



Cortland County Legislature

Legislative Session

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

~ Agenda ~

Thursday, June 23, 2022

6:00 PM

Board Room

WebEx Meeting Information

<https://cortlandny.webex.com/cortlandny/j.php?MTID=m9e14a0e65c2e3d91dbe1ba1becc2d2da>

Thursday, Jun 23, 2022 6:00 pm | 2 hours | (UTC-04:00) Eastern Time (US & Canada)

Meeting number: 2334 470 4583

Password: SKeerF7t2Z3

Join by phone

+1-415-655-0001 US Toll

Access code: 233 447 04583

Salute to the Flag

Public Hearings

1. Local Law "F" of 2022 - a Local Law Abolishing the Elected Office of County Treasurer
2. Proposed Tompkins Cortland Community College 2022-2023 Operating Budget
3. Local Law "G" of 2022 a Local Law Further Amending Local Law 2 of 1972 - a Local Law Reapportioning the County of Cortland

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 26, 2022 6:00 PM

Privilege of the Floor

Proclamations & Recognitions

Presentation of Petitions, Communications, and Notice

Receive and File

1. 2022 State of the County
2. Receive & File 2021 Annual Report - Department of Social Services

Reports of Standing, Special and Ad Hoc Committees

Articles Postponed to Day Certain

Unfinished Business

ON MOTION OF STOCK

AGENDA ITEM NO. 1

Local Law "E" of 2022 - a Local Law to Adopt Amendments to the New York State Open Meetings Law for the Expanded Use of Videoconferencing

WHEREAS, April 9, 2022 Governor Hochul signed an amendment to the Open Meetings Law to allow, until the expiration date of July 1, 2024, the expanded use of videoconferencing by public bodies in the conduct of open meetings, under extraordinary circumstance, regardless of a declaration of emergency, AND

WHEREAS, in order to continue meeting virtually, counties must adopt a local law to opt in, NOW THEREFORE BE IT ENACTED, by the County Legislature of the County of Cortland, as follows:

SECTION 1. PURPOSE

The Cortland County Legislature intends by this local law to allow for expansion of the use of videoconferencing to conduct open meetings.

SECTION 2. CONDITIONS

- a) Members of the Board shall be physically present at meetings, unless allowed remote attendance at locations that do not allow for in-person physical attendance by the public, under extraordinary circumstances.
- b) The list of extraordinary circumstances is non-exhaustive, but shall include illness, or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting. The following shall not be deemed as extraordinary circumstances: vacation or delayed travel.
- c) Members shall provide notice of their inability to attend a meeting to the Legislative Clerk's Office at least 24 hours prior to the meeting or as soon as reasonably able.

- d) The Chair of the Board shall retain discretion over permitted extraordinary circumstances for the Board and for Standing Committees when that Chair is unavailable, pursuant to Section 2(b) of this local law.
- e) The Standing Committee Chairs, when available, shall retain discretion over permitted extraordinary circumstances for their Committee, pursuant to Section 2(b) of this local law.
- f) It is understood that members permitted to attend at a location that does not allow for in-person physical attendance by the public, will not count toward a quorum. Only members present at a physical location which allows for in-person attendance by the public, will count toward a quorum.
- g) Any members of the public attending a meeting must be able to hear, see and identify any member of the public body who is attending remotely while the meeting is being conducted.
- h) If video conferencing is used to conduct a meeting, the public notice shall inform the public where they can view and/or participate in such meeting, where required documents and records will be posted or available, and identify the physical location for the meeting where the public can attend.
- i) Meetings conducted using videoconferencing shall be recorded and those recordings shall be posted or linked within 5 business days of the meeting and maintained for 5 years thereafter. Recordings shall be transcribed upon request.
- j) In those meetings where videoconferencing is used the public shall be able to view the meeting via video and participate in the proceedings via videoconference in real time where public participation is authorized.
- k) The Cortland County Legislature may hold fully remote meetings, and in person participation requirements of the Law shall not apply, during: a state disaster emergency declared by the governor pursuant to section twenty-eight of the executive law, or a local state of emergency proclaimed by the chief executive of a county, city, village, or town pursuant to section twenty-four of the executive law, if the Legislature determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the Legislature to hold an in person meeting.
- l) These written procedures shall be posted on the County's website.

SECTION 3. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the Secretary of State.

SECTION 4. 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 of 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 judgment or order shall be rendered.

SECTION 5. EXPIRATION

This local law shall be effective until July 1, 2024 as set forth by NYS in Chapter 56 of the Laws of 2022.

New Business

Resolutions

Resolutions from the Chair

ON MOTION OF FITCH

AGENDA ITEM NO. 2

Appoint Members - Central New York Regional Planning and Development Board

WHEREAS, Cortland County has two vacancies on the Central New York Regional Planning and Development Board due to one resignation and one open seat for a Cortland County representative, 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
Scott Steve	Local Elected Official	Term expires 12/31/22
Patrick Clune	At-Large Representative	Term expires 12/31/22

ON MOTION OF FITCH

AGENDA ITEM NO. 3

Designate Director of Planning as Certifying Officer for Environmental Reviews - CDBG Cares Act Funding

WHEREAS, the National Environmental Policy Act of 1969 (NEPA) established national policies, goals and procedures for protecting, restoring and enhancing environmental quality, AND

WHEREAS, NEPA requires environmental reviews to be conducted before proceeding with actions that may affect the environment, AND

WHEREAS, activities funded with New York State Community Development Block Grant (CDBG) funds require environmental reviews, AND

WHEREAS, all recipients must designate a Certifying Officer and certify to their responsibility for acting as the Responsible Entity for conducting environmental reviews, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature be and hereby designates the Cortland County Planning Director, Trisha Jesset, P.E., as the Certifying Officer for Cortland County, AND BE IT FURTHER

RESOLVED, that the Cortland County Legislature be and hereby certifies that the Cortland County Planning Director, Trisha Jesset, P.E., is authorized and responsible for acting as the Responsible Entity for conducting environmental reviews, AND BE IT FURTHER

RESOLVED, that the Chair of the Legislature and/or County Administrator be and hereby authorized to execute necessary documents for said purposes.

ON MOTION OF FITCH

AGENDA ITEM NO. 4

Proposed Local Law "G" of 2022 - a Local Law Further Amending Local Law 2 of 1972 - a Local Law Reapportioning the County of Cortland

WHEREAS, the four (4) month timeline for the Redistricting Commission as established by Local Law 4 of 2022, which amended Local Law 2 of 1972 by extending the timeline by one (1) month for the Redistricting Commission to make recommendations, if necessary, in the form of a proposed local law as to changes in the boundaries of county legislative districts, has proven insufficient as the proposed local law failed to be approved at the Legislative Session held on May 26, 2022, AND

WHEREAS, it is the desire of the members of the Legislature to permit the members of the Redistricting Commission sufficient time to further consider the impact public input and proposed changes in districts and/or district lines may have on the Redistricting Commission's ability to ensure proposed reconfigured maps comply with all the regulations and technical criteria set forth in, and mandated by, state law, AND

WHEREAS, there was a significant delay in the release of the 2020 Census figures by the Federal Government, AND

WHEREAS, there is an ongoing COVID pandemic, AND

WHEREAS, the deadline for preparation and submission of a new proposed law to the County Legislature of at least 90 days prior to the next general election is insufficient given the issues articulated above, **NOW THEREFORE**

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

Local Law 2 of 1972 is hereby amended as follows:

Article 1:

That Section 206, Paragraph 4, Sentence 2 of Local Law 2 of 1972, as amended by Local Law 4 of 2022, is hereby amended by replacing the existing sentence 2 with the following:

If such local law is defeated either upon presentation to the Legislature or in a referendum, the Redistricting Commission shall be reactivated to study and prepare a new proposed law for submission to the County Legislature within twelve (12) months from the reactivation of the Commission, subject to the same procedures and requirements as provided above.

Article 2:

Effective Date: This local law shall take effect immediately upon filing in the Office of the Secretary of State in accordance with the requirements of the Municipal Home Rule Law.

Referred from Building & Grounds Committee

ON MOTION OF HEIDER

AGENDA ITEM NO. 5

Authorize Agreement with KONE/Amend 2022 Budget for Elevator Repairs and Modernization - Buildings & Grounds Department

WHEREAS, there is a need to address repairs and modernization to the elevator at the Cortland County Office Building, AND

WHEREAS, OMNIA purchasing network is a New York State approved vendor processor, AND

WHEREAS, New York State Finance Law Article 11 empowers municipalities to authorize purchases from contracts let by OMNIA, AND

WHEREAS, KONE, Inc. is currently under contract with OMNIA purchasing network, AND

WHEREAS, the Building and Grounds Committee recommends the approval of KONE, Inc. of 836 North State Street, Syracuse, New York 13208 for repairs and modernization of the elevator at the Cortland County Office Building for a cost not to exceed \$100,000, AND

WHEREAS, the Buildings and Grounds Committee is recommending using the Buildings and Grounds Capital Reserve, account no. A.386300.B&G, to fund the cost of repairs and modernization to the elevator at the Cortland County Office Building, NOW THEREFORE BE IT

RESOLVED, that the Cortland Legislature hereby authorizes the County Administrator, upon review and approval of the County Attorney or designee, to enter into an agreement with KONE, Inc. of 836 North State Street, Syracuse, New York 13208 for the repairs and modernization to the elevator at the Cortland County Office Building, AND BE IT FURTHER

RESOLVED, that the Cortland County Legislature hereby authorizes the use of up to \$100,000 from the Buildings & Grounds Capital Reserve, account no. A.386300.B&G for repairs and modernization of the elevator at the Cortland County Office Building, AND BE IT FURTHER

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

Increase:

<u>Account</u>	<u>Amount</u>
A16205.52320 Building Improvements	\$100,000
A351100 Appropriated Reserves	\$100,000

Referred from Highway Committee

ON MOTION OF NEWELL

AGENDA ITEM NO. 6

Authorize Creation of Road Machinery Capital Reserve Fund - Highway Department

WHEREAS, per Cortland County Policy No. 003.006, Fund Balance Policy, Road Machinery Fund assigned fund balance at year end over \$750,000 is to be placed in a capital reserve for equipment and capital projects, AND

WHEREAS, at year ended December 31, 2021, the Road Machinery Fund had an assigned fund balance of \$1,589,676, AND

WHEREAS, that pursuant to Section 6-c of General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the Road Machinery Capital Reserve Fund and the purpose of this reserve fund is to accumulate moneys to finance the cost of highway equipment costing \$100,000 or more individually, or to fund costs of highway related capital projects, not including roads, bridges or culverts, NOW THEREFORE BE IT

RESOLVED, that the Chief Fiscal Officer is hereby directed to deposit and secure the moneys of this reserve fund in the manner provided by Section 10 of General Municipal Law, AND BE IT FURTHER

RESOLVED, that the Chief Fiscal Officer may invest the moneys in the reserve fund in the manner provided by Section 11 of General Municipal Law and consistent with the investment policy of the County, and any interest earned or capital gains/losses realized on the moneys so deposited or invested shall accrue to and become part of the reserve fund, AND BE IT FURTHER

RESOLVED, that the Director of Finance shall account for the reserve fund in a manner which

maintains the separate identity of the reserve fund and shows the date and amount of each sum paid into the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Cortland County Legislature a detailed report of the operation and condition of the reserve fund, AND BE IT FURTHER

RESOLVED, that expenditures from this reserve fund shall be made only for the purpose for which the reserve fund is established and no expenditure shall be made from this reserve fund without the approval of the Cortland County Legislature, AND BE IT FURTHER

RESOLVED, that the Director of Finance is authorized to place \$839,676 in reserve account E386300.CAP to be used only for the specified uses above, AND BE IT FURTHER

RESOLVED, the County Treasurer is authorized to invest these funds in accordance with the County's investment policy.

ON MOTION OF NEWELL

AGENDA ITEM NO. 7

Authorize Agreement for Vehicle Inspection Services - Highway Department

WHEREAS, the New State Department of Motor Vehicles has entered into a contract with Opus Inspection (Opus) to provide the electronic vehicle inspection equipment, AND

WHEREAS, Opus is the company selected by the New York State Department of Motor Vehicles to provide the electronic data transfer necessary to conduct motor vehicle inspections, AND

WHEREAS, Opus will provide the necessary network services that allows the NYVIP3 Computerized Vehicle Inspection System (CVIS) to connect to the Vehicle Information Database (VID), AND

WHEREAS, the costs associated with the necessary electronics hardware and software from Opus Inspections is estimated not to exceed \$1,695.00 and shall be charged to account no. E51305.52060, AND

WHEREAS, it is in the best interest of the County Highway Department to maintain the ability to continue to perform vehicle inspections, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review and approval as to form by the County Attorney or designee, is hereby authorized to execute an agreement with Opus Inspection, 7 Kripes Road, East Granby, CT 06026, expiring December 1, 2029, AND BE IT FURTHER

RESOLVED, that the \$0.436 transaction fee charge for each vehicle inspection shall be charged to account no. E51305.54300.

ON MOTION OF NEWELL

AGENDA ITEM NO. 8

Abolish Four Positions of Motor Equipment Operator/Create Four Positions of Motor Equipment Operator Trainee/Motor Equipment Operator - Highway Department

WHEREAS, the needs of the agency will be better served by abolishing four (4) full-time positions of Motor Equipment Operator and creating four (4) full-time positions of Motor Equipment Operator Trainee/Motor Equipment Operator, AND

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

RESOLVED, that four (4) positions of Motor Equipment Operator (Grade 14 Highway Salary Chart, CSEA, \$20.1507-25.3763/hr, non-competitive class, full-time, 40 hours/week with benefits) be and hereby are abolished effective June 23, 2022 at midnight, AND BE IT FURTHER

RESOLVED, that four (4) positions of Motor Equipment Operator Trainee/Motor Equipment Operator (Grade 11, CSEA, \$19.0072-23.9385, pending jurisdictional classification, full-time, 40 hours/week with benefits OR Grade 14 Highway Salary Chart, CSEA, \$20.1507-25.3763/hr, non-competitive class, full-time, 40 hours/week with benefits) be created with permission to fill effective June 23, 2022 at 12:01 a.m.

ON MOTION OF NEWELL

AGENDA ITEM NO. 9

Reappoint Superintendent of Highways - Highway Department

WHEREAS, the Cortland County Legislature, through Resolution No. 317-18, appointed Charles Sudbrink as the Superintendent of Highways on October 1, 2018 for a four-year term ending October 1, 2022 pursuant to Section 100 of New York State Highway Law, AND

WHEREAS, the County Administrator, pursuant to Section 5 of Local Law No. 7 of year 2002 is responsible for making recommendations to the County Legislature for the appointment of each department head, AND

WHEREAS, the County Administrator, after evaluation, recommends the reappointment of Charles Sudbrink as the Superintendent of Highways , AND

WHEREAS, the Highway Committee, after conducting their evaluation and reviewing the evaluation and recommendation of the County Administrator, concurs with the County Administrator's recommendation of reappointment, NOW THEREFORE BE IT

RESOLVED, that Charles Sudbrink be and is hereby appointed for a term commencing October 1, 2022, and ending September 30, 2026, and shall be compensated in accordance with the Management and Management Confidential Compensation Policy as may be amended from time to time.

Referred from Health & Human Services Committee

ON MOTION OF PRICE

AGENDA ITEM NO. 10

Amend 2022 Budget/Accept CMC6 American Rescue Plan for Nutrition Services - Title IIIC - Area Agency on Aging

WHEREAS, the New York State Office for the Aging has made available the sum of \$39,776 under the American Rescue Plan for Nutrition Services for the period April 1, 2021 through September 30, 2024, AND

WHEREAS, these funds are to be used for COVID disaster relief services, NOW THEREFORE BE IT

RESOLVED, that the 2022 County budget be and hereby is amended as follows:

Increase:

Revenues:

A677444.44772.CMC6

Federal Aid - CMC6

\$39,776

Expenses:

A67745.52030.CMC6	Vehicle	\$22,385
A67745.54800.CMC6	Program Expense	\$8,891
A67745.54055.CMC6	Professional Services	\$8,500

, AND BE IT FURTHER

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

ON MOTION OF PRICE

AGENDA ITEM NO. 11

Amend 2022 Budget to Accept Unmet Need Funding - Area Agency on Aging

WHEREAS, the New York State Office for the Aging has allocated one-time supplement funds in the amount of \$85,000 for services under Unmet Need, AND

WHEREAS, Unmet Need funding for the Area Agency on Aging is allocated annually for the period of April 1 through March 31, AND

WHEREAS, the supplemental funds need to be added to the 2022 budget, NOW THEREFORE BE IT

RESOLVED, that the 2022 County Budget be and hereby is amended as follows:

Increase:

Expenses:

A67725.52030.UNAS	Vehicle	\$50,000
A67725.54005.UNAS	Professional Services	\$30,000
A67725.54800.UNAS	Program Expense	\$5,000

Revenues:

A677243.43772.UNAS State Aid - Unmet Need \$85,000

, AND BE IT FURTHER

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

ON MOTION OF PRICE

AGENDA ITEM NO. 12

Authorize Award of Transit Vehicle - One (1) 12 Passenger, Two (2) Wheelchair Accessible 2020 Ford E-350 Transit Vehicle - Area Agency on Aging

WHEREAS, the Cortland County Area Agency on Aging must offer transportation from outlying areas of the County to the Age Well Center in Cortland to individuals over 60 years of age as part of the senior center restructuring plan as approved by the New York State Office for Aging and the

Cortland County Legislature in 2021, AND

WHEREAS, the Cortland County Area Agency on Aging is in need of one (1) 12 Passenger, two (2) wheelchair, wheelchair accessible 2020 Ford E-350 Transit Vehicle, AND

WHEREAS, one 12 passenger, 2 wheelchair, wheelchair accessible 2020 Ford E-350 Transit Vehicle is available from the NYS OGS Mini Bid # 10252, AND

WHEREAS, the monies to purchase the new transit vehicle are included in the 2022 Cortland County Area Agency on Aging Budget, AND

WHEREAS, the Director of the Cortland County Area Agency on Aging has recommended the purchase of the one (1) 12 Passenger, two (2) wheelchair, wheelchair accessible 2020 Ford E-350 Transit Vehicle from _____, AND

WHEREAS, the amount is not to exceed \$100,000, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Area Agency on Aging be and is hereby authorized and directed to make payment from Account A67745.52030.CMC6, A67745.52030.HDC5, A67725.52030.17BIP, and A6772.52030.UNAS accounts for the purchase of one (1) 2020 Ford E-350 Transit Vehicle.

ON MOTION OF PRICE

AGENDA ITEM NO. 13

Reallocate Salary Grade for Staff Development Coordinator - Department of Social Services

WHEREAS, the Personnel/Civil Service Office has reviewed the salary grade for Staff Development Coordinator in the Department of Social Services, AND

WHEREAS, it is recommended that the aforesaid position that is in the CSEA #6550 Unit be reallocated from Grade 18 (\$24.0458-\$30.2843) to Grade 20 (\$25.8275-\$32.5285), NOW THEREFORE BE IT

RESOLVED, that the position of Staff Development Coordinator is hereby reallocated from Grade 18 to Grade 20 effective June 27, 2022.

Referred from Agriculture/Planning/Environment Committee

ON MOTION OF HARBIN

AGENDA ITEM NO. 14

Authorize One Time County Support to the Soil & Water Conservation District for Harvester at Little York Lake

WHEREAS, Little York Lake is in need of weed removal and harvesting due to invasive species and excessive weeds growing in the lake, AND

WHEREAS, the Cortland County Soil and Water Conservation District is in need of assistance to fund the harvester at Little York Lake, AND

WHEREAS, the Agriculture, Planning and Environmental Committee recommends supporting the Soil and Water Conservation District with one time funding for the harvesting of weeds at Little York Lake, NOW THEREFORE BE IT

RESOLVED, that the Cortland Legislature hereby authorizes the County Administrator, upon review and approval of the County Attorney or designee, to enter into an agreement with Cortland County Soil and Water Conservation District for one time funding for the harvesting of weeds at Little York Lake in

the amount of \$2,500, AND BE IT FURTHER

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

INCREASE:

A87105.54815	SWCD	\$2,500
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A359900	Appropriated Fund Balance	\$2,500
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Referred from Judiciary & Public Safety Committee

ON MOTION OF FAIRCHILD-PRESTON

AGENDA ITEM NO. 15

Authorize Creation of One Police Officer (Deputy Sheriff) - Sheriff's Department

WHEREAS, Marathon School District is in need of a School Resource Officer (SRO) in the form of a Police Officer (Deputy Sheriff) from the Sheriff's Department, AND

WHEREAS, Marathon School District received a two (2) year grant to fund the position, fringe and vehicle expenses for ten (10) months for each of the next two (2) years, AND

WHEREAS, the County will be responsible for the funding of the additional two (2) months of each of the next two (2) years, AND

WHEREAS, an additional employee would be beneficial to the Cortland County Sheriff's Department during the summer months to lessen the need for overtime, AND

WHEREAS, the Judiciary and Public Safety Committee recommends the creation of one (1) Police Officer (Deputy Sheriff), competitive class, \$26.8575-35.67/hr, CPAC contract, full-time with benefits, NOW THEREFORE BE IT

RESOLVED, that one position of Police Officer (Deputy Sheriff), competitive class, \$26.8575-35.67/hr, CPAC contract, full-time with benefits, be and hereby is created with approval to fill effective June 24, 2022, AND BE IT FURTHER

RESOLVED, that the County Administrator, upon review and approval of the County Attorney or designee, is hereby authorized to enter into an agreement with Marathon Central School District for said purposes.

ON MOTION OF FAIRCHILD-PRESTON

AGENDA ITEM NO. 16

Amend 2022 Budget and Transfer Funds to Medical Supplies -Sheriff

WHEREAS, the Cortland County Sheriff's Office has expended the 2022 budget line for medical supplies for jail inmates, AND

WHEREAS, it is anticipated that the County jail will continue the need for medical supplies for jail inmates, NOW THEREFORE BE IT

RESOLVED, that the 2022 County Budget is hereby amended as follows:

Increase:

Expense:

Medical Supplies	A31505.54006	\$67,000
Approp. Fund Balance	A359900	\$67,000

ON MOTION OF FAIRCHILD-PRESTON

AGENDA ITEM NO. 17

Authorize Agreement/Accept Grant Third Upstate Quality Improvement and Caseload Reduction Grant - Public Defender

WHEREAS, to improve the quality of services provided under Article 18-B of County Law, the County Public Defender applied for the Third Upstate Quality Improvement and Caseload Reduction Grant (Contract No. C3RD611) with the NYS Office of Indigent Legal Services, AND

WHEREAS, NYS Office of Indigent Legal Services awarded Cortland County a reimbursable grant in the amount of \$300,000 to cover the time period July 1, 2020 to June 30, 2023; (Year 1, 07/01/2020 - 06/30/2021 in the amount \$100,000, Year 2, 07/01/2021 -06/30/2022 the amount \$100,000, Year 3, 07/01/2022 - 06/30/2023) and any extended years, AND

WHEREAS, this grant money shall be used to continue to provide salary and fringe benefits funding for a full-time Assistant Public Defender position to alleviate the workload and case burden in the Public Defender's office, AND

WHEREAS, this grant money shall also be used to continue to provide salary and fringe benefits funding for a part-time Client Liaison Specialist position to assist attorneys in the day-to-day interaction with clients, including client ancillary projects for assistance with resources provided by third parties, AND

WHEREAS, as required by the County or NYS Office of Indigent Legal Services, the Public Defender shall collect and report data annually, in statistical and narrative form, to measure this project and shall continuously analyze and evaluate case outcomes to ensure effective use of the funds, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review and approval of the County Attorney or designee, is hereby authorized and directed to sign an agreement with NYS Office of Indigent Legal Services for a term of July 1, 2020 through June 30, 2023 and any extended years, 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.

ON MOTION OF FAIRCHILD-PRESTON

AGENDA ITEM NO. 18

Authorize Agreement/Accept Funds Indigent Legal Services Distribution No. 12 - Public Defender

WHEREAS, the NYS Office of Indigent Legal Services has awarded the Cortland County Public Defender's Office \$150,522.00 for the multi-year period from January 1, 2022, to December 31, 2024, payable \$50,174.00 in year 1 (2022), \$50,174.00 in year 2 (2023) and \$50,174.00 in year 3 (2024) to improve the quality of mandated indigent legal representation, AND

WHEREAS, this grant money shall be used to continue to provide salary and fringe benefits funding for Secretary II services within the Public Defender's office, AND

WHEREAS, as required by the County or NYS Office of Indigent Legal Services, the Public Defender shall collect and report data annually, in statistical and narrative form, to measure this project and shall continuously analyze and evaluate case outcomes to ensure effective use of the funds, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review and approval of the County Attorney, is hereby authorized and directed to sign an agreement with NYS Office of Indigent Legal Services, 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.

ON MOTION OF FAIRCHILD-PRESTON

AGENDA ITEM NO. 19

Abolish One Position of Assistant District Attorney/Create One Position of Associate Attorney (Office of the District Attorney)/Assistant District Attorney - District Attorney's Office

WHEREAS, the needs of the department will be better served by abolishing one (1) full-time position of Assistant District Attorney and creating one (1) full-time position of Associate Attorney (Office of the District Attorney)/Assistant District Attorney, AND

WHEREAS, the Judiciary and Public Safety Committee recommends the creation of this position, NOW THEREFORE BE IT

RESOLVED, that one (1) position of Assistant District Attorney (Grade 6, Management Compensation Plan, \$72,247-96,160, exempt class, full-time, 35 hours/week with benefits) be and hereby is abolished effective June 23, 2022 at midnight, AND BE IT FURTHER

RESOLVED, that one (1) position of Associate Attorney (Office of the District Attorney)/Assistant District Attorney (Grade 7, Management Compensation Plan, \$67,206-89,451, pending jurisdictional classification, full-time 35 hours/week with benefits OR Grade 6, Management Compensation Plan, \$72,247-96,160, exempt class, full-time, 35 hours/week with benefits) be created with permission to fill effective June 24, 2022 at 12:01 a.m.

Referred from Government Operations Committee

ON MOTION OF STOCK

AGENDA ITEM NO. 20

Amend Drug Free Workplace Policy - Personnel Department

WHEREAS, the Cortland County Legislature adopted the Cortland County Drug Free Workplace Policy on 11/22/1989 with Resolution No. 596-89, AND

WHEREAS, the policy was amended with Resolution No. 119-10, AND

WHEREAS, there is a need to make changes to said policy, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Drug Free Workplace Policy be and hereby is amended effective June 23, 2022 as attached.

ON MOTION OF STOCK

AGENDA ITEM NO. 21

Amend Driver and Vehicle Use Policy

WHEREAS, the Cortland County Legislature has adopted Resolution No. 187-19 which established the Cortland County Driver and Vehicle Use Policy on May 23, 2019, AND

WHEREAS, there is a need to make changes to said policy, NOW THEREFORE BE IT

RESOLVED, that the plan will be amended effective June 23, 2022 as attached.

ON MOTION OF STOCK

AGENDA ITEM NO. 22

Amend Smoking and Tobacco Use Policy - Personnel Department

WHEREAS, the Cortland County Legislature adopted the Cortland County Smoking and Tobacco Use Policy on April 26, 2018 with Resolution No. 192-18, AND

WHEREAS, there is a need to make changes to said policy, NOW THEREFORE BE IT

RESOLVED, that the plan will be amended effective September 1, 2022 as attached.

Referred from Finance & Administration Committee

ON MOTION OF WAGNER

AGENDA ITEM NO. 23

Authorize Agreement/Funding - Cortland County Business Development Corporation

WHEREAS, it has been the custom and practice of the County to provide funding to the Business Development Corporation to promote and enhance economic development in Cortland County, NOW THEREFORE BE IT

RESOLVED, that in the next succeeding four (4) years (January 1, 2023 to December 31, 2026) the County shall fund the Business Development Corporation in the following amounts:

2023 - \$492,193 (8%)

2024 - \$516,803 (5%)

2025 - \$542,643 (5%)

2026 - \$569,775 (5%)

, AND BE IT FURTHER

RESOLVED, that the County Administrator be and hereby is authorized and directed to enter into an agreement, upon review and approval by the County Attorney or designee, and subject to appropriation by the Legislature with the Cortland County Business Development Corporation in accordance with the above.

ON MOTION OF WAGNER

AGENDA ITEM NO. 24

Proposed Local Law "F" of 2022 - a Local Law Abolishing the Elected Office of County Treasurer

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 thereon has been held before this Legislature after publication of notice thereof as legally required, NOW THEREFORE

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

SECTION 1. Legislative Intent

A. The County of Cortland is being increasingly required to administer various programs which are

either unfunded or not adequately funded by the State and Federal governments. Such mandates, together with the revenue constraints of the County, require the best financial administration possible.

- B. It is the desire of the Cortland County Legislature, in its continuing efforts to upgrade the administration of County government, to ensure to the effective management of the fiscal responsibilities of the County of Cortland.
- C. The Cortland County Legislature finds that, through a more efficient administration of the various fiscal affairs of Cortland County, the County Legislature will be able to provide for better direction, control and coordination of Cortland County governmental finances. Further, the timely reporting of the County's fiscal position, statements of expenses and revenues, and cash flow will provide for improved day-to-day handling and management of the County's fiscal affairs.
- D. It is the intention of the Cortland County Legislature, through the enactment hereof; to provide for professional qualifications and professional background required of its Chief Fiscal Officer.
- E. The Director of Finance presently has the ultimate responsibility of the financial management activities of the County other than the collection of delinquent property taxes and other related activities undertaken by the County Treasurer. The Director of Finance is responsible for directing and maintaining the financial records of the County in the manner prescribed by the Office of the New York State Comptroller, as well as ensuring these record keeping activities are carried out ethically and in accordance with all applicable laws, rules, and regulations and in accordance with accepted governmental accounting standards. The position also monitors and controls the fiscal operations of County departments and agencies through the analysis of required fiscal reports.
- F. It is the further intent of the Cortland County Legislature to provide for the transfer of the duties of Treasurer to the existing position of Director of Finance as the County's professional Chief Fiscal Officer; having the professional qualifications, education and experience necessary for the position; and abolishing the elective Office of County Treasurer. By a mandatory referendum in accordance with Municipal Home Rule Law, Section 10, it is the intent to eliminate the elected Office of County Treasurer and transfer the duties of Treasurer to the Director of Finance after a referendum conducted in all respects under the provision of Municipal Home Rule Law, Section 23.
- G. It is not the purpose or intent of the Cortland County Legislature in the adoption of this local law to curtail, diminish, transfer or divest the Cortland County Legislature of any of its functions, powers or duties.

SECTION 2. Abolishing the elective Office of County Treasurer

The elected position of County Treasurer as provided in Section 400, subparagraph 1 of the County Law is abolished effective December 31, 2023.

SECTION 3. No Divestiture of Powers And Duties of Legislature

Nothing contained in this local law shall operate or be construed to divest the Cortland County Legislature of any of its functions, powers and duties.

SECTION 4. Severability of Provisions

If any clause, sentence, paragraph, subdivision, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment, decree, or order 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 thereof directly involved in the controversy in which such judgment, decree or order have been rendered.

SECTION 5. Construction of Local Law

- A. This law shall be liberally construed to effectuate the purposes thereof and to provide an appointive chief fiscal officer in compliance with the requirements of law.
- B. It is intended that through this law all duties associated with the elective Office of County Treasurer be transferred to the already existing appointive Director of Finance.

SECTION 6. Conflict With Previous Local Laws and Resolutions

In the event of a conflict or inconsistency between this local law and any previous local laws or resolution of the County Legislature, this local law shall govern.

SECTION 7. Referendum

- A. The local law shall be placed on the ballot for the election to be held on November 8, 2022.
- B. The form of the proposition shall be as follows: "Shall the elective Office of County Treasurer be abolished and the duties of Treasurer be transferred to the existing position of Director of Finance as the County's professional Chief Fiscal Officer in Cortland County as approved by the Cortland County Legislature in Local Law No. __ of 2022?"

SECTION 8. Effective Date

- A. This local law shall take effect when all applicable statutory requirements for its passage and adoption have been complied with fully; and
- B. This local law shall take effect when it has been duly filed in the Office of the Secretary of State and as provided by this local law.

ON MOTION OF WAGNER

AGENDA ITEM NO. 25

Authorization to Create Opioid Reserve - Finance Department

WHEREAS, Resolution No. 238-21 and Resolution No. 287-21 authorized acceptance of settlements related to action against opioids, distributors of opioids and chain pharmacies, AND

WHEREAS, Resolution No. 238-21 and Resolution No. 287-21 resolved that all settlement monies be set aside in a special reserve to address the opioid crisis in Cortland County, NOW THEREFORE BE IT

RESOLVED, that Special Reserve account A386300.OPD be created to account for all monies received and disbursed as part of the opioid settlement, AND BE IT FURTHER

RESOLVED, these monies are to be spent per the guidelines set by the NYS Office of the Attorney General as attached to this resolution and upon approval by the County Legislature.

Adopt 2022-2023 Tompkins Cortland Community College Operating Budget

WHEREAS, the Board of Trustees of Tompkins Cortland Community College has presented to this Legislature an Operating Budget for the college fiscal year September 1, 2022 through August 31, 2023, AND

WHEREAS, a public hearing on said budget has been held on June 23, 2022, and heard all persons wishing to speak on this topic, pursuant to notice duly published, NOW THEREFORE BE IT

RESOLVED, that said operating budget in the amount of \$33,665,979 be and hereby is approved and adopted, AND BE IT FURTHER

RESOLVED, that the Cortland County Legislature include in the Cortland County Budget for the year 2023 an amount to be determined pursuant to a plan for said college adopted by Resolution No. 129 for the year 1966, as amended by Resolution No. 128 and 131 for the year 1971, totaling approximately \$1,855,495 as Cortland County's share of the total Sponsoring Community Contribution of \$4,882,882 to be paid in four payments from account #A24955.54780 after January 1, 2023 as per contractual agreement, AND BE IT FURTHER

RESOLVED, that this resolution shall become effective upon adoption of a concurrent resolution by the Tompkins County Legislature.

Announcements

Adjournment