



Cortland County Legislature

Legislative Session

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

~ Minutes ~

Thursday, June 24, 2021

6:00 PM

Board Room

Salute to the Flag

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	Present	
Cathy Bischoff	Cortland County, NY	Legislator	Present	
Ronald J. Van Dee	Cortland County, NY	Legislator	Present	
Susan Wilson	Cortland County, NY	Legislator	Present	
Richard Stock	Cortland County, NY	Legislator	Present	
Ann Homer	Cortland County, NY	Legislator	Present	
Kevin Fitch	Cortland County, NY	Legislator	Present	
Linda Jones	Cortland County, NY	Legislator	Present	
Kelly L. Fairchild-Preston	Cortland County, NY	Legislator	Present	
Christopher Newell	Cortland County, NY	Legislator	Remote	6:05 PM
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	
Lisa Perfetti	Cortland County, NY	Public Health Director	Present	
Nicole Anjeski	Cortland County, NY	Deputy Director of Public Health	Present	
Amy Buggs	Cortland County,	Grants Administrator	Present	

	NY			
Charles Sudbrink	Cortland County, NY	Superintendent of Highways	Present	
Trisha Jesset	Cortland County, NY	Director of Planning	Present	
William McGovern	Village of Marathon	Mayor	Present	
Thomas Gobel			Present	
Valerie Puma	Cortland Standard	Reporter	Present	
Elizabeth Haskins	Cortland County, NY	Director of Area Agency on Aging	Present	
Sharon MacDougall	Cortland County, NY	Director of Community Services	Present	
Laurie Leonard	Cortland County, NY	Personnel Officer	Present	
Charles Miller	Cortland County, NY	Buildings and Grounds Supervisor	Present	
John Banewicz	Cortland County, NY	County Treasurer	Present	
Wendy Franklin	Cortland County, NY	Assistant County Attorney	Present	
Andrea Herzog	Cortland County, NY	Director of Finance	Remote	
Savannah Hempstead	Cortland County, NY	Deputy Clerk	Present	
Rob Corpora	Cortland County, NY	County Administrator	Present	

Roll Call

Approval of Minutes

1. Cortland County Legislature - Legislative Session - May 27, 2021 6:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Richard Stock, 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

2. Cortland County Legislature - Special Meeting - Jun 16, 2021 6:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Richard Stock, 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

Proclamations & Recognitions

1. Cortland County Retiree Proclamation

RESULT:	ANNOUNCED
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Privilege of the Floor

Presentation of Petitions, Communications, and Notice

Receive and File

Reports of Standing, Special and Ad Hoc Committees

Articles Postponed to Day Certain

Unfinished Business

New Business

Resolutions

Resolutions from the Chair

AGENDA ITEM NO. 1 – Establish Cortland County Federal Aid Allocation Committee

RESULT:	ADOPTED [12 TO 5]
MOVER:	Paul Heider, Chairman
SECONDER:	Ann Homer, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Fitch, Newell, Waldbauer, Price, Wagner, Heider, Eccleston
NAYS:	Stock, Homer, Jones, Fairchild-Preston, Nauseef

ON MOTION OF HEIDER

RESOLUTION NO. 142-21

Establish Cortland County Federal Aid Allocation Committee

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

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

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

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

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

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

AGENDA ITEM NO. 2 – Appoint Member - Southern Tier East Regional Planning Development Board (STERPDB)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul Heider, Chairman
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 HEIDER

RESOLUTION NO. 143-21

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

WHEREAS, a new Director of Planning has been appointed for Cortland County due to the retirement of Dan Dineen, AND

WHEREAS, Cortland County appoints the Director of Planning as a representative to the Southern Tier East Regional Planning Development Board (STERPDB), NOW THEREFORE BE IT

RESOLVED, that the following individual be appointed to STERPDB for the remainder of the current term ending December 31, 2021:

Trisha Jesset	County Planning Director	Term Expires 12/31/21
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AGENDA ITEM NO. 3 – Appoint Members - Cortland County Planning Board

RESULT: PULLED

Next: 7/22/2021 6:00 PM

ON MOTION OF HEIDER

RESOLUTION NO.

Appoint Members - Cortland County Planning Board

WHEREAS, the terms of current members of the Cortland County Planning Board will be expiring on June 30, 2021, AND

WHEREAS, Amy Bertini and Charles Feiszli have expressed interest in being reappointed to the Cortland County Planning Board, AND

WHEREAS, there is a vacancy on the Cortland County Planning Board due to the resignation of Craig Umbehauer, AND

WHEREAS, Article III of the Cortland County Planning Board by-laws state vacancies shall be filled by appointment by the Legislature in accordance with Section 1 of Article III of said by-laws, AND

RESOLVED, that the following be and hereby are appointed to the Cortland County Planning Board for the terms as provided below:

Name	Address	Municipality	Term Expiration
Charles Feiszli	27 N. Church Street Cortland, NY 13045	City of Cortland	6/30/2025
Amy Bertini	6174 Little York Lake Road Little York, NY 13087	Town of Preble	6/30/2025
Wesley Kryger	2427 Clute Road Cortland, NY 13045	Town of Virgil	6/30/2025

AGENDA ITEM NO. 4 – Appoint Member - Central New York Regional Planning and Development Board

RESULT: ADOPTED [UNANIMOUS]

MOVER: Paul Heider, Chairman

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 HEIDER

RESOLUTION NO. 144-21

Appoint Member - Central New York Regional Planning and Development Board

WHEREAS, a new Director of Planning has been appointed for Cortland County due to the retirement of Dan Dineen, AND

WHEREAS, Cortland County appoints the Director of Planning as a representative to the Central New York Regional Planning and Development Board, NOW THEREFORE BE IT

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

Trisha Jesset	County Planning Department Director	Term expires 12/31/21
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AGENDA ITEM NO. 5 – Appoint Members - Agricultural and Farmland Protection Board

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul Heider, Chairman
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 HEIDER

RESOLUTION NO. 145-21

Appoint Members - Agricultural and Farmland Protection Board

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

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

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

Name	Address/Designation	Capacity	Term to Expire
William Weddle	5249 Route 281 Homer, New York 13077	Farmer	12/31/24
Laura Fox	60 Central Avenue Cortland, New York 13045	Director of Real Property Tax Services	Duration of Term
Trisha Jesset	60 Central Avenue Cortland, New York 13045	Director of Planning	Duration of Term

Referred from Building & Grounds Committee

AGENDA ITEM NO. 6 – Award Bid/Authorize Contract for Parking Lot Sealing and Striping - Buildings and Grounds

RESULT:	ADOPTED [16 TO 1]
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, Price, Heider, Eccleston
NAYS:	George Wagner

ON MOTION OF HARBIN

RESOLUTION NO. 146-21

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

WHEREAS, a Request for Proposals (RFP) was issued for the Sealing and Striping of County Owned parking lots

WHEREAS, bids were received from the following:

Company	Address	Amount
Superior Sealcoating	2610 Geiger Road Scipio Center, NY 13147	\$31,680

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 Superior Sealcoating of 2610 Geiger Road, Scipio Center, New York 13147 is here by awarded the bid for parking lot sealing and striping, 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 Superior Sealcoating of 2610 Geiger Road, Scipio Center, New York 13147 for the sealing and striping of County parking lots.

AGENDA ITEM NO. 7 – Authorize Agreement with Sure Temp Company Inc. for Planned Maintenance Agreement Dwyer Park Pavilion Air Handling System - Buildings & Grounds

RESULT:	ADOPTED [15 TO 2]
MOVER:	Beau Harbin, Minority Leader
SECONDER:	Ann Homer, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Stock, Homer, Fitch, Fairchild-Preston, Newell, Waldbauer, Price, Wagner, Heider, Eccleston
NAYS:	Linda Jones, Joseph Nauseef

ON MOTION OF HARBIN

RESOLUTION NO. 147-21

Authorize Agreement with Sure Temp Company Inc. for Planned Maintenance Agreement Dwyer Park Pavilion Air Handling System - Buildings & Grounds

WHEREAS, a request to Sure Temp was made for a 5 year planned maintenance agreement on the new Air Handling equipment installed in the Dwyer Memorial Park Pavilion, AND

WHEREAS, a proposal was received from Sure Temp to service and inspect this equipment for the following cost annually:

2021/22 - \$2,266.16
2022/23 - \$2,334.14
2023/24 - \$2,404.17
2024/25 - \$2,476.29
2025/26 - \$2,550.58

, AND

WHEREAS, based upon the results of the agreement, the Building and Grounds Committee recommends that this agreement be approved, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee, is hereby authorized to enter into a service agreement with Sure Temp Company Inc., 43 Lake Ave. , Binghamton NY, 13905, for the period July 1st, 2021 through June 30th 2026.

AGENDA ITEM NO. 8 – Award Bid/Authorize Contract for IT Server Room Additional A/C Unit- Buildings and 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, Price, Wagner, Heider, Eccleston

ON MOTION OF HARBIN

RESOLUTION NO. 148-21

Award Bid/Authorize Contract for IT Server Room Additional A/C Unit- Buildings and Grounds

WHEREAS, a Request for Proposals (RFP) was issued for the addition of a redundant A/C unit to maintain acceptable Server Room temperature, AND

WHEREAS, bids were received from the following:

Company	Address	Amount
Robert L. Kistler Service Corp.	5615 Business Ave. Syracuse, NY 13039	\$96,980
Air Temp Heating & Air Conditioning, Inc.	1165 Front Street Binghamton, NY 13901	\$98,107

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 Robert L. Kistler Service Corp. of 10425 of 5615 Business Avenue, Syracuse, NY 13039 is here by awarded the bid for the addition of a redundant A/C unit to maintain acceptable Server Room temperature, 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 Robert L. Kistler Service Corp. of 10425 of 5615 Business Avenue, Syracuse, NY 13039 for the addition of a redundant A/C unit to maintain acceptable Server Room temperature.

AGENDA ITEM NO. 9 – Award Bid for ManageEngine Desktop Central Licensing - Information Technology

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

ON MOTION OF HARBIN

RESOLUTION NO. 149-21

Award Bid for ManageEngine Desktop Central Licensing - Information Technology

WHEREAS, a Request for Proposals (RFP) was issued for the acquisition of ManageEngine Desktop Central UEM, AND

WHEREAS, the funding for this acquisition shall be provided through grants, AND

WHEREAS, bids were received from the following:

Company	Address	Amount
Digital Information Services, LLC	10425 Dalebrooke Lane Potomac, Maryland 20854	\$24,551.99
DynTek Services, Inc.	5241 California Avenue, Suite 150 Irvine, CA 92617	\$28.802
AKA Comp Solutions	5875 N. Lincoln Ave. Suite 132 Chicago, IL 60659	\$25,801.92
vPrime Tech, Inc.	1400 Broadfield Blvd., Suite 200 Houston, TX 77084-5162	\$25, 776.62

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 Digital Information Services, LLC of 10425 Dalebrooke Lane, Potomac, Maryland 20854 is here by awarded the bid for the acquisition of ManageEngine Desktop Central UEM and one year of maintenance, 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 Digital Information Services, LLC, 10425 Dalebrooke Lane, Potomac, Maryland 20854 is here by awarded the bid for the acquisition of ManageEngine Desktop Central UEM and one year of maintenance.

Referred from Highway Committee

AGENDA ITEM NO. 10 – Authorize Memorandum of Understanding - Town & Country Garden Club Herb Garden Rehabilitation - Dwyer Memorial Park

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Christopher Newell, 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

ON MOTION OF NEWELL

RESOLUTION NO. 150-21

Authorize Memorandum of Understanding - Town & Country Garden Club Herb Garden Rehabilitation - Dwyer Memorial Park

WHEREAS, the herb garden at Dwyer Memorial Park is in need of restoration due to deterioration throughout the years, AND

WHEREAS, The Town and Country Garden Club has proposed a restoration project for the herb garden at Dwyer Memorial Park at no cost to the County, AND

WHEREAS, this proposal is to be completed with funds donated to The Town and Country Garden Club, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon and approval by the County Attorney or designee, be and hereby is authorized to execute a Memorandum of Understanding with Town and Country Garden Club to rehabilitate the herb garden at Dwyer Memorial Park.

AGENDA ITEM NO. 11 – Accept Grant, Amend Airport Capital Budget, Award Reconstruction Project and Award Construction Inspection Services for Runway 6-24 Rehabilitation Project - Highway Department/County Airport

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. 151-21

Accept Grant, Amend Airport Capital Budget, Award Reconstruction Project and Award Construction Inspection Services for Runway 6-24 Rehabilitation Project - Highway Department/County Airport

WHEREAS, the Cortland County Airport, as a public-use facility included in the National Plan of Integrated Airport Systems (NPIAS), will receive funding through the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) for Federal Fiscal Year 2021, AND

WHEREAS, the County of Cortland, New York, wishes to continue improvements to the infrastructure of Cortland County through the rehabilitation of runway 6-24 at Cortland County Airport, which is necessary to continue safe operation of aircraft at the airport, AND

WHEREAS, the Cortland County Highway Department advertised a solicitation for bids for the Construction Phase of runway 6-24 rehabilitation project, AND

WHEREAS, the bid proposals were received and opened for this project on January 12, 2021 and the following list constitutes the results of said bid opening:

<u>BIDDER NAME</u>	<u>AMOUNT OF BID</u>
Rifenburg Construction, Inc. 159 Brick Church Road Troy, NY 12180	\$1,634,115.00
Suit-Kote Corporation 1911 Loring Crossing Road Cortland, NY 13045	\$1,753,578.50
Seneca Stone Corporation 2105 S. Broadway Pine City, NY 14871	\$1,800,000.00
Barrett Paving Materials, Inc. 4530 Wetzel Road Liverpool, NY 13090	\$2,015,531.40
Sealand Contractors Corp. 85 High Tech Drive P.O. Box 350 Rush, NY 14543-0350	\$2,191,000.00

Union Concrete and Construction Corp.
435 Meyer Road
West Seneca, NY 14224

\$2,309,679.53

, AND

WHEREAS, the lowest responsible bid received for the construction phase of said project was received from Rifenburg Construction, Inc., 159 Brick Church Road, Troy, NY 12180 for an amount of \$1,634,115.00, AND

WHEREAS, the Cortland County Legislature approved the design of the rehabilitation of runway 6-24 at Cortland County Airport and entered into an agreement for the design of the project with McFarland Johnson, Inc. by Resolution 263-19, AND

WHEREAS, the County of Cortland desires to advance the project by completing the Construction Inspection of runway 6-24 rehabilitation project by entering into an engineering agreement with McFarland Johnson, Inc. for the Construction Inspection Services, AND

WHEREAS, total cost of said Construction Inspection Services are not to exceed \$206,355.00, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby endorses and approves the acceptance of the FAA AIP Grant for the Construction Phase of Runway 6-24 Rehabilitation Project for a total amount of \$1,843,470.00, AND BE IT FURTHER

RESOLVED, that the County Administrator, upon approval of the County Attorney or designee, is hereby authorized to execute all necessary documents and plans on behalf of the County of Cortland with the Federal Aviation Administration, New York State Department of Transportation, McFarland Johnson, Inc. and Rifenburg Construction, Inc. with respect to the Runway 6-24 Rehabilitation project, AND BE IT FURTHER

RESOLVED, that a certified copy of this Resolution be filed with the Federal Aviation Administration and New York State Department of Transportation by attaching it to any necessary Grant Agreement and Engineering Agreement in connection with the Project, AND BE IT FURTHER

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

Increase:

HH56105.52800.RW64	Infrastructure	\$1,843,470.00
HH56105.44597.RW64	Federal Revenue	\$1,843,470.00

AGENDA ITEM NO. 12 – Adopt Fee Schedule & Increase Daily Rental Rates at Dwyer Park Shelters - Highway Department

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Christopher Newell, 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 NEWELL

RESOLUTION NO. 152-21

Adopt Fee Schedule & Increase Daily Rental Rates at Dwyer Park Shelters - Highway Department

WHEREAS, the County of Cortland owns, maintains and rents individual shelters at Dwyer Park,
AND

WHEREAS, the Highway Committee of the Legislature recommends increasing the daily rental rates for the existing shelters from \$75.00 per day to \$100 per day, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby establishes daily pavilion shelter rental rates as listed above at Dwyer Park, AND BE IT FURTHER

RESOLVED, that the above listed rental rates at Dwyer Park shall take effect beginning January 1, 2022, AND BE IT FURTHER

RESOLVED, that the revenue from said leases are to be deposited in account A711042.42001.

Referred from Health & Human Services Committee

AGENDA ITEM NO. 13 – Authorize Agreement Overdose Mapping and Application Program (ODMAP) - Mental 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. 153-21

Authorize Agreement Overdose Mapping and Application Program (ODMAP) - Mental Health Department

WHEREAS, Cortland County Mental Health Department seeks to execute a contract with High Intensity Drug Trafficking Area (HIDTA) to participate in the Overdose Mapping and Application Program (ODMAP) as the administrator function role for Cortland County at no cost, AND

WHEREAS, the overdose Mapping and Application Program (ODMAP) provides near real-time suspected overdose surveillance data to support public safety and public health efforts in mobilizing an immediate response to a sudden increase or spike in overdose events. It links first responders and records management systems to a mapping tool to track overdoses and stimulate real-time response and strategic analysis across jurisdictions, AND

WHEREAS, the Mental Health Department will provide access to relevant stakeholders and agencies to provide vital information to serve as an early warning feature if a spike in overdoses occurs to help improve response and treatment support, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review by the County Attorney or designee be and herby is authorized to execute agreements with High Intensity Drug Trafficking Area (HIDTA) for the access and use of their Overdose Mapping and Application Program (ODMAP).

AGENDA ITEM NO. 14 – Create Aging Services Specialist Position (14 Hours/Week) - Area Agency on Aging

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 154-21

Create Aging Services Specialist Position (14 Hours/Week) - Area Agency on Aging

WHEREAS, the needs of the agency will be better served by creating one part time position of Aging Services Specialist (14 hours/week) in the Area Agency on Aging, AND

WHEREAS, the New York State Office for the Aging has made available funds under the SSC6 of the American Rescue Plan for Supportive Services for the period of April 1, 2021 through September 30, 2024, AND

WHEREAS, the Health and Human Services Committee recommends the creation of this position, AND

WHEREAS, this position is dependent on the related grant and will be abolished with the termination of grant funding, NOW THEREFORE BE IT

RESOLVED, that one part time position of Aging Services Specialist (14 hours/week, CSEA, Grade 15, \$20.4342-25.6078/HR, competitive class, without benefits) be created with approval to fill on July 1, 2021 through September 30, 2024, with no posting, 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, AND BE IT FURTHER

RESOLVED, the 2021 budget is amended as follows:

Increase:	A677244 44772 4330	Federal Aid-Title IIIB	\$57,106
Increase:	A67725 51010 4330	Personal Services	\$50,343
	A67725 58030 4330	Fica	\$3,851
	A67725 58040 4330	Workers Comp	\$2,912

AGENDA ITEM NO. 15 – Amend 2021 Budget for Youth Bureau, Safe Harbour Program - 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. 155-21

Amend 2021 Budget for Youth Bureau, Safe Harbour Program - Health Department

WHEREAS, the Office of Children and Family Services (OCFS) has awarded the Cortland County Health Dept. \$23,000 for the Safe Harbour program, AND

WHEREAS, these funds will be used to support costs to create a more effective and efficient response to youth who have experienced commercial sexual exploitation or trafficking, or who are vulnerable to it, AND

WHEREAS, the 2021 County Budget needs to be amended as follows:

Increase Revenue:		Current	Increase	Balance
A73125.43820.21SF	Safe Harbour Revenue	\$0	\$23,000	\$23,000
Increase Expenditure				
A73125.51005.21SF	Personal Services	\$0	\$10,115	\$10,115
A73125.54005.21SF	Office Supplies	\$0	\$500	\$500
A73125.54035.21SF	Education and Training	\$0	\$500	\$500
A73125.54045.21SF	Travel	\$0	\$700	\$700
A73125.54048.21SF	Program Supplies	\$0	\$2,000	\$2,000
A73125.54060.21SF	Advertising	\$0	\$1,500	\$1,500
A73125.54815.21SF	Contracted Svcs	\$0	\$4,650	\$4,650
A73125.58060.21SF	Health Insurance	\$0	<u>\$3,035</u>	\$3,035
			\$23,000	

, NOW THEREFORE BE IT

RESOLVED, that the County Administrator and the Public Health Director or Designee, upon review and approval by the County Attorney or designee, are hereby authorized and directed to accept these funds.

AGENDA ITEM NO. 16 – Create Position - Licensed Clinical Social Worker - Mental Health

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. 156-21

Create Position - Licensed Clinical Social Worker - Mental Health

WHEREAS, the needs of the agency will be better served by creating one full-time position of Licensed Clinical Social Worker in the Mental Health Department, 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 Licensed Clinical Social Worker (CSEA, Grade 26, \$30.5057-38.2292/HR, competitive class) be created on June 25, 2021 at 12:01 am, with approval to fill, AND BE IT FURTHER

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

INCREASE:

A43105 51005 4200	Personnel Services	\$28,187
A43105 58020 4200	Retirement	3,946

A43105 58030 4200	FICA	2,156
A43105 58040 4200	Workers Comp	995
A43105 58060 4200	Health Insurance	10,254
A43105 58062 4200	Dental Insurance	45
A43105 58065 4200	Vision Insurance	10
A431042.41620.4200	Mental Health Fees	\$45,593

AGENDA ITEM NO. 17 – Appoint Member Chemical Dependency Subcommittee - Mental Health Department

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Cathy Bischoff, 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 BISCHOFF

RESOLUTION NO. 157-21

Appoint Member Chemical Dependency Subcommittee - Mental Health Department

WHEREAS, the By-Laws of the Cortland County CD Subcommittee, Article 7, Section 1 states that membership of the organization shall consist of nine (9) members appointed by the Cortland County Legislature, AND

WHEREAS, the term of each member of the Subcommittee shall be four years except when completing the term created by member resignation, AND

WHEREAS, there are currently one vacancy on the Chemical Dependence Subcommittee due to the resignation of Matthew Whitman, NOW THEREFORE BE IT

RESOLVED, that the following be and hereby is appointed to the Chemical Dependence Subcommittee for the term listed:

NAME/ADDRESS

TERM

Sara Watrous
455 Hunt Hill Rd
Ithaca, NY 14850

Ending December 31, 2024
(completing original term for Matthew Whitman)

AGENDA ITEM NO. 18 – Accept Bids and Authorize Purchase of Miscellaneous Groceries and Frozen Foods - Area Agency on Aging

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. 158-21

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

WHEREAS, bids were received on May 12, 2021 for the period July 1, 2021 through September 30, 2021, for the purchase of miscellaneous groceries and frozen foods in accordance with specifications on file in the Office of the Clerk of the Cortland County Legislature, for use by the Area Agency on Aging and the Sheriff's Department, AND

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

WHEREAS, bids were received from the following:

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

, NOW THEREFORE BE IT

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

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

RESOLVED, that the above departments are authorized and directed to purchase said items from the lowest responsible bidders and best value for the period July 1, 2021 through September 30, 2021.

AGENDA ITEM NO. 19 – Reject Bid for Contract Payroll Services - Cayuga/Cortland Workforce Development Board

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. 159-21

Reject Bid for Contract Payroll Services - Cayuga/Cortland Workforce Development Board

WHEREAS, a Request for Proposals (RFP) was issued for payroll services for various youth programs through the Cayuga-Cortland Workforce Development Board, AND

WHEREAS, bids were received from the following:

Sirius Workforce, LLC - 6215 Rangeline Road, Theodore, AL 36582

TES Staffing - 1150 University Avenue, Rochester, NY 14607

Datrose, Inc. - 660 Basket Road, Webster, NY 14580

WHEREAS, the proposals received did not fall under the amount of funding available for said services, NOW THEREFORE BE IT

RESOLVED, the Cortland County Legislature hereby formally rejects all bid proposals, based

upon the recommendation of the Cayuga-Cortland Workforce Development Board, for Contract Payroll Services.

Referred from Agriculture/Planning/Environment Committee

AGENDA ITEM NO. 20 – A Resolution of the Cortland County Legislature Regarding the Cayuga Lake Total Maximum Daily Load (TMDL)

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. 160-21

A Resolution of the Cortland County Legislature Regarding the Cayuga Lake Total Maximum Daily Load (TMDL)

WHEREAS, The Federal Clean Water Act requires states to periodically assess and report on the quality of waters in their state and the New York State Section 303(d) List of Impaired/TMDL Waters identifies those waters that do not support appropriate uses and that may require development of a Total Maximum Daily Load (TMDL), AND

WHEREAS, Cayuga Lake, Southern End, has appeared on the New York State Department of Conservation (NYSDEC) Section 303(d) waterbody list since 2002 as requiring the development of a TMDL because it does not support its best uses of primary and secondary contact recreation and is threatened as a public water supply due to a phosphorus impairment and silt/sediment loads, AND

WHEREAS, a draft TMDL for the entirety of Cayuga Lake was released on April 7th, 2021 announcing a proposed nutrient pollution reduction “budget” with a goal of reducing phosphorus in the entire lake, corrective for the Southern end and protective for balance of the lake, with silt and sediment loads being largely ignored, AND

WHEREAS, Fall Creek is the largest drainage area to the lake, including nearly 18,900 acres in the Cortland County Townships of Harford, Virgil, Cortlandville, Homer and Scott, AND

WHEREAS, the last public information session was held in March of 2016, 5 years prior to the release of the TMDL, AND

WHEREAS, within the TMDL it states “Notice of availability of the Draft Cayuga Lake TMDL was made to local government representatives and interested parties. The Draft Cayuga Lake TMDL was publicly noticed in the Environmental Notice Bulletin on 04/07/2021.”, AND

WHEREAS, outreach and communication from NYSDEC to the aforementioned municipalities, the County of Cortland, and the Cortland County Soil and Water Conservation District (SWCD) regarding the Draft Cayuga Lake TMDL was minimal and did not allow for questions, comments, consideration, and understanding of the complex nature of the TMDL, and the social, economic, and environmental implications on our communities , AND

WHEREAS, the proposed TMDL recommendations have the potential to impact Cortland County municipalities and their constituents including agricultural producers and forest landowners, who

represent two of the identified sectors slated to implement phosphorus reducing best management practices, AND

WHEREAS, the Cortland County SWCD along with neighboring SWCDs within the Cayuga Lake Watershed, the Cayuga Lake Inter-municipal Organization, the Cayuga Lake Watershed Network and other professionals and concerned citizens will be providing comments to the NYSDEC , NOW, THEREFORE BE IT

RESOLVED, that the Cortland County Legislature requests that the NYSDEC engage in a comprehensive outreach campaign, targeting all local municipalities, to review the proposed TMDL, and conduct stakeholder meetings and other public forums to review the submitted comments and their responses, allowing for greater involvement and understanding of the TMDL for Cayuga Lake prior to releasing a final version.

AGENDA ITEM NO. 21 – Authorize Agreement Bus Shelter - Cortland County Planning Department

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

ON MOTION OF FITCH

RESOLUTION NO. 161-21

Authorize Agreement Bus Shelter - Cortland County Planning Department

WHEREAS, the Village of Homer is requesting a bus shelter to be installed at the Homer Recreation Building located at 53 Main Street, Homer, New York, AND

WHEREAS, a single shelter is under the threshold necessary for bidding, but requires three written quotes, AND

WHEREAS, monies received from the Federal 5311 Capital Grant will be used for the purchase of the bus shelter and are in the 2021 budget line A56305.52015, AND

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

Company	Address	Quote
Brasco International, Inc.	32400 Industrial Drive Madison Heights, MI 48071	\$9,675
Austin Mohawk and Company, LLC	2175 Beechgrove Place Utica, NY 13501-1797	\$9,875
Columbia Equipment Company	72 Albany Avenue Freeport, NY 11520	\$15,739

, AND

WHEREAS, the lowest overall responsible quote for a bus shelter was from Brasco International, Inc., of 32400 Industrial Drive, Madison Heights, MI 48071, AND

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

RESOLVED, that the County Administrator, upon review and approval as to form by the County Attorney or designee, is hereby authorized to sign an agreement with Brasco International, Inc., of 32400 Industrial Drive, Madison Heights, MI 48071 for a bus shelter to be delivered to the Village of Homer.

Referred from Judiciary & Public Safety Committee

AGENDA ITEM NO. 22 – 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:	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. 162-21

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. 23 – Amend 2021 Budget/Increase Professional Services for Payment to Outside Attorneys - District Attorney

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

ON MOTION OF PRICE

RESOLUTION NO. 163-21

Amend 2021 Budget/Increase Professional Services for Payment to Outside Attorneys - District Attorney

WHEREAS, Cortland County received final notice of payment due for outside attorneys used for certain Court cases, AND

WHEREAS, the available funds currently in the 2021 budget is \$5,161.96, AND

WHEREAS, an additional amount of \$27,520.43 is needed to pay the balance due, not including monies needed to pay stenographers and any additional outside attorneys which may be required, NOW THEREFORE BE IT

RESOLVED, that the 2021 District Attorney budget be amended as follows:

Account Number:	Account Name:	
Current Revised Budget:	Increase/Decrease:	New Revised Budget:
A11655.54055	Professional Services	
\$45,500	\$45,000	\$90,500
A359900	Appropriated Fund Balance	
	\$45,000	

AGENDA ITEM NO. 24 – Authorizing the Adoption of the 2021 Cortland County NY Hazard Mitigation Plan Update - Department of Emergency Response & Communications

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. 164-21

Authorizing the Adoption of the 2021 Cortland County NY Hazard Mitigation Plan Update - Department of Emergency Response & Communications

WHEREAS, all jurisdictions within Cortland County have exposure to natural hazards that increase the risk to life, property, environment, and the County and local economy, AND

WHEREAS, proactive mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property, AND

WHEREAS, The Disaster Mitigation Act of 2000 (Public Law 106-390) established new

requirements for pre- and post-disaster hazard mitigation programs, AND

WHEREAS, a coalition of Cortland County municipalities with like planning objectives has been formed to pool resources and create consistent mitigation strategies within Cortland County, AND

WHEREAS, Cortland County's draft hazard mitigation plan has been posted to the County's website since December 5, 2020 for public review and comment, AND

WHEREAS, the Assistant Director of Emergency Response has coordinated and facilitated input from all of the municipalities within Cortland County, AND

WHEREAS, the NYS Department of Homeland Security and Emergency Services has approved the draft 2021 Cortland County Hazard Mitigation Plan, AND

WHEREAS, in the interest of clarity of the minutes and agendas of Cortland County the plan can be viewed online at:

<http://www.cortland-co.org/DocumentCenter/View/9335/Cortland-County-Hazard-Mitigation-Plan-DRAFT> as the plan is approximately 1300 pages long, AND

WHEREAS, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy, NOW THEREFORE BE IT

RESOLVED, that the Cortland County:

- 1) Adopts in its entirety, the 2021 Cortland County Hazard Mitigation Plan Update (the "Plan") as the jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions identified in the Plan that pertain to this jurisdiction.
- 2) Will use the adopted and approved portions of the Plan to guide pre- and post-disaster mitigation of the hazards identified.
- 3) Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.
- 4) Will continue its support of the Mitigation Planning Committee as described within the Plan.
- 5) Will help to promote and support the mitigation successes of all participants in this Plan.
- 6) Will incorporate mitigation planning as an integral component of government and partner operations.
- 7) Will provide an update of the Plan no less than every five years

AGENDA ITEM NO. 25 – Authorize Annual Support and Services Agreement with Motorola Solutions for 911 Computer Aided Dispatch Software - 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

Authorize Annual Support and Services Agreement with Motorola Solutions for 911 Computer Aided Dispatch Software - Department of Emergency Response & Communications

WHEREAS, the Cortland County Department of Emergency Response and Communications utilizes the Spillman computer aided dispatch system owned by Motorola Solutions, for the handling of emergency and non-emergency incidents, incident records management, and interfaces with various other computer systems, AND

WHEREAS, Motorola Solutions has agreed to provide professional services for a twelve month period at a base rate of \$110,491.30, AND

WHEREAS, Cortland County Director of Emergency Response & Communications 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. A30205.54015, Maintenance Agreements, 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 Motorola Solutions, for a twelve month term commencing January 1, 2021 and concluding December 31, 2021, for maintenance of the Spillman computer aided dispatching system.

Referred from Government Operations Committee

AGENDA ITEM NO. 26 – Adopt Amended Cortland County Telecommuting/Telework Guidelines and Protocols Policy

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

Adopt Amended Cortland County Telecommuting/Telework Guidelines and Protocols Policy

WHEREAS, the Cortland County Telecommuting/Telework Guidelines and Protocols Policy has been revised and updated to include the need for County Administrator approval, AND

WHEREAS, the amended Telework Policy is intended to supersede the County's current Telework Policy as well as any previously adopted changes to the current policy, AND

WHEREAS, the amended purchasing policy has been reviewed for content by the County Administrator, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby adopts the amended Telecommuting/Telework Guidelines and Protocols Policy, AND BE IT FURTHER

RESOLVED, that this policy will be effective June 25, 2021 for all County departments.

RESULT: PULLED

Next: 7/22/2021 6:00 PM

ON MOTION OF WILSON

RESOLUTION NO.

Adopt of Rules of Order - Cortland County Legislature

WHEREAS, Local Law No. 2 for year 1972, Section 202, Paragraph 5 established that the Cortland County Legislature is empowered to enact rules governing the conduct of the members at its sessions and the manner of transacting business thereat, AND

WHEREAS, County Law Section 153[8] empowers the County Legislature to determine the rules of its own proceedings, AND

WHEREAS, the Cortland County Legislature adopted Resolution No. 391-20 revising said Rules, AND

WHEREAS, the Government Operations Committee has reviewed and approved the recommended changes to the Rules of Order, NOW THEREFORE BE IT

RESOLVED, that the "Rules of Order for the Cortland County Legislature" are hereby adopted, AND BE IT FURTHER

RESOLVED, that all resolutions, which amend, repeal or in any manner affect these rules shall include proper reference to section, subsection or paragraph to maintain an orderly codification of these rules, AND BE IT FURTHER

RESOLVED, that the rules shall be published on the Cortland County website, AND BE IT FURTHER

RESOLVED, that this resolution shall take effect June 25, 2021.

Referred from Finance & Administration Committee

AGENDA ITEM NO. 28 – Authorize County Administrator to Enter into Internship Agreements - County Administrator

RESULT: ADOPTED [UNANIMOUS]

MOVER: George Wagner, Majority Leader

SECONDER: Kelly L. Fairchild-Preston, Legislator

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

ON MOTION OF WAGNER

RESOLUTION NO. 167-21

Authorize County Administrator to Enter into Internship Agreements - County Administrator

WHEREAS, various Cortland County Departments utilize interns to allow interns to obtain training and experience, AND

WHEREAS, there is no monetary cost to the County for providing such training and experience, AND

WHEREAS, the Cortland County Legislature is willing to accept said interns for such purposes,
AND

WHEREAS, it is in the best interest of Cortland County for the County Administrator to have the authority to enter into intern agreements, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee, is hereby authorized to sign agreements for internship placements.

Resolutions

AGENDA ITEM NO. 29 – Authorize the Purchase of the Brewer-Titchner Building for Mental Health

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joseph Nauseef, Legislator
SECONDER:	Cathy Bischoff, 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. 168-21

Authorize the Purchase of the Brewer-Titchner Building for Mental Health

WHEREAS, the County rents the building where the Mental Health Department is located, AND

WHEREAS, it would be in the best interest of the County to purchase a building for the use of the Mental Health Department, NOW THEREFORE BE IT

RESOLVED, that the Legislature approves the purchase of the Brewer-Titchner building, located at 111 Port Watson Street, Cortland, NY 13045, for a cost not to exceed \$50,000.

Executive Session

It was MOVED by Mr. Wagner, seconded by Ms. Bischoff, and unanimously adopted by voice vote of members present, 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. MOTION CARRIED.

An executive session was held from 6:33 p.m. to 6:57 p.m., at which time on motion of Mr. Eccleston, seconded by Ms. Jones, and unanimously approved to exit executive session.

Announcements

Adjourn



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	

Minutes Acceptance: Minutes of May 27, 2021 6:00 PM (Approval of Minutes)

	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.

Minutes Acceptance: Minutes of May 27, 2021 6:00 PM (Approval of Minutes)

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

Minutes Acceptance: Minutes of May 27, 2021 6:00 PM (Approval of Minutes)

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

Minutes Acceptance: Minutes of May 27, 2021 6:00 PM (Approval of Minutes)

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)

Minutes Acceptance: Minutes of May 27, 2021 6:00 PM (Approval of Minutes)

WEST KEENEY RD.

PERSONAL SERVICES	D51125.51005.	7140	\$31,700
EQUIPMENT RENT	D51125.54065.	7140	\$65,000
MATERIALS	D51125.54077.	7140	(\$110,000)
TOTAL			(\$13,300)

EAST RIVER ROAD

PERSONAL SERVICES	D51125.51005.	7142	(\$14,700)
EQUIPMENT RENT	D51125.54065.	7142	(\$15,900)
TOTAL			(\$30,600)

DAISY HOLLOW

PERSONAL SERVICES	D51125.51005.	7123	\$60,000
EQUIPMENT RENT	D51125.54065.	7123	\$75,000
MATERIALS	D51125.54077.	7123	\$215,000
TOTAL			\$350,000

PREBLE RD.

PERSONAL SERVICES	D51125.51005.	7146	\$35,000
EQUIPMENT RENT	D51125.54065.	7146	\$25,000
MATERIALS	D51125.54077.	7146	\$125,000
TOTAL			\$185,000

CRAINS MILLS RD

PERSONAL SERVICES	D51125.51005.	7076	\$35,000
EQUIPMENT RENT	D51125.54065.	7076	\$50,000
MATERIALS	D51125.54077.	7076	\$200,000
TOTAL			\$285,000

HIGHLAND

PERSONAL SERVICES	D51125.51005.	7148	\$25,000
EQUIPMENT RENT	D51125.54065.	7148	\$45,000
MATERIALS	D51125.54077.	7148	\$150,000
TOTAL			\$220,000

PAGE GREEN RD.

MATERIALS	D51125.54077.	7149	\$200,000
TOTAL			\$200,000

HOLD FOR PROJECT ADJUSTMENTS	D51125.54077		\$115,079.62
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GRAND TOTAL			\$ 1,275,983.62
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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

Minutes Acceptance: Minutes of May 27, 2021 6:00 PM (Approval of Minutes)

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

Minutes Acceptance: Minutes of May 27, 2021 6:00 PM (Approval of Minutes)

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

Minutes Acceptance: Minutes of May 27, 2021 6:00 PM (Approval of Minutes)

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

Minutes Acceptance: Minutes of May 27, 2021 6:00 PM (Approval of Minutes)

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

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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

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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

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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

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

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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

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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

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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

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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

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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)

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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

Special Meeting

Legislative Chambers

Cortland, NY 13045

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

~ Minutes ~

Wednesday, June 16, 2021

6:00 PM

Board Room

Salute to the Flag

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	Remote	
Ann Homer	Cortland County, NY	Legislator	Present	
Kevin Fitch	Cortland County, NY	Legislator	Present	
Linda Jones	Cortland County, NY	Legislator	Absent	
Kelly L. Fairchild-Preston	Cortland County, NY	Legislator	Present	
Christopher Newell	Cortland County, NY	Legislator	Remote	
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	

New Business

AGENDA ITEM NO. 1 – Appoint Clerk of the County Legislature

It was MOVED by Mr. Wagner, seconded by Ms. Homer, and unanimously adopted by voice vote of members present, to enter into an executive session to discuss the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation. MOTION CARRIED.

An executive session was held from 6:07 p.m. to 6:41 p.m., at which time on motion of Ms. Homer, seconded by Mr. Fitch, and unanimously approved to exit executive session by voice vote of members present.

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

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

Appoint Clerk of the County Legislature

WHEREAS, §475 (1) of County Law, states the Legislature shall appoint a clerk who shall serve at the pleasure of the board and until a successor is appointed and has qualified, AND

WHEREAS, §57.07 of Arts and Cultural Affairs Law provides for the appointment of a County Historian, AND

WHEREAS, due to the resignation of Eric J. Mulvihill, there is a need to appoint a qualified successor, AND

WHEREAS, the Cortland County Clerk of the Legislature shall also serve as County Historian, County FOIL Officer and County Public Information Officer, NOW THEREFORE BE IT

RESOLVED, that Savannah M. Hempstead be and hereby is appointed Clerk of the County Legislature of Cortland County to serve at the pleasure of this Board and until a successor is appointed and has qualified, at an annual salary of \$57,632 (Grade 7, Step 2 Management Compensation Plan, unclassified) in accordance with the Management/Management Confidential Compensation Employment Policy, effective June 17, 2021 at 12:01 AM.

AGENDA ITEM NO. 2 – Appoint Cortland County Attorney

RESULT:	ADOPTED [14 TO 2]
MOVER:	Paul Heider, Chairman
SECONDER:	Ann Homer, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Stock, Homer, Fairchild-Preston, Newell, Waldbauer, Price, Wagner, Heider, Eccleston
NAYS:	Kevin Fitch, Joseph Nauseef
ABSENT:	Linda Jones

Appoint Cortland County Attorney

WHEREAS, County Law, Section 500 requires the appointment of a County Attorney, AND

WHEREAS, in accordance with the Cortland County Legislature Rules of Order, Article II Organization Section 2 (D) (ii) says the term of office of the County Attorney shall run concurrent with the elected members of the Legislature, AND

WHEREAS, due to the resignation of Karen L. Howe, there is a need to appoint a qualified successor, NOW THEREFORE BE IT

RESOLVED, that Francis J. Casullo be and hereby is appointed County Attorney to serve during the tenure of this Board at an annual salary of \$83,683 (Grade 1, Step 1 Management Compensation Plan, exempt) in accordance with the Management/Management Confidential Compensation Employment Policy, effective July 1, 2021 at 12:01 AM, AND BE IT FURTHER

RESOLVED, that the County Attorney shall be the legal advisor to the Cortland County Legislature and every officer whose compensation is paid from County funds, in all matters involving an official act of a civil nature, AND BE IT FURTHER

RESOLVED, that the County Attorney shall prosecute and defend all civil actions and proceedings brought by or against the County, the Cortland County Legislature, and any official act, except as provided by County Law, AND BE IT FURTHER

RESOLVED, that all expenses and disbursements incurred by the County Attorney in the performance of any of the above duties shall be paid by the County, subject to audit.

Adjourn

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

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;

Dianna Claflin, Probation Department – 33 years of service
 Donna Johnson, Assigned Counsel – 12 years of service
 Maureen Spann, Department of Social Services – 13 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 begin this exciting new chapter in their lives.

Signed on the 24th day of June, 2021.

 Paul Heider, Chair
 Cortland County Legislature

Agricultural & Farmland Protection Board – June 2021				
Peter Knapp	Farmer	7125 Song Lake Road Tully, NY 13159 (Town of Preble)	12/31/2022	4 years
Gerald Craig	Farmer	4199 NYS Route 41 McGraw, NY 13101	12/31/2021	4 years
William Weddle	Farmer	5249 State Route 281 Homer, NY 13077	12/31/2024	4 years
Vacant				4 years
David Brandstadt	Agribusiness Rep.	1166 Albro Road Marathon, NY 13803	12/31/2023	4 years
Erin Madden	Rep. of Agri & Pres./Farm Service Agency	1 North Main Street Cortland, NY 13045	12/31/2021	4 years
Chris Newell	Legislative Rep.	4446 Cosmos Hill Road Cortland, NY 13045	12/31/2023	Term
Dana Havas	Cooperative Extension	60 Central Avenue Cortland, NY 13045	12/31/2023	4 years
Trisha Jesset	County Planning Board Director - ex-officio w/ vote	60 Central Avenue Cortland, NY 13045	Duration of term	Term
Laura Fox	County Director of Real Prop. Tax Services - ex- officio w/ vote	60 Central Avenue Cortland, NY 13045	Duration of term	Term
Eugene Wright	Chair of Soil & Water Dist. Board of Directors - ex- officio w/ vote	5155 Brake Hill Road Homer, NY 13077	Duration of term	Term



SURE TEMP

COMPANY, INC.

HEATING • AIR CONDITIONING • REFRIGERATION

Planned Maintenance Agreement

Proposal for:

**Cortland County Building and Grounds
60 Central Avenue
Cortland, NY 13045**

Covered Facility Site:

**Cortland Repertory Theatre
6799 Little York Lake Road
Preble, NY 13141**

Sure Temp Co., Inc.

**43-47 Lake Avenue
Binghamton, NY 13905
Phone: 607-729-6800
Fax: 607-797-5943**

6/3/2021



Sure Temp Co., Inc. would like to thank Cortland Repertory Theatre for this opportunity to propose the following custom-tailored mechanical maintenance solution for your heating, ventilation, air conditioning and refrigeration (HVACR) equipment.

Benefits of Planned Services

The Planned Services Maintenance Agreement you are about to review is the optimum choice for Cortland Repertory Theatre to maintain its HVAC equipment operation at peak efficiency. This program is customized to meet all of the unique requirements of your specific HVAC equipment. Cortland Repertory Theatre will experience many benefits from a well-designed and implemented Planned Services Maintenance Agreement such as the one we are offering here.

Sure Temp Co., Inc.'s maintenance program is designed to help you reduce the cost of operating and maintaining your HVAC systems. Studies have shown that our type of maintenance program can help you:

- **Avoid expensive downtime, employee productivity losses, or tenant turnover**
- **Avoid utility waste costs by up to 5-20%**
- **Extend the useful life of your equipment by 20% or more**
- **Reduce administrative costs associated with managing HVAC services**

Our goal is to help you control your overall maintenance costs via an optimum blend of predictive, diagnostic, and scheduled maintenance services. With this Planned Services Maintenance Agreement, Cortland Repertory Theatre will receive the following benefits:

Energy Dollar Savings

Planned Services keep Cortland Repertory Theatre's equipment in peak operating condition, thereby reducing energy consumption. Our program will provide the proper maintenance procedures such as cleaning all heat transfer surfaces and calibrating your equipment to operate at peak performance.

Operating Cost Savings

Our program will save you money! As we implement this Planned Services Maintenance Agreement, system efficiency is returned to an optimum level, and operating costs and productivity losses are reduced to a minimum.

Elimination of Expensive Down Time

Properly functioning equipment means money in your pocket. This Planned Services Maintenance Agreement provides the manufacturer's recommended maintenance procedures for your equipment on a predetermined schedule. Our program reduces equipment failures and costly equipment downtime while increasing employee productivity.



Extended Equipment Life

Planned maintenance keeps your equipment in optimum condition. This maintenance program is custom tailored to increase the life expectancy of your equipment over that of improperly maintained equipment. This results in the deferral of costly replacement expenditures.

Improved Indoor Air Quality

This program is designed to allow your equipment to operate within the original design environmental specifications they were engineered to provide. The first line of defense against possible perceived or real environmental complaints is proof of a verifiable maintenance program that provides for proper ventilation, filter changes, and comfort control. Our program will help you meet these challenges while providing an environment that is healthy for your tenants.

Increased Comfort Control

Consistent comfort control keeps your tenants happy, which studies have shown increases productivity levels to peak performance.

Air Filter Maintenance

Included in your program are (1) air filter changes per year unless otherwise stated. Sure Temp Co., Inc. will provide the labor, materials, and disposal of the used filters.

Scheduled Inspections

Sure Temp Co., Inc. will provide 1 Annual (comprehensive) and 0 Operational inspections per. The manufacturer's recommendations, equipment application, and our extensive experience determine the maintenance procedures, which our technicians precisely follow. Our program includes all maintenance materials, gaskets, oils, and lubricants required to perform these procedures. Also included is replacement of any belts that are found to be worn or broken.

Emergency and Trouble Call Coverage

Even with the comprehensive care provided in this program, occasional failures can occur. This contract includes maintenance labor and materials only. Terms and conditions apply. Under this Agreement, we will provide emergency response between scheduled visits, Monday through Sunday, including holidays, 24 hours per day to minimize downtime. The costs of emergency service labor and materials outside of normal business hours is not included in the cost of the program. Emergency repairs labor will be invoiced at standard prevailing rates less 10% contract discount.

Service Documentation

We will document all scheduled and unscheduled service work showing the time, date, name of service technician, equipment identification, and brief description of work. This documentation will be made available upon request.



List of Maintained Equipment

The following HVAC equipment and services were identified during our survey and will be covered as a part of Cortland Repertory Theatre's Planned Services Maintenance Agreement.

Equipment Type	Description	Qty	Model	Serial Number
Mini-Split	OUTDOOR UNIT	1	MUYD36NA	7000670T
Mini-Split	OUTDOOR UNIT	1	MUYD36NA	8000536T
Mini-Split	OUTDOOR UNIT	1	MUYD36NA	8000532T
Mini-Split	OUTDOOR UNIT	1	MUYD36NA	8000533T
Mini-Split	OUTDOOR UNIT	1	MUYD36NA	9200100T
Mini-Split	OUTDOOR UNIT	1	MUYD36NA	8003009T
Mini-Split	INDOOR UNIT	1	MSYD36NA	9000186T
Mini-Split	INDOOR UNIT	1	MSYD36NA	9000278T
Mini-Split	INDOOR UNIT	1	MSYD36NA	9000285T
Mini-Split	INDOOR UNIT	1	MSYD36NA	9000301T
Mini-Split	INDOOR UNIT	1	MSYD36NA	9000587T
Mini-Split	INDOOR UNIT	1	MSYD36NA	9000776T
Mini-Split	OUTDOOR UNIT	1	MUYGL12NA	96C01967
Mini-Split	OUTDOOR UNIT	1	MUYGL12NA	96C01977
Mini-Split	OUTDOOR UNIT	1	MUYGL12NA	96C02034
Mini-Split	INDOOR UNIT	1	MSYGL12NA	97E07227
Mini-Split	INDOOR UNIT	1	MSYGL12NA	97E07232
Mini-Split	INDOOR UNIT	1	MSYGL12NA	97E07237

The covered equipment is located at:

Cortland Repertory Theatre
 6799 Little York Lake Road
 Preble, NY 13141



Your Planned Services Annual Investment is \$2,266.16

This Planned Services Maintenance Agreement will be for an original term of 5 year(s), beginning on 6/15/2021. At the end of the original term of this Agreement, the program will automatically renew from year to year. Either party may terminate this Agreement with written notice forty-five (45) days before the end of the renewal term. Cortland Repertory Theatre's annual investment in this program is shown below:

TERM	PRICE	% ADJUSTMENTS
Year 1	\$2,266.16	
Year 2	\$2,334.14	3%
Year 3	\$2,404.17	3%
Year 4	\$2,476.29	3%
Year 5	\$2,550.58	3%

PLEASE CHECK PAYMENT OPTION BOX:

- ☐ PREPAYMENT IN FULL, REFLECTING 2% DISCOUNT
☐ QUARTERLY
☐ MONTHLY
☐ OTHER (specify) _____

The annual Agreement prices shown above can only be adjusted if equipment is added to or deleted from the original Agreement. Payment terms will be thirty (30) days after date of invoice. Sure Temp Co., Inc. reserves the right to discontinue its service anytime payments have not been made as agreed. Failure to make payments when due or impairment of customer's credit shall relieve Sure Temp Co., Inc. of any and all obligations pertaining to work or performance of work. All past due invoices are subject to finance fees of 1.5% per month. All returned checks are subject to a \$20 service fee. We would appreciate your signature in the space provided below as your acceptance of this Agreement. By signing below, you agree to the terms of this agreement and it is deemed a valid contract. The undersigned guarantees they are authorized to approve contracts.

Terms and Conditions

- A. Planned and/or routine maintenance services provided under this Agreement will be performed during normal working hours.
- B. The guarantees and services provided under the scope of this Agreement are conditioned upon operating and maintaining systems/equipment. Cortland Repertory Theatre will do so according to industry accepted practices and in consideration of our recommendations.
- C. Cortland Repertory Theatre will provide and permit reasonable access to all covered equipment. Sure Temp Co., Inc. will be allowed to start and stop equipment as necessary to perform its services and be permitted use of existing facilities and building services.
- D. This proposal assumes that all pieces of equipment are in proper operating condition. Sure Temp Co., Inc. shall inspect and report to Cortland Repertory Theatre any malfunctions and defects within thirty (30) days after commencement of the contract. If the equipment cannot be operated within the thirty (30) day period due to seasonal conditions or other factors beyond our control, the period for initial

Sure Temp Co., Inc.

Customer Initial _____



inspection will be extended for a mutually agreed upon period. Upon completion of the inspection, it shall be the responsibility of Sure Temp Co., Inc. to make recommendations and to assist Cortland Repertory Theatre in restoring the equipment to proper operating condition. However, all of the restoration costs shall be borne by Cortland Repertory Theatre unless otherwise stated in this proposal. Any piece of covered equipment will be excluded from liability if the reported recommendations from the inspection are not accepted and repair work not performed.

- E. It is agreed that the repair, replacement, and emergency service provisions apply only to the functional internal components and parts of equipment listed in Appendix A. Repair and replacement of unserviceable portions, such as duct work, furnace heat exchangers, shell and tube heat exchangers, all diffusers, cabinetry, inter-connecting piping, main power service and electrical distribution system, valve bodies, coils, pipe insulation, glycol, storage tanks, piping systems, structural supports, etc. are excluded. In the case of refrigeration system(s) such as walk-in boxes, reach-in boxes, etc., this Agreement does not include the repair or replacement of hardware such as door handles, closing mechanisms, or related parts. In no case shall Sure Temp Co., Inc. include repair or replacement of door, cabinet, or door/cabinet gaskets. All repairs will be invoiced at standard prevailing rates less 10% contract discount. No repairs will be made without prior approval from Cortland Repertory Theatre authorized person.
- F. Any repairs or services resulting from power failures, freezing, roof leaks through curbs or equipment, or air side corrosion will be paid for by Cortland Repertory Theatre in accordance with Sure Temp Co., Inc.'s currently established rates.
- G. In the unlikely event of failure to perform its obligations, Sure Temp Co., Inc.'s liability is limited to repair or replacement, at its option, and such shall be Cortland Repertory Theatre's sole remedy. Under no circumstances will Sure Temp Co., Inc. be responsible for loss of use, loss of profits, increased operating or maintenance expense, claims of Cortland Repertory Theatre's tenants or clients, or any special, indirect, or consequential damages.
- H. The Agreement does not include responsibility for system design deficiencies, such as, but not limited to, poor air distribution, water flow imbalances, etc. It does not include responsibility for system, equipment, and component obsolescence, electrical failures, unserviceable equipment, and operating the system(s).
- I. Sure Temp Co., Inc. will not be liable for delays or failure to obligate due to fire, flood, strike, lockout, freezing, unavailability of material, riots, acts of God, or any cause beyond reasonable control.
- J. Sure Temp Co., Inc. is not responsible for the removal or disposal of any hazardous materials or any cost associated with these materials unless otherwise noted in this Agreement.
- K. The Agreement does not include repairing any damage resulting from improper/inadequate water treatment or filter service not supplied by Sure Temp Co., Inc.
- L. This Agreement does not include any services occasioned by improper operation, negligence, vandalism, alterations or modifications, abuse or misuse, or repairs to equipment not performed by Sure Temp Co., Inc. Also excluded is the furnishing of materials and supplies for painting or refurbishing equipment.
- M. Sure Temp Co., Inc. shall not be required to furnish any items of equipment, labor, or make special tests recommended or required by insurance companies, Federal, State, Municipal, or other authorities except as otherwise included in this Agreement.
- N. This Agreement does not include the cleaning of any air passages, grilles, or air balancing of systems.
- O. In the event either party must commence a legal action in order to enforce any rights under this contract, the successful party shall be entitled to all court costs and reasonable attorney's fees as determined by the court for prosecuting and defending the claim, as the case may be.

Sure Temp Co., Inc.

Customer Initial _____



- P. Sure Temp Co., Inc. shall not be liable for the operation of the equipment nor for injuries to persons or damage to property, except those directly due to the negligent acts or omissions of its employees, and in no event shall it be liable for consequential or speculative damages. It shall not be liable for expense incurred in removing, replacing, or refinishing any part of the building structure necessary to the execution of this Agreement. It shall not be held liable for any loss by reason of strikes or labor troubles affecting its employees who perform the service called for herein, delays in transportation, delays caused by priority or preference rating, orders or regulations established by any government authority, unusual delays in procuring supplies, or for any other cause beyond its reasonable control.
- Q. Only Sure Temp Co., Inc.'s personnel or agent are authorized to perform the work included in the scope of this Agreement. Sure Temp Co., Inc. may, at its option, cancel or waive its obligations under this Agreement should non-authorized individuals perform such work.
- R. This Agreement and all rights hereunder shall not be assignable unless approved by Sure Temp Co., Inc.
- S. In the event of additional freight, labor, or material costs resulting from Cortland Repertory Theatre's request to avoid delays with respect to the equipment warranties, or accelerated delivery of parts and supplies, Cortland Repertory Theatre agrees to pay these additional costs at Sure Temp Co., Inc.'s currently established rates.
- T. Sure Temp Co., Inc.'s scope of work shall not include the identification, detection, abatement, encapsulation, or removal of asbestos or products or materials containing asbestos or similar hazardous substances. In the event Sure Temp Co., Inc. encounters such material in performing its work, Sure Temp Co., Inc. will have the right to discontinue work and remove its employees until the hazard is corrected or it is determined no hazard exists.
- U. This Agreement contains the entire Contract and the parties hereby agree that this Agreement has been agreed to and the entire Agreement is then accepted and approved by an authorized person for both parties. No statement, remarks, agreement, or understanding, oral or written, not contained herein, will be recognized or enforced.
- V. Cortland Repertory Theatre agrees that in the event that there shall have been passed a federal and/or state law which shall compel Sure Temp Co. Inc. to contribute to a federal and/or state health plan for its employees, then the terms of this Agreement shall be subject to adjustment. Contract adjustment would reflect the cost of such mandated contributions and offset the cost of performing this contract.
- W. Cortland Repertory Theatre agrees that in the event that there shall have been passed a federal and/or state law which shall compel Sure Temp Co., Inc. to contribute to a federal and/or state health plan for its employees, then the terms of this Agreement shall be subject to adjustment. Contract adjustment would reflect the cost of such mandated contributions and offset Sure Temp Co., Inc.'s cost of performing this contract.
- X. Cortland Repertory Theatre acknowledges and agrees that any purchase order issued in accordance with this Agreement, is intended only to establish payment authority for internal accounting purposes. No purchase order shall be considered to be a counteroffer, amendment, modification, or other revision to the terms of this Agreement. No term or condition included in the purchase order will have any force or effect.
- Y. Should the contract be canceled, Cortland Repertory Theatre shall pay Sure Temp Co., Inc. 25% of the annual price in addition to any previous amount paid.

PROPOSAL DATE: JUNE 3, 2021

Sure Temp Co., Inc.

Customer Initial _____

**CUSTOMER ACCEPTANCE****ACCEPTED BY:****PRINTED NAME:****TITLE:****DATE:****P.O. #:****SURE TEMP CO., INC. ACCEPTANCE****ACCEPTED BY:****TITLE:****DATE:**

CORTLAND COUNTY, NEW YORK

BID # 1: FOOD

FOR QUESTIONS: CALL (607) 753-5060

*NE = Not Equivalent

ALL DELIVERIES TO ARRIVE BETWEEN 7 AM AND 12 NOON

INCLUSIVE DATES: JULY 1, 2021 - SEPT 30, 2021

FOOD

ITEM #	PRODUCT DESCRIPTION	SIZE/GRADE *or Equivalent		WAFFLE WAFFLE DBA HAPPI FOODI NO BID	GINSBURG	RENZI FOOD SVC	SMITH PACKING	BID AWARD
MEAT / FISH								
1	Bacon - Single slice Layout cntry 18/22	HORMEL 15#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$89.50 HORMEL 1/ 15# 53375	\$90.40 HORMEL 18/22 ct 1/ 15# 18071	\$75.00 HATFIELD - *NE 1/ 15# 2001926	GINSBURG
2	Beef - Cubes (Stew Beef) Full Muscle FROZEN	Choice 10#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$39.65 PACKER LABEL 2/ 5# 58212	\$4.18 / # PACKER 2/ 5# 14019	\$4.19 / # SMITH 1/ 10# AVG 1507020	GINSBURG
3	Beef - Top Round of Beef	State Price/ # Choice	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$3.69 / # IBP 3/ 24# CW 59360	\$3.67 / # PACKER 3/ 22# AVG 12100	\$3.69 / # CHOICE 3/ 25# AVG 1500003	RENZI
4	Beef - Bottom Round Gooseneck	State Price/ # Choice	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$3.25 / # IBP 3/ 24# CW 59325	\$3.21 / # IBP 4/ 15# AVG 12197	\$3.09 / # IBP 4/ 17# AVG 1500047	SMITH
5	Beef - Brisket	Choice 5/ 12#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$4.99 / # IBP 5/ 12# CW 59220	\$5.31 / # GREATER OMAHA 5/ 14# AVG 12130	\$5.09 / # PACKER 5/ 14# AVG 1500444	GINSBURG
6	Beef - Corned Beef Rounds - Cooked	State Price/ # Choice	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$6.14 / # NATION'S BEST 3/ 6# CW 54700	\$4.75 / # ELITE 2/ 6# AVG 22027	\$5.19 / # FREIRICH 2/ 6# AVG 1520105	RENZI
7	Beef - Creamed Chipped	STOUFFER'S 48/ cs	PRICE BRAND SIZE/UNITS PRODUCT #	NB	NB	\$66.75 STOUFFER'S 4/ 76 oz 35150	\$68.85 STOUFFER'S 4/ 76 oz 5014061 - SPEC ORD	RENZI
8	Beef - Dry Chipped	5#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	NB	\$58.50 HORMEL 1/ 3# AVG 17136	NB	RENZI
9	Beef - Ground Beef Patties 85% lean, 15% fat To yield 2.5 oz Meat Product	Choice 40/ 4 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$30.75 SCHWEID & SONS 40/ 4 oz 55664	\$31.62 SCHWEID & SONS 40/ 4 oz 11122	NB	GINSBURG
10	Beef - Ground Beef 80% Lean, 20% Fat	Choice 60#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$2.99 / # RANGELINE 8/ 10# CW 55952	\$2.62 / # GREATER OMAHA 12/ 5# 14026	\$2.84 / # PACKER 6-8/ 10# 1511024 FROZEN	RENZI

Attachment: JULY 1-SEPT 30 2021 - FOOD BID (158-21 : Accept Bids and Authorize Purchase of

CORTLAND COUNTY, NEW YORK
BID #1: FOOD

FOR QUESTIONS: CALL (607) 753-5060
ALL DELIVERIES TO ARRIVE BETWEEN 7 AM AND 12 NOON

***NE = Not Equivalent**

INCLUSIVE DATES: JULY 1, 2021 - SEPT 30, 2021

FOOD

ITEM #	PRODUCT DESCRIPTION	SIZE/GRADE *or Equivalent		WAFFLE WAFFLE DBA HAPPI FOOD! NO BID	GINSBERG	RENZI FOOD SVC	SMITH PACKING	BID AWARD
11	Beef - Salisbury Steak - 4 oz each To yield 2.5 oz Meat Product	4 oz/ 10# box	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$43.95 MAIDRITE 40/ 4 oz 57795	NB	NB	GINSBERG
12	Beef - Liver Frozen 4 oz serving size	4 oz/ 10# box	PRICE, BRAND SIZE/UNITS PRODUCT #	NB	\$26.50 MAIDRITE 40/ 4 oz 56142	\$24.85 PACKER 40/ 4 oz 33051	NB	RENZI
13	Chicken - Fresh, Breast, Random, Jumbo	13-22 oz; 4/10#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	NB	\$91.76 PACKER 4/ 10# 73075	\$120.00 PACKER 4/ 10# 2502951	RENZI
14	Chicken - Breast - Boneless Filet Ovenable - Breaded	3.5-4 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$33.85 RED LABEL 2/ 5# 3.5 oz 54159	\$32.55 TYSON 40/ 4 oz 55030	\$34.50 TYSON 46/ 3.5 oz 2504913	RENZI
15	Chicken - Breast Boneless-Skinless (B/S) Frozen 4 oz	4 oz/ 20#/ cs	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$43.30 HARVESTLAND 40/ 4 oz (10#) 53808	\$2.30 / # AGRO 4/ 10# 33159	\$2.54 / # AGROSUPER 4/ 10# 2502107	RENZI
16	Chicken - Thighs B/S	40# box	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$81.50 PACKER 4/ 10# 59544	\$69.50 PACKER 4/ 10# 73030	\$76.00 PACKER 1/ 40# 2502986 - SPEC ORD	RENZI
17	Chicken - Nuggets, Cooked, White Meat	250/ 0.68 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$59.29 TYSON WG 32# 92676	\$19.75 TYSON WG 250/ .68 oz 55068	\$23.50 KOCH 220/ .62 oz/ 2 5# 2504937	GINSBERG & RENZI
18	Chicken - Patties - White Meat, Cooked, Breaded, 4 oz. Oven-Ready To yield 2.5 oz. Meat Product	TYSON* 60/ 4 oz/ cs	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$59.99 TYSON WG 32# (3.54 oz each) 92678	\$35.99 TYSON 40/ 4 oz 90044	\$38.50 GARIMARK/BRAKEBUSH-*NE 40/ 4 oz 2504559	GINSBERG
19	Chicken - Legs - FROZEN	60 pcs/ 31#/ cs	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$75.25 TYSON 150/ 3.49 oz 53772	\$28.50 PACKER 4/ 10# 73045	\$38.00 PACKER 1/ 40# 2502971	RENZI
20	Chicken - Pulled Pulled Dark/White mixed	TYSON* 10#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$42.65 TYSON 2/ 5# 54655	\$37.90 TYSON 2/ 5# 55018	NB	RENZI

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FOOD

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21	Chicken - Diced, Cooked FROZEN	TYSON* 20#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$39.75 TYSON 2/ 5# 54633	\$34.45 TYSON 2/ 5# 10246	NB	RENZI
22	Crab Meat - Artificial (Pollack)	6/ 5#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$79.25 ENTERPRISE 12/ 2.5# 41234	\$21.94 PACKER 4/ 2.5# 39187	\$1.84 / # GOLDEN PHOENIX 12/ 2.5# 3006025	SMITH
23	Fish - Breaded Alaska Pollack - 4 oz. Triangle, Pre-Cooked Krispy/Krunchy	10#/ cs	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$89.95 VIKING 20# cs (3.6 oz) 41091	\$35.50 HIGHLINER 53/ 3 oz 10262	\$34.90 CAPTAIN Z 40/4oz Rectangle- *NE 3006163	RENZI
24	Fish - Lemon Pepper Oven-Ready	2.5 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$49.75 FPI 40/ 4 oz 41098	NB	NB	GINSBERG
25	Fish - Unbreaded White Fish- 4 oz. Square , Oven-Ready To yield 2.5 oz. Fish Product	4 oz/ 10#/ cs	PRICE BRAND SIZE/UNITS PRODUCT #	NB	NB	NB	\$49.90 ARCTIC (HADDOCK) 40/ 4 oz 7534123	SMITH
26	Ham - BRT (BONED/ROLLED/TIED) Fresh	State Price/ # Choice	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$2.35 / # AMITY 2/ 13# CW 55515	\$3.88 / # PACKER 2/ 11# AVG 17081	\$3.09 / # HATFIELD 2/ 14# AVG 2006001	GINSBERG
27	Ham - BRT (BONED/ROLLED/TIED) Fresh LOW SODIUM	State Price/ # Choice	PRICE BRAND SIZE/UNITS PRODUCT #	NB	NB	NB	NB	NB
28	Ham - Cooked, Boneless, Tavern - Full Muscle, No more than 10% water added, Min. 90% fat free	State Price/ #	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$2.95 / # SUPERIOR 4/ 14# CW 55195	\$2.85 / # SUPERIOR 4/ 15# AVG 19064	\$2.74 / # SUPERIOR 4/15# AVG 2003030	SMITH
29	Ham - Cooked, Boneless, Tavern - Full Muscle, No more than 10% water added, Min. 90% fat free LOW SODIUM	State Price/ #	PRICE BRAND SIZE/UNITS PRODUCT #	NB	NB	\$4.15 / # SMITHFIELD 4/ 6.5# 19117 Supplier Allocation	NB	RENZI
30	Ham - Buffet Style Slicing Ham	HORMEL* 10# Avg	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$3.79 / # HORMEL 1/ 12# CW 53213	\$3.15 / # HORMEL 2/ 10# AVG 19155	\$3.59 / # SUPERIOR- *NE 2/ 8-10# AVG 2003010	RENZI

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FOOD

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31	Ham - Buffet Style Slicing Ham LOW SODIUM	HORMEL* 10# Avg	PRICE BRAND SIZE/UNITS PRODUCT #	NB	NB	NB	NB	NB
32	Hot Dogs - Hofmann (6/1#)	HOFMANN 10#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$26.10 SUGARDALE - *NE 2/ 5# 54920	\$45.50 HOFMANN 2/ 5# 23115	\$4.99 / # HOFMANN 1/ 10# AVG 5005007	RENZI
33	Hot Dogs - 8/1# All Beef	ALL BEEF 10# cs	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$27.90 FARMLAND 1/ 10# 54890	\$30.25 FARMLAND ALL BEEF 80/ 2 oz 23080	\$3.59 / # HONEST JOHN'S 2/ 6# 5001028	GINSBURG
34	Meatballs	ROSINA* 1 oz / 10#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$31.95 CASA MIA - *NE 2/ 5# 56415	\$42.15 ROSINA 160/ 1 oz 35260	\$40.75 FONTANINI *-NE 160 / 1 oz 5082277	RENZI
35	Pork Loins - 4 oz ea.- FRESH	FRESH 6/ 9#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	NB	\$1.97 / # PACKER 6/ 8.8# AVG 15171	\$2.14 / # PACKER 6/ 8# AVG 2006045	RENZI
36	Salmon - Canned	6/ 66 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	NB	\$99.50 CHICKEN OF THE SEA 6/ 64 oz 30029 - SPEC ORDER	NB	RENZI
37	Sausage - Patties - Cooked Breakfast style - 2 oz	2 oz/ 10#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$25.75 EMBER 1/ 10# 57131	\$37.06 HATFIELD 2/ 5# 14148	\$2.79 / # EMBER 80/ 2 oz 1003532	GINSBURG
38	Sausage - Sweet Italian - Links Uncooked	4oz uncooked/ 10#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$64.00 HATFIELD (2/ 10#) 133/ 2.38 oz uncooked 57140	NB	\$2.89 / # REGIONAL 40/ 4 oz uncooked 98020027	SMITH
39	Sausage - Sweet Italian - Rope	10#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$28.50 D'YULIO 1/ 10# 57345	\$62.40 HATFIELD 2/ 10# 14091	\$2.79 / # REGIONAL 2/ 5# 1000390	SMITH
40	Sausage - Italian - Bulk	10# Tube	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$28.75 D'YULIO 2/ 5# 57469	\$62.40 HATFIELD 4/ 5# 14157	\$2.79 / # REGIONAL 2/ 5# 1000395	SMITH

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FOOD

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41	Tuna - Light, Water Pack Chunk Light & Dark DUTCHESS NOT ACCEPTED	Not DUTCHESS 6/ 66 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$48.50 PACKER LABEL 6/ 66.5 oz 42590	\$39.75 PACKER 6/ 66.5 oz 64025	\$41.88 DOLLY 6/ 66.5 oz 3000389	RENZI
42	Turkey - Roast - white and dark meat BRT NO DELI TURKEY	State Price/ #	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$2.84 / # BUTTERBALL 2/ 9# CW 58520	\$3.92 / # JENNIE-O 4/ 11# AVG UPC 2403 - SPEC ORD	NB	GINSBURG
43	Turkey - Whole, Raw	State Price/ # 2/ cs	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$1.69 / # PACKER LABEL 2/ cs/ CW 58400	\$1.55 / # PACKER 2ct 22/24# AVG 52030	\$1.54 / # NORBEST 2/ 20-22# AVG 2513035	SMITH & RENZI
44	Turkey - Burger - white meat Frozen	Butterball, Jennie-O, Purdue 40/ 4 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$32.30 BUTTERBALL 40/ 4 oz 58779	\$27.50 JENNIE-O 40/ 4 oz 54186	NB	RENZI
45	Turkey - Ground Coarse 85%-15% Frozen	Butterball* 2/ 10#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$30.39 BUTTERBALL 2/ 10# 58800	\$40.90 JENNIE-O *NE 4/ 5# 90/10 GF 52204	NB	GINSBURG
46	Veal - Patties- Breaded 4 oz, Oven-ready To yield 2.5 oz Meat Product	40/ 4 oz/ 10# cs	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$33.89 MAIDRITE 40/ 4 oz 58900	\$36.00 MAID RITE 40/ 4 oz 33030	NB	GINSBURG
CHEESE / DAIRY								
47	Cheese - American - 5# White SLICED	6/ 5# or 4/ 5#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$49.50 GREAT LAKES 4/ 5# 22942	\$56.71 GREAT LAKES 4/ 5# 160ct 25038	\$82.50 HILLDALE 6/ 5# 4500023	GINSBURG
48	Cheese - Cheddar White Sharp	10# brick	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$3.99 / # GREAT LAKES 1/ 10# CW 23279	\$3.62 / # GREAT LAKES 1/ 10# 25052	NB	RENZI
49	Cheese - Cheddar - Shredded White Sharp	5#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$62.09 GREAT LAKES 4/ 5# 23351	\$3.35 / # GREAT LAKES 4/ 5# 25042	NB	GINSBURG
50	Cheese - Cheddar - Feather Shredded Yellow Sharp Refrigerated	4/ 5#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$62.00 GREAT LAKES 4/ 5# 23350	\$58.60 GREAT LAKES 4/ 5# 25044	NB	RENZI

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51	Cheese - Cottage Cheese - Small Curd 1% Milk Fat Refrigerated	2/ 5#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$43.99 CABOT 6/ 5# 4% 23652	\$30.84 HOOD 4/ 5# 25117	NB	GINSBERG
52	Cheese - Swiss Cheese Loaf	10# brick	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$4.29 / # VALIO 2/ 12# CW 24540	\$3.17 / # GREAT LAKES 2/ 8# AVG 25076	\$3.69 / # PACKER 6/ 8# AVG 4500110	RENZI
53	Eggs - Liquid - Frozen PASTEURIZED Broken and ready	6/ 5#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$59.95 PAPETTI'S 6/ 5# 25026	\$52.53 MICHAELS 6/ 5# 27056	\$38.50 FRESH START OR NEWBURG 15/ 2# 4555100	SMITH
54	Eggs - Fresh - MEDIUM	MED/ 30 dz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$29.95 WEEKLY*NE ESBENSHADE 30 dz 24860	\$32.63 BLACK RIVER FARMS 30 dz 28028	NB	RENZI
55	Eggs - Hard Boiled - Whole Pillow Packed Table Ready Dry Packed, Refrigerated	PAPETTI'S 12/ 12 ct	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$37.95 PAPETTI'S 12/ 12 ct 25046	\$35.84 PAPETTI'S 12/ 12 ct 28000	NB	RENZI
56	Gogurt		PRICE BRAND SIZE/UNITS PRODUCT #	NB	NB	NB	NB	NB
57	Mozzarella Cheese - Loaf	8/ 6#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$2.65 / # DRAGONE 8/ 6# CW 23975	\$2.90 / # CORTONA 8/ 6# 25132	\$2.94 / # SORRENTO 8/ 5# AVG 4500050	GINSBERG
58	Mozzarella Cheese - Shredded	4/ 5#/ 20# cs	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$57.25 GREAT LAKES 4/ 5# 24040	\$57.00 CORTONA 4/ 5# 25155	\$3.09 / # SORRENTO 6/ 5# 4500107	RENZI
59	Mozzarella Cheese - String 1 oz Individually Wrapped Refrigerated	160-168/ 10#cs	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$44.10 BONGARDS RF 168/ 1 oz 402994	\$45.30 LOL 168/ 1 oz 25102	NB	GINSBERG
60	Margarine	30/ 1#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$36.75 ADMIRATION 30/ 1# 25370	\$26.77 PACKER 30/ 1# 29088	\$25.75 MIKE'S 30/ 1# 4501000	SMITH

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61	Parmesan Cheese - Grated - 5#	5#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$39.10 GREAT LAKES 2/ 5# 24320	\$62.80 SPECIALE 4/ 5# 25330	\$3.20 / # PISA 1/ 5# 4500335-E	RENZI
62	Parmesan Cheese - Grated - 1#	1#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$20.00 GREAT LAKES 1/ 5# 24320	NB	NB	GINSBURG
63	Ice Cream - Dixie Cups Van-Choc-Strawberry	4 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$19.95 BLUE BUNNY (48/ 4 oz) VAN=26351, CHOC=26352, STRAW=26354	\$8.04 BYRNE DAIRY (24/ 4 oz) VAN=71011, CHOC=71012 STRAW=71013	NB	V - RENZI C - RENZI S - RENZI
64	Ice Cream - Tubs Van-Choc-Strawberry	3 gal. tubs	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$16.95 HOOD (1/ 3 gal) VAN=26232, CHOC=26211 STRAW=26224	V&C \$15.99, STRAW \$22.43 MIGHTY FINE (1/ 3 gal) VAN=71005, CHOC=71010 STRAW=71015	NB	V - RENZI C - RENZI S - GINSBURG
FROZEN								
65	Broccoli - Cuts - Frozen	GRADE A 20# bulk	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$22.94 NON-PARIEL 12/ 2.5# 95407	\$13.40 PACKER 1/ 20# 45131	\$14.95 REGAL 1/ 20# 4020010	RENZI
66	Broccoli - Florets - Frozen	GRADE A 20# bulk	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$20.69 REGAL 12/ 2# 95430	\$19.45 PACKER 1/ 20# 45279	\$20.68 REGAL 12/ 2# 4021003	GINSBURG & SMITH
67	Brussel Sprouts - Medium size Frozen	GRADE A 12/ 2.5# MED	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$18.89 REDDY RAW 12/ 2# 95471	\$16.90 PACKER 2/ 10# 44984	\$18.25 REGAL 12/ 2# 4021010	SMITH
68	California Mix - Frozen	Grade B 20# bulk	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$17.85 PACKER 1/ 20# 95948	\$19.20 PACKER 2/ 10# 45331	\$20.60 REGAL 12/ 2# 4021036	SMITH
69	Capri Mix - Frozen	Grade B 12/ 2#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$26.65 BONDUELLE 12/ 2# 95961	\$22.30 PACKER 12/ 2# 45334	\$23.35 REGAL 12/ 2# 4021150	RENZI
70	Carrots - Baby Whole Frozen	Grade B 12/ 2#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$20.65 CORNERSTONE 12/ 2# 95590	\$22.50 PACKER 12/ 2# 45274	\$18.25 REGAL 1/ 20# 4021014	GINSBURG

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71	Carrots - Diced Frozen	Grade B 20# bulk	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$12.25 CORNERSTONE 1/ 20# 95505	\$15.60 CORNERSTONE- GRADE A 12/ 2# 45100	\$11.64 REGAL 1/ 20# 4031273	SMITH
72	Carrots - Sliced (Coin) Frozen	GRADE A 20#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$12.29 REDDY RAW 1/ 20# 95555	\$11.99 PACKER 1/ 20# 45018	\$11.64 REGAL 1/ 20# 4020040	SMITH
73	Cauliflower - Frozen	Grade B 12/ 2#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$20.49 CORNERSTONE 12/ 2# 95625	\$21.15 PACKER 12/ 2# 45257	\$22.45 REGAL 12/ 2# 4021005	GINSBERG
74	Corn - Whole Kernel Frozen	GRADE A 20# bulk	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$17.29 PACKER 1/ 20# 95696	\$16.00 PACKER 1/ 20# 45024	\$16.29 REGAL 1/ 20# 4020050	RENZI
75	Green Beans - Cut Frozen	Grade B 20# bulk	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$15.09 NON-PARIEL 1/ 20# 95065	\$11.95 COTTAGE FARMS 1/ 20# 45130	\$12.95 REGAL 1/ 20# 4020020	RENZI
76	Green Beans - French Cut Frozen	Grade B 12/ 2#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$27.99 BONDUELLE 12/ 2# 95141	\$23.05 PACKER 12/ 2# 45253	\$24.19 REGAL 12/ 2# 4050077	RENZI
77	Green Beans - Italian Frozen	GRADE A 20# bulk	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$20.69 NON-PARIEL 12/ 2# 95175	\$18.85 PACKER 12/ 2# 45336	\$20.35 REGAL 12/ 2# 4022800	RENZI
78	Lasagna - Entrée - Classic (Meat) Frozen	STOUFFER 4/ 94 oz / 6#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$86.39 AWARD *NE 4/ 96 oz 34337	\$68.49 STOUFFER'S 4/ 96 oz 35055 SPEC ORDER	\$71.15 STOUFFER'S 4/ 6# 5014055 PRE-ORDER	RENZI
79	Lasagna - Entrée - Vegetable Frozen	STOUFFER 4/ 6#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$61.35 STOUFFER 4/ 96 oz 34360	\$55.29 STOUFFER'S 4/ 6# 35056	\$57.47 STOUFFER'S 4/ 6# 5014054 PRE-ORDER	RENZI
80	Lasagna - Pasta Sheet Frozen	36/ 4 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$17.29 DOMINIC'S 2/ 5# precooked 34643	\$19.55 SEVIROLI 10# 37043	NB	GINSBERG

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81	Lasagna - Pasta Sheet - Pre-Cooked Frozen	ANGELA MIA * 10#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$17.29 DOMINIC'S 2/ 5# 9"x10" 34643	\$19.55 SEVIROLI 10# 37043	NB	GINSBURG
82	Lima Beans - Frozen	Grade B 12/ 2.5#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$36.25 CHILL RIPE 12/ 2# 95271	\$28.50 PACKER 1/ 20# 45312	NB	RENZI
83	Mixed Vegetables - Frozen	Grade B 20# bulk	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$26.25 CHILL RIPE 1/ 20# 95836	\$16.60 PACKER - GRADE A 1/ 20# 45353	\$16.24 REGAL 1/ 20# 4020080	SMITH
84	Onions - Pearl Mini Frozen	4/ 2#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$36.25 BONDUELLE 12/ 2# 96234	\$36.45 SENECA 12/ 2# 45359	NB	GINSBURG
85	Peas - Frozen	Grade B 20#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$23.09 CORNERSTONE 1/ 20# 96291	\$18.70 PACKER - GRADE A 1/ 20# 45136	\$17.24 REGAL 1/ 20# 4020070	SMITH
86	Peppers - Red & Green & Onions Frozen	20# bulk	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$35.50 SIMPLLOT 6/ 2.5# 96465	\$32.99 ROASTWORKS 6/ 2.5# 45183	\$36.88 CORNER 12/ 2# 4021076	SMITH
87	Pierogis - Potato Cheddar Frozen	MRS. T 6/ 2#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$48.89 MRS. T 4/ 6# 34750	\$46.70 MRS T'S 288/1.34 oz 4/72 ct 76100	\$34.50 POPPYS *-NE 6/ 56 oz 6/ 50 ct 5020196	RENZI
88	Pizza Dough - Sheet 12x16 Par Baked	16/ 17 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$43.95 RICH'S 16/ 17 oz 2685	\$42.37 RICH'S 16/ 17 oz 37073 - SPEC ORD	NB	RENZI
89	Pizza Dough - Whole Wheat Sheet 12x16 Par Baked	16/ 17 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	NB	\$24.25 PUMILIAS 12ct 12x17 38713	NB	RENZI
90	Potato Puffs - Oven Ready Frozen	GRADE B 6/ 5#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$35.19 OREIDA 6/ 5# 97265	\$33.10 CAVENDISH 6/ 5# 34039	\$26.95 McCAIN 6/ 5# 5002810	SMITH

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91	Ravioli - Cheese Frozen	10#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$20.70 DOMINIC'S 300/ .65 oz 34967	\$39.24 ITALIAN FEAST 4/ 5# 37088	\$20.94 CODINOS 145/ 1.1 oz 1/ 10# 5020131	GINSBERG
92	Spinach - Chopped Frozen	Grade B 12/ 3#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$27.35 CORNERSTONE 12/ 3# 96526	\$24.40 PACKER - GRADE A 12/ 3# 45232	\$25.94 REGAL 12/ 3# 4021018	RENZI
93	Squash - Hubbard Frozen	Grade B 12/ 4#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$55.95 CLASSIC 12/ 4# 96600	\$31.75 PACKER - GRADE A 12/ 4# 45174	\$33.25 REGAL 12/ 4# 4021038	RENZI
94	Squash - Summer Frozen	Grade B 20#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$30.00 CLASSIC 12/ 2# 96605	\$31.15 PACKER 12/ 3# 45445	\$30.66 CORNERSTONE 12/ 3# 4020085	SMITH
95	Squash - Zucchini Frozen	Grade B 12/ 2#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$30.55 BONDUELLE 12/ 2# 96666	\$19.50 PACKER 1/ 20# 45294	\$30.84 CORNERSTONE 12/ 3# 4021007	SMITH
96	Stuffed Shells - 2 oz Frozen	120 ct / 2 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$32.45 ITALIAN FEAST 80 ct / 2 oz 35174	\$33.95 SEVIROLI 10# 1.75 oz 37041	\$30.80 CODINOS 108/ 2.7 oz 5020992	SMITH
97	Sweet Potato Puffs - Oven Ready Frozen	Grade B 6/ 5#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$33.69 LAMB 6/ 2.5# 97266	NB	NB	GINSBERG
98	Sweet Potato Wedge - 10 cut Frozen	15#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$33.29 McCAIN 6/ 2.5# 97164	\$31.05 McCAIN 6/ 2.5# 46140	\$29.85 McCAIN 6/ 2.5# 5004712	SMITH
99	Waxed Beans - Frozen	20#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$24.59 NON-PARIEL 12/ 2.5# 95412	\$23.00 PACKER 12/ 2# 45338	\$14.50 REGAL 1/ 20# 4021008	SMITH
100	White Dinner Rolls - Pre Baked Frozen	150/ 2 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$28.19 SIGNATURE 150/ 1.5 oz 4541	\$24.00 BAKERY DE FRANCE 150/ 1.25 oz 51196	NB	GINSBERG

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FOOD

ITEM #	PRODUCT DESCRIPTION	SIZE/GRADE *or Equivalent		WAFFLE WAFFLE DBA HAPPI FOODI NO BID	GINSBERG	RENZI FOOD SVC	SMITH PACKING	BID AWARD
101	Whole Wheat Rolls - Small Frozen	2 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$43.95 TRIBECA (HONEY WHEAT) 180/ 1.3 oz 324	\$31.50 BAKECRAFTERS 108/ 2 oz 50991	NB	RENZI
FROZEN - DESSERTS								
102	Cake - Sheet Cake - with Icing Banana Orange Carrot	76 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	C=\$82.50 SARA LEE C= 4/ 96 oz C= 770	B=\$65.13, O=NB, C=\$80.16 SARA LEE B=4/ 75 oz C= 4/ 96 oz B=48056*SPEC ORD C= 48042	NB	B - RENZI O - NB C - RENZI
103	Cake - Sheet Cake - with Icing Chocolate Cake White Cake	76 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	C = \$61.89 SARA LEE 4/ 74 oz CHOC W/ CHOC ICING=803	NB	NB	C - GINSBERG W - NB
104	Cookie Dough - 2 oz. Preformed Peanut Butter Oatmeal Raisin Chocolate Chip Sugar	180/ 2 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	PB=\$53.25 OR=\$49.25 CC=\$49.25 S=\$49.25 DAVID'S PB= 160ct/ 2 oz 22528 OR= 150ct/ 2 oz 22525 CC= 150ct/ 2 oz 22520 S = 160ct/ 2 oz 22524	PB=NB OR=NB CC=\$44.40 S=\$43.65 DAVID'S PB= NB OR= NB CC= 160/ 2 oz 51316 SPO S= 160/ 2 oz 51317 SPO	NB	PB - GINSBERG OR - GINSBERG CC - RENZI S - RENZI
105	Cookie Dough - 1 oz. Preformed Peanut Butter Oatmeal Raisin Chocolate Chip Sugar	180/ 1 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	CC=\$43.25 DAVID'S 252/ 1.33 oz CC = 22531	PB=NB OR=\$37.35 CC=\$33.55 S = \$36.90 DAVID'S OR= 51632 (324/ 1oz) CC= 51633 (324/ 1oz) SPO S = 51650 (324/ 1oz) SPO	NB	PB - NB OR - RENZI CC - RENZI S - RENZI
106	Pie Crust - Pre-made	10"	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$28.65 CHEF PIERRE 20/ 10" 4800	\$24.95 TABLE TALK 20/ 10" UNBAKED 48006	NB	RENZI
107	Pies - Apple & Pumpkin Thaw & Serve	10"	PRICE BRAND SIZE/UNITS PRODUCT #	NB	A=\$43.20 P=\$39.25 CHEF PIERRE 6/ 10" A=3535 P=4235	A=\$41.65 P=\$37.80 A=CHIEF PIERRE,P=FOXTAIL 6/ 10" 6/ 43 oz A=48336 P=48199	NB	A - RENZI P - RENZI
108	Pies - Cherry & Lemon Meringue Thaw & Serve	10"	PRICE BRAND SIZE/UNITS PRODUCT #	NB	C=\$45.25 LM=\$42.15 CHEF PIERRE C=3780 (UNBKD)-*NE LM=3985 6/ 10"	C=\$51.95, LM=\$40.45 CHEF PIERRE 6/10" 6/ 36 oz C=48338 LM=48141	NB	C - RENZI LM - RENZI
109	Pies - Banana Cream Thaw & Serve	6/ 27 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$43.59 CHEF PIERRE 4/ 10" 3660	\$37.70 CHEF PIERRE 6/ 10" 6/ 27 oz 48176	NB	RENZI

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110	Pies - Chocolate Cream Thaw & Serve	6/ 27 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$36.10 CHEF PIERRE 6/ 10" 3850	\$34.71 CHEF PIERRE 6/ 27 oz 10" 48089	NB	RENZI
111	Blueberries - Frozen	10#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$45.67 WYMAN 2/ 5# 45655	\$22.90 PACKER 2/ 5# 45236	NB	RENZI
112	Strawberries - Frozen	6/ 6#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$59.95 REGAL 6/ 6.5# 45755	\$68.66 PACKER 6/ 6.5# 45175	\$58.95 REGAL 6/ 6.5# 4010090	SMITH
FRUITS / VEGETABLES - CANNED								
113	Applesauce - Unsweetened	GRADE A 6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$20.24 APPLESNAX 6/ #10 26290	\$23.05 PACKER 6/ #10 65045	\$21.99 DOLLY 6/ #10 4062071	GINSBERG
114	Applesauce - Natural/ Unsweetened	72/ 4 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$24.90 MUSSELMAN 72/ 4.5 oz 43222	\$23.90 ZEE ZEE'S 96/ 4.5 oz 64153	NB	RENZI
115	Apricots - Halves	GRADE A 6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$36.90 PORT ROYAL 6/ #10 43330	\$35.10 PACKER 6/ #10 11266	\$36.65 SUNFIELD 6/ #10 4062005	RENZI
116	Beets - Diced - Canned	Grade B 6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$21.10 SUNNY FARM 6/ #10 90545	\$26.66 LIBBY 6/ #10 62067	\$22.25 COUNTRY FARM 6/ #10 4050036	GINSBERG
117	Beets - Sliced Pickled	6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$33.19 HANOVER 6/ #10 90650	\$30.55 PACKER 6/ #10 62065	NB	RENZI
118	Corn	Grade B 6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$24.49 LIBBY 6/ #10 91630	\$22.96 PACKER 6/ #10 62042	\$23.66 ATLANTIC 6/ #10 4050090	RENZI
119	Corn - Creamed	6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$34.89 SUNNY FARM 6/ #10 91490	\$32.11 PACKER 6/ #10 62035	NB	RENZI

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120	Cranberry Sauce	6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$39.85 OCEAN SPRAY 6/ 101 oz Jug 43610	\$42.00 RUBY KIST 6/ #10 47037	NB	GINSBERG
121	Fruit Mix - Light Syrup	GRADE A 6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$32.25 AMBROSIA-NOT GRADE A*NE 6/ #10 43785	\$33.25 PACKER 6/ #10 64023	\$28.95 DOLLY (NATURAL JUICE) 6/ #10 4062070	SMITH
122	Fruit Mix - Cup - in Juice	72/ 4 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$38.95 AMBROSIA 96/ 4 oz 43828	\$20.83 DOLE 36/ 4 oz 46233	NB	GINSBERG
123	Fruit Salad - Tropical	6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$49.35 DOLE 6/ #10 43920	\$27.05 PACKER 6/ #10 64030	\$29.25 DOLLY 6/ #10 4062073	RENZI
124	Green Beans - Canned	Grade B 6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$26.50 PORT ROYAL 6/ #10 89590	\$22.39 PACKER 6/ #10 60093	NB	RENZI
125	Kidney Beans	6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$21.45 SUNNY FARM 6/ #10 90020	\$23.99 PACKER 6/ #10 62000	\$24.25 ATLANTIC 6/ #10 4050041	GINSBERG
126	Black Beans - NOT SEASONED	6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$19.95 HANOVER 6/ #10 89545	\$25.49 FURMANO 6/ #10 62023	NB	GINSBERG
127	Mandarin Oranges	Grade B 6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$31.50 PORT ROYAL IN LITE SYRUP 6/ #10 44170	\$26.99 PACKER 6/ #10 66031	\$29.94 DOLLY (WHOLE) 6/ #10 4062065	RENZI
128	Mushrooms - Stems & Pieces	6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$34.99 PACKER 6/ #10 91880	\$32.99 PACKER 6/ #10 68024	\$37.25 ATLANTIC 6/ #10 4050501	RENZI
129	Northern Beans	6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$24.30 FURMANO 6/ #10 89950	\$24.50 PACKER 6/ 110 oz 62098	NB	GINSBERG

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130	Peaches - Fruit Cup - In Juice	72/ 4 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$38.10 AMBROSIA 96/ 4 oz 44348	\$18.85 DOLE 36/ 4 oz 46234	NB	GINSBERG
131	Peaches - Slices - In Juice	GRADE A 6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$40.29 SENECA-NOT GRADE A*NE 6/ #10 44531	\$48.55 PREMIUM 6/ #10 64009	\$31.25 DOLLY 6/ #10 4057056	SMITH
132	Peaches - Diced - In Juice	GRADE A 6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$40.35 PORT ROYAL 6/ #10 44536 NOT GRADE A*NE	\$39.20 PREMIUM 6/ #10 64013	\$31.25 DOLLY 6/ #10 4057066	SMITH
133	Pears - Slices - In Juice	GRADE A 6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$38.49 PORT ROYAL 6/ #10 44921 NOT GRADE A*NE	\$26.80 PREMIUM 6/ #10 64011	\$29.25 DOLLY 6/ #10 4057106	RENZI
134	Pears - Diced - In Juice	GRADE A 6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$38.70 SENECA 6/ #10 44741 NOT GRADE A*NE	\$26.45 AMBROSIA 6/ #10 64012	\$30.89 DOLLY 6/ #10 4057116	RENZI
135	Peppers - Sliced Red & Green Canned	Grade B 6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$25.29 CLASSIC 6/ #10 92442	\$24.75 PACKER 6/ #10 60095	\$28.89 PACKER 6/ #10 4050525	RENZI
136	Peppers - Red & Green & Onions Strips - Canned	6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$43.99 FURMANO 6/ #10 92445	\$41.79 FURMAN'S 6/ #10 60096	NB	RENZI
137	Pie Filling - Apple & Blueberry	6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	A=\$27.90, B=\$40.30 LUCKY LEAF 3/ 116 oz A=73673, B=73702	A=\$46.95, B=\$66.49 PACKER 6/ #10 A=73066, B=73067	NB	A - RENZI B - RENZI
138	Pineapple - Chunks	6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$33.20 AMBROSIA 6/ #10 44975	\$42.70 DOLE 6/ #10 46230	\$29.96 DOLLY (TIDBITS) 6/ #10 4062460	SMITH
139	Potatoes - Au Gratin	6/ 2.5#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$57.25 IDAHO 12/ 20.35 oz 93115	\$54.90 IDAHOAN 12/ 20.35 oz 34161	NB	RENZI

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140	Potatoes - Instant Complete w/ Milk	US #1 6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$58.65 BASIC 6/ #10 93276	\$53.95 BASIC AMERICAN 6/ 5.75# 35016	\$54.88 BASIC AMERICAN 6/ #10 5000022	SMITH
141	Potatoes - Scaloped	6/ 2.5#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$57.25 IDAHO 12/ 20.35 oz 93135	\$54.90 IDAHOAN 12/ 20.35 oz 34165	NB	RENZI
142	Potatoes - Small White	Grade B 6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$34.70 PORT ROYAL 6/ #10 Medium-*NE 93564	\$26.99 LIBBY 6/ #10 62080	\$27.25 PACKER 6/ #10 4050120	RENZI
143	Potatoes - Diced	6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$32.05 LIBBY 6/ #10 93480	\$27.25 PACKER 6/ #10 62084	\$28.66 PACKER 6/ #10 4050115	RENZI
144	Raisins	30# Bag	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$29.77 THOMPSON-YELLOW FM 1/ 10# 45580	\$28.47 FRESH GOURMET 1/ 10# 73231	NB	RENZI
145	Raisins - Snack Size boxes	Snack Size 1.5 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$30.45 CHAMPION 24/ 6/ 1.5 oz 45550	\$36.50 ZEE ZEE'S 144/ 1.33 oz 92392	NB	GINSBERG
146	Rice - Parboiled	25#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$14.55 PAREX 1/ 25# 94665	\$14.15 PRODUCERS 1/ 25# 66014	\$14.34 DELTA STAR 1/ 25# 6001500	RENZI
147	Rice - Brown Rice - Parboiled Not Instant Not Producers Brand	Not PRODUCERS 25#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$29.31 U. BEN'S 1/ 25# 94935	\$14.95 PRODUCERS -*NE 1/ 25# 65002	NB	GINSBERG
148	Rice - Pilaf	6/ #5	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$27.75 PAREX 6/ 36 oz 94880	\$26.50 UNCLE BENS 6/ 2.5# 65007	\$26.15 NEAR EAST 6/ 2.25 # 6502850	RENZI
149	Sweet Potatoes - Whole	6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$53.19 MOYDUN 6/ #10 93450	\$31.99 PREMIUM 6/ #10 92369 Imported	NB	RENZI

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150	Sauerkraut	2 gal	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$15.99 PATRIOT 1/2 gal 93680	NB	NB	GINSBERG
151	Tomatoes - Diced	Grade B 6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$20.65 FURMANO 6/ #10 89005	\$21.30 FURMAN'S 6/ #10 56988	NB	GINSBERG
152	Tomatoes - Stewed	6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$21.69 FURMANO 6/ #10 89260	\$24.82 FURMAN'S 6/ #10 56970	NB	GINSBERG
153	Tomatoes - Crushed	6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$20.75 FURMANO 6/ #10 88510	\$19.99 PREMIUM 6/ #10 57016	NB	RENZI
154	Tomato - Sauce	6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$22.55 SUNSOURCE 6/ #10 88375	\$21.99 RED PACK 6/ #10 57055	NB	RENZI
155	Tomato - Sauce - Low Sodium	6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	NB	\$22.45 BELLA VISTA 6/ #10 57021	NB	RENZI
156	Tomato - Paste	6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$39.80 RED PAK 6/ #10 88705	\$35.30 PACKER 6/ #10 59085	NB	RENZI
157	Wax Beans - Short Cut	Grade B 6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$27.49 SUNNY FARM 6/ #10 90125	\$26.40 PACKER 6/ #10 62022	NB	RENZI

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SALAD DRESSINGS								
158	Dressing - Buttermilk Ranch	KEN'S* 4/ 1 gal	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$46.40 KEN'S 4/ 1 gal 30980	\$37.36 KEN'S 4/ 1 gal 56075	NB	RENZI
159	Dressing - French	KEN'S* 4/ 1 gal	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$39.99 KEN'S 4/ 1 gal 30120	\$32.79 KEN'S 4/ 1 gal 56045	NB	RENZI
160	Dressing - Separating Italian	KEN'S* 4/ 1 gal	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$42.77 KEN'S 4/ 1 gal 30925	\$40.17 KEN'S 4/ 1 gal 56038	NB	RENZI
161	Dressing - Golden Italian	KEN'S* 4/ 1 gal	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$42.78 KEN'S 4/ 1 gal 30830	\$34.62 KEN'S 4/ 1 gal 56035	NB	RENZI
162	Dressing - Golden Italian Low Sodium	KEN'S* 4/ 1 gal	PRICE BRAND SIZE/UNITS PRODUCT #	NB	NB	NB	NB	NB
163	Dressing - Cole Slaw	KEN'S* 4/ 1 gal	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$46.44 KEN'S 4/ 1 gal 30035	\$39.45 KEN'S 4/ 1 gal 56079 - SPEC ORDER	NB	RENZI
164	Dressing - Honey Mustard	KEN'S 4/ 1 gal	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$48.60 KEN'S 4/ 1 gal 30421	\$41.51 KEN'S 4/ 1 gal 56054	NB	RENZI
165	Dressing - Italian Individual Packets	500 ct	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$6.54 PIKNIK 200 ct/ 12 gm 30592	\$6.15 PACKER 200 ct/ 12 gm 66225	NB	RENZI
166	Dressing - Thousand Island	KEN'S* 4/ 1 gal	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$33.29 KEN'S 4/ 1 gal 31200	\$35.25 KEN'S 4/ 1 gal 56168 - SPEC ORDER	NB	GINSBERG
167	Dressing - Italian Packets Dry Mix	12/ 7.6 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$34.40 FOOTHILL FARM 12/ 7.6 oz 30655	\$33.47 FOOTHILLS 12/ 7.6 oz 28215	NB	RENZI

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CONDIMENTS & BAKING								
168	Barbecue Sauce	OPEN PIT 4/ 1 gal	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$46.80 OPEN PIT 4/ 1 gal 32550	\$37.34 OPEN PIT 4/ 1 gal 57120	NB	RENZI
169	Bases - Beef PASTE ONLY	12/ 1#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$52.85 MAJOR 12/ 1# 76000	\$50.75 MAJORS 12/ 1# 57711	NB	RENZI
170	Bases - Beef - Low Sodium PASTE ONLY	12/ 1#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$45.79 MAJOR 6/ 1# 27902	\$56.75 MINORS 12/ 1# 58229 - SPEC ORDER	NB	RENZI
171	Bases - Chicken PASTE ONLY	12/ 1#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$51.50 MAJOR 12/ 1# 76270	\$65.45 MINORS 12/ 1# 58244 - SPEC ORDER	NB	GINSBERG
172	Bases - Chicken - Low Sodium PASTE ONLY	12/ 1#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$44.95 MAJOR 6/ 1# 27927	\$42.77 MINORS 6/ 1# 58228 - SPEC ORDER	NB	RENZI
173	Brownie Mix	HOSPITALITY 6/ 5#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$37.35 HOSPITALITY 6/ 6# 7300	\$33.65 HOSPITALITY 6/ 6# 27959	NB	RENZI
174	Chocolate Chips - Semi-Sweet Morsels (Not Imitation)	25#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$69.99 HERSHEY 1/ 25# 86210	\$66.70 HERSHEY 1/ 25# 92200	NB	RENZI
175	Cocoa	5# Box	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$92.65 CARGIL 6/ 5# 18305	\$89.66 CARGILL 6/ 5# 92337	NB	RENZI
176	Dry Milk	6/ 5#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$98.75 BAY VALLEY 6/ 5# 25263	\$92.99 STURM 6/ 5# 66017	NB	RENZI
177	Evaporated Milk	24/ 12 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$38.75 CARNATION 24/ 12 oz 25195	\$33.00 PACKER 24/ 12 oz 92176	NB	RENZI

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FOOD

ITEM #	PRODUCT DESCRIPTION	SIZE/GRADE *or Equivalent		WAFFLE WAFFLE DBA HAPPI FOODI NO BID	GINSBURG	RENZI FOOD SVC	SMITH PACKING	BID AWARD
178	Flour - 50#	50#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$16.95 SIR G 1/ 50# 86494 (ALL PURPOSE)	\$17.44 GENERAL MILLS 2/ 25# 10820	NB	GINSBURG
179	Flour - 8/ 5#	8/ 5# bag	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$15.55 GOLD MEDAL 8/ 5# 86410 (ALL PURPOSE)	\$21.69 GENERAL MILLS 8/ 5# 10819	NB	GINSBURG
180	Fryer Oil	5 gal	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$37.65 PACKER 1/ 35# 63410	\$34.17 PACKER 5 gal (35#) 30201	\$39.85 MAGIC FRY 1/ 35# 6500520	RENZI
181	Garlic - Granulated	23 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$65.80 ASSAGIO 12/ 23 oz 83655	\$51.71 CF SAUER 6/ 25 oz 68002	\$5.69 EACH SMITH 1/ 20 oz 6011105	GINSBURG
182	Ketchup - Individual	500 ct	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$19.99 HUNT'S 1000 ct/ 9 gm 87575	\$17.49 4 N 1 1000 ct/ 9 gm 66238	NB	RENZI
183	Ketchup	6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$23.75 HEINZ 6/ #10 87540	\$25.75 RED GOLD 6/ #10 57081	\$26.75 HUNTS 6/ #10 6511005	GINSBURG
184	Lemon Juice	12/ 32 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$11.25 SUNFIELD 12/ 32 oz 50962	\$11.05 SUNFIELD 12/ 32 oz 46999	NB	RENZI
185	Mayonnaise	4/ 1 gal	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$38.65 MIKE'S AMAZING 4/ 1 gal 31751	\$36.19 PACKER 4/ 1 gal 56205	\$30.85 MIKE'S 4/ 1 gal 6507308	SMITH
186	Mayonnaise - Individual packets	200 ct	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$16.19 AMERICANA 500 ct / 9 gm 32069	\$16.25 AMERICANA 500 ct / 9 gm 66585	NB	GINSBURG
187	Muffin Mix - Blueberry Dry Powder Mix	6/ 5#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$73.15 GOLD MEDAL 6/ 5# 8790	\$32.95 CM 6/ 5# 28424 - SPEC ORDER	NB	RENZI

Attachment: JULY 1-SEPT 30 2021 - FOOD BID (158-21 : Accept Bids and Authorize Purchase of

CORTLAND COUNTY, NEW YORK

BID # 1: FOOD

INCLUSIVE DATES: JULY 1, 2021 - SEPT 30, 2021

FOR QUESTIONS: CALL (607) 753-5060

*NE = Not Equivalent

ALL DELIVERIES TO ARRIVE BETWEEN 7 AM AND 12 NOON

FOOD

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188	Muffin Mix - Cornbread Dry Powder Mix	6/ 5#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$30.05 HOSPITALITY 6/ 5# 8885	\$27.49 HOSPITALITY 6/ 5# 28217	NB	RENZI
189	Mustard - Individual	500 pcs	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$8.35 4 IN 1 500 pcs 32485	\$6.35 4 N 1 500 pcs 66223	NB	GINSBURG & RENZI
190	Mustard	Grade B 4/ 1 gal	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$12.70 MIKE'S AMAZING 4/ 1 gal 32175	\$12.49 PACKER 4/ 1 gal 30058	\$11.95 MIKE'S 4/ 1 gal 6502701	SMITH
191	Pancake Mix - Complete	6/ 5#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$24.15 GOLD MEDAL 6/ 5# 9150	\$24.15 GENERAL MILLS 6/ 5# 28111	\$22.90 JIFFY 1/ 50# *- NE 6000916	GINSBURG & RENZI
192	Parsley - Flakes	11 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$84.20 ASSAGIO 12/ 3 oz 84650	NB	\$8.79 EACH SMITH 1/ 16 oz 6011232	SMITH
193	Pepper - Black	16 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$84.20 ASSAGIO 12/ 16 oz 84790	\$40.80 SF SAUER 6/ 16 oz 69355	\$5.98 EACH SMITH 1/ 16 oz 6011005	SMITH
194	Pepper - Black Individual Packets	200 ct	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$10.05 HAPPY 3000 ct 86595	\$7.96 PACKER 3000 ct 10095	NB	RENZI
195	Relish - Sweet Individual Packets	200 ct	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$7.85 4 IN 1 200 ct 73501	\$7.34 4 N 1 200 ct 66219	NB	RENZI
196	Relish - Sweet	4/ 1 gal	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$23.05 ADMIRATION 4/ 1 gal 73402	\$26.35 GIELOW 4/ 1 gal 60123	\$24.25 ADMIRATION 4/ 1 gal 6501180	GINSBURG
197	Salsa - Mild	4/ 1 gal	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$50.69 ROSARITA 4/ 1 gal 13164	\$43.50 DEI FRATELLI 4/ 1 gal 57096	NB	RENZI

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198	Salt	1#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$17.80 MORTON 24/ 26 oz 86731	\$17.45 PACKER 24/ 26 oz 93102	NB	RENZI
199	Salt - Individual Packets	200 ct	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$5.05 HAPPY 3000 ct 86840	\$4.59 PACKER 3000 ct 67056	NB	RENZI
200	Sour Cream - Individual Packets	200 ct	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$15.15 HOOD 100/ 1 oz 25590	\$14.60 HOOD 100/ 1 oz 25446	NB	RENZI
201	Sour Cream - Low Fat Individual Packets	200 ct	PRICE BRAND SIZE/UNITS PRODUCT #	NB	NB	\$17.65 LOL 100/ 1oz 25171 (FAT FREE)	NB	RENZI
202	Sour Cream - Low Fat	5#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	NB	NB	NB	NB
203	Speidie Sauce	4/ 1 gal	PRICE BRAND SIZE/UNITS PRODUCT #	NB	NB	NB	NB	NB
204	Sugar - Granulated - 50#	50#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$34.30 DOMINO 1/ 50# 87045	\$31.35 PACKER 1/ 50# 68395	NB	RENZI
205	Sugar - Granulated - 5#	8/ 5#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$34.35 DOMINO 10/ 4# 87006	\$30.49 DOMINO 10/ 4# 68393	NB	RENZI
206	Sugar - Granulated Individual Packets	200 ct	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$13.95 G'S 2000 ct 87240	\$12.85 PACKER 2000 ct 67001	NB	RENZI
207	Sugar - Granulated Light Brown	12/ 2#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$28.99 DOMINO 12/ 2# 87150	\$26.99 PACKER 12/ 2# 11183	NB	RENZI
208	Sugar - Confectionary Sugar / 10x	12/ 2#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$28.60 DOMINO 12/ 2# 87185	\$26.99 PACKER 12/ 2# 92205	NB	RENZI

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FOOD

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209	Syrup - Maple Flavored	4/ 1 gal	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$22.05 PIKNIK 4/ 1 gal 60240	\$19.99 PACKER 4/ 1 gal 66242	\$26.88 PACKER 4/ 1 gal 6004180	RENZI
210	Syrup - Maple Flavored SUGAR FREE	12/ 16 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$26.25 SMUCKER'S 12/ 14.5 oz 60245	\$21.75 PACKER 12/ 12 oz 75175	NB	GINSBERG & RENZI
211	Tartar Sauce - Individual Packets	200 pcs	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$11.89 FLAVOR FRESH 200 pcs 33455	\$7.65 4 N 1 200 pcs 66234	NB	RENZI
212	Teriyaki Sauce	4/ 1 gal	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$48.95 KIKKOMAN 4/ 1 gal 12950	\$47.15 KIKKOMAN 4/ 1 gal 37293	NB	RENZI
213	Vanilla - Imitation	1 qt (32 oz)	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$20.90 CF SAUER 6/ 32 oz 85644	\$37.75 PACKER 6/ 32 oz 68185- SPEC ORDER	NB	GINSBERG
214	Vegetable Oil	6/ 1 gal	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$48.95 ADMIRATION 6/ 1 gal 63280	\$55.54 PACKER 6/ 1 gal 30088	\$59.85 PACKER 6/ 1 gal 6500625	GINSBERG
215	Vinegar - Cider - 5% Acid	4/ 1 gal	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$9.45 MIKE'S AMAZING 4/ 1 gal 33670	\$9.40 PACKER 4/ 1 gal 56164	\$9.45 PACKER 4/ 1 gal 6502655	RENZI
216	Vinegar - White	4/ 1 gal	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$8.45 MIKE'S AMAZING 4/ 1 gal 33810	\$6.79 PACKER 4/ 1 gal 56100	\$7.50 PACKER 4/ 1 gal 6502650	RENZI
GROCERIES - MISC.								
217	Cereal - Bran Flakes	14-18 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	NB	NB	NB	NB
218	Cereal - Corn Flakes	10#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$16.29 HOSPITALITY 4/ 35 oz 11130	\$14.45 HOSPITALITY 4/ 35 oz 76255	NB	RENZI

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219	Cereal - Farina	50# bag	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$38.99 MALT-O-MEAL 12/ 28 oz 11347	NB	NB	GINSBURG
220	Cereal - Fruit Loops/ equivalent	4/ 32 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$20.10 HOSPITALITY 4/ 35 oz 11350	\$17.75 GILSTER 4/ 35 oz SPEC ORDER 92336 Order by Layers	NB	RENZI
221	Cereal - Grits	6/ 5#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$32.69 QUAKER 8/ 5# 11655	\$30.99 QUAKER 8/ 5# 84183 - SPEC ORDER	NB	RENZI
222	Cereal - Lucky Charms/ equivalent	4/ 32 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$18.85 HOSPITALITY 4/ 35 oz 11365	\$18.99 HOSPITALITY 4/ 35 oz 76257	NB	GINSBURG
223	Cereal - Raisin Bran	6/ 36 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$33.25 MALT-O-MEAL 6/ 36 oz 11815	\$18.99 HOSPITALITY 4/ 35 oz 76243	NB	RENZI
224	Cereal - Cream of Rice	12/ 28 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$54.10 B&G 12/ 28 oz 11165	\$51.88 B&G 12/ 28 oz 84116 - SPEC ORDER	NB	RENZI
225	Cereal - Rolled Oats - Quick	12/ 42 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$31.85 MALT-O-MEAL 12/ 42 oz 11697	\$28.45 MALT-O-MEAL 12/ 42 oz 85522	NB	RENZI
226	Cereal - Old Fashion Quick Oats	50# bag	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$30.89 ROBINSON 1/ 50# 11800	\$28.99 GILSTER 1/ 50# 92322	NB	RENZI
MISC. GROCERIES								
227	Apple - Slices Individual Packets	4 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$26.80 NY 100/ 2 oz 71769	NB	NB	GINSBURG
228	Apples - Diced In Water	5 gal	PRICE BRAND SIZE/UNITS PRODUCT #	NB	NB	NB	NB	NB

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229	Black Eyed Peas	#10 can	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$37.00 BUSH'S 6/ #10 78867 - SPEC ORDER	\$28.20 BUSH'S 6/ 111 oz 62034	NB	RENZI
230	Bush's Baked Beans	BUSH'S 6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$38.50 BUSH'S 6/ #10 90235	\$36.99 BUSH'S 6/ #10 57004	NB	RENZI
231	Cooking Spray - PAM (Original Spray) NO EVERBAKE Brand	PAM (Original) 6/ 17 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$19.19 PAM 6/ 17 oz 64155	\$20.77 PAM 6/ 17 oz 66423	NB	GINSBERG
232	Coffee	11.5 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$131.95 BEAR MOUNTAIN 24/ 14 oz 17506	\$114.95 PAUL DE LIMA 24/ 14 oz 71105	NB	RENZI
233	Coffee - Decaffeinated	11.5 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$127.95 BEAR MOUNTAIN 24/ 14 oz 17521	\$105.50 PAUL DE LIMA 24/ 12 oz 70988 - SPEC ORDER	NB	RENZI
234	Coffee Creamer - Individual Packets	200 ct	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$14.45 HOOD 360/ .38 oz 24659	\$14.25 HOOD 360/ .38 oz 67179	NB	RENZI
235	Craisins - Small Individual Bags	1 or 1.5 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$53.05 OCEAN SPRAY (STRAWBERRY) 200/ 1.16 oz 45582	\$48.79 OCEAN SPRAY 200/ 1.16 oz 64134	NB	RENZI
236	Cranberries - Dried	BULK	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$21.05 THOMPSON YELLOW FARM 1/ 5# 45480	\$19.99 FRESH GOURMET 1/ 5# 73094	NB	RENZI
237	Egg Noodles - Wide Enriched	VILLA FRIZZONI 10# Box	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$14.55 ZEREGA 2/ 5# 52770 (same as Item 238)	\$12.35 ASSIAGO 1/ 10# 84082	NB	RENZI
238	Egg Noodles - Extra Wide Enriched	VILLA FRIZZONI 10# Box	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$14.55 ZEREGA 1/2" WIDE 2/ 5# 52770 (same as Item 237)	\$13.90 ZEREGA 1/2" WIDE 2/ 5# 76883	NB	RENZI

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239	Egg Noodles - Wide Enriched Whole Grain	10# Box	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$19.85 BARILLA ROTINI - *NE 2/ 10# 52906	NB	NB	NO AWARD
240	Fig Bar - Individual Pkgs	Individual Pkgs	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$50.55 NBC 120/ 2 oz 22050	\$47.99 NABISCO 120/ 2 oz 72051	NB	RENZI
241	Fig Bar - 10 oz Pkgs	10 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	NB	NB	NB	NB
242	Garbonzo Beans	#10 can	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$20.95 HANOVER 6/ #10 91385	\$23.55 PACKER 6/ 105 oz 62059	NB	GINSBERG
243	Grapes - Individual Packets	4 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	NB	NB	NB	NB
244	Grape Jelly	6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$45.90 CARRIAGE HOUSE 6/ #10 48720	\$42.35 POLANER 6/ 132 oz 91435	NB	RENZI
245	Lentils	20# box	PRICE BRAND SIZE/UNITS PRODUCT #	NB	NB	\$23.79 JACK RABBIT 24/ 1# 95415	NB	RENZI
246	Pasta - Elbow	VILLA FRIZZONI 10#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$17.25 BARILLA 2/ 10# 52525	\$10.45 ASSIAGO 1/ 20# 84073	\$10.39 PASTA CITY 2/ 10# 6000111	SMITH
247	Pasta - Elbow Whole Grain	10#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$19.85 BARILLA 2/ 10# 52533	\$22.45 BARILLA 2/ 10# 74261	NB	GINSBERG
248	Pasta - Spiral ROTINI	VILLA FRIZZONI 20#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$20.15 ZEREGA 2/ 10# 53095	\$11.40 ASSIAGO 1/ 20# 84083	\$11.35 PASTA CITY 2/ 10# 6008020	SMITH
249	Pasta - Spiral Whole Grain ROTINI	10#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$19.85 BARILLA 2/ 10# 52906	\$22.45 BARILLA 2/ 10# 74262	NB	GINSBERG

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250	Pasta - Ziti	VILLA FRIZZONI 20#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$20.35 ZEREGA 2/ 10# 53235	\$12.75 OBA 2/ 10# 84074	\$12.54 PASTA CITY 2/ 10# 6001050	SMITH
251	Peanut Butter	6/ 5#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$37.99 PACKER 6/ 5# 59684	\$36.95 NUT N BETTER 6/ 5# 92542	NB	RENZI
252	Potato Chips	8/ 1#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$15.65 LAY'S 6/ 1# 62290	\$14.55 LAY'S 6/ 1# 77552	\$14.69 HERRS 6/ 1# 6000065	RENZI
253	Prunes - Dried - Snack Size	Snack Size	PRICE BRAND SIZE/UNITS PRODUCT #	NB	NB	NB	NB	NB
254	Graham Crackers - Individual Pkgs	Individual Pkgs	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$18.75 KEEBLER (Honey) 200/ 2 ct 19702	\$19.99 NABISCO 200/ 2 ct 28125	NB	GINSBERG
255	Teddy Grahams - Whole Wheat Individual Bags	1 or 2 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$20.99 NBC (Cinnamon) 48/ 1 oz 19787	NB	NB	GINSBERG
256	Ritz Crackers	10 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	NB	\$21.39 RITZ 20/ 3.8 oz 72020 - SPEC ORDER	NB	RENZI
257	Saltine Crackers	500/ 2 ct	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$13.55 SUNSHINE 500/ 2 ct 20300	\$17.96 SUNSHINE 500/ 2 ct 73314	NB	GINSBERG
258	Sesame Seeds	BULK	PRICE BRAND SIZE/UNITS PRODUCT #	NB	NB	\$30.40 CF SAUER 6/ 1# 68319 - SPEC ORDER	NB	RENZI
259	Soup - Tomato	12/ 50 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$34.75 CAMPBELL'S 12/ 50 oz 80010	\$32.55 CAMPBELL'S 12/ 50 oz 11890	NB	RENZI
260	Split Peas	20#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$18.05 JACK RABBIT 1/ 20# 94606	\$20.91 JACK RABBIT 24/ 1# 62009	NB	RENZI
261	Taco Shells (hard)	200 ct	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$15.35 TYSON 200 ct 13172	\$12.75 MEX ORIGINAL 200 ct 60052	NB	RENZI

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262	Taco Seasoning	5#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$14.80 FOOTHILL FARMS 1/ 5# 13205	\$14.40 FOOTHILLS 1/ 5# 56683	NB	RENZI
263	Tea Bags - Individually Wrapped w/string 100 count	10/ 100 ct	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$25.85 REFLECTIONS 10/ 100 ct 17695	\$26.70 PACKER 10/ 100 ct 71401	NB	GINSBERG
264	Ice Tea Bags	4/ 24 oz bags	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$13.19 REFLECTIONS 4/ 24/ 1 oz 18002	NB	NB	GINSBERG
265	Whipped Topping - ready to use - in plastic sleeve	12/ 16 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$47.80 RICH'S 12/ 16 oz 25770	\$41.90 RICH'S 12/ 16 oz 10304	NB	RENZI
266	Pudding - Canned Vanilla Chocolate Butterscotch Tapioca	6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$34.85 HIGHLAND MKT 6/ #10 V=47780, C=47680 B=47610, T=47750	V=\$24.39, C=\$24.05 B=\$25.99, T=\$31.75 PACKER 6/ #10 V=73192, C=73191 B=73193, T=73196	V=\$25.99 C=\$25.45 B=\$26.85 PRINCIPLES 6/ #10 V=6503019 C=6503017 B=6503022	V - RENZI C - RENZI B - RENZI T - RENZI
267	Pudding - Powdered - Cooked - NOT INSTANT Vanilla - Chocolate Butterscotch - Tapioca	12/ 24 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	V&C=\$31.50 B=\$28.25 V&C=HIGHLAND MKT B=HOSPITALITY INSTANT *-NE 12/24 oz V=46936, C=46771, B=46765	V=\$26.49, C=\$25.79, B=\$26.85 HOSPITALITY 12/ 24 oz V=28477, C=28585, B=28586	NB	V - RENZI C - RENZI B - RENZI T - NB
268	Jello - All Flavors	12/ 24 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$31.35 CLABBER GIRL 12/ 24 oz ASST CITR.=45887 LIME=46196 ASST RED=45922 RASP=46412 CHERRY=46056 OR=46272	\$29.84 =RASP & STRAW PACKER 12/ 24 oz R= 28256 S= 28279	NB	RASPBERRY- RENZI STRAWBERRY- RENZI ASST.CITRUS- GINSBERG ASST. RED- GINSBERG LIME- GINSBERG CHERRY- GINSBERG ORANGE- GINSBERG
269	Mousse Mix - Strawberry Dry Mix	ROYAL 6/ 16 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	NB	NB	NB	NB
270	Pizza Sauce	6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$20.95 FURMANO 6/ #10 88130	\$19.30 PACKER 6/ #10 57051	NB	RENZI
271	Spaghetti Sauce	CONTADINA 6/ #10	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$39.75 CONTADINA 6/ #10 88240	\$36.95 CONTADINA 6/ 105 oz 56971	NB	RENZI

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272	Spaghetti - Thin	NOT 1# PKGS 2/ 10#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$12.20 PORT ROYAL 1/ 20# 53005	\$12.05 PACKER 1/ 20# 84072	NB	RENZI
273	Stuffed Peppers	4/ 83 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$76.99 AWARD 4/ 83 oz 34742	\$64.74 STOUFFERS 4/ 83 oz 35161	\$67.25 STOUFFERS 4/ 5.19# 5014053 Pre-Order	RENZI
274	Wraps - Whole Wheat	10 in/ 72 cs	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$20.25 FATHER SAM'S 8 in/ 12/ 12 ct 13054	\$20.79 FATHER SAMS 12/ 12 ct 60296	NB	GINSBURG
275	Biscuit Mix	HOSPITALITY 6/ 5#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$27.25 HOSPITALITY 6/ 5# 7260	\$25.85 HOSPITALITY 6/ 5# 28237	NB	RENZI
276	Biscuit Mix - Whole Wheat	6/ 5#	PRICE BRAND SIZE/UNITS PRODUCT #	NB	NB	NB	NB	NB
JUICE								
277	Juice - Cranberry	8/ 64 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$26.99 OCEAN SPRAY 8/ 64 oz 50065	\$25.99 RUBY KIST 8/ 64 oz 47083	NB	RENZI
278	Juice - Breakfast - Orange CONCENTRATE	12/ 32 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$28.35 SUNCUP 12/ 32 oz 51320	\$27.99 SUN CUP 12/ 32 oz 47003	\$36.25 GREG PACK 12/ 32 oz 4010000	RENZI
279	Juice - K-Pak Orange Juice **MUST BE WAXED CARTON**	70/ 4 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$9.65 SUNCUP 70/ 4 oz 51295	\$9.15 SUN CUP 70/ 4 oz 47021	NB	RENZI
280	Juice - Tomato	8/ 46 oz	PRICE BRAND SIZE/UNITS PRODUCT #	NB	\$15.05 SACRAMENTO 8/ 46 oz 51957	\$13.79 CAMPBELLS 6/ 46 oz 11395	NB	GINSBURG

***NE - NOT EQUIVALENT**

Attachment: JULY 1-SEPT 30 2021 - FOOD BID (158-21 : Accept Bids and Authorize Purchase of

(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 (162-21 : Local Law

Checklist of documents to be returned:

- ☐ Copy of signed contract
- ☐ Exhibit A: Acknowledgement and Agreement to Comply with Standard Clauses for New York State Contracts (Appendix A)
- ☐ Exhibit B: Drug Free Workplace
- ☐ Exhibit C: Non-Collusive Bidding Certification Required by Section 139-D of the State Finance Law
- ☐ Exhibit D: Conflict of Interest Disclosure
- ☐ Exhibit E: Privacy and Security HIPAA Compliance (*if applicable*)
- ☐ Proof of Insurance (Liability, Disability, Workers' Compensation, Vehicle, etc.)
 - "County of Cortland" must be named as an Additional Insured
 - For projects over \$25,000; Insurance must include 'per project aggregate' endorsement
- ☐ Copy of NYS Certificate of Authority to do Business in New York State
- ☐ Proof that signatory is at least a 50% owner and has the authority to act on behalf of the business
- ☐ Copy of active NYS MWBE Certification (*if applicable*)
- ☐ Current W9

AGREEMENT

THIS AGREEMENT, entered into this 1 day of MAY, 2021, by and between the **COUNTY OF CORTLAND**, New York, (the "COUNTY"), a municipal corporation organized and existing under the laws of the State of New York with offices at 60 Central Avenue, Cortland, New York 13045, and **MOTOROLA SOLUTIONS**, (the "CONTRACTOR"), with offices located at 13104 COLLECTIONS CENTER DRIVE, CHICAGO, IL 60693.

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

ARTICLE 1. WORK TO BE DONE AND CONSIDERATION THEREFORE

The CONTRACTOR shall furnish **PREVENTATIVE MAINTENANCE, UPGRADES AND SERVICE SUPPORT FOR SPILLMAN COMPUTER AIDED DISPATCH (CAD) SOFTWARE**

ARTICLE 2. TERM

The CONTRACTOR agrees to perform the services and/or supply goods beginning JANUARY 1, 2021 and ending DECEMBER 1, 2021.

ARTICLE 3. ACCEPTANCE AND FINAL PAYMENT

Upon receipt of written notice that the Contract has been fully performed and the COUNTY agrees that the Contract has been fully performed, the CONTRACTOR shall file with the COUNTY an itemized voucher and the COUNTY shall pay the CONTRACTOR \$110,491.30 within its normal payment period.

ARTICLE 4. CONTRACTOR'S INSURANCE

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

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

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

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

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

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

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

- (i) Policy retroactive dates coincide with or precede the CONTRACTOR'S start of the performance of the services (including subsequent policies purchased as renewals or replacements);
- (ii) The CONTRACTOR will maintain similar insurance for at least 6 years following final acceptance of the services;
- (iii) If the insurance is terminated for any reason, the CONTRACTOR agrees to purchase an unlimited extended reporting provision to report claims arising from the services performed for the County;

- (iv) Immediate notice shall be given to the COUNTY through the contracting department and the office of the County Attorney and to the office of the Chair of the Legislature of circumstances or incidents that might give rise to future claims with respect to the services performed under this agreement;
- (v) Notice of termination of any such policies must be provided to the COUNTY at least ten (10) days in advance of such Notice of termination. CONTRACTOR shall, on or before this 10-day period, provide the COUNTY with a prospective Certificate of Insurance with the above coverage and limits for the balance of the term of this agreement; and
- (vi) The CONTRACTOR shall obtain replacement insurance within ten (10) days in the absence of which CONTRACTOR shall be in breach of this Agreement.

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

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

ARTICLE 5. REPRESENTATIONS OF CONTRACTOR

The CONTRACTOR represents and warrants:

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

ARTICLE 6. PERMITS AND REGULATIONS

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

ARTICLE 7. APPROPRIATIONS

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

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

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

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

ARTICLE 8. COUNTY'S RIGHT TO STOP WORK OR TERMINATE CONTRACT

- A. The COUNTY shall have the right to stop work or terminate the Contract if:
- (i) The CONTRACTOR is adjudged bankrupt or makes an assignment for the benefit of creditors; or
 - (ii) A receiver or liquidator is appointed for the CONTRACTOR or for any of his/her/it's property and is not dismissed within twenty (20) days after such appointment or the proceedings in connection therewith are not stayed on appeal within said twenty (20) days; or
 - (iii) The CONTRACTOR refuses or fails to prosecute the work or any part thereof with due diligence; or
 - (iv) The CONTRACTOR fails to make prompt payment to persons supplying labor for the work; or
 - (v) The CONTRACTOR fails or refuses to comply with all applicable laws, regulations or ordinances applicable to the performance of this agreement; or
 - (vi) The determination that any representation or certification made under this agreement is untrue; or
 - (vii) The CONTRACTOR violates any provision of the Contract;
 - (viii) In any event, the COUNTY, without prejudice to any other rights or remedy it may have, may by seven (7) days notice to the CONTRACTOR, terminate this contract pursuant to the grounds stated herein. In such case, the CONTRACTOR shall not be entitled to receive any further payment until the work is complete. If the unpaid balance of the compensation to be paid to the CONTRACTOR hereunder exceeds the expense of completing the work, such excess shall be paid to the

CONTRACTOR. If such expense exceeds such unpaid balance, the CONTRACTOR shall be liable to the COUNTY for such excess.

- (ix) COUNTY may terminate this contract upon thirty (30) days written notice to the CONTRACTOR if deemed in the best interest of the COUNTY.
- (x) COUNTY may terminate if the contract is not funded.

B. Upon termination of this agreement, the CONTRACTOR shall comply with all County close-out procedures, including but not limited to:

- (i) Accounting for and refunding to the COUNTY within 30 days, any unexpended funds which have been paid to the CONTRACTOR pursuant to this agreement;
- (ii) Not incur any further obligations pursuant to this agreement after the termination date;
- (iii) Submit to the COUNTY, within 30 days of termination, a full report of receipts and expenditures of funds, program activities, and obstacles, if any, attendant to CONTRACTOR'S performance of this agreement; and
- (iv) Furnishing within 30 days an inventory to the COUNTY of all equipment, appurtenances and property purchased by the CONTRACTOR through or provided under this agreement, and carrying out any COUNTY directive concerning the disposition thereof.

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

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

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

These remedies are cumulative.

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

COUNTY provided herein shall not be exclusive and are in addition to any other rights and remedies provided by law or by this agreement.

ARTICLE 9. INDEMNIFICATION / HOLD HARMLESS

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

ARTICLE 10. MONITORING OF PERFORMANCE

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

ARTICLE 11. INDEPENDENT CONTRACTOR

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

ARTICLE 12. ASSIGNMENT

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

ARTICLE 17. SEVERABILITY

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

ARTICLE 18. WAIVER

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

ARTICLE 19. MODIFICATION

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

ARTICLE 20. EXECUTORY CLAUSE

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

ARTICLE 21. RECORDS RETENTION AND AUDIT

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

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

(vi) Maintain all records required by this paragraph for seven (7) years after the date this agreement is terminated or ends.

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

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

ARTICLE 22. APPLICABLE LAW

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

ARTICLE 23. PRIVACY AND SECURITY (HIPAA)

(APPLICABLE TO ALL CONTRACTS FOR GOODS AND SERVICES WHICH RELATE TO MEDICAL RECORD-KEEPING)

The purpose of this clause is to set forth the requirements for privacy and security of protected health information ("PHI") mandated by 45 CFR Part 164 as they apply to the services provided by CONTRACTOR on behalf of COUNTY. Terms and conditions required relative to this agreement are incorporated and attached to this agreement as "Exhibit E".

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

COUNTY OF CORTLAND

DATE: _____

BY: _____

ROBERT CORPORA
Cortland County Administrator

Acknowledgement

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

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

Notary Public

CONTRACTOR
(name of company)

DATE: _____

BY: _____

(NAME OF SIGNATORY)

(CORP. OFFICER/POSITION)

Acknowledgement

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

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

Notary Public

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

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

Signed: _____ Date: _____

Title: _____

EXHIBIT B – DRUG FREE WORKPLACE

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

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

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

Print Name: _____ Date: _____

Signature: _____ Title: _____

**EXHIBIT C - NON COLLUSIVE BIDDING CERTIFICATE REQUIRED BY
SECTION 139-D OF THE STATE FINANCE LAW**

Section 139D, Statement of Non-Collusion in bids to the State:

By submission of this bid, bidder and each person signing on behalf of bidder certifies, and in the case of joint bid, each party thereto certifies as its own organization, under penalty of perjury, that to the best of his/her knowledge, and belief:

- 1) The prices of this bid have been arrived at independently, without collusion, consultation, communication, or agreement, for the purposes of restricting competition, as to any matter relating to such prices with any other bidder or with any other competitor;
- 2) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the Bidder and will not knowingly be disclosed by the Bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and
- 3) No attempt has been made or will be made by the Bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting completion.

A Bid shall not be considered for award nor shall any award be made where 1, 2, 3 above have not been complied with; provided however, that if in any case, the bidder(s) cannot make the foregoing certification, the bidder shall so state and shall furnish below a signed statement which sets forth in detail the reasons therefore:

(Affix addendum to this page if space is required for statement.)

Subscribed to me under penalty of perjury under the laws of the State of New York, this _____ day of _____, 20____ as the act and deed of said corporation of partnership or sole proprietor.

If Bidders are a Partnership, complete the Following:

Names of Partners or Principals

Legal Residence

If Bidders are a corporation, complete the following:

Name

Legal Residence

President

Vice President

Secretary

Treasurer

Identifying Data:

Potential Contractor: _____

Address: _____

Telephone #: _____ Title: _____

E-Mail Address: _____

If applicable, Responsible Corporate Officer

Name: _____ Title: _____

Signature: _____

Joint or combined bids by companies or firms must be certified by each participant.

Legal name of person or firm_____
Legal name of person or firm_____
Name_____
Name_____
Title_____
Title_____
Address_____
Address

EXHIBIT D - CONFLICT OF INTEREST DISCLOSURE

Conflict of Interest Disclosure Form

Note: A potential or actual conflict of interest exists when commitments and obligations are likely to be compromised by the nominator(s)' other material interests, or relationships (especially economic), particularly if those interests or commitments are not disclosed.

This Conflict of Interest Form should indicate whether the nominator(s) has an economic interest in, or acts as an officer or a director of, any outside entity whose financial interests would reasonably appear to be affected by the contract. The nominator(s) should also disclose any personal, business, or volunteer affiliations that may give rise to a real or apparent conflict of interest. Relevant Federally and organizationally established regulations and guidelines in financial conflicts must be abided by. Individuals with a conflict of interest should refrain from bidding and/or contracting.

Date: _____

Name: _____

Position: _____

Please describe below any relationships, transactions, positions you hold (volunteer or otherwise), or circumstances that you believe could contribute to a conflict of interest:

_____ I have no conflict of interest to report.

_____ I have the following conflict of interest to report (please specify other nonprofit and for-profit boards you (and your spouse) sit on, any for-profit businesses for which you or an immediate family member are an officer or director, or a majority shareholder, and the name of your employer and any businesses you or a family member own):

1. _____
2. _____
3. _____

I hereby certify that the information set forth above is true and complete to the best of my knowledge.

Signature: _____

Company: _____

Date: _____

EXHIBIT E**PRIVACY AND SECURITY (HIPAA)**

The purpose of this clause is to set forth the requirements for privacy and security of protected health information (“PHI”) mandated by 45 CFR Part 164 as they apply to the services provided by CONTRACTOR on behalf of COUNTY.

- (A) CONTRACTOR understands the importance of the privacy of a patient’s PHI, and agrees to protect that right to the extent necessary under this Agreement and under current federal, state, and local regulations and laws. All PHI will be handled in a private and/or confidential manner. For purposes of this Agreement, PHI is any data or other information as defined by the Department of Health and Human Services in the Code of Federal Regulations, 45 CFR §164.501.
- (B) Further, CONTRACTOR understands that County’s patients are intended third-party beneficiaries of this Agreement, and have all the rights and privileges of any third-party beneficiary under current law.
- (C) Uses and disclosures of PHI that are permitted are those necessary in order for CONTRACTOR to:
 - 1. Properly manage and administer its functions.
 - 2. Meet its legal responsibilities.
 - 3. Provide data aggregation services relating to the health care operations of the COUNTY.
 - 4. Make those disclosures required by law such as in situations of abuse, neglect, or domestic violence. The uses and disclosures permitted are limited to the PHI necessary to meet the requirements of the law that compels the use or disclosure.
 - 5. Make disclosures in response to a judicial or administrative proceeding through a lawful process such as a subpoena or discovery request.
- (D) The uses and disclosures of PHI that are required are those disclosures necessary:
 - 1. For patients to review their PHI.
 - 2. To provide an accounting of disclosures in accordance with 45 CFR §164.528.
 - 3. To allow the Secretary of Health and Human Services to determine County’s compliance with 45 CFR §164.504.
- (E) CONTRACTOR shall make the following assurances to COUNTY:
 - 1. CONTRACTOR agrees that it shall not use or disclose any patient’s PHI for any purpose not expressly stated in this Agreement. Further, CONTRACTOR shall not use or disclose PHI in any manner or context prohibited by the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”) and subsequent federal, state, and local regulations. If CONTRACTOR does use or disclose PHI for a purpose not expressly stated in this Agreement, it shall immediately cease the unauthorized use or disclosure, and shall notify COUNTY in writing of such use or disclosure.

- CONTRACTOR agrees to mitigate, to the extent practicable, any harmful effect known to it of a use or disclosure of PHI not allowed under this Agreement.
2. CONTRACTOR further agrees that any sub-contractors or other persons or entities not directly employed by CONTRACTOR who use or disclose PHI obtained from COUNTY, shall abide by terms of this clause of this Agreement. Any sub-contractor or other person or entity not directly employed by CONTRACTOR that has used or disclosed PHI without proper authorization (as defined in HIPAA and subsequent federal, state, and local regulations) shall be considered to have acted as an agent of CONTRACTOR, and have violated the terms of this Agreement. COUNTY may consider this use or disclosure a material breach of this Agreement.
 3. By signing this Agreement, CONTRACTOR is assuring COUNTY it has met the minimum safeguards necessary to protect unauthorized use or disclosure of PHI to any person or entity not party to this Agreement. Such safeguards shall include the security safeguards outlined by the 1996 Health Insurance Portability and Accountability Act and subsequent federal regulation, including: physical access to PHI, technical access to PHI, and administrative policies and procedures addressing security of PHI.
 4. Provider shall report to COUNTY any instance or circumstance in which PHI has been used or disclosed by an unauthorized person or entity, including accidental disclosure by CONTRACTOR. CONTRACTOR shall notify COUNTY in writing of any steps or procedural changes made to address the unauthorized use or disclosure.
 5. Should COUNTY find PHI used or disclosed to CONTRACTOR to be inaccurate or incomplete, CONTRACTOR shall incorporate any amendments or corrections to the PHI at COUNTY's request.
 6. CONTRACTOR will make PHI available to the individual who is the subject of the PHI for amendment. Such requests by the individual for their PHI from CONTRACTOR will be made through County. CONTRACTOR will incorporate any amendments to PHI that have been made by COUNTY by virtue of the individual's request for amendment.
 7. CONTRACTOR will provide a timely accounting to the individual or to COUNTY, if requested by either, of the disclosures of an individual's PHI.
 8. Should CONTRACTOR make any material alterations to the PHI while the PHI is in its possession, CONTRACTOR shall notify COUNTY of such alterations so that COUNTY may inform the patient who is the subject of the PHI.
 9. At the termination of this Agreement, CONTRACTOR shall return or destroy to the satisfaction of COUNTY any PHI held or maintained by CONTRACTOR and retain no copies of such information. If COUNTY and CONTRACTOR mutually agree that returning or destroying the PHI is not feasible or permitted under law, the PHI will remain protected after this agreement

- ends for as long as CONTRACTOR maintains the information. Further uses or disclosures of the PHI will be limited to those purposes that make the return or destruction infeasible.
- (F) If COUNTY determines CONTRACTOR has violated any of the above assurances, covenants or terms, the CONTRACTOR has committed a material breach of this Agreement. COUNTY may then provide CONTRACTOR with an opportunity to cure the breach or may terminate this Agreement and may report the violations to the Department of Health and Human Services (“HHS”) or other federal or state entity for possible prosecution or sanctions.
- (G) Both parties to this agreement agree that they will protect the integrity and confidentiality of any PHI being shared electronically.
- (H) CONTRACTOR hereby gives COUNTY and the Department of Health and Human Services (or an agent acting on behalf of HHS) the express right to inspect any and all internal practices, books, and records relating to the use or disclosure of PHI by CONTRACTOR. If HHS suspects an unauthorized use or disclosure of PHI by CONTRACTOR, HHS is authorized to pursue an investigation into CONTRACTOR’s activities for the purposes of determining whether an unauthorized use or disclosure of PHI has taken place.
- (I) CONTRACTOR may have policies and procedures relating to privacy and security in place prior to the commencement of this Agreement. If, after reasonable investigation, COUNTY concludes CONTRACTOR’s policies and procedures to be “adequate” protection of a patient’s privacy rights relating to PHI, CONTRACTOR may elect to continue to use its own policies and procedures. The term “adequate” in this clause means CONTRACTOR’s policies and procedures meet the minimum privacy and security standards as set forth in COUNTY’s privacy and security policies and procedures.
- (J) COUNTY, through the appropriate Department will:
1. provide CONTRACTOR with its Privacy Notice;
 2. provide CONTRACTOR with any changes in, or revocation of, permission by a patient to use or disclose PHI, if such changes affect CONTRACTOR’s permitted or required uses or disclosures; and
 3. notify CONTRACTOR of any restriction to the use or disclosure of PHI to which the COUNTY has agreed.
- (K) Implement administrative, physical, and technical safeguards that reasonably and appropriately protect the confidentiality, integrity, and availability of the electronic protected health information (ePHI) that it creates, receives, maintains, or transmits on behalf of Cortland County.
- (L) Ensure that any agent, including a subcontractor, to whom Contractor provides ePHI agrees to implement reasonable and appropriate safeguards to protect this information.

(M) Report to Security Officer of Cortland County any security incidents of which it becomes aware. (A security incident is defined as the attempted or successful unauthorized access, use, disclosure, modification, or destruction of information or interference with system operations in an information system.)

APPENDIX A

STANDARD CLAUSES FOR NEW YORK STATE CONTRACTS

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

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STANDARD CLAUSES FOR NYS CONTRACTS

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

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

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

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

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

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

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

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

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

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

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

10. RECORDS. The Contractor shall establish and maintain complete and accurate books, records, documents, accounts and other evidence directly pertinent to performance under this contract (hereinafter, collectively, "the Records"). The Records must be kept for the balance of the calendar year in which they were made and for six (6) additional years thereafter. The State Comptroller, the Attorney General and any other person or entity authorized to conduct an examination, as well as the agency or agencies involved in this contract, shall have access to the Records during normal business hours at an office of the Contractor within the State of New York or, if no such office is available, at a mutually agreeable and reasonable venue within the State, for the term specified above for the purposes of inspection, auditing and copying. The State shall take reasonable steps to protect from public disclosure any of the Records which are exempt from disclosure under Section 87 of the Public Officers Law (the "Statute") provided that: (i) the Contractor shall timely inform an appropriate State official, in writing, that said records should not be disclosed; and (ii) said records shall be sufficiently identified; and (iii) designation of said records as exempt under the Statute is reasonable. Nothing contained herein shall diminish, or in any way adversely affect, the State's right to discovery in any pending or future litigation.

11. IDENTIFYING INFORMATION AND PRIVACY NOTIFICATION. (a) Identification Number(s). Every invoice or New York State Claim for Payment submitted to a New York State agency by a payee, for payment for the sale of goods or services or for transactions (e.g., leases, easements, licenses, etc.) related to real or personal property must include the payee's identification number. The number is any or all of the following: (i) the payee's Federal employer identification number, (ii) the payee's Federal social security number, and/or (iii) the payee's Vendor Identification Number assigned by the Statewide Financial System. Failure to include such number or numbers may delay payment. Where the payee does not have such number or numbers, the payee, on its invoice or Claim for Payment, must give the reason or reasons why the payee does not have such number or numbers.

(b) Privacy Notification. (1) The authority to request the above personal information from a seller of goods or services or a lessor of real or personal property, and the authority to maintain such information, is found in Section 5 of the State Tax Law. Disclosure of this information by the seller or lessor to the State is mandatory. The principal purpose for which the information is collected is to enable the State to identify individuals, businesses and others who have been delinquent in

filing tax returns or may have understated their tax liabilities and to generally identify persons affected by the taxes administered by the Commissioner of Taxation and Finance. The information will be used for tax administration purposes and for any other purpose authorized by law. (2) The personal information is requested by the purchasing unit of the agency contracting to purchase the goods or services or lease the real or personal property covered by this contract or lease. The information is maintained in the Statewide Financial System by the Vendor Management Unit within the Bureau of State Expenditures, Office of the State Comptroller, 110 State Street, Albany, New York 12236.

12. EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITIES AND WOMEN. In accordance with Section 312 of the Executive Law and 5 NYCRR 143, if this contract is: (i) a written agreement or purchase order instrument, providing for a total expenditure in excess of \$25,000.00, whereby a contracting agency is committed to expend or does expend funds in return for labor, services, supplies, equipment, materials or any combination of the foregoing, to be performed for, or rendered or furnished to the contracting agency; or (ii) a written agreement in excess of \$100,000.00 whereby a contracting agency is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon; or (iii) a written agreement in excess of \$100,000.00 whereby the owner of a State assisted housing project is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon for such project, then the following shall apply and by signing this agreement the Contractor certifies and affirms that it is Contractor's equal employment opportunity policy that:

(a) The Contractor will not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability or marital status, shall make and document its conscientious and active efforts to employ and utilize minority group members and women in its work force on State contracts and will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination. Affirmative action shall mean recruitment, employment, job assignment, promotion, upgradings, demotion, transfer, layoff, or termination and rates of pay or other forms of compensation;

(b) at the request of the contracting agency, the Contractor shall request each employment agency, labor union, or authorized representative of workers with which it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, labor union or representative will not discriminate on the basis of race, creed, color, national origin, sex, age, disability or marital status and that such union or representative will affirmatively cooperate in the implementation of the Contractor's obligations herein; and

(c) the Contractor shall state, in all solicitations or advertisements for employees, that, in the performance of the State contract, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.

Contractor will include the provisions of "a", "b", and "c" above, in every subcontract over \$25,000.00 for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the "Work") except where the Work is for the beneficial use of the Contractor. Section 312 does not apply to: (i) work, goods or services unrelated to this contract; or (ii) employment outside New York State. The State shall consider compliance by a contractor or subcontractor with the requirements of any federal law concerning equal employment opportunity which effectuates the purpose of this section. The contracting agency shall determine whether the imposition of the requirements of the provisions hereof duplicate or conflict with any such federal law and if such duplication or conflict exists, the contracting agency shall waive the applicability of Section 312 to the extent of such duplication or conflict. Contractor will comply with all duly promulgated and lawful rules and regulations of the Department of Economic Development's Division of Minority and Women's Business Development pertaining hereto.

13. CONFLICTING TERMS. In the event of a conflict between the terms of the contract (including any and all attachments thereto and amendments thereof) and the terms of this Appendix A, the terms of this Appendix A shall control.

14. GOVERNING LAW. This contract shall be governed by the laws of the State of New York except where the Federal supremacy clause requires otherwise.

15. LATE PAYMENT. Timeliness of payment and any interest to be paid to Contractor for late payment shall be governed by Article 11-A of the State Finance Law to the extent required by law.

16. NO ARBITRATION. Disputes involving this contract, including the breach or alleged breach thereof, may not be submitted to binding arbitration (except where statutorily authorized), but must, instead, be heard in a court of competent jurisdiction of the State of New York.

17. SERVICE OF PROCESS. In addition to the methods of service allowed by the State Civil Practice Law & Rules ("CPLR"), Contractor hereby consents to service of process upon it by registered or certified mail, return receipt requested. Service hereunder shall be complete upon Contractor's actual receipt of process or upon the State's receipt of the return thereof by the United States Postal Service as refused or undeliverable. Contractor must promptly notify the State, in writing, of each and every change of address to which service of process can be made. Service by the State to the last known address shall be sufficient. Contractor will have thirty (30) calendar days after service hereunder is complete in which to respond.

18. PROHIBITION ON PURCHASE OF TROPICAL HARDWOODS. The Contractor certifies and warrants that all wood products to be used under this contract award will be in accordance with, but not limited to, the specifications and provisions of Section 165 of the State Finance Law, (Use of Tropical Hardwoods) which prohibits purchase and use of tropical hardwoods, unless specifically exempted, by the State or any governmental agency or political subdivision or public benefit corporation. Qualification for an exemption under this law will be the responsibility of the contractor to establish to meet with the approval of the State.

In addition, when any portion of this contract involving the use of woods, whether supply or installation, is to be performed by any subcontractor, the prime Contractor will indicate and certify in the submitted bid proposal that the subcontractor has been informed and is in compliance with specifications and provisions regarding use of tropical hardwoods as detailed in §165 State Finance Law. Any such use must meet with the approval of the State; otherwise, the bid may not be considered responsive. Under bidder certifications, proof of qualification for exemption will be the responsibility of the Contractor to meet with the approval of the State.

19. MACBRIDE FAIR EMPLOYMENT PRINCIPLES. In accordance with the MacBride Fair Employment Principles (Chapter 807 of the Laws of 1992), the Contractor hereby stipulates that the Contractor either (a) has no business operations in Northern Ireland, or (b) shall take lawful steps in good faith to conduct any business operations in Northern Ireland in accordance with the MacBride Fair Employment Principles (as described in Section 165 of the New York State Finance Law), and shall permit independent monitoring of compliance with such principles.

20. OMNIBUS PROCUREMENT ACT OF 1992. It is the policy of New York State to maximize opportunities for the participation of New York State business enterprises, including minority and women-owned business enterprises as bidders, subcontractors and suppliers on its procurement contracts.

Information on the availability of New York State subcontractors and suppliers is available from:

NYS Department of Economic Development
Division for Small Business
Albany, New York 12245
Telephone: 518-292-5100
Fax: 518-292-5884
email: opa@esd.ny.gov

A directory of certified minority and women-owned business enterprises is available from:

NYS Department of Economic Development
Division of Minority and Women's Business Development
633 Third Avenue
New York, NY 10017
212-803-2414
email: mwb certification@esd.ny.gov
<https://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp>

The Omnibus Procurement Act of 1992 requires that by signing this bid proposal or contract, as applicable, Contractors certify that whenever the total bid amount is greater than \$1 million:

(a) The Contractor has made reasonable efforts to encourage the participation of New York State Business Enterprises as suppliers and subcontractors, including certified minority and women-owned business enterprises, on this project, and has retained the documentation of these efforts to be provided upon request to the State;

(b) The Contractor has complied with the Federal Equal Opportunity Act of 1972 (P.L. 92-261), as amended;

(c) The Contractor agrees to make reasonable efforts to provide notification to New York State residents of employment opportunities on this project through listing any such positions with the Job Service Division of the New York State Department of Labor, or providing such notification in such manner as is consistent with existing collective bargaining contracts or agreements. The Contractor agrees to document these efforts and to provide said documentation to the State upon request; and

(d) The Contractor acknowledges notice that the State may seek to obtain offset credits from foreign countries as a result of this contract and agrees to cooperate with the State in these efforts.

21. RECIPROCITY AND SANCTIONS PROVISIONS. Bidders are hereby notified that if their principal place of business is located in a country, nation, province, state or political subdivision that penalizes New York State vendors, and if the goods or services they offer will be substantially produced or performed outside New York State, the Omnibus Procurement Act 1994 and 2000 amendments (Chapter 684 and Chapter 383, respectively) require that they be denied contracts which they would otherwise obtain. NOTE: As of May 15, 2002, the list of discriminatory jurisdictions subject to this provision includes the states of South Carolina, Alaska, West Virginia, Wyoming, Louisiana and Hawaii. Contact NYS Department of Economic Development for a current list of jurisdictions subject to this provision.

22. COMPLIANCE WITH NEW YORK STATE INFORMATION SECURITY BREACH AND NOTIFICATION ACT. Contractor shall comply with the provisions of the New York State Information Security Breach and Notification Act (General Business Law Section 899-aa; State Technology Law Section 208).

23. COMPLIANCE WITH CONSULTANT DISCLOSURE LAW. If this is a contract for consulting services, defined for purposes of this requirement to include analysis, evaluation, research, training, data processing, computer programming, engineering, environmental, health, and mental health services, accounting, auditing, paralegal, legal or similar services, then, in accordance with Section 163 (4-g) of the State Finance Law (as amended by Chapter 10 of the Laws of 2006), the Contractor shall timely, accurately and properly comply with the requirement to submit an annual employment report for the contract to the agency that awarded the contract, the Department of Civil Service and the State Comptroller.

24. PROCUREMENT LOBBYING. To the extent this agreement is a "procurement contract" as defined by State Finance Law Sections 139-j and 139-k, by signing this agreement the contractor certifies and affirms that all disclosures made in accordance with State Finance Law Sections 139-j and 139-k are complete, true and accurate. In the event such certification is found to be intentionally false or intentionally incomplete, the State may terminate the agreement by providing written notification to the Contractor in accordance with the terms of the agreement.

25. CERTIFICATION OF REGISTRATION TO COLLECT SALES AND COMPENSATING USE TAX BY CERTAIN STATE CONTRACTORS, AFFILIATES AND SUBCONTRACTORS.

To the extent this agreement is a contract as defined by Tax Law Section 5-a, if the contractor fails to make the certification required by Tax Law Section 5-a or if during the term of the contract, the Department of Taxation and Finance or the covered agency, as defined by Tax Law 5-a, discovers that the certification, made under penalty of perjury, is false, then such failure to file or false certification shall be a material breach of this contract and this contract may be terminated, by providing written notification to the Contractor in accordance with the terms of the agreement, if the covered agency determines that such action is in the best interest of the State.

26. IRAN DIVESTMENT ACT. By entering into this Agreement, Contractor certifies in accordance with State Finance Law §165-a that it is not on the "Entities Determined to be Non-Responsive Bidders/Offerers pursuant to the New York State Iran Divestment Act of 2012" ("Prohibited Entities List") posted at: <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf>. Contractor further certifies that it will not utilize on this Contract any subcontractor that is identified on the Prohibited Entities List. Contractor agrees that should it seek to renew or extend this Contract, it must provide the same certification at the time the Contract is renewed or extended. Contractor also agrees that any proposed Assignee of this Contract will be required to certify that it is not on the Prohibited Entities List before the contract assignment will be approved by the State.

During the term of the Contract, should the state agency receive information that a person (as defined in State Finance Law §165-a) is in violation of the above-referenced certifications, the state agency will review such information and offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment activity which is in violation of the Act within 90 days after the determination of such violation, then the state agency shall take such action as may be appropriate and provided for by law, rule, or contract, including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the Contractor in default.

The state agency reserves the right to reject any bid, request for assignment, renewal or extension for an entity that appears on the Prohibited Entities List prior to the award, assignment, renewal or extension of a contract, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the Prohibited Entities list after contract award.



Cortland County Administrative Policy Manual

Telecommuting/Telework Guidelines and Protocols Policy

Policy/Procedure Number:

Modified Date(s):

Resolution No.:

Effective Date:

Next Scheduled Review:

Objective: To establish a policy and procedure to encourage, where appropriate, the use of alternative work arrangements in order to fulfill the mission of the County.

Reference (All applicable federal, state, and local laws):

Legislative Policy Statement:

Responsible Department: Personnel Department

General Information: The purpose of this policy is to provide guidelines governing staff telecommuting/telework and to establish best practices when authorizing and making arrangements for an employee to telecommute/telework.

I. Definitions:

- Alternative Workplace Solutions (AWS): An alternative to typical office design and use predicated on permanently assigned County provided workspace. It includes such options as telecommuting or other alternative arrangements that have been agreed to by the Department Head and the employee.
- Appropriate Alternative Worksite: Typically the employee's residence that supports work and provides appropriate information technology (IT) connectivity and security precautions in support of the work.
- Centrally Located Worksite: Cortland County provided workspace where the employee would be required to work if they were not granted an AWS arrangement.
- Emergency Situation: An event, incident, or circumstance that interrupts or compromises operations at, or travel to or from, the Centrally Located



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Worksite. It may include a range of situations including, but not limited to, civil disruptions, inclement weather and associated travel conditions, natural disaster, public health emergencies, power outages, water main breaks, unusual traffic situations, or other scenarios where access to the worksite is compromised.

- Emergency Alternative Workplace Solutions: Emergency alternative workplace solutions performed in response to an approved emergency situation, including in response to an operating status announcement at the discretion of the County Administrator.
- Mobile Work: Work that is characterized by regular travel to and work performed in client locations or third-party worksites as opposed to the centrally located worksite. Mobile work may consist of fieldwork, such as site visits, site inspections, investigations, and court proceedings. It is distinguished from telecommuting in that the work must take place away from either the centrally located worksite or the appropriate alternative worksite and its specific to a target site or location. Mobile work may be combined with AWS.
- Remote Work: Performing the duties and responsibilities of the position and other authorized work activities at least one (1) or more days each work week on a regular and recurring basis from an appropriate alternative worksite instead of commuting to the employee's centrally located worksite.
- Telecommuting: A flexible work arrangement that allows an employee to work at home or elsewhere for part or all of the employee's regular work schedule.
- Telework: A work arrangement in which supervisors direct employees to perform their job duties away from their central workplace, in accordance with their same performance expectations and other approved or agreed-upon terms. It does not include work performed at a temporary worksite for an limited duration.
- Voluntary: Employee's choice to participate in an AWS.



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II. Policy:

- A. Telecommuting/Telework requests are submitted by the employee or the person's designee for review and approval. AWS arrangements may be implemented where appropriate and approved by the Department Head and County Administrator for eligible employees, upon notice to the County Administrator and Personnel Director of the terms and conditions of the arrangements.
- B. Telecommuting/Telework arrangements are not appropriate for all employees. No employee is entitled to, nor guaranteed the opportunity to have an AWS schedule. It is not a universal employee benefit and employees do not have the "right" to AWS arrangements. Offering the opportunity for an AWS arrangement is based on the discretion of the employee's Department Head. All employee's participation is mutually agreeable, except in case of emergency when employees may be required to work from home. All AWS arrangements must meet the criteria in this policy and may be terminated at any time by the Department Head. Each employee request will be considered and approved on a case-by-case basis under special circumstances such as a pandemic or natural disaster.
- C. Telecommuting/Telework will be used when appropriate to the particular needs of the Department and employee. Implementation and termination of the AWS agreements will be at the discretion of the employee's Department Head.
- D. Telecommuting/Telework may be approved on a time-limited basis and exceptions may be required to meet departmental needs.
- E. Denial and termination decision are based on business needs or performance not personal reasons and are not grievable or arbitrary.



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- F.** Individual approved telecommuting/telework arrangements will be reviewed every two (2) weeks to determine whether or not the arrangement should continue forward.
- G.** Supervisors are responsible to develop a means of evaluating hours worked or work performance, and holding the employee accountable, as they would normally do for staff working in the office.
- H.** The policies and procedures that normally apply to the central workplace shall remain the same for teleworking employees. This shall include but not limited to performance management. Telecommuting/Teleworking assignments do not change the conditions of employment or required compliance with policies and procedures.

TERMS AND CONDITIONS OF TELECOMMUTING/TELEWORKING ARRANGEMENTS

All telecommuting/teleworking arrangements shall be in writing and include the responsibilities of both the agency and the employee. An employee wishing to request an AWS arrangement shall submit a written request to the employee's Department Head. An AWS arrangement must be mutually agreed upon in writing by the employee, Department Head, and the County Administrator. A copy of said agreement must be provided to the County Administrator and Personnel Director. Any changes, other than termination of the arrangement, to the written arrangement must also be documented in writing and approved by the employee, Department Head and County Administrator. Each participant in a teleworking arrangement must sign the document that contains the terms of the teleworking arrangement.

At a minimum, the telecommuting/teleworking arrangement shall comply with the policy provisions below:

- A.** Compensation and Benefits: An employee's compensation and benefits will not change when the person works.
- B.** When working at home or elsewhere, the telecommuter/teleworker is responsible for establishing and maintaining an adequate and safe work environment. The employee is responsible for providing the space,



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printing, network and/or internet capabilities and security at the appropriate alternative worksite, and shall not be reimbursed by the County for these or related expenses.

- C.** When working at home or elsewhere, the telecommuter is responsible for establishing a work environment free of interruptions and distractions that would affect performance.
- D.** The total number of hours that employees are expected to work will not change. This does not, however, restrict the use of alternative work schedules:

 - 1. Employees are expected to perform their work during standard business hours with reasonable amounts of time for breaks and lunch allotted.
 - 2. If the employee does not complete a full work day (if required pursuant to employment contract), accruals will be required to be charged.
 - 3. The telecommuter/teleworker and the Department Head will have agreed on the number of days of telecommuting allowed each week. The telecommuter/teleworker will maintain the assigned schedule
 - 4. The telecommuter/teleworker will maintain the agreed upon work schedule and be accessible via telephone and email during telecommuting hours.
 - 5. All work related communications by the telecommuter/teleworker must be sent to the employee's Supervisor, or Department Head or designee.
- E.** Just as the employee would do at the primary work location, the telecommuter/teleworker is responsible for recording hours worked, vacation, sick, or other leave on the designated time sheet. This time sheet



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will be signed, dated, and submitted electronically at the end of each day to the employee's immediate Supervisor, or Department Head or designee

- F.** Time at home or elsewhere spent in activities other than work must not be submitted as work-time; such circumstance would constitute falsification of time records for time not worked (theft of time) and could be grounds for discipline up to and including termination of employment.
- G.** In addition to the daily time log, each day the telecommuter/teleworker will email the Supervisor, or Department Head or designee, to confirm the start of the work day, breaks, lunch, and the end of their work day.
- H.** Staff are required to clearly document and log all work activities that are completed. Employees will submit this completed and signed log at the end of each day to their immediate Supervisor, or Department Head or designee.
- I.** If an employee is not performing work during the telecommuting or teleworking hours, they must charge accrual time.
- J.** If an employee falsifies time documents or is not performing at the expected level, the telecommuting/telework agreement may be revoked and the employee subject to discipline to an extent equivalent to the sanctions to which the employee would have been subjected if working from the main work site.
- K.** Telecommuting/Telework is not intended to permit employees to have time to attend to personal business, such as performing outside employment or providing dependent care or elder care. Employees who have an AWS arrangement are expected to have child and/or elder care arrangements during the period of time that they will be working.
- L.** The Telecommuter/Teleworker and the Department enter into a good faith arrangement when permitted an employee to perform their work assigns off site. If, for any reason the Department has reason to believe the



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Telecommuter/Teleworker is not acting in good faith in their performance of work during the employee's documented work hours, the Department may request further documentation and/or information regarding the employee's alternate work site environment and its suitability to perform the employee's work assignments.

- M.** Performance standards for off-site employees are the same as performance standards for on-site employees.
- N.** Supervisor expectations of a teleworker's performance and work assignments should be clearly outlined, agreed to, and understood, in advance of the start of the telecommute/telework event. As with on-site employees, teleworkers must and can be held accountable for the results they produce.
- O.** Supervisors will:
 - 1. Remain equitable in assigning work and rewarding performance.
 - 2. Avoid distributing work based on "availability" as measured by employee presence in the office.
 - 3. The Supervisor will set up regular discussion during which the supervisor and employee can review completed items and the status of items in progress.
 - 4. Give feedback as you would with any employee. It should be direct and offer examples of where the employee is meeting or failing to meet expectations. Feedback should also give the employee the opportunity to seek clarification.
 - 5. Address problems and resolve quickly before they escalate to the detriment of the telecommuting/telework arrangement.



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P. The County has limited amount of laptops available for telecommuters/teleworkers. If available, the County will have the telecommuters/teleworkers sign out available equipment for utilization. This is the preferred option for telecommuters/teleworkers. If the county does not have available laptops to sign out, telecommuters/teleworkers will generally be required to provide their own computer equipment, software, and peripherals. The following are the rules related to equipment and costs:

1. Employees who are approved for telecommute/telework will be provided temporary VPN access to the person's desktop so work can continue to be done as if the person were working on the computer in the office. This is so all work completed, saved, and downloaded will remain on the County system. Employees are not authorized to save any work documents, emails, etc. to the employee's personal equipment's internal or external hard drive or desktop.
2. An employee who uses their own personal equipment for telecommuting/telework acknowledges and releases the County and the person's Department from any and all liability.
3. If County equipment is used, the employee must exercise reasonable care for the equipment and the employee may be held liable for damage caused by negligence.
4. County equipment should not be used for personal/other purposes beyond the incidental personal use it might receive if in the office.
5. Damage to any personal equipment being used for telecommuting/telework is generally the responsibility of the telecommuter. Preventable damage (as determined by



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the Department Head) to any County equipment being used for telecommuting is the responsibility of the telecommuter/teleworker.

6. Normal wear and tear on personal equipment being used for telecommuting is the responsibility of the telecommuter/teleworker. Normal wear and tear (as determined by the Department Head) on County equipment being used for telecommuting/telework is generally the responsibility of the Department.
7. Internet costs which are necessary for email and search functions are paid for by the telecommuter/teleworker.

Q. Work related long-distance telephone (voice) expenses that may be incurred by the employee at home will not be reimbursed by the Department. Work related long-distance and regular phone expenses are the responsibility of the telecommuter/teleworker.

R. Employees must take responsibility for the security of the data and other information that they handle while telecommuting/teleworking. This means they need to safeguard information and data including:

1. Be familiar with, understand, and comply with all HIPAA and Confidentiality policy and safety protocols for accessing any local and state systems remotely.
2. Participate in confidentiality training.
3. Maintain security of any relevant materials, including files, correspondence, and equipment, separating them from personal property and equipment.
4. No protected health information or otherwise confidential information should be kept on personal electronic



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equipment, in accordance with HIPAA and other confidentiality rules.

5. Have a private space when conducting business discussions via the telephone with individuals, clients, supervisors, etc.
 6. Assure that no other members of their household views or has access of any kind to any client materials or information. Breach of confidentiality is grounds for discipline.
- S. Telecommuting/Teleworking employees must report their inability to conduct work due to illness or personal issues just as they would on a non-telecommuting/non-telework day. If a pattern of usage of unscheduled absences in connection with telecommuting/teleworking days becomes noticeable and the Department suspects abuse, the Department will address the situation with the employee. If the situation is not resolved to the Department's satisfaction, the telecommuting/teleworking agreement can be revoked and the employee may be subject to discipline.
- T. Employees who remote work will be covered by workers' compensation for all job-related injuries occurring during their defined work period. The employee is responsible for maintaining a safe or ergonomic working environment, including the work area, bathroom, and other areas that may be necessary for working during the remote working arrangement. Workers' compensation will not apply to non-job-related injuries that occur at the remote work site. The employee also remains responsible for injuries to third parties and/or members of the employee's family on the employee's premises. Cortland County will not be responsible for injuries to third parties or members of the employee's family that occur on the employee's premises and the employee will hold the County harmless for injury to others at the remote work site.



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- U. In the event of a job-related incident, accident or injury during AWS working hours, the employee shall report the incident to their supervisor as soon as possible within twenty- four (24) hours and follow established procedures to report and investigate workplace incidents, accidents, or injuries.
- V. AWS employees shall not hold business meetings with internal or external clients, customers, or colleagues at their residence.
- W. The agency may terminate the teleworking agreement at its discretion and at any time. The Department may determine that it is no longer in the best interest of the County to continue the telecommuting/telework arrangement. For example, the Department might deem that an employee's tasks are no longer suitable for telecommuting/telework; find that work product, productivity, or accountability standards are not being met; or a short- term need or other premise that gave rise to the telecommuting/telework arrangement may no longer exist. When the Department determines to terminate the Telecommuting/Telework Agreement, it will provide a minimum of seventy-two (72) hours' notice or less if mutually agreeable between the County and the employee to return back to the office for all work activities. Termination of a telecommuting/teleworking arrangement by Administration is not a situation that can be grieved or arbitrated.

ADD AGREEMENT FORMS

CORTLAND COUNTY LEGISLATURE RULES OF ORDER



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Attachment: Rules of Order - Revised June 2021 (8546 : Adopt Cortland County Rules of Order)



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Attachment: Rules of Order - Revised June 2021 (8546 : Adopt Cortland County Rules of Order)



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ARTICLE I DEFINITIONS

1. **Agenda** – is a summary of the order of business expected to come before a particular meeting of the Legislature. All bid openings, communications, petitions, notices, committee reports, annual reports, audits, resolutions, proclamations, recognitions, as well as any other business to appropriately come before the Legislature shall be listed.
2. **Amendment** – is a proposal to change the wording of a motion or a resolution. Upon request of any legislator in attendance, an amendment must be submitted in writing and distributed to all members.
3. **Amend Something Previously Adopted** – is a motion to change the Legislature's action on a portion of a resolution that has been adopted. This motion is in order as long as the portion to be amended is not something that has already been done that cannot be undone. A motion to amend something previously adopted requires a two-thirds vote without notice, or a majority vote of the entire membership with notice.
4. **Article** – is any resolution, petition, communication, notice, or report.
5. **Article postponed indefinitely** – is any article which is terminated for the particular Legislative session at which it is postponed indefinitely.
6. **Article postponed to time certain** – is any article postponed to a specific time (time c e r t a i n) to be taken up on a specific day.
7. **Authorized Agency** – is a corporation, association, institution, or agency authorized to receive and expend County money (see County Law, § 351).
8. **Chair** – is the Chair of the Cortland County Legislature, elected in accordance with Article II, Section 2-A of these Rules, Local Law No. 2 of 1972, and County Law §151.
9. **Citizen's Advisory Committee** – the County Legislature, by resolution, may appoint a committee of citizens of the County to act in an advisory capacity to any committee, department or office on any subject relating to the County government, pursuant to provisions in County Law §154. Term of said Committee shall not exceed the term of the appointing Legislature.
10. **Claim** – is any claim, bill, or account submitted to the Legislature pursuant to County Law (see County Law, § 369).
11. **Clerk** – is the Clerk of the Cortland County Legislature appointed in accordance with Article II of these Rules, Local Law No. 2 of 1972, and County Law §400-4(a) and County Law §475 or any amendments.
12. **Committee of the Whole** – is a committee composed of the members of the Legislature for the purpose of considering a subject which the members do not wish to refer to a Standing or Special

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Committee, but which is not in proper form for their final action. Committee of the Whole is NOT an executive session.

13. **Conflict of Interest** – no municipal officer or employee shall have an interest, direct or indirect, in any contract with the County of Cortland, or engage in any other activity prohibited by the Cortland County Code of Ethics (Local Law No. 2 of 2008), when such officer or employee, individually or as a member of a board, has the power or duty to:
 - A. Negotiate, prepare, authorize or approve a contract or authorize or approve payment thereunder;
 - B. Audit bills or claims under the contract; or
 - C. Appoint an officer or employee who has any of the powers or duties set forth above.
14. **Communication** – is any written instrument advising the Legislature of facts, situations, or problems (past, present, or future) having to do with the operation of Cortland County Government or the Legislature's powers under County Law. For informational purposes, official communications may be distributed to ~~or~~ and received and filed by the Legislature.
15. **Day** – a period from a certain day within which, or after, or before which, an act is a u t h o r i z e d or required to be done, meaning the number of calendar days exclusive of the calendar day from which the reckoning is made. If such period is a period of two days, Saturday, Sunday, or a public holiday must be excluded from the reckoning if it is an intervening day between the day from which the reckoning is made and the last day of the period. In computing any specified period of time from a specified event, the day upon which the event happens is deemed the day from which the reckoning is made. The day from which any specified period of time is reckoned shall be excluded in making the reckoning (see General Construction Law §20).
16. **Department Head** – is the County employee or employees elected, or appointed by the Legislature, chiefly responsible for the operation of any County Department.
17. **Ex-officio** – a member of the committee or board by virtue of an office held. Ex-officio members of committees have the same rights and privileges as all other members of the committee or board, including the right to vote. If an ex-officio member is NOT under the authority of the organization (Legislature), he/she has all rights and privileges, but not the obligations of a regular member, and does not count toward a quorum. An ex-officio member who IS under the authority of the Legislature (Chair) IS counted in the quorum.
18. **Excused Absence** – Prior notification of an absence to a Committee Chair, Clerk or Chair of the Legislature.
19. **Executive Session** – that portion of a meeting not open to the public. **Proceedings in Executive Session shall be confidential** unless the Legislature votes otherwise, or is required to be made public in accordance with NYS Public Officer's Law. The Legislature may conduct an executive session upon a majority vote of the Legislature taken in an open meeting, after a motion to enter



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into executive session, for one of the purposes enumerated in Public Officer's Law §105 (1) (a) through (h) as follows:

- A. matters which will imperil the public safety if disclosed;
- B. any matter which may disclose the identity of a law enforcement agent or informer;
- C. information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
- D. discussions regarding proposed, pending or current litigation;
- E. collective negotiations pursuant to article fourteen of the civil service law;
- F. the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;
- G. the preparation, grading or administration of examinations; and
- H. 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.

However, no action by formal vote shall be taken to appropriate public moneys during executive session.

Minutes of executive session shall consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon. The summary need not include any matter which is not required to be made public by the Freedom of Information Law. Minutes taken in executive session shall be available to the public within one week from the date of the executive session.

Attendance at executive session shall be permitted to any members of the legislature and any other persons authorized by the Legislature.

- 20. **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.
- 21. **Journal** – is the copy of the record of proceedings of the Cortland County Legislature for a calendar year in printed bound volume, or recorded by electronic means, or both, certified by the Clerk of the



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Legislature as a true copy. The Clerk of the Legislature shall ensure that a printed copy is published annually pursuant to County Law (see County Law, § 211).

22. **Legislature** – is the Cortland County Legislature, the elected county governing body, by whatsoever name designated. Whenever the term "County Board," "Board of Supervisors," "County Governing Board," "Elective governing body of the county" is referred to in any law, contract, or document pertaining to any of the functions, powers, obligations, and duties of such governing body, it shall be deemed to mean and refer to the County Legislature (see County Law§150-a).
23. **Majority Leader** – is the Cortland County Legislature's Majority Leader selected in accordance with Resolution No. 170-06.
24. **Majority Vote of County Legislature** – the majority number of weighted votes of the total membership of the Legislature.
25. **Meeting** – the official convening of ~~a public body~~ a legislative body for the purpose of conducting public business. This includes any meeting of a committee and any special, organizational, or other meeting.
26. **Member** – is either a duly elected member of the Cortland County Legislature or a member appointed by authority of Local Law No. 2, Article II, § 204, VACANCIES, for year 1972.
27. **Minority Leader** – is the Cortland County Legislature's Minority Leader selected in accordance with Resolution No. 170-06.
28. **Minority Report** – is the written report of ~~the a~~ minority party or a minority of any standing or special or committee.
29. **Motion** – is a formal proposal for action by a member in a meeting.
30. **Motion to Discharge** – is a motion relieving a Standing or Special committee of its responsibility to consider a matter referred to it and placing the matter on the agenda of the following meeting of the Legislature.
31. **Motion to Reconsider** – is a motion, subject to time limits, to bring again before the Legislature a motion which has been adopted, defeated, or postponed indefinitely, as long as something has not already been done which cannot be undone. This motion may only be made by a member who voted on the prevailing side. Requires a majority vote of the Legislature.
32. **Motion to Rescind** – is a motion to revoke the Legislature's action on a motion which has been adopted, as long as something has not already been done which cannot be undone. Requires a two-thirds vote of the Legislature.
33. **Motion to Suspend the Rules** – is a motion suspending the Rules of Order which requires a two-thirds vote and may be made by any member of the Legislature.
34. **Notice to Incoming Members** – the notice referenced in Article II, Section B. 1 of these Rules

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shall be in writing and shall be served by United States mail addressed to each incoming member at his/her last known postal address at least 48 hours before the date and time of the meeting (see County Law, §151(1).)

35. **Petition** – is a written request for action by the Legislature on a matter having to do with the operation of Cortland County Government or the Legislature's power under County Law.
36. **Previous Question** – is a motion to immediately end debate and amendment and take a vote on the question(s) before the Legislature. It requires a second, and a two-thirds vote, which is taken separately from and before the vote on the motion(s) to which it is applied.
37. **Privilege of the Floor** – is an opportunity granted to a person who is not a member of the Legislature to address an issue that is on the current Legislative agenda (see Article III Section 1.A.vi. for detail).
38. **Quorum** – is a majority of the total number of members of the Legislature, should no vacancy exist (see County Law §153(2) and General Construction Law §41).
39. **Recessed Meeting** – is a meeting called to complete unfinished business, or a meeting called because of failure to obtain a quorum at a meeting.
40. **Receive and File** – is a motion to receive a communication and have it placed on file with the Clerk of the Legislature.
41. **Refer (motion to)** – is a motion to refer a matter to a Standing or Special Committee as the Legislature deems appropriate.
42. **Regular Meeting** – is a meeting called for the purpose of transacting any and all business which the Legislature is authorized or permitted by law to transact.
43. **Resolution** – is a written instrument for consideration by the Legislature as recommended by a committee or the Chair in carrying out its power and duties pursuant to Statute or expressing the sense of the Legislature on a matter having to do with the operation of Cortland County Government.
44. **Resolutions of a Permanent Nature Requiring a Two-Thirds of Total Weighted Vote** – require a two-thirds vote of the total weighted vote and shall include those:
 - A. authorizing the purchase of property (See County Law, § 215);
 - B. authorizing the issuance of bonds (See General Municipal Law, § 99-g);
 - C. conveying property previously owned by the County, except property acquired by tax sale deed or for purposes of establishing a highway right of way (see County Law, § 215);
 - D. giving an easement or other substantial interest in property owned by the County (see County Law, § 215);

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**CORTLAND COUNTY LEGISLATURE RULES OF
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- E. regarding membership of County employees in a State Retirement System;
- F. authorizing a class of property tax exemptions;
- G. creating departments, boards, or councils;
- H. amendment of the Rules of Order of the Cortland County Legislature;
- I. motions suspending the adopted parliamentary authority;
- J. any other action requiring a two-thirds vote as mandated by Federal, State or County law.

45. Resolutions Not of a Permanent Nature – require a majority vote of the total weighted vote and shall include those:

- A. transferring any funds within account numbers in excess of ~~\$10,000~~\$25,000;
- B. authorizing contracts;
- C. authorizing awarding of bids;
- D. authorizing correction of an assessment roll if approved by the Director of Real Property Tax Services; or
- E. other business which may appropriately come before the Legislature, which does not require a vote other than a majority vote.

46. Roll Call Vote – shall be taken as required by Statute or may be ordered on any pending motion at the request of a single member. The total number of weighted votes shall be entered in the record, along with the names of members voting for or against a matter considered by the County Legislature.

46.47. Special Article – is any resolution, petition, report, communication or motion which may appropriately come before the Legislature at a meeting without, however, being included on the agenda, upon approval of a majority of the Legislature.

47.48. Special Committee – is a special committee established by resolution of the Legislature. Any resolution creating a special committee shall specify the powers and duties of the committee and the number of its members. Members are to be appointed by the Chair from the membership of the Legislature. Each member shall serve for the period specified in the resolution, but in no event longer than his or her term on the Legislature (County Law, § 154[2]).

48.49. Special Meeting – is a meeting called by the Clerk of the Legislature upon direction of the Chair or upon a written request signed by a majority of the members of the Legislature. Notice in writing stating the time, place and purpose of the special meeting shall be served personally or by mail or by electronic means upon each member (as he/she directs) by the Clerk of the Legislature at least forty-eight (48) hours before the date fixed for holding the meeting, or a member may waive the service of the notice for such meeting by a writing signed by him/her. Only business specified in the notice thereof may be transacted at a special meeting. (see County Law, §152).

49.50. Special Order – a motion made to consider an item not included on the agenda. Requires a two-

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Attachment: Rules of Order - Revised June 2021 (8546 : Adopt Cortland County Rules of Order)



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- ~~50~~**51. Sponsor** – is the member or members whose motion or resolution is appropriately brought before the Legislature.
- ~~51~~**52. Standing Committee** – is a committee established in accordance with Article XII of these Rules ~~by the Legislature for the purpose of aiding and assisting the Legislature in the transaction of its business. A resolution or local law establishing such committee shall specify the powers, duties and number of its members. Members are to be appointed by the Chair from the membership of the Legislature.~~ (see Article XII of these rules, County Law §154(1), and Local Law No. 2 of 1972).
- ~~52~~**53. Table** – is a motion to allow the Legislature to lay the pending question(s) aside temporarily when something of an urgent nature arises. Is subject to time limits and requires a majority vote of the Legislature.
- ~~53~~**54. Take from the Table** – is to make pending again before the Legislature a motion or resolution that had been previously tabled. It requires a second, is not debatable and requires a majority vote for adoption.
- ~~54~~**55. Total Vote** – is the total number of weighted votes of all members of the Legislature.
- ~~55~~**56. Weighted Vote** – the number of votes each Legislator casts at a Legislative meeting in a roll call vote pursuant to the current duly adopted plan of apportionment. ~~(Local Law No. 2 of 2002).~~
- ~~56~~**57. Whole Number of Members** – is the total number of members that the Legislature would have were there no vacancies and were none of the members disqualified from acting (see County Law, § 153(9) and General Construction Law §41).

ARTICLE II ORGANIZATION

1. Biennial Organizational Meeting

A. Scheduling

In accordance with County Law §151 and Local Law No. 2 for year 1972, Article II, Section 202, the County Legislature shall meet on the first Wednesday of January at 10:00 a.m., except when the first Wednesday shall be January 1st, in which event it shall be the following day, and every even year thereafter for the purpose of organization and for the transaction of such other business as may come before it.

B. Notification

- i. The Clerk of the outgoing Legislature shall serve upon each member of the incoming Legislature a notice stating:
 - a. the date, time, and location of the organizational meeting;



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- b. that a Chair shall be elected; and
 - c. any other matter to come before the Board.
- ii. In the event of the inability or failure of the Clerk of the outgoing Legislature to serve notice as provided in Article II, Section B. 1 of these Rules, the County Clerk of Cortland County shall call the biennial organizational meeting on or before January 15th in even- numbered years.

C. Business

The business to come before the biennial organizational meeting shall be as follows:

- i. election of a Chair (County Law §151, Local Law No. 2 of 1972);
- ii. appointment of a Clerk (County Law §400(4)(a), County Law §475, and Local Law No. 2 of 1972);
- iii. receive and file the designation of the Majority Leader and Minority Leader (if available);
- iv. appointment of a County Attorney (County Law §400(4)(a), §500);
- v. appointment of a County Auditor (County Law §600);
- vi. appointment of a Public Defender (County Law §716);
- vii. appointment of a Veterans' Services Officer (County Law §800); and
- viii. any other business necessary and appropriate to come before the meeting.

2. Elections and Appointments

A. Appointment Process Timeline

- i. In September of the year during which the term of appointment is set to end (no later than the last working day of the month), the current employees shall indicate to the Chair of the Committee to which they report:
 - a. Clerk of the Legislature – Government Operations Committee
 - b. County Attorney – Government Operations Committee
 - c. County Auditor – Finance & Administration Committee
 - d. Public Defender – Judiciary & Public Safety Committee
 - e. Veterans' Services Officer – Health & Human Services Committee

* Whether or not they shall seek another term of appointment, the notice by the current appointee shall be delivered in writing to the appropriate Committee Chair AND the Personnel Officer.



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- ii. In October, following the appointees' indication in September of a decision to seek another term, the Chair of the Committee shall:
 - a. In the event the appointee seeks re-appointment, the current appointee's performance evaluation shall be reviewed in the month of October; or
 - b. In the event the appointee does NOT seek re-appointment, have the Personnel Officer post the position as vacant as of December 31st of that year, subject to appointment at the biennial organizational meeting of the Legislature as the Rules of Order provide.
- iii. In November, following the current appointee's performance evaluation, the Chair of the Committee to whom the appointee reports shall indicate the committee's:
 - a. Recommendation to re-appoint the current appointee; or
 - b. Request to determine the position as an anticipated vacancy as of December 31 of that year and to have the Personnel Officer post the position as such subject to appointment at the biennial organizational meeting of the Legislature as the Rules of Order provide.

Any person who meets the minimum qualifications for one of the appointed positions shall apply to the Personnel Officer to fill one of the anticipated vacancies. The current appointee who has not been recommended for re-appointment may apply for the posted position.

- iv. At the next biennial organizational meeting, the full Legislature shall appoint persons to fill each of the positions scheduled to be filled as follows:
 - a. 1st The current appointee recommended by the last sitting committee shall be nominated and considered for the position by vote of the new sitting legislature; if not approved for appointment by a sufficient vote of the legislature; then
 - b. 2nd The legislature shall then nominate and consider from the applicants who filed appropriate documentation with the Personnel Officer, any such successfully nominated applicant shall be subject to meeting other requirements as the County has established (i.e. drug test); if no such applicant is approved for appointment by a sufficient vote of the legislature; then
 - c. 3rd The legislature shall accept from the floor nominations of persons who did not apply. These nominations shall be subject to providing valid and sufficient proof that they meet the minimum qualifications for the position and subject to all other requirements demanded of new employees of the County.

Procedure for Election of a Chair

- i. ~~In accordance with Article II, Section 202, ORGANIZATION, of Local Law No. 2 for year 1972, at each biennial organizational meeting, the Clerk of the outgoing Legislature shall call the meeting to order and preside over the election of the Chair.~~

- ii. The Chair shall be elected by a majority vote of the whole number of weighted votes of the total membership of the Legislature. The Clerk of the County Legislature last elected shall act as Chairman pro tem. He/She shall call the County Legislature to order and call the roll, followed by a pledge of allegiance to the flag. Whereupon the

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Chairman pro tem shall declare, "The first order of business is the election of the Chairman." Nominations for the office of Chairman shall then be taken from the floor and such nominations must be seconded. Before proceeding to an election, the Chairman pro tem shall inquire if there are any further nominations. If there is no response, the Chairman pro tem shall declare the nominations closed. Voting shall be by full roll call with each legislator, when the legislator's name is called, declaring the name of the candidate of the legislator's choice who has been duly nominated and seconded. Should there be no weighted majority of the Legislature after the initial roll is called, the two nominees receiving the highest number of votes shall then be the only candidates named for a second round of roll call voting. Voting will again be by full roll call with each legislator, when the legislator's name is called, declaring the name of one of the two candidates remaining. Voting of the County Legislature; whereupon the Chairman pro tem shall declare the duly elected Chairman. Upon election, the Chairman shall immediately assume all duties and responsibilities of the office and shall continue to act in such capacity until the termination of his/her office.

~~iii~~ ii. The Chair's term will be through December 31 in the next odd-numbered year.

~~iv~~ iii. In the event a Chair is not elected at the biennial organizational meeting, a Chair shall be elected at a recessed meeting held no later than February 1 in the even-numbered year.

~~v~~ iv. In the event of the failure of the Legislature to elect a Chair on or before February 1 in the even-numbered year, the County Clerk of Cortland County shall appoint a member of the Legislature as Chair, who shall serve through December 31 of the next odd-numbered year.

C. Appointment of a Clerk

- i. At each biennial organizational meeting following the election of the Legislature, the Legislature shall appoint a Clerk of the Legislature, in accordance with County Law §400 (4)(a) and County Law §475. The Clerk of the Legislature shall also serve as County Historian.
- ii. The Clerk of the Legislature shall be appointed by a majority vote of the weighted votes of the total of the Legislature.
- iii. The Clerk of the Legislature shall serve at the pleasure of the Legislature until replaced or removed by the Legislature (see County Law, § 475[1]).

D. Appointment of the County Attorney

- i. At each biennial organizational meeting following the election of the Legislature, the Legislature shall appoint a resident attorney as County Attorney, in accordance with § 500 of County Law.

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- ii. The term of office of the County Attorney shall run concurrent with the elected members of the Legislature, in accordance with County Law, § 500.
- iii. The County Attorney shall be appointed by a majority vote of the weighted votes of the total of the Legislature.

E. Appointment of the County Auditor

- i. At each biennial organizational meeting following the election of the Legislature, the Legislature may appoint a County Auditor, in accordance with County Law, § 600.
- ii. The term of office of the County Auditor shall be for the term for which the membership of the Legislature appointing him/her was elected, in accordance with County Law, § 600, or for a term as may be determined by local law not to exceed four years.
- iii. The County Auditor shall be appointed by a majority vote of the weighted votes of the total of the Legislature.

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F. Appointment of a Public Defender

- i. At each biennial organizational meeting following the election of the Legislature, the Legislature shall appoint a Public Defender, in accordance with Local Law No. 2 for year 19662021. (See County Law, § 716).
- ii. The term of the office of Public Defender shall be for the term for which the membership of the Legislature appointing him/her was elected or for a term as may be determined by local law not to exceed four years.
- iii. The Public Defender shall be appointed by a majority vote of the weighted votes of the total of the Legislature.

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G. Appointment of a Veterans' Services Officer

- i. At each biennial organizational meeting following the election of the Legislature, the Legislature shall appoint a County Veterans' Services officer, in accordance with County Law § 800.
- ii. The term of office of the Veterans' Services shall be for the term for which the membership of the Legislature appointing him/her was elected or for a term as may be determined by local law not to exceed four years.
- iii. The Veteran's Services Officer shall be appointed by a majority vote of the weighted votes of the total of the Legislature.

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ARTICLE III



CORTLAND COUNTY LEGISLATURE RULES OF ORDER

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AUTHORITY OF THE CHAIR

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1. Legislative Meetings

A. At any meeting of the Legislature, the Chair shall:

- i. call the meeting to order at the set time;
- ii. proceed to the business in the manner prescribed by these Rules, unless there is no quorum;
- iii. preserve order and decorum in debate, preventing personal reflections and confining members' remarks to the question under debate;
- iv. recognize members entitled to speak in debate, ruling which member is first entitled to speak when two or more members seek recognition simultaneously; this ruling shall be subject to appeal from the ruling of the Chair;
- v. rule on the priority of business and all points of order, subject to appeal from the ruling of the Chair. On each appeal, the Chair shall have the right to speak first and last in debate, if the question is debatable, to explain the reason(s) for the ruling; ~~all other members may speak once in debate if the question is debatable;~~
- vi. grant the privilege of the floor to individuals who have signed in before the beginning of the session and set the time limit, up to but not more than ~~five-three (53)~~ minutes per speaker:

Public Comment: Privilege of the floor shall be granted to any individual in the manner prescribed as follows: Any person or group may request permission to appear before the Legislature by signing on the provided sign-in sheet. The Legislature will provide a thirty (30) minute public comment period, at the discretion of the Chair, or upon majority vote of the Legislature, the public comment period may be extended, before resolutions are acted upon. Said thirty minutes will be divided evenly among the number of persons or groups that wish to appear before the Legislature, with no one person or group appearing for more than ~~five-three (53)~~ minutes. The ~~five-three~~-minute time limit per speaker may be extended and/or limited at the discretion of the Chair or upon majority vote of the Legislature to accommodate the group. This rule shall not apply to the County Administrator, Department heads, or others invited to appear before the legislature. The Chair shall preserve order and decorum. He or she shall prevent any persons speaking, including members of the Legislature, from making personal or derogatory comments regarding individuals and he or she shall confine the speakers to subject matters pertaining to the agenda. The Chair shall have the authority to have disruptive individuals removed from the meeting.

These actions shall be subject to appeal from the ruling of the Chair:

- i. in the absence of a quorum, take actions necessary to obtain a quorum;
- ii. on the request of any member, or at his/her own discretion, divide a resolution that contains two or more distinct propositions; and which can be considered separately;
- iii. vote on all questions, unless excused from voting on a particular question;

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- iv. appoint a Chair pro-tem to preside over the Committee of the Whole;
- v. excuse a member from any meeting in accordance with the definition of an excused absence;
- vi. declare any meeting recessed at which a quorum cannot be obtained.

B. At any meeting of the Legislature, the Chair may:

- i. vary the order of business from the defined order of business, subject to appeal from the ruling of the Chair by the legislative body;
- ii. call any qualified individual temporarily to the position of Clerk of the Legislature, in accordance with County Law §400;
- iii. allow a minority report to be presented and heard; and
- iv. introduce a resolution to the Legislature when content or subject matter does not fall within the jurisdiction of a statutory committee.

C. The Chair may direct the Clerk of the Legislature to call a Special Meeting of the Legislature subject to limitation of these rules, and County law.

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2. Committee Responsibilities

The Chair shall:

- A. within 15 days of his/her election to the position of Chair, appoint all Committee Chairs and members of Standing Committees, filing a list of same with the Clerk of the Legislature. When feasible, each political party shall be represented on each committee in its proportion to representation on the Legislature;
- B. within 15 days of creation of a Special Committee, appoint its Chair and members, filing a list of same with the Clerk of the Legislature. When feasible, each political party shall be represented on each committee in its proportion to representation on the Legislature;
- C. fill any vacancies in any Standing or Special Committee, in compliance with County Law § 154;
- D. reassign or remove committee Chairs or members as necessary;
- E. when deemed necessary, call a meeting of a Standing or Special Committee subject to the limitations of these rules;
- F. subject to the approval by resolution of the Legislature, assign additional duties to Standing or Special Committees;



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- G. sit on Standing or Special Committees as an ex-officio member in compliance with County Law § 450.

3. **Communications**

A. **Resolutions**

Upon receipt of any resolution, forward it to:

- i. the Clerk of the Legislature;
- ii. the Chair of the appropriate committee(s);
- iii. the Majority Leader;
- iv. the Minority Leader; and
- v. other appropriate individuals.

B. **Communications from the Clerk of the Legislature**

Upon receipt of any petition, communication, or notice from the Clerk of the Legislature, forward it, if applicable, to:

- i. the Chair of the appropriate committee(s);
- ii. the Majority Leader;
- iii. the Minority Leader; and
- iv. other appropriate individuals.

C. **Communications from Others**

Upon receipt of any petition, communication, or notice from any individual other than the Clerk of the Legislature, forward it, if applicable, to:

- i. the Clerk of the Legislature;
- ii. the Chair of the appropriate committee(s);
- iii. the Majority Leader;
- iv. the Minority Leader; and
- v. other appropriate individuals.

4. **Oath of Office**

Within 20 days of being elected Chair, execute and file in the office of the County Clerk of Cortland County an official oath by being sworn in and signing the official oath book as Chair, in compliance with County

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Law, § 450. The Chair will also execute and file an official undertaking in such amount as required by the Legislature.

5. Administrative Responsibilities – The Chair

- A. shall supervise the Clerk of the Legislature;
- B. shall oversee the use of the Legislative Chambers and offices or shall designate an individual to oversee the use of the Legislative Chambers and offices;
- C. shall, no later than the last session in June of each year, give a State of the County address, at which time member reports may also be given;
- D. may represent the County in all proceedings before the Public Service Commission and at all other public hearings and conferences deemed necessary to attend;
- E. shall, in case of attack or public disaster, direct the performance by agencies and public offices of the County of specific duties and implement the provisions of Article Three of the New York State Emergency Defense Act and the County Emergency Plan;
- F. shall become familiar with the property, function, and fiscal affairs of the County;
- G. shall ensure that the statutory and local laws and resolutions of the Legislature and directions of County officials empowered to make the same are faithfully executed. Any neglect of duty shall be reported to the Legislature;
- H. shall determine which official shall perform a particular power or duty not clearly defined by law;
- I. may attend meetings of all boards, commissions, or other bodies appointed by the Legislature; those exercising County functions; or those expending County funds, in compliance with County Law, § 450;
- J. may inspect all books, accounts, records, or documents pertaining to the property, money, or assets of the County over which the County has control, in compliance with County Law, § 450;
- K. may make recommendations to the Legislature on legislation, rules, and regulations, and such other matters deemed material and advisable;
- L. may transfer employees temporarily from one department or office to another, with the approval of the appropriate department head(s) or the Legislature, in compliance with County Law, § 450;
- M. shall recommend to the Legislature persons for appointment to the Industrial Development Agency, which shall be politically balanced;

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- N. shall approve the agenda for Legislative sessions prior to distribution;
- O. shall, after his/her election as Chair, assign seating for the members of the Legislature; ~~or~~ delegate this authority to the Clerk of the Legislature;
- P. shall appoint the members of all management teams for the negotiating of labor contracts;
- Q. shall perform an annual performance evaluation with the appropriate Committee Chairs and other appropriate personnel for the Clerk of the Legislature, County Attorney, County Auditor, Public Defender, and Veterans' Services Officer;
- R. shall perform an annual performance evaluation for the County Administrator in compliance with the Administrator's current contract.

6. Temporary Chair

In the absence of the Chair for a meeting, the Majority Leader shall serve as temporary chair. 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, the Majority Leader, and the Minority Leader, a temporary chair shall be elected by a majority vote of those members present and voting. Said vote shall be overseen by the Clerk of the Legislature.

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7. Permanent Vacancy

In the event of a vacancy in the office of Chair as defined by Public Officers' Law, § 30, the Clerk of the Legislature shall, within ten calendar days of such vacancy, call a meeting of the Legislature with notice provided in accordance with these Rules. At such meeting, a member shall be elected Chair, who shall serve as Chair for the unexpired term.

In the event of the failure of the Legislature to elect a new Chair within 30 days after the vacancy, the County Clerk shall appoint a member of the Legislature to serve as Chair for the unexpired term.

**ARTICLE IV
AUTHORITY OF COMMITTEE CHAIRMEN**

1. Each committee Chair shall:

- A. appoint a Vice Chair to preside in his/her absence;
- B. schedule committee meetings and cause committee members and the Clerk to have notice of all meetings. Public notice of the time and place of a meeting scheduled at least one week prior thereto shall be given to the news media and shall be conspicuously posted in one or more designated public locations at least 72 hours before such meeting. Public notice of the time and place of every other meeting shall be given, to the extent practicable, a reasonable time prior thereto (Public Officers Law §104.);
- C. schedule a committee meeting on receipt of a request signed by at least a majority of the committee members. Said request shall state a date, time, place, and subject for said meeting;
- D. prepare, or cause to be prepared by the Clerk of the Legislature an agenda for each committee meeting;
- E. add additional items not included on the agenda upon a majority vote of those present and voting, a quorum being present;
- F. upon receipt of any resolution, petition, communication, or notice, consult with each member of the committee in the manner he/she deems appropriate. Action can only be taken in an appropriately called and conducted meeting;
- G. invite appropriate individuals to a committee meeting when their resolutions are being considered;
- H. when reporting any resolution to the Legislature, provide all appropriate relative material to the Clerk of the Legislature;



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- I. delegate two members of the committee, who shall participate in the selection of a Department Head in a department assigned to it in these Rules, for appointment by the Legislature.

2. **Each committee Chair may:**

- A. appoint a person(s) from the standing committee membership to study any issue deemed appropriate, accountable to the full committee;
- B. schedule meetings with Department Heads or heads of authorized agencies to discuss mutual objectives and problems;
- C. explain the purpose and provisions of resolutions reported from the committee before the debate begins in a Legislative session; and
- D. present a resolution not already on the agenda to the Legislature by a motion suspending the rules.

ARTICLE V

RESPONSIBILITIES AND DUTIES OF THE CLERK OF THE LEGISLATURE

The Clerk shall:

1. keep a record of all acts and proceedings of the Legislature and be the custodian of records and papers having to do with the Legislature's actions (See County Law, § 475);
2. record in the minutes whenever the Privilege of the Floor is granted, specifying the speaker and including a brief summary of what was said;
3. record in the minutes the sponsor and the seconder of all resolutions and motions;
4. call the roll in alphabetical order by the members' surnames, with the Chair being called last, and enter it in the minutes, specifying which members were present, absent, excused, and how each member voted;
5. certify local laws and resolutions in the order in which they are adopted and consecutively number local laws and resolutions in separate series as they are certified, each series continuing through one calendar year;
6. forward copies of local laws and resolutions adopted by the Legislature to the appropriate parties;
7. publish all roll call votes in the Journal and maintain a record of roll calls, which shall be available for public inspection prior to publication in the Journal;

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8. maintain a general index of all local laws and resolutions of a permanent nature;
9. file all adopted Local Laws with the Secretary of State and the Cortland County Clerk and republish in the Newspaper of record as required;
10. file with the Cortland County Clerk all documents as directed by a majority vote of the Cortland County Legislature;
11. distribute to each member and others as deemed appropriate, or as directed by the Legislature or Chair, copies of the minutes of a Legislative session prior to or with the agenda of the next Legislative meeting;
12. upon direction of the Chair, or upon written request signed by a majority of the whole number of members of the Legislature, call a Special Legislative Meeting and serve personally or by mail upon each member at least 48 hours before the date fixed for the meeting, a written notice stating the date, time, location, and purpose of the Special Meeting in the case of an emergency, the 48 hour requirement may be waived by a majority vote of the Legislators present and voting, a quorum being present and all members having been notified (see County Law, § 152);
13. in the absence of a quorum, notify all members that a recessed meeting will be held giving the date, time, and location of the recessed meeting;
14. in the absence of the Chair, the Majority Leader, and the Minority Leader for a meeting, call the Legislature to order and preside over the election of a Chair Pro-Tem from the membership of the Legislature, who shall exercise the powers and duties of the Chair for the duration of the Chair's absence;
15. upon receipt of any petition, communication, or notice from anyone other than the Chair, forward a copy to the Chair, the Majority Leader, the Minority Leader, and other appropriate individuals;
16. on the fourth calendar day prior to a regular meeting, prepare and distribute an agenda which shall include, among other things, a listing of articles received in his/her office;
17. make copies of the agenda available to the public in his/her office after distributing it to the members and be responsible for posting said agenda to the Legislature's website;
18. make copies of all roll call votes available to the public one day after the conclusion of the meeting at which they were taken;
19. by 10:00 a.m. on the business day prior to a meeting, place a copy of each resolution to be considered at the meeting on the desk of each member, or send an electronic copy and have a paper copy on the desk of each member on the day of the meeting;
20. send notices of committee meetings to all Legislators, the County Attorney, and other appropriate individuals at least 72 hours in advance of a committee meeting;

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21. record all notices of committee meetings;

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22. receive reports as requested by the Legislature;
23. receive annual reports from Department Heads and heads of authorized agencies, as directed by the Legislature or required by law;
24. upon receipt of a tentative budget from the Budget Officer, distribute a copy to each member;
25. prepare a list of committees and their members, and distribute to all Legislators and Department Heads and have available for the general public within 30 days of the committee appointments;
26. within 50 days after election or appointment of new members, distribute to them the last Legislative Journal, the current County budget, and if available, the tentative County budget for the next fiscal year;
27. ensure each member has a copy of the current edition of *Robert's Rules of Order Newly Revised* and the Rules of Order of the Cortland County Legislature;
28. prepare an annual budget for the Legislature;
29. report to the Legislature through the Chair;
30. within seven business days following a Committee meeting but in no event no later than the day two days prior to the next Legislative Session, have prepared and forward draft minutes of the meeting to all Legislators that shall specify, among other items, the time, date, and place of the meeting, the persons in attendance, the resolutions voted on and the vote on each;
31. shall serve as the County Historian (see County Law, § 400);
32. shall serve as the Public Information Officer;
33. shall serve as the (Freedom of Information Law) FOIL Officer for Cortland County;
34. ensure that minutes of all Legislative and committee meetings are posted to the County's website in accordance with the time frames identified in Public Officers' Law §106, including video recordings of the meetings.
35. perform such additional duties as the Legislature or the Chair may direct (See County Law, § 475);

**ARTICLE VI
POWERS AND DUTIES OF THE COUNTY ATTORNEY AND THE COUNTY
ADMINISTRATOR**

1. **The County Attorney shall:**
 - A. act as the legal advisor to the Legislature and other County officials in all matters involving

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an official act of a civil nature (See County Law, § 501);

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- B. be present at all Legislative meetings unless excused by the Chair, and committee meetings, if requested by the Committee Chair. In cases where the County Attorney cannot be present, ensure that an Assistant County Attorney shall be present; and
- C. by 10:00 a.m. on the business day prior to a meeting, approve all resolutions included on the agenda for form and legal content, indicating his/her approval on the original copy, consulting with the sponsor if necessary, before approving said resolution.

2. The County Administrator shall:

- A. be directly responsible to the County Legislature, and, on behalf of the County Legislature shall perform the functions of chief administrative officer, with the County Legislature retaining the final administrative authority (see Local Law No. 7 for the of 2002, Local Law No. 3 for the year 2003;
- B. be the Budget Officer of the County, responsible for preparing the tentative budget and presenting it to the Budget and Finance Committee for approval and then to the County Legislature for final adoption (see Local Law No. 3 of 2003 and County Law §353 and §354); and
- C. any other duties as assigned by the Legislature which do not curtail, diminish, transfer or divest the Cortland County Legislature (or any elected official) of any functions, powers or duties (see Local Law No. 7 of 2002, Local Law No. 3 of 2003 and Municipal Home Rule Law §23, County Law §154(6)).

**ARTICLE VII
PRESENTATION OF RESOLUTIONS**

- 1. All resolutions shall be in writing and shall include a brief title summarizing the purpose of the resolution (see County Law, § 153).
- 2. All resolutions shall be filed with the Clerk of the Legislature, and whenever possible shall be written in the affirmative.
- 3. Resolutions to be included on the agenda shall have the majority vote of those present (a quorum being present) of the appropriate Statutory Committee and shall be filed on or before the fourth calendar day before a regular meeting, and at least 48 hours before a Special Meeting. Resolutions voted down by the Finance and Administration Committee shall be so noted when presented to the Legislature.
- 4. Resolutions creating a Special Committee shall specify the powers and duties of the committee and the number of members. (See County Law, § 154)



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5. Resolutions pertaining to bills pending before the Congress or the State Legislature shall specify the bill number and the name of the sponsor(s).
6. An amended version of a resolution on the agenda may be filed by the sponsor for consideration at any time before the Legislature convenes.
7. Upon the request of any member, an amendment to a resolution shall be in writing. Copies of the amendment shall be distributed to all members.
8. A sponsor, upon approval of a majority of the committee, may request permission to withdraw a resolution any time before a final vote is taken. The same resolution with the same intent may not be withdrawn by the sponsor more than three (3) times per calendar year.
9. A sponsor shall be given an opportunity to explain a resolution, its purpose, and his/her reason for introducing the resolution prior to the opening of debate in the Legislature.
10. The same resolution with the same intent offered by the same sponsor may be introduced as a new agenda item only three (3) times per calendar year.
11. Any resolution withdrawn from the Legislative agenda shall begin the committee approval process again and shall not be re-introduced unless the committee approval process is completed.

ARTICLE VIII MEETINGS

1. All meetings of the Legislature shall be held in the Legislative Chambers, Cortland County Office Building, 60 Central Avenue, Cortland, New York. The Legislature may, at any meeting, by resolution, change the time and place of the next regularly scheduled meeting, except that no meeting shall be held outside the City of Cortland without an affirmative vote of three-fourths of the total membership of the Legislature (see County Law, § 152).
2. All meetings of the Legislature shall be public (see County Law § 152 and Public Officers Law §103).
3. The Legislature shall, in addition to the organizational meeting, hold regular meetings at 6:00 p.m. on the fourth Thursday of each month January through October. November and December meeting dates will be scheduled by the Clerk.
4. Special meetings shall be held in accordance with County Law §152(2) and these Rules. Only articles included in the written notice may come before the Legislature at the special meeting.
5. When the day specified for any meeting falls on a County holiday, such meeting shall be held at the time specified on the next business day.
6. If the Legislature is inquorate (without a quorum) for any meeting, a recessed meeting shall be declared.

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**ARTICLE IX
ORDER OF BUSINESS**

1. The order of business at each meeting of the Legislature shall be as follows, unless modified by the Chair in accordance with Authority of the Chair:
 - A. Salute to the Flag
 - B. Roll call of members
 - C. Approval of minutes of the previous meeting
 - D. Proclamations and Recognitions
 - E. Privilege of the Floor, including Public Comment Period as authorized by these rules
 - F. Presentation of petitions, communications, and notices
 - G. Reports of Standing and Special Committees
 - H. Special Orders
 - I. Articles Postponed to Day Certain
 - J. Unfinished Business
 - K. Presentation of Resolutions
 - L. Announcements
 - M. Adjournment
2. When necessary, the minutes of the previous meeting may be read if the members have not received them, or upon the request of any member. In the absence of corrections, the minutes shall stand approved without formal motion.
3. Articles Laid on the Table, except Articles Postponed to Day Certain, shall be considered Unfinished Business and shall be taken from the table upon approval of a majority vote of the total vote of the members present via the motion to Take from the Table.
4. No more than one amendment to an amendment may be pending at any given time on any resolution.
5. The Legislature shall set aside any other business at the time stated for consideration of a Special Order.
6. The time for consideration of a Special Order shall be advanced, postponed, or rescinded only with the approval of a two-thirds vote of the total vote of the members present.



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ARTICLE X
MOTIONS AND THEIR PRECEDENCE

1. When the Legislature is considering a question, motions shall have precedence over another in the order stated below:
 - A. To adjourn
 - B. To recess
 - C. To raise a question of privilege
 - D. To lay on the table
 - E. Previous question
 - F. To postpone to day certain
 - G. To commit (refer to a committee)
 - H. To go into Committee of the Whole
 - I. To go into Executive Session
 - J. To amend
 - K. To postpone indefinitely
 - L. Main motion
2. The privileged motion to adjourn, and the motion to lay on the table are not amendable. The privileged motion to recess may be amended only as to the length or time of the recess. A motion to postpone to day certain may be amended only as to the day to which the question is postponed.
3. The privileged motions to adjourn and to recess, and the motions for the previous question, and to lay on the table are not debatable.
4. A motion to adjourn shall not be made while the Chair is putting a question, while a member has the floor, while the Clerk is taking a roll call vote, or while the Legislature is in the Committee of the Whole.
5. A question of privilege may be raised while another member has the floor.
6. Any question shall be laid on the table or postponed to day certain only once.
7. The Legislature, while in Committee of the Whole, shall not exercise Legislative powers and shall be presided over by a temporary Chair. The only motions that are in order under Committee of the Whole are to amend and adopt the report to be given and to "rise and report." Any formal action must be taken in the regular Legislative body. Committee of the Whole cannot refer the issue under consideration to another committee.

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8. When in Executive Session, the Legislature shall operate under these rules insofar as they are applicable. Proceedings in Executive Session shall be confidential unless the Legislature votes otherwise.
9. Any Committee may be discharged from further consideration of any matter entrusted to it by these Rules upon a majority vote of the whole number of members. The matter shall automatically be placed by the Clerk on the agenda for the next Legislative meeting.
10. A motion to reconsider any vote must be made on the day the vote proposed to be reconsidered was taken or at the next regular meeting of the Legislature. Such motion may be made only by a member voting on the prevailing side. Such motion may be made under any order.
11. A motion to rescind any resolution or motion shall be made only when no motion is on the floor. It shall require the affirmative vote of two-thirds of the Legislature, or a majority of the Legislature with previous notice.

ARTICLE XI
RULES OF VOTING

1. A majority of the total vote (weighted vote) of the whole number of members of the Legislature (17) shall be necessary to adopt any question, proposition, resolution, motion, or any other matter, except where it is otherwise provided herein or by statute that another form of approval is required.
2. Every member present when a vote is taken on any matter shall vote unless he/she has a direct interest in the matter or is excused by a majority weighted vote of the members present.
3. Members must be in their ~~assigned~~ designated seat when voting.
4. A roll call vote shall be called by the Clerk on any question where it is required by statute or these Rules, or on the request of any member (see County Law, § 153).
5. If a roll call vote is commenced on any question, it must be completed.
6. Members shall be called in alphabetical order according to their surnames, except that the Chair (permanent, temporary or Chair Pro-Tem) shall always be called last.
7. Any member shall have the right to have his/her vote on any question recorded and entered in the minutes upon his/her request, without explanation and without requesting a roll call vote.
8. An absent legislator cannot vote on a motion. However, mathematically, the Legislature cannot reduce the total number of weighted votes. A member recorded as absent or excused shall not have a vote. The total number of weighted votes cannot be reduced by an absence or excuse of a member, so the total vote required to adopt any motion shall be based on the total vote of the full Legislature.



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ARTICLE XII **COMMITTEES**

1. Members of all Standing Committees shall be appointed for terms of two years, or until reassigned or removed by the Chair, commencing January 1 of the even-numbered year, but nothing herein contained shall be construed to allow any person to continue to serve on any Committee after ceasing to be a member of the Legislature.
2. In accordance with these Rules, the Chair shall have the authority to reassign or remove committee members.
3. Committees shall operate under these Rules as far as they are applicable, except that the previous question shall not be in order.
4. Each Standing Committee may examine the bills, accounts, and claims of the departments, boards, councils, and authorized agencies assigned to it in these Rules.
5. Each Standing Committee may review and receive recommendations from Legislators and make recommendations to the Budget Officer and/or Finance and Administration Committee regarding department proposed budgets under the jurisdiction of that committee.
6. Each Standing Committee shall have general supervision of and receive articles relating to the departments, boards, councils, and authorized agencies assigned to it in these Rules.
7. Each Standing Committee shall initiate, sponsor, and/or review all resolutions affecting the departments, boards, councils, and authorized agencies assigned to it in these Rules.
8. For any item to be moved from the Standing Committee to the Legislature requires a majority vote of the members present (a quorum being present).
9. Any item having an unbudgeted financial impact on Cortland County shall be presented to the Finance and Administration Committee before being presented to the full Legislature. Resolutions not approved by the ~~Budget and Finance~~Finance and Administration Committee shall be so noted when presented to the Legislature.
10. Each Standing Committee shall fulfill the responsibilities assigned to it.
11. Special Committees shall be created by resolution for a period not to exceed the term of the Legislature adopting the resolution.
12. The following are the Standing Committees, their responsibilities, and their composition:

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- A. **Finance and Administration** – A seven (7) member Committee shall review the tentative budget filed by the Budget Officer and shall consider and recommend appropriations required for all purposes and prepare and report the annual estimates for the tax levy.

The Committee shall oversee:

The Treasurer's Office, the Finance Office, Administration Office, Office of the Manager of Audit and Financial Projects, the Department of Real Property Tax Services, occupancy tax, Tompkins Cortland Community College (TC3), Industrial Development Agency and Business Development Corporation, and the agency that provides promotional and tourism service. The Finance and Administration Committee shall serve as the Audit Committee.

- B. **Judiciary and Public Safety** – Not less than five (5) nor more than seven (7) members who shall oversee:

The District Attorney's Office, Coroners, Assigned Counsel, Public Defender, Sheriff's Department, Probation Department, Department of Emergency Response and Communications.

- C. **Government Operations** – Not less than five (5) nor more than seven (7) members who shall oversee:

Personnel/Civil Service Office, County Attorney, Board of Elections, Weights & Measures, County Clerk/Department of Motor Vehicles and the Clerk of the Legislature/Historian.

All matters concerning operation and revision of these Rules shall be referred to the Committee.

- D. **Highway/Solid Waste** – Not less than five (5) nor more than seven (7) members who shall oversee:

County Highway Department

- E. **Buildings and Grounds** – Not less than five (5) nor more than seven (7) members who shall oversee:

Buildings and Grounds Department, the Safety Office and Information and Technology Department.

- F. **Health & Human Services** – Shall consist of no less than five (5) and no more than seven (7) members who shall oversee:

The Health Department, Mental Health Department, Department of Social Services, Employment and Training Office and Grant Administration, Area Agency on Aging and Veterans' Services.



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- G. **Agriculture/Planning/Environmental** – Not less than five (5) nor more than seven (7) members who shall oversee:

County Planning Department, Soil and Water Conservation District, Cooperative Extension, public transportation, SPCA, and including but not limited to any associated agency.

ARTICLE XIII **SUSPENSION OR AMENDMENT OF RULES**

1. Any Rule may be amended or rescinded by a two-thirds vote of the full Legislature.
2. Any Rule may be suspended by a two-thirds vote of the members present and voting and any suspension shall be effective only while the matter before the Legislature at the time of the suspension remains under discussion.

ARTICLE XIV **INTENT OF THESE RULES AND PARLIAMENTARY QUESTIONS**

1. It is the intent of this Legislature to determine the rules of its own proceedings pursuant to County Law §153 and Local Law No. 2 for year 1972 establishing the County Legislature with the power to enact local laws or rules governing the conduct of the members at such sessions and the manner of transaction business thereat.
2. Except as otherwise provided herein, the current edition of Robert's Rules of Order Newly Revised shall govern parliamentary procedure at all meetings.

ARTICLE XV **EFFECTIVE DATE**

These Rules shall take effect immediately upon adoption and shall remain in effect until amended, revised, or rescinded.

Adopted January 2010 – Revised 7-28-11

Adopted January 4, 2012 – Revised 4-26-12, 6-27-13

Adopted January 2, 2014 – Amended 6-26-14, 9-24-15

Adopted October 26, 2017 – Revised 12-8-20

Adopted December 18, 2020

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ARTICLE I DEFINITIONS

1. **Agenda** – is a summary of the order of business expected to come before a particular meeting of the Legislature. All bid openings, communications, petitions, notices, committee reports, annual reports, audits, resolutions, proclamations, recognitions, as well as any other business to appropriately come before the Legislature shall be listed.
2. **Amendment** – is a proposal to change the wording of a motion or a resolution. Upon request of any legislator in attendance, an amendment must be submitted in writing and distributed to all members.
3. **Amend Something Previously Adopted** – is a motion to change the Legislature's action on a portion of a resolution that has been adopted. This motion is in order as long as the portion to be amended is not something that has already been done that cannot be undone. A motion to amend something previously adopted requires a two-thirds vote without notice, or a majority vote of the entire membership with notice.
4. **Article** – is any resolution, petition, communication, notice, or report.
5. **Article postponed indefinitely** – is any article which is terminated for the particular Legislative session at which it is postponed indefinitely.
6. **Article postponed to time certain** – is any article postponed to a specific time (time c e r t a i n) to be taken up on a specific day.
7. **Authorized Agency** – is a corporation, association, institution, or agency authorized to receive and expend County money (see County Law, § 351).
8. **Chair** – is the Chair of the Cortland County Legislature, elected in accordance with Article II, Section 2-A of these Rules, Local Law No. 2 of 1972, and County Law §151.
9. **Citizen's Advisory Committee** – the County Legislature, by resolution, may appoint a committee of citizens of the County to act in an advisory capacity to any committee, department or office on any subject relating to the County government, pursuant to provisions in County Law §154. Term of said Committee shall not exceed the term of the appointing Legislature.
10. **Claim** – is any claim, bill, or account submitted to the Legislature pursuant to County Law (see County Law, § 369).
11. **Clerk** – is the Clerk of the Cortland County Legislature appointed in accordance with Article II of these Rules, Local Law No. 2 of 1972, and County Law §400-4(a) and County Law §475 or any amendments.
12. **Committee of the Whole** – is a committee composed of the members of the Legislature for the purpose of considering a subject which the members do not wish to refer to a Standing or Special

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Committee, but which is not in proper form for their final action. Committee of the Whole is NOT an executive session.

13. **Conflict of Interest** – no municipal officer or employee shall have an interest, direct or indirect, in any contract with the County of Cortland, or engage in any other activity prohibited by the Cortland County Code of Ethics (Local Law No. 2 of 2008), when such officer or employee, individually or as a member of a board, has the power or duty to:
 - A. Negotiate, prepare, authorize or approve a contract or authorize or approve payment thereunder;
 - B. Audit bills or claims under the contract; or
 - C. Appoint an officer or employee who has any of the powers or duties set forth above.
14. **Communication** – is any written instrument advising the Legislature of facts, situations, or problems (past, present, or future) having to do with the operation of Cortland County Government or the Legislature's powers under County Law. For informational purposes, official communications may be distributed to ~~or~~ and received and filed by the Legislature.
15. **Day** – a period from a certain day within which, or after, or before which, an act is a u t h o r i z e d or required to be done, meaning the number of calendar days exclusive of the calendar day from which the reckoning is made. If such period is a period of two days, Saturday, Sunday, or a public holiday must be excluded from the reckoning if it is an intervening day between the day from which the reckoning is made and the last day of the period. In computing any specified period of time from a specified event, the day upon which the event happens is deemed the day from which the reckoning is made. The day from which any specified period of time is reckoned shall be excluded in making the reckoning (see General Construction Law §20).
16. **Department Head** – is the County employee or employees elected, or appointed by the Legislature, chiefly responsible for the operation of any County Department.
17. **Ex-officio** – a member of the committee or board by virtue of an office held. Ex-officio members of committees have the same rights and privileges as all other members of the committee or board, including the right to vote. If an ex-officio member is NOT under the authority of the organization (Legislature), he/she has all rights and privileges, but not the obligations of a regular member, and does not count toward a quorum. An ex-officio member who IS under the authority of the Legislature (Chair) IS counted in the quorum.
18. **Excused Absence** – Prior notification of an absence to a Committee Chair, Clerk or Chair of the Legislature.
19. **Executive Session** – that portion of a meeting not open to the public. **Proceedings in Executive Session shall be confidential** unless the Legislature votes otherwise, or is required to be made public in accordance with NYS Public Officer's Law. The Legislature may conduct an executive session upon a majority vote of the Legislature taken in an open meeting, after a motion to enter



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into executive session, for one of the purposes enumerated in Public Officer's Law §105 (1) (a) through (h) as follows:

- A. matters which will imperil the public safety if disclosed;
- B. any matter which may disclose the identity of a law enforcement agent or informer;
- C. information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
- D. discussions regarding proposed, pending or current litigation;
- E. collective negotiations pursuant to article fourteen of the civil service law;
- F. the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;
- G. the preparation, grading or administration of examinations; and
- H. 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.

However, no action by formal vote shall be taken to appropriate public moneys during executive session.

Minutes of executive session shall consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon. The summary need not include any matter which is not required to be made public by the Freedom of Information Law. Minutes taken in executive session shall be available to the public within one week from the date of the executive session.

Attendance at executive session shall be permitted to any members of the legislature and any other persons authorized by the Legislature.

- 20. **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.
- 21. **Journal** – is the copy of the record of proceedings of the Cortland County Legislature for a calendar year in printed bound volume, or recorded by electronic means, or both, certified by the Clerk of the



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Legislature as a true copy. The Clerk of the Legislature shall ensure that a printed copy is published annually pursuant to County Law (see County Law, § 211).

22. **Legislature** – is the Cortland County Legislature, the elected county governing body, by whatsoever name designated. Whenever the term "County Board," "Board of Supervisors," "County Governing Board," "Elective governing body of the county" is referred to in any law, contract, or document pertaining to any of the functions, powers, obligations, and duties of such governing body, it shall be deemed to mean and refer to the County Legislature (see County Law§150-a).
23. **Majority Leader** – is the Cortland County Legislature's Majority Leader selected in accordance with Resolution No. 170-06.
24. **Majority Vote of County Legislature** – the majority number of weighted votes of the total membership of the Legislature.
25. **Meeting** – the official convening of ~~a public body~~ a legislative body for the purpose of conducting public business. This includes any meeting of a committee and any special, organizational, or other meeting.
26. **Member** – is either a duly elected member of the Cortland County Legislature or a member appointed by authority of Local Law No. 2, Article II, § 204, VACANCIES, for year 1972.
27. **Minority Leader** – is the Cortland County Legislature's Minority Leader selected in accordance with Resolution No. 170-06.
28. **Minority Report** – is the written report of ~~the a~~ minority party or a minority of any standing or special or committee.
29. **Motion** – is a formal proposal for action by a member in a meeting.
30. **Motion to Discharge** – is a motion relieving a Standing or Special committee of its responsibility to consider a matter referred to it and placing the matter on the agenda of the following meeting of the Legislature.
31. **Motion to Reconsider** – is a motion, subject to time limits, to bring again before the Legislature a motion which has been adopted, defeated, or postponed indefinitely, as long as something has not already been done which cannot be undone. This motion may only be made by a member who voted on the prevailing side. Requires a majority vote of the Legislature.
32. **Motion to Rescind** – is a motion to revoke the Legislature's action on a motion which has been adopted, as long as something has not already been done which cannot be undone. Requires a two-thirds vote of the Legislature.
33. **Motion to Suspend the Rules** – is a motion suspending the Rules of Order which requires a two-thirds vote and may be made by any member of the Legislature.
34. **Notice to Incoming Members** – the notice referenced in Article II, Section B. 1 of these Rules

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shall be in writing and shall be served by United States mail addressed to each incoming member at his/her last known postal address at least 48 hours before the date and time of the meeting (see County Law, §151(1).)

35. **Petition** – is a written request for action by the Legislature on a matter having to do with the operation of Cortland County Government or the Legislature's power under County Law.
36. **Previous Question** – is a motion to immediately end debate and amendment and take a vote on the question(s) before the Legislature. It requires a second, and a two-thirds vote, which is taken separately from and before the vote on the motion(s) to which it is applied.
37. **Privilege of the Floor** – is an opportunity granted to a person who is not a member of the Legislature to address an issue that is on the current Legislative agenda (see Article III Section 1.A.vi. for detail).
38. **Quorum** – is a majority of the total number of members of the Legislature, should no vacancy exist (see County Law §153(2) and General Construction Law §41).
39. **Recessed Meeting** – is a meeting called to complete unfinished business, or a meeting called because of failure to obtain a quorum at a meeting.
40. **Receive and File** – is a motion to receive a communication and have it placed on file with the Clerk of the Legislature.
41. **Refer (motion to)** – is a motion to refer a matter to a Standing or Special Committee as the Legislature deems appropriate.
42. **Regular Meeting** – is a meeting called for the purpose of transacting any and all business which the Legislature is authorized or permitted by law to transact.
43. **Resolution** – is a written instrument for consideration by the Legislature as recommended by a committee or the Chair in carrying out its power and duties pursuant to Statute or expressing the sense of the Legislature on a matter having to do with the operation of Cortland County Government.
44. **Resolutions of a Permanent Nature Requiring a Two-Thirds of Total Weighted Vote** – require a two-thirds vote of the total weighted vote and shall include those:
 - A. authorizing the purchase of property (See County Law, § 215);
 - B. authorizing the issuance of bonds (See General Municipal Law, § 99-g);
 - C. conveying property previously owned by the County, except property acquired by tax sale deed or for purposes of establishing a highway right of way (see County Law, § 215);
 - D. giving an easement or other substantial interest in property owned by the County (see County Law, § 215);

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- E. regarding membership of County employees in a State Retirement System;
- F. authorizing a class of property tax exemptions;
- G. creating departments, boards, or councils;
- H. amendment of the Rules of Order of the Cortland County Legislature;
- I. motions suspending the adopted parliamentary authority;
- J. any other action requiring a two-thirds vote as mandated by Federal, State or County law.

45. Resolutions Not of a Permanent Nature – require a majority vote of the total weighted vote and shall include those:

- A. transferring any funds within account numbers in excess of ~~\$10,000~~ \$25,000;
- B. authorizing contracts;
- C. authorizing awarding of bids;
- D. authorizing correction of an assessment roll if approved by the Director of Real Property Tax Services; or
- E. other business which may appropriately come before the Legislature, which does not require a vote other than a majority vote.

46. Roll Call Vote – shall be taken as required by Statute or may be ordered on any pending motion at the request of a single member. The total number of weighted votes shall be entered in the record, along with the names of members voting for or against a matter considered by the County Legislature.

46.47. Special Article – is any resolution, petition, report, communication or motion already on the floor which may appropriately come before the Legislature at a meeting without, however, being included on the agenda, upon approval of a majority of the Legislature.

47.48. Special Committee – is a special committee established by resolution of the Legislature. Any resolution creating a special committee shall specify the powers and duties of the committee and the number of its members. Members are to be appointed by the Chair from the membership of the Legislature. Each member shall serve for the period specified in the resolution, but in no event longer than his or her term on the Legislature (County Law, § 154[2]).

48.49. Special Meeting – is a meeting called by the Clerk of the Legislature upon direction of the Chair or upon a written request signed by a majority of the members of the Legislature. Notice in writing stating the time, place and purpose of the special meeting shall be served personally or by mail or by electronic means upon each member (as he/she directs) by the Clerk of the Legislature at least forty-eight (48) hours before the date fixed for holding the meeting, or a member may waive the service of the notice for such meeting by a writing signed by him/her. Only business specified in the notice thereof may be transacted at a special meeting. (see County Law, §152).

49.50. Special Order – a motion made on the floor to consider an item not included on the agenda.

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Requires a two- thirds vote.

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- ~~50~~**51. Sponsor** – is the member or members whose motion or resolution is appropriately brought before the Legislature.
- ~~51~~**52. Standing Committee** – is a committee established in accordance with Article XII of these Rules ~~by the Legislature for the purpose of aiding and assisting the Legislature in the transaction of its business. A resolution or local law establishing such committee shall specify the powers, duties and number of its members. Members are to be appointed by the Chair from the membership of the Legislature.~~ (see Article XII of these rules, County Law §154(1), and Local Law No. 2 of 1972).
- ~~52~~**53. Table** – is a motion to allow the Legislature to lay the pending question(s) aside temporarily when something of an urgent nature arises. Is subject to time limits and requires a majority vote of the Legislature.
- ~~53~~**54. Take from the Table** – is to make pending again before the Legislature a motion or resolution that had been previously tabled. It requires a second, is not debatable and requires a majority vote for adoption.
- ~~54~~**55. Total Vote** – is the total number of weighted votes of all members of the Legislature.
- ~~55~~**56. Weighted Vote** – the number of votes each Legislator casts at a Legislative meeting in a roll call vote pursuant to the current duly adopted plan of apportionment. ~~(Local Law No. 2 of 2002).~~
- ~~56~~**57. Whole Number of Members** – is the total number of members that the Legislature would have were there no vacancies and were none of the members disqualified from acting (see County Law, § 153(9) and General Construction Law §41).

**ARTICLE II
ORGANIZATION**

1. Biennial Organizational Meeting

A. Scheduling

In accordance with County Law §151 and Local Law No. 2 for year 1972, Article II, Section 202, the County Legislature shall meet on the first Wednesday of January at 10:00 a.m., except when the first Wednesday shall be January 1st, in which event it shall be the following day, and every even year thereafter for the purpose of organization and for the transaction of such other business as may come before it.

B. Notification

- i. The Clerk of the outgoing Legislature shall serve upon each member of the incoming Legislature a notice stating:
 - a. the date, time, and location of the organizational meeting;



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- b. that a Chair shall be elected; and
 - c. any other matter to come before the Board.
- ii. In the event of the inability or failure of the Clerk of the outgoing Legislature to serve notice as provided in Article II, Section B. 1 of these Rules, the County Clerk of Cortland County shall call the biennial organizational meeting on or before January 15th in even- numbered years.

C. Business

The business to come before the biennial organizational meeting shall be as follows:

- i. election of a Chair (County Law §151, Local Law No. 2 of 1972);
- ii. appointment of a Clerk (County Law §400(4)(a), County Law §475, and Local Law No. 2 of 1972);
- iii. receive and file the designation of the Majority Leader and Minority Leader (if available);
- iv. appointment of a County Attorney (County Law §400(4)(a), §500);
- v. appointment of a County Auditor (County Law §600);
- vi. appointment of a Public Defender (County Law §716);
- vii. appointment of a Veterans' Services Officer (County Law §800); and
- viii. any other business necessary and appropriate to come before the meeting.

2. Elections and Appointments

A. Appointment Process Timeline

- i. In September of the year during which the term of appointment is set to end (no later than the last working day of the month), the current employees shall indicate to the Chair of the Committee to which they report:
 - a. Clerk of the Legislature – Government Operations Committee
 - b. County Attorney – Government Operations Committee
 - c. County Auditor – Finance & Administration Committee
 - d. Public Defender – Judiciary & Public Safety Committee
 - e. Veterans' Services Officer – Health & Human Services Committee

* Whether or not they shall seek another term of appointment, the notice by the current appointee shall be delivered in writing to the appropriate Committee Chair AND the Personnel Officer.



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- ii. In October, following the appointees' indication in September of a decision to seek another term, the Chair of the Committee shall:
 - a. In the event the appointee seeks re-appointment, the current appointee's performance evaluation shall be reviewed in the month of October; or
 - b. In the event the appointee does NOT seek re-appointment, have the Personnel Officer post the position as vacant as of December 31st of that year, subject to appointment at the biennial organizational meeting of the Legislature as the Rules of Order provide.
- iii. In November, following the current appointee's performance evaluation, the Chair of the Committee to whom the appointee reports shall indicate the committee's:
 - a. Recommendation to re-appoint the current appointee; or
 - b. Request to determine the position as an anticipated vacancy as of December 31 of that year and to have the Personnel Officer post the position as such subject to appointment at the biennial organizational meeting of the Legislature as the Rules of Order provide.

Any person who meets the minimum qualifications for one of the appointed positions shall apply to the Personnel Officer to fill one of the anticipated vacancies. The current appointee who has not been recommended for re-appointment may apply for the posted position.

- iv. At the next biennial organizational meeting, the full Legislature shall appoint persons to fill each of the positions scheduled to be filled as follows:
 - a. 1st The current appointee recommended by the last sitting committee shall be nominated and considered for the position by vote of the new sitting legislature; if not approved for appointment by a sufficient vote of the legislature; then
 - b. 2nd The legislature shall then nominate and consider from the applicants who filed appropriate documentation with the Personnel Officer, any such successfully nominated applicant shall be subject to meeting other requirements as the County has established (i.e. drug test); if no such applicant is approved for appointment by a sufficient vote of the legislature; then
 - c. 3rd The legislature shall accept from the floor nominations of persons who did not apply. These nominations shall be subject to providing valid and sufficient proof that they meet the minimum qualifications for the position and subject to all other requirements demanded of new employees of the County.

B. Procedure for Election of a Chair

- ~~i. In accordance with Article II, Section 202, ORGANIZATION, of Local Law No. 2 for year 1972, at each biennial organizational meeting, the Clerk of the outgoing Legislature shall call the meeting to order and preside over the election of the Chair.~~

- ~~ii. The Chair shall be elected by a majority vote of the whole number of weighted votes of the total membership of the Legislature. The Clerk of the County Legislature last elected shall act as Chair pro tem. He/She shall call the County Legislature to order and call the roll, followed by a pledge of allegiance to the flag. Whereupon the Chair~~

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pro tem shall declare, "The first order of business is the election of the Chair." Nominations for the office of Chair shall then be taken from the floor and such nominations must be seconded. Before proceeding to an election, the Chair pro tem shall inquire if there are any further nominations. If there is no response, the Chair pro tem shall declare the nominations closed. Voting shall be by full roll call with each legislator, when the legislator's name is called, declaring the name of the candidate of the legislator's choice who has been duly nominated and seconded. Should there be no weighted majority of the Legislature after the initial roll is called, the two nominees receiving the highest number of votes shall then be the only candidates named for a second round of roll call voting. Voting will again be by full roll call with each legislator, when the legislator's name is called, declaring the name of one of the two candidates remaining. Upon voting of the County Legislature; whereupon the Chair pro tem shall declare the duly elected Chair. Upon election, the Chair shall immediately assume all duties and responsibilities of the office and shall continue to act in such capacity until the termination of his/her office.

~~iii~~ ii. The Chair's term will be through December 31 in the next odd-numbered year.

~~iv~~ iii. In the event a Chair is not elected at the biennial organizational meeting, a Chair shall be elected at a recessed meeting held no later than February 1 in the even-numbered year.

~~v~~ iv. In the event of the failure of the Legislature to elect a Chair on or before February 1 in the even-numbered year, the County Clerk of Cortland County shall appoint a member of the Legislature as Chair, who shall serve through December 31 of the next odd-numbered year.

C. Appointment of a Clerk

- i. At each biennial organizational meeting following the election of the Legislature, the Legislature shall appoint a Clerk of the Legislature, in accordance with County Law §400 (4)(a) and County Law §475. The Clerk of the Legislature shall also serve as County Historian.
- ii. The Clerk of the Legislature shall be appointed by a majority vote of the weighted votes of the total of the Legislature.
- iii. The Clerk of the Legislature shall serve at the pleasure of the Legislature until replaced or removed by the Legislature (see County Law, § 475[1]).

D. Appointment of the County Attorney

- i. At each biennial organizational meeting following the election of the Legislature, the Legislature shall appoint a resident attorney as County Attorney, in accordance with § 500 of County Law.

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- ii. The term of office of the County Attorney shall run concurrent with the elected members of the Legislature, in accordance with County Law, § 500.
- iii. The County Attorney shall be appointed by a majority vote of the weighted votes of the total of the Legislature.

E. Appointment of the County Auditor

- i. At each biennial organizational meeting following the election of the Legislature, the Legislature may appoint a County Auditor, in accordance with County Law, § 600.
- ii. The term of office of the County Auditor shall be for the term for which the membership of the Legislature appointing him/her was elected, in accordance with County Law, § 600, or for a term as may be determined by local law not to exceed four years.
- iii. The County Auditor shall be appointed by a majority vote of the weighted votes of the total of the Legislature.

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F. Appointment of a Public Defender

- i. At each biennial organizational meeting following the election of the Legislature, the Legislature shall appoint a Public Defender, in accordance with Local Law No. 2 for year 19662021. (See County Law, § 716).
- ii. The term of the office of Public Defender shall be for the term for which the membership of the Legislature appointing him/her was elected or for a term as may be determined by local law not to exceed four years.
- iii. The Public Defender shall be appointed by a majority vote of the weighted votes of the total of the Legislature.

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G. Appointment of a Veterans' Services Officer

- i. At each biennial organizational meeting following the election of the Legislature, the Legislature shall appoint a County Veterans' Services officer, in accordance with County Law § 800.
- ii. The term of office of the Veterans' Services shall be for the term for which the membership of the Legislature appointing him/her was elected or for a term as may be determined by local law not to exceed four years.
- iii. The Veteran's Services Officer shall be appointed by a majority vote of the weighted votes of the total of the Legislature.

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ARTICLE III



CORTLAND COUNTY LEGISLATURE RULES OF ORDER

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AUTHORITY OF THE CHAIR

1. Legislative Meetings

A. At any meeting of the Legislature, the Chair shall:

- i. call the meeting to order at the set time;
- ii. proceed to the business in the manner prescribed by these Rules, unless there is no quorum;
- iii. preserve order and decorum in debate, preventing personal reflections and confining members' remarks to the question under debate;
- iv. recognize members entitled to speak in debate, ruling which member is first entitled to speak when two or more members seek recognition simultaneously; this ruling shall be subject to appeal from the ruling of the Chair;
- v. rule on the priority of business and all points of order, subject to appeal from the ruling of the Chair. On each appeal, the Chair shall have the right to speak first and last in debate, if the question is debatable, to explain the reason(s) for the ruling; ~~all other members may speak once in debate if the question is debatable;~~
- vi. grant the privilege of the floor to individuals who have signed in before the beginning of the session and set the time limit, up to but not more than ~~five-three (53)~~ minutes per speaker, which, upon authority of the Chair, may be extended:

Public Comment: Privilege of the floor shall be granted to any individual in the manner prescribed as follows: Any person or group may request permission to appear before the Legislature by signing on the provided sign-in sheet. The Legislature will provide a thirty (30) minute public comment period, at the discretion of the Chair, or upon majority vote of the Legislature, the public comment period may be extended, before resolutions are acted upon. Said thirty minutes will be divided evenly among the number of persons or groups that wish to appear before the Legislature, with no one person or group appearing for more than ~~five-three (53)~~ minutes. The ~~five-three~~-minute time limit per speaker may be extended and/or limited at the discretion of the Chair or upon majority vote of the Legislature to accommodate the group. This rule shall not apply to the County Administrator, Department heads, or others invited to appear before the legislature. The Chair shall preserve order and decorum. He or she shall prevent any persons speaking, including members of the Legislature, from making personal or derogatory comments regarding individuals and he or she shall confine the speakers to subject matters pertaining to the agenda. The Chair shall have the authority to have disruptive individuals removed from the meeting.

These actions shall be subject to appeal from the ruling of the Chair:

- i. in the absence of a quorum, take actions necessary to obtain a quorum;
- ii. on the request of any member, or at his/her own discretion, divide a resolution that contains two or more distinct propositions; and which can be considered separately;
- iii. vote on all questions, unless excused from voting on a particular question;

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- iv. appoint a Chair pro-tem to preside over the Committee of the Whole;
- v. excuse a member from any meeting in accordance with the definition of an excused absence;
- vi. declare any meeting recessed at which a quorum cannot be obtained.

B. At any meeting of the Legislature, the Chair may:

- i. vary the order of business from the defined order of business, subject to appeal from the ruling of the Chair by the legislative body;
- ii. call any qualified individual temporarily to the position of Clerk of the Legislature, in accordance with County Law §400;
- iii. allow a minority report to be presented and heard; and
- iv. introduce a resolution to the Legislature when content or subject matter does not fall within the jurisdiction of a statutory committee.

C. The Chair may direct the Clerk of the Legislature to call a Special Meeting of the Legislature subject to limitation of these rules, and County law.

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2. Committee Responsibilities

The Chair shall:

- A. within 15 days of his/her election to the position of Chair, appoint all Committee Chairs and members of Standing Committees, filing a list of same with the Clerk of the Legislature. When feasible, each political party shall be represented on each committee in its proportion to representation on the Legislature;
- B. within 15 days of creation of a Special Committee, appoint its Chair and members, filing a list of same with the Clerk of the Legislature. When feasible, each political party shall be represented on each committee in its proportion to representation on the Legislature;
- C. fill any vacancies in any Standing or Special Committee, in compliance with County Law § 154;
- D. reassign or remove committee Chairs or members as necessary;
- E. when deemed necessary, call a meeting of a Standing or Special Committee subject to the limitations of these rules;
- F. subject to the approval by resolution of the Legislature, assign additional duties to Standing or Special Committees;



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- G. sit on Standing or Special Committees as an ex-officio member in compliance with County Law § 450.

3. **Communications**

A. **Resolutions**

Upon receipt of any resolution, forward it to:

- i. the Clerk of the Legislature;
- ii. the Chair of the appropriate committee(s);
- iii. the Majority Leader;
- iv. the Minority Leader; and
- v. other appropriate individuals.

B. **Communications from the Clerk of the Legislature**

Upon receipt of any petition, communication, or notice from the Clerk of the Legislature, forward it, if applicable, to:

- i. the Chair of the appropriate committee(s);
- ii. the Majority Leader;
- iii. the Minority Leader; and
- iv. other appropriate individuals.

C. **Communications from Others**

Upon receipt of any petition, communication, or notice from any individual other than the Clerk of the Legislature, forward it, if applicable, to:

- i. the Clerk of the Legislature;
- ii. the Chair of the appropriate committee(s);
- iii. the Majority Leader;
- iv. the Minority Leader; and
- v. other appropriate individuals.

4. **Oath of Office**

Within 20 days of being elected Chair, execute and file in the office of the County Clerk of Cortland County an official oath by being sworn in and signing the official oath book as Chair, in compliance with County

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Law, § 450. The Chair will also execute and file an official undertaking in such amount as required by the Legislature.

5. Administrative Responsibilities – The Chair

- A. shall supervise the Clerk of the Legislature;
- B. shall oversee the use of the Legislative Chambers and offices or shall designate an individual to oversee the use of the Legislative Chambers and offices;
- C. shall, no later than the last session in June of each year, give a State of the County address, at which time member reports may also be given;
- D. may represent the County in all proceedings before the Public Service Commission and at all other public hearings and conferences deemed necessary to attend;
- E. shall, in case of attack or public disaster, direct the performance by agencies and public offices of the County of specific duties and implement the provisions of Article Three of the New York State Emergency Defense Act and the County Emergency Plan;
- F. shall become familiar with the property, function, and fiscal affairs of the County;
- G. shall ensure that the statutory and local laws and resolutions of the Legislature and directions of County officials empowered to make the same are faithfully executed. Any neglect of duty shall be reported to the Legislature;
- H. shall determine which official shall perform a particular power or duty not clearly defined by law;
- I. may attend meetings of all boards, commissions, or other bodies appointed by the Legislature; those exercising County functions; or those expending County funds, in compliance with County Law, § 450;
- J. may inspect all books, accounts, records, or documents pertaining to the property, money, or assets of the County over which the County has control, in compliance with County Law, § 450;
- K. may make recommendations to the Legislature on legislation, rules, and regulations, and such other matters deemed material and advisable;
- L. may transfer employees temporarily from one department or office to another, with the approval of the appropriate department head(s) or the Legislature, in compliance with County Law, § 450;
- M. shall recommend to the Legislature persons for appointment to the Industrial Development Agency, which shall be politically balanced;

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- N. shall approve the agenda for Legislative sessions prior to distribution;
- O. shall, after his/her election as Chair, assign seating for the members of the Legislature, ~~or~~ delegate this authority to the Clerk of the Legislature;
- P. shall appoint the members of all management teams for the negotiating of labor contracts;
- Q. shall perform an annual performance evaluation with the appropriate Committee Chairs and other appropriate personnel for the Clerk of the Legislature, County Attorney, County Auditor, Public Defender, and Veterans' Services Officer;
- R. shall perform an annual performance evaluation for the County Administrator in compliance with the Administrator's current contract.

6. **Temporary Chair**

In the absence of the Chair for a meeting, the Majority Leader shall serve as temporary chair. 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, the Majority Leader, and the Minority Leader, a temporary chair shall be elected by a majority vote of those members present and voting. Said vote shall be overseen by the Clerk of the Legislature.

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7. Permanent Vacancy

In the event of a vacancy in the office of Chair as defined by Public Officers' Law, § 30, the Clerk of the Legislature shall, within ten calendar days of such vacancy, call a meeting of the Legislature with notice provided in accordance with these Rules. At such meeting, a member shall be elected Chair, who shall serve as Chair for the unexpired term.

In the event of the failure of the Legislature to elect a new Chair within 30 days after the vacancy, the County Clerk shall appoint a member of the Legislature to serve as Chair for the unexpired term.

**ARTICLE IV
AUTHORITY OF COMMITTEE CHAIRMEN**

1. Each committee Chair shall:

- A. appoint a Vice Chair to preside in his/her absence;
- B. schedule committee meetings and cause committee members and the Clerk to have notice of all meetings. Public notice of the time and place of a meeting scheduled at least one week prior thereto shall be given to the news media and shall be conspicuously posted in one or more designated public locations at least 72 hours before such meeting. Public notice of the time and place of every other meeting shall be given, to the extent practicable, a reasonable time prior thereto (Public Officers Law §104.);
- C. schedule a committee meeting on receipt of a request signed by at least a majority of the committee members. Said request shall state a date, time, place, and subject for said meeting;
- D. prepare, or cause to be prepared by the Clerk of the Legislature an agenda for each committee meeting;
- E. add additional items not included on the agenda upon a majority vote of those present and voting, a quorum being present;
- F. upon receipt of any resolution, petition, communication, or notice, consult with each member of the committee in the manner he/she deems appropriate. Action can only be taken in an appropriately called and conducted meeting;
- G. invite appropriate individuals to a committee meeting when their resolutions are being considered;
- H. when reporting any resolution to the Legislature, provide all appropriate relative material to the Clerk of the Legislature;



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- I. delegate two members of the committee, who shall participate in the selection of a Department Head in a department assigned to it in these Rules, for appointment by the Legislature.

2. **Each committee Chair may:**

- A. appoint a person(s) from the standing committee membership to study any issue deemed appropriate, accountable to the full committee;
- B. schedule meetings with Department Heads or heads of authorized agencies to discuss mutual objectives and problems;
- C. explain the purpose and provisions of resolutions reported from the committee before the debate begins in a Legislative session; and
- D. present a resolution not already on the agenda to the Legislature by a motion suspending the rules.

ARTICLE V

RESPONSIBILITIES AND DUTIES OF THE CLERK OF THE LEGISLATURE

The Clerk shall:

1. keep a record of all acts and proceedings of the Legislature and be the custodian of records and papers having to do with the Legislature's actions (See County Law, § 475);
2. record in the minutes whenever the Privilege of the Floor is granted, specifying the speaker and including a brief summary of what was said;
3. record in the minutes the sponsor and the seconder of all resolutions and motions;
4. call the roll in alphabetical order by the members' surnames, with the Chair being called last, and enter it in the minutes, specifying which members were present, absent, excused, and how each member voted;
5. certify local laws and resolutions in the order in which they are adopted and consecutively number local laws and resolutions in separate series as they are certified, each series continuing through one calendar year;
6. forward copies of local laws and resolutions adopted by the Legislature to the appropriate parties;
7. publish all roll call votes in the Journal and maintain a record of roll calls, which shall be available for public inspection prior to publication in the Journal;

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8. maintain a general index of all local laws and resolutions of a permanent nature;
9. file all adopted Local Laws with the Secretary of State and the Cortland County Clerk and republish in the Newspaper of record as required;
10. file with the Cortland County Clerk all documents as directed by a majority vote of the Cortland County Legislature;
11. distribute to each member and others as deemed appropriate, or as directed by the Legislature or Chair, copies of the minutes of a Legislative session prior to or with the agenda of the next Legislative meeting;
12. upon direction of the Chair, or upon written request signed by a majority of the whole number of members of the Legislature, call a Special Legislative Meeting and serve personally or by mail upon each member at least 48 hours before the date fixed for the meeting, a written notice stating the date, time, location, and purpose of the Special Meeting in the case of an emergency, the 48 hour requirement may be waived by a majority vote of the Legislators present and voting, a quorum being present and all members having been notified (see County Law, § 152);
13. in the absence of a quorum, notify all members that a recessed meeting will be held giving the date, time, and location of the recessed meeting;
14. in the absence of the Chair, the Majority Leader, and the Minority Leader for a meeting, call the Legislature to order and preside over the election of a Chair Pro-Tem from the membership of the Legislature, who shall exercise the powers and duties of the Chair for the duration of the Chair's absence;
15. upon receipt of any petition, communication, or notice from anyone other than the Chair, forward a copy to the Chair, the Majority Leader, the Minority Leader, and other appropriate individuals;
16. on the fourth calendar day prior to a regular meeting, prepare and distribute an agenda which shall include, among other things, a listing of articles received in his/her office;
17. make copies of the agenda available to the public in his/her office after distributing it to the members and be responsible for posting said agenda to the Legislature's website;
18. make copies of all roll call votes available to the public one day after the conclusion of the meeting at which they were taken;
19. by 10:00 a.m. on the business day prior to a meeting, place a copy of each resolution to be considered at the meeting on the desk of each member, and send an electronic copy and have a paper copy on the desk of each member on the day of the meeting;
20. send notices of committee meetings to all Legislators, the County Attorney, and other appropriate individuals at least 72 hours in advance of a committee meeting;

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21. record all notices of committee meetings;

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22. receive reports as requested by the Legislature;
23. receive annual reports from Department Heads and heads of authorized agencies, as directed by the Legislature or required by law;
24. upon receipt of a tentative budget from the Budget Officer, distribute a copy to each member;
25. prepare a list of committees and their members, and distribute to all Legislators and Department Heads and have available for the general public within 30 days of the committee appointments;
26. within 50 days after election or appointment of new members, distribute to them the last Legislative Journal, the current County budget, and if available, the tentative County budget for the next fiscal year;
27. ensure each member has a copy of the current edition of *Robert's Rules of Order Newly Revised* and the Rules of Order of the Cortland County Legislature;
28. prepare an annual budget for the Legislature;
29. report to the Legislature through the Chair;
30. within seven business days following a Committee meeting but in no event no later than the day two days prior to the next Legislative Session, have prepared and forward draft minutes of the meeting to all Legislators that shall specify, among other items, the time, date, and place of the meeting, the persons in attendance, the resolutions voted on and the vote on each;
31. shall serve as the County Historian (see County Law, § 400);
32. shall serve as the Public Information Officer;
33. shall serve as the (Freedom of Information Law) FOIL Officer for Cortland County;
34. ensure that minutes of all Legislative and committee meetings are posted to the County's website in accordance with the time frames identified in Public Officers' Law §106, including video recordings of the meetings.
35. perform such additional duties as the Legislature or the Chair may direct (See County Law, § 475);

ARTICLE VI

**POWERS AND DUTIES OF THE COUNTY ATTORNEY AND THE COUNTY
ADMINISTRATOR**

1. **The County Attorney shall:**
 - A. act as the legal advisor to the Legislature and other County officials in all matters involving

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an official act of a civil nature (See County Law, § 501);

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- B. be present at all Legislative meetings unless excused by the Chair, and committee meetings, if requested by the Committee Chair. In cases where the County Attorney cannot be present, ensure that an Assistant County Attorney shall be present; and
- C. by 10:00 a.m. on the business day prior to a meeting, approve all resolutions included on the agenda for form and legal content, indicating his/her approval on the original copy, consulting with the sponsor if necessary, before approving said resolution.

2. The County Administrator shall:

- A. be directly responsible to the County Legislature, and, on behalf of the County Legislature shall perform the functions of chief administrative officer, with the County Legislature retaining the final administrative authority (see Local Law No. 7 for the of 2002, Local Law No. 3 for the year 2003;
- B. be the Budget Officer of the County, responsible for preparing the tentative budget and presenting it to the Budget and Finance Committee for approval and then to the County Legislature for final adoption (see Local Law No. 3 of 2003 and County Law §353 and §354); and
- C. any other duties as assigned by the Legislature which do not curtail, diminish, transfer or divest the Cortland County Legislature (or any elected official) of any functions, powers or duties (see Local Law No. 7 of 2002, Local Law No. 3 of 2003 and Municipal Home Rule Law §23, County Law §154(6)).

**ARTICLE VII
PRESENTATION OF RESOLUTIONS**

- 1. All resolutions shall be in writing and shall include a brief title summarizing the purpose of the resolution (see County Law, § 153).
- 2. All resolutions shall be filed with the Clerk of the Legislature, and whenever possible shall be written in the affirmative.
- 3. Resolutions to be included on the agenda shall have the majority vote of those present (a quorum being present) of the appropriate Statutory Committee and shall be filed on or before the fourth calendar day before a regular meeting, and at least 48 hours before a Special Meeting. Resolutions voted down by the Finance and Administration Committee shall be so noted when presented to the Legislature.
- 4. Resolutions creating a Special Committee shall specify the powers and duties of the committee and the number of members. (See County Law, § 154)



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5. Resolutions pertaining to bills pending before the Congress or the State Legislature shall specify the bill number and the name of the sponsor(s).
6. An amended version of a resolution on the agenda may be filed by the sponsor for consideration at any time before the Legislature convenes.
7. Upon the request of any member, an amendment to a resolution shall be in writing. Copies of the amendment shall be distributed to all members.
8. A sponsor, upon approval of a majority of the committee, may request permission to withdraw a resolution any time before a final vote is taken. The same resolution with the same intent may not be withdrawn by the sponsor more than three (3) times per calendar year.
9. A sponsor shall be given an opportunity to explain a resolution, its purpose, and his/her reason for introducing the resolution prior to the opening of debate in the Legislature.
10. The same resolution with the same intent offered by the same sponsor may be introduced as a new agenda item only three (3) times per calendar year.
11. Any resolution withdrawn from the Legislative agenda shall begin the committee approval process again and shall not be re-introduced unless the committee approval process is completed.

ARTICLE VIII MEETINGS

1. All meetings of the Legislature shall be held in the Legislative Chambers, Cortland County Office Building, 60 Central Avenue, Cortland, New York. The Legislature may, at any meeting, by resolution, change the time and place of the next regularly scheduled meeting, except that no meeting shall be held outside the City of Cortland without an affirmative vote of three-fourths of the total membership of the Legislature (see County Law, § 152).
2. All meetings of the Legislature shall be public (see County Law § 152 and Public Officers Law §103).
3. The Legislature shall, in addition to the organizational meeting, hold regular meetings at 6:00 p.m. on the fourth Thursday of each month January through October. November and December meeting dates will be scheduled by the Clerk.
4. Special meetings shall be held in accordance with County Law §152(2) and these Rules. Only articles included in the written notice may come before the Legislature at the special meeting.
5. When the day specified for any meeting falls on a County holiday, such meeting shall be held at the time specified on the next business day.
6. If the Legislature is inquorate (without a quorum) for any meeting, a recessed meeting shall be declared.

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**ARTICLE IX
ORDER OF BUSINESS**

1. The order of business at each meeting of the Legislature shall be as follows, unless modified by the Chair in accordance with Authority of the Chair:
 - A. Salute to the Flag
 - B. Roll call of members
 - C. Approval of minutes of the previous meeting
 - D. Proclamations and Recognitions
 - E. Privilege of the Floor, including Public Comment Period as authorized by these rules
 - F. Presentation of petitions, communications, and notices
 - G. Reports of Standing and Special Committees
 - H. Special Orders
 - I. Articles Postponed to Day Certain
 - J. Unfinished Business
 - K. Presentation of Resolutions
 - L. Announcements
 - M. Adjournment
2. When necessary, the minutes of the previous meeting may be read if the members have not received them, or upon the request of any member. In the absence of corrections, the minutes shall stand approved without formal motion.
3. Articles Laid on the Table, except Articles Postponed to Day Certain, shall be considered Unfinished Business and shall be taken from the table upon approval of a majority vote of the total vote of the members present via the motion to Take from the Table.
4. No more than one amendment to an amendment may be pending at any given time on any resolution.
5. The Legislature shall set aside any other business at the time stated for consideration of a Special Order.
6. The time for consideration of a Special Order shall be advanced, postponed, or rescinded only with the approval of a two-thirds vote of the total vote of the members present.



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ARTICLE X
MOTIONS AND THEIR PRECEDENCE

1. When the Legislature is considering a question, motions shall have precedence over another in the order stated below:
 - A. To adjourn
 - B. To recess
 - C. To raise a question of privilege
 - D. To lay on the table
 - E. Previous question
 - F. To postpone to day certain
 - G. To commit (refer to a committee)
 - H. To go into Committee of the Whole
 - I. To go into Executive Session
 - J. To amend
 - K. To postpone indefinitely
 - L. Main motion
2. The privileged motion to adjourn, and the motion to lay on the table are not amendable. The privileged motion to recess may be amended only as to the length or time of the recess. A motion to postpone to day certain may be amended only as to the day to which the question is postponed.
3. The privileged motions to adjourn and to recess, and the motions for the previous question, and to lay on the table are not debatable.
4. A motion to adjourn shall not be made while the Chair is putting a question, while a member has the floor, while the Clerk is taking a roll call vote, or while the Legislature is in the Committee of the Whole.
5. A question of privilege may be raised while another member has the floor.
6. Any question shall be laid on the table or postponed to day certain only once.
7. The Legislature, while in Committee of the Whole, shall not exercise Legislative powers and shall be presided over by a temporary Chair. The only motions that are in order under Committee of the Whole are to amend and adopt the report to be given and to "rise and report." Any formal action must be taken in the regular Legislative body. Committee of the Whole cannot refer the issue under consideration to another committee.

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8. When in Executive Session, the Legislature shall operate under these rules insofar as they are applicable. Proceedings in Executive Session shall be confidential unless the Legislature votes otherwise.
9. Any Committee may be discharged from further consideration of any matter entrusted to it by these Rules upon a majority vote of the whole number of members. The matter shall automatically be placed by the Clerk on the agenda for the next Legislative meeting.
10. A motion to reconsider any vote must be made on the day the vote proposed to be reconsidered was taken or at the next regular meeting of the Legislature. Such motion may be made only by a member voting on the prevailing side. Such motion may be made under any order.
11. A motion to rescind any resolution or motion shall be made only when no motion is on the floor. It shall require the affirmative vote of two-thirds of the Legislature, or a majority of the Legislature with previous notice.

**ARTICLE XI
RULES OF VOTING**

1. A majority of the total vote (weighted vote) of the whole number of members of the Legislature (17) shall be necessary to adopt any question, proposition, resolution, motion, or any other matter, except where it is otherwise provided herein or by statute that another form of approval is required.
2. Every member present when a vote is taken on any matter shall vote unless he/she has a direct interest in the matter or is excused by a majority weighted vote of the members present.
3. Members must be in their ~~assigned~~ designated seat when voting.
4. A roll call vote shall be called by the Clerk on any question where it is required by statute or these Rules, or on the request of any member (see County Law, § 153).
5. If a roll call vote is commenced on any question, it must be completed.
6. Members shall be called in alphabetical order according to their surnames, except that the Chair (permanent, temporary or Chair Pro-Tem) shall always be called last.
7. Any member shall have the right to have his/her vote on any question recorded and entered in the minutes upon his/her request, without explanation and without requesting a roll call vote.
8. An absent legislator cannot vote on a motion. However, mathematically, the Legislature cannot reduce the total number of weighted votes. A member recorded as absent or excused shall not have a vote. The total number of weighted votes cannot be reduced by an absence or excuse of a member, so the total vote required to adopt any motion shall be based on the total vote of the full Legislature.



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ARTICLE XII **COMMITTEES**

1. Members of all Standing Committees shall be appointed for terms of two years, or until reassigned or removed by the Chair, commencing January 1 of the even-numbered year, but nothing herein contained shall be construed to allow any person to continue to serve on any Committee after ceasing to be a member of the Legislature.
2. In accordance with these Rules, the Chair shall have the authority to reassign or remove committee members.
3. Committees shall operate under these Rules as far as they are applicable, except that the previous question shall not be in order.
4. Each Standing Committee may examine the bills, accounts, and claims of the departments, boards, councils, and authorized agencies assigned to it in these Rules.
5. Each Standing Committee may review and receive recommendations from Legislators and make recommendations to the Budget Officer and/or Finance and Administration Committee regarding department proposed budgets under the jurisdiction of that committee.
6. Each Standing Committee shall have general supervision of and receive articles relating to the departments, boards, councils, and authorized agencies assigned to it in these Rules.
7. Each Standing Committee shall initiate, sponsor, and/or review all resolutions affecting the departments, boards, councils, and authorized agencies assigned to it in these Rules.
8. For any item to be moved from the Standing Committee to the Legislature requires a majority vote of the members present (a quorum being present).
9. Any item having an unbudgeted financial impact on Cortland County shall be presented to the Finance and Administration Committee before being presented to the full Legislature. Resolutions not approved by the ~~Budget and Finance~~Finance and Administration Committee shall be so noted when presented to the Legislature.
10. Each Standing Committee shall fulfill the responsibilities assigned to it.
11. Special Committees shall be created by resolution for a period not to exceed the term of the Legislature adopting the resolution.
12. The following are the Standing Committees, their responsibilities, and their composition:

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- A. **Finance and Administration** – A seven (7) member Committee shall review the tentative budget filed by the Budget Officer and shall consider and recommend appropriations required for all purposes and prepare and report the annual estimates for the tax levy.

The Committee shall oversee:

The Treasurer's Office, the Finance Office, Administration Office, Office of the Manager of Audit and Financial Projects, the Department of Real Property Tax Services, occupancy tax, Tompkins Cortland Community College (TC3), Industrial Development Agency and Business Development Corporation, and the agency that provides promotional and tourism service. The Finance and Administration Committee shall serve as the Audit Committee.

- B. **Judiciary and Public Safety** – Not less than five (5) nor more than seven (7) members who shall oversee:

The District Attorney's Office, Coroners, Assigned Counsel, Public Defender, Sheriff's Department, Probation Department, Department of Emergency Response and Communications.

- C. **Government Operations** – Not less than five (5) nor more than seven (7) members who shall oversee:

Personnel/Civil Service Office, County Attorney, Board of Elections, Weights & Measures, County Clerk/Department of Motor Vehicles and the Clerk of the Legislature/Historian.

All matters concerning operation and revision of these Rules shall be referred to the Committee.

- D. **Highway/Solid Waste** – Not less than five (5) nor more than seven (7) members who shall oversee:

County Highway Department

- E. **Buildings and Grounds** – Not less than five (5) nor more than seven (7) members who shall oversee:

Buildings and Grounds Department, the Safety Office and Information and Technology Department.

- F. **Health & Human Services** – Shall consist of no less than five (5) and no more than seven (7) members who shall oversee:

The Health Department, Mental Health Department, Department of Social Services, Employment and Training Office and Grant Administration, Area Agency on Aging and Veterans' Services.



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- G. **Agriculture/Planning/Environmental** – Not less than five (5) nor more than seven (7) members who shall oversee:

County Planning Department, Soil and Water Conservation District, Cooperative Extension, public transportation, SPCA, and including but not limited to any associated agency.

ARTICLE XIII **SUSPENSION OR AMENDMENT OF RULES**

1. Any Rule may be amended or rescinded by a two-thirds vote of the full Legislature.
2. Any Rule may be suspended by a two-thirds vote of the members present and voting and any suspension shall be effective only while the matter before the Legislature at the time of the suspension remains under discussion.

ARTICLE XIV **INTENT OF THESE RULES AND PARLIAMENTARY QUESTIONS**

1. It is the intent of this Legislature to determine the rules of its own proceedings pursuant to County Law §153 and Local Law No. 2 for year 1972 establishing the County Legislature with the power to enact local laws or rules governing the conduct of the members at such sessions and the manner of transaction business thereat.
2. Except as otherwise provided herein, the current edition of Robert's Rules of Order Newly Revised shall govern parliamentary procedure at all meetings.

ARTICLE XV **EFFECTIVE DATE**

These Rules shall take effect immediately upon adoption and shall remain in effect until amended, revised, or rescinded.

Adopted January 2010 – Revised 7-28-11

Adopted January 4, 2012 – Revised 4-26-12, 6-27-13

Adopted January 2, 2014 – Amended 6-26-14, 9-24-15

Adopted October 26, 2017 – Revised 12-8-20

Adopted December 18, 2020

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