
Senior Social Welfare Examiner: Grade 12 to Grade 15

Referred from Government Operations Committee

ON MOTION OF STOCK

AGENDA ITEM NO. 10

Authorize Agreement Between the County of Cortland and the CSEA Cortland County Local 812, Unit #6550 Effective January 1, 2024 to December 31, 2028 - Personnel Department

WHEREAS, Cortland County and CSEA Local 812, Unit #6550 negotiating committees have met to negotiate a new contract, AND

WHEREAS, the negotiating committees have agreed on a new contract, AND

WHEREAS, CSEA ratified the contract on June 6, 2023, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby approves the Agreement by and between the County of Cortland and CSEA Cortland County Local 812, Unit #6550, for the time period of January 1, 2024 to December 31, 2028.

Referred from Agriculture/Planning/Environment Committee

ON MOTION OF HARBIN

AGENDA ITEM NO. 11

Appoint Members - Central New York Regional Planning and Development Board

WHEREAS, there is an ex-officio position for the Cortland County Planning Director as a Cortland County Representative on the Central New York Regional Planning and Development Board, NOW THEREFORE BE IT

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

Name	Capacity	Term Expiration
Trisha Hiemstra	Cortland County Planning Director	12/31/23

ON MOTION OF HARBIN

AGENDA ITEM NO. 12

Resolution Supporting Cortland Harvest and Cortland County Agriculture

WHEREAS, food system issues significantly affect the public health, land use, safety, economy and quality of life of Cortland County residents, and food related concerns are prevalent here, at a higher rate than other New York State counties, AND

WHEREAS, food security is a necessity of life, recognized as a condition in which all community residents can obtain a safe, culturally acceptable, nutritionally adequate diet through a sustainable food system that maximizes community self-reliance and sovereignty, AND

WHEREAS, the Cortland County Legislature has made community food systems and agricultural products a top priority for economic development and job growth, AND

WHEREAS, the Cortland County Legislature believes that a well-conceived agriculture promotion program can dramatically increase support for local farmers and food processors, increase

access to high quality food and products, reduce instances of food insecurity which place undue stress on other local resources, and build a shared sense of pride in both the citizens and the community, AND

WHEREAS, according to a 2019 article published by Todd Schmit, a Cornell University agricultural economics professor, when \$1 is generated by an agricultural business, about half of that (\$.49) is spent locally, ultimately building a thriving and vibrant community, AND

WHEREAS, for every job directly related to agriculture an additional .65 non-agricultural job is created - meaning that in rural communities like Cortland County, employment is bolstered across industries when agricultural entities are able to grow, AND

WHEREAS, Cortland County recognizes the establishment of an agriculture promotion program will encourage:

- Cortland County residents and visitors to purchase local food;
- the establishment of small businesses;
- the offering of locally available healthier and fresher food;
- small-scale food processors to build their businesses in Cortland County;
- larger institutional entities to commit to the use of local food to support growth and the local economy;
- efficient use of land and its conservation for agriculture;
- reduction in food transportation; and

, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby supports Cortland Harvest and the Cortland Food Project, which developed and supported the creation of Cortland Harvest, AND BE IT FURTHER

RESOLVED that the Cortland County Legislature supports programming, promotion, and sustainability of Cortland Harvest by:

- advertising Cortland Harvest on the county website;
- providing advertising space on Cortland County transit buses, if available, to promote Cortland Harvest;
- working with the Cortland County IDA/BDC, Cortland County Chamber of Commerce, and Cornell Cooperative Extension of Cortland County to further promote Cortland Harvest with new and existing businesses, producers, and farms;
- engaging with the Experience Cortland/County Visitor's Bureau to promote the Cortland Harvest brand to visitors;
- ensuring Cortland Harvest has promotional materials at county events and offices;
- exploring opportunities for county institutions to participate in local purchasing;

, AND BE IT FURTHER

RESOLVED, that the Cortland County Legislature encourages all County agencies that purchase food to provide a geographic preference for Cortland County-based food and beverage products whenever practicable.

ON MOTION OF HARBIN

AGENDA ITEM NO. 13

Reject Bid for Operation and Management of the Cortland County Public Transportation System and Authorize Amended Agreement Between Cortland County and TransDev

WHEREAS, Cortland County advertised and received bids for Operation and Management of the Cortland County Public Transportation System, with the Provisions of Fixed Route and Demand Responsive Public Transportation, AND

WHEREAS, the County received one bid from the following:

First Transit, 720 E. Butterfield Rd., Suite 300, Lombard, IL 60148

, AND

WHEREAS, based upon evaluation of the bid it has been determined that it is in the County's best interest to continue the existing contract with First Transit and Cortland County, AND

WHEREAS, there is a need to amend the agreement with First Transit to assign the existing agreement between Cortland County and TransDev, as First Transit has been acquired by TransDev on March 6, 2023, NOW THEREFORE BE IT

RESOLVED, the Cortland County Legislature be and hereby formally rejects the bid proposal received on April 24, 2023 for the Operation and Management of the Cortland County Public Transportation System, with the Provisions of Fixed Route and Demand Responsive Public Transportation, AND BE IT FURTHER

RESOLVED, that the Chairman of the Cortland County Legislature and/or County Administrator, upon review and approval by the County Attorney or designee, be and hereby is authorized to execute an amended agreement with TransDev.

Referred from Judiciary & Public Safety Committee

ON MOTION OF FAIRCHILD-PRESTON

AGENDA ITEM NO. 14

Create Probation Assistant - Probation Office

WHEREAS, the needs of the agency will be better served by creating one full-time position of Probation Assistant, AND

WHEREAS, the Judiciary and Public Safety Committee recommends the creation of this position, AND

WHEREAS, the total cost to the County is up to \$69,731 with fringe benefits, NOW THEREFORE BE IT

RESOLVED, that one position of Probation Assistant (CSEA, Grade 12, 20.0654-25.3977/hr, competitive class, full-time, with benefits), be created with approval to fill on June 23, 2023 at 12:01 AM.

ON MOTION OF FAIRCHILD-PRESTON

AGENDA ITEM NO. 15

Authorize Agreement with Motorola - 911 Telephone System Relocation - Department of Emergency Response & Communications

WHEREAS, Cortland County's Department of Emergency Response & Communications was

awarded a grant from New York State Department of Homeland Security in the amount of \$1,572,808 in support of improvements to the County's radio system, AND

WHEREAS, the County has received a proposal from Motorola, Incorporated, to upgrade the County's 911 telephone system to include relocation to 22 West Court Street and the purchase of one (1) additional telephone answering position in the amount of \$181,191.47 and this expense is in support of the grant award, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon approval of the County Attorney or designee, is authorized to execute a contract with Motorola for the relocation of 911 telephone equipment and the purchase of an additional telephone answering position in the amount of \$181,191.47.

ON MOTION OF FAIRCHILD-PRESTON

AGENDA ITEM NO. 16

Reallocate Salary Grade Alternatives to Incarceration (ATI) Officer - Probation Office

WHEREAS, the Personnel/Civil Service Office has reviewed the salary grade for Alternatives to Incarceration Officer in the Probation Office, AND

WHEREAS, it is recommended that the aforesaid position be reallocated from Grade 16 (\$22.9307-29.0244) to Grade 14 (\$21.4282-27.1228) in the CSEA #6550 Unit, NOW THEREFORE BE IT

RESOLVED, that the position of Alternatives to Incarceration Officer is hereby reallocated from Grade 16 to Grade 14 effective June 23, 2023 at 12:01 AM.

Referred from Finance & Administration Committee

ON MOTION OF WAGNER

AGENDA ITEM NO. 17

Amend 2023 Budget/Increase Professional Services for Payment to Outside Attorneys - Treasurer

WHEREAS, Cortland County received final notice of payment due for outside attorneys used for 2019, 2020 and 2021 Real Property Tax in rem actions, AND

WHEREAS, the available funds currently in the 2023 budget is \$87,975, AND

WHEREAS, an additional amount of \$52,845 is needed to pay the balance due, NOW THEREFORE BE IT

RESOLVED, that the 2023 Treasurer budget be amended as follows:

INCREASE:

A13255.54055	Professional Services	\$52,845
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A132542.41235	Charges for Tax Redemption	\$52,845
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ON MOTION OF WAGNER

AGENDA ITEM NO. 18

Local Law "F" of 2023 - a Local Law Opting Out of Real Property Tax Law Section 487

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

WHEREAS, a public hearing was held before the Cortland County Legislature in accordance with Municipal Home Rule Law, Section 20, following the approval of Finance and Administration

Committee of the Cortland County Legislature, AND

WHEREAS, this Local Law was brought before the Cortland County Legislature for adoption on June 22, 2023, AND

RESOLVED, that Local Law “F” of 2023 is hereby adopted and shall take effect upon the filing thereof in the Office of the Secretary of State as provided by Municipal Home Rule Law, NOW THEREFORE

BE IT ENACTED by the County Legislature of the County of Cortland as follows:

Section 1: Legislative Intent

The purpose of this local law is to opt out of New York Real Property Tax Law §487, which section provides an exemption from real property taxes for certain energy systems which the County can remove by local law.

Section 2: Removal of Exemption

a.) No tax exemption made available by New York Real Property Tax Law §487 shall be applicable to Cortland County taxes with respect to any solar or wind energy system or farm waste energy system or any other renewable energy source constructed subsequent to the effective date of this Local Law.

b.) No tax exemption under New York Real Property Tax Law §487 shall be applicable to Cortland County taxes with respect to any microhydroelectric energy system, fuel cell electric generating system, micro-combined heat and power generating equipment system, or electric energy storage equipment or electric energy storage system, or fuel-flexible linear generator electric generating system or any other renewable energy system constructed subsequent to the effective date of this local law.

Section 3: Effect Upon Currently Approved Systems

The County is hereby authorized to execute PILOT agreements with the owners of solar energy systems approved by the City, Villages or Towns prior to the adoption of this Local Law opting out of 487 of the Real Property Tax Law of the State of New York. Said PILOT agreements shall be in accordance with Local Law 5 of 2020, titled the “Solar Energy System PILOT Law of the County of Cortland, New York.”

Section 4: Severability

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

Section 5: Authority

This local law is enacted pursuant to the authority granted by Real Property Tax Law §487.8, as well as the NYS Municipal Home Rule Law ("MHRL"), with the procedural provisions of the MHRL controlling. To the extent that this local law is inconsistent with Real Property Tax Law §487, or any other laws or regulations, this local law shall supersede those laws, including but not limited to Local Law 5 of 2020 except as provided in Section 3 herein.

Section 6: Effective Date

a.) This law shall be effective immediately upon filing with the Secretary of State.

b.) In accordance with RPTL §487.8(a), the County shall file this local law with the Commissioner of the New York State Department of Tax and Finance and with the President of the New York State Energy Research and Development Authority.

Announcements

Adjournment