



Cortland County Legislature

Legislative Session

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

~ Agenda ~

Thursday, July 22, 2021

6:00 PM

Board Room

Salute to the Flag

Public Hearings

1. Adopt Local Law "F" of 2021, Amending Law No. 9 for the Year 2016 Which Established a Plan of Mutual Self-Insurance for Workers' Compensation; Amend Rules and Regulations and Apportionment
2. Authorize the Possible Submission of One or More Community Development Block Grant (CDBG) CARES ACT Application

Call to Order

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

Roll Call

Approval of Minutes

1. Cortland County Legislature - Legislative Session - Jun 24, 2021 6:00 PM

Proclamations & Recognitions

1. Cortland County Retiree Proclamation

Privilege of the Floor

Presentation of Petitions, Communications, and Notice

Receive and File

1. 2021 State of the County Address

Reports of Standing, Special and Ad Hoc Committees

Articles Postponed to Day Certain

Unfinished Business

New Business

Resolutions

Resolutions from the Chair

ON MOTION OF HEIDER

AGENDA ITEM NO. 1

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, 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

Referred from Building & Grounds Committee

ON MOTION OF HARBIN

AGENDA ITEM NO. 2

Adopt Cortland County Weapons Policy

WHEREAS, it has been deemed necessary that the Cortland County Legislature must place restrictions on the bearing and possession of firearms and other deadly weapons or instruments by individuals while entering into and being present in buildings owned, leased, and/or operated by the County of Cortland, NOW THEREFORE BE IT

RESOLVED, that the County of Cortland Buildings Weapons Policy is hereby adopted by Cortland County Legislature and that said policies and procedures become effective immediately.

Referred from Highway Committee

ON MOTION OF NEWELL

AGENDA ITEM NO. 3

Authorize Use of American Rescue Plan Funds for Rehabilitation of County Roads - Highway Department

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

WHEREAS, due to the COVID-19 pandemic, many County Highway road rehabilitation projects had to be postponed or cancelled, AND

WHEREAS, it would be in the best interest of Cortland County residents to improve County roads, AND

WHEREAS, the Federal Aid Allocation Citizen's Advisory Committee recommends the use of American Rescue Plan funds for the County Highway road rehabilitation projects, NOW THEREFORE BE IT

RESOLVED, that \$300,000 be allocated to the County Road budget for 2021 and \$300,000 be allocated to the County Road budget in 2022, to be reimbursed by the anticipated Federal American Rescue funds, AND BE IT FURTHER

RESOLVED, that the Cortland County Legislature amends the 2021 budget as follows:

Increase: Account D51125.54077.ARP	Construction & Main	\$300,000
Increase: Account D99015.45031.ARP	Interfund Transfer	\$300,000

Increase Account A99015.99014.ARP	Interfund Transfer	\$300,000
Increase Account A359900	Appropriated Fund Bal	\$300,000

, 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

ON MOTION OF BISCHOFF

AGENDA ITEM NO. 4

Amend 2021 Budget/Abolish Child Psychiatrist Position/Authorize Contract InnovaTel Telebehavioral Health Psychiatrist - Mental Health Department

WHEREAS, the Cortland County Mental Health Department has accepted the resignation of the Part-Time Child Psychiatrist effective June 30, 2021, AND

WHEREAS, the Mental Health Department is in need of a child psychiatrist to serve its population and support clinical and medical staff, AND

WHEREAS, recruitment efforts for the position of Child Psychiatrist have been unsuccessful, AND

WHEREAS, it would be in the best interest of the County to provide these services through an outside vendor, AND

WHEREAS InnovaTel is among those providing remote Telebehavioral Health services with psychiatrists for outpatient treatment and supervision for a period of 47 weeks at an hourly rate of \$220-\$250 per hour, NOW THEREFORE BE IT

RESOLVED, that the Part-Time Child Psychiatrist position be and hereby is abolished effective July 1, 2021, AND BE IT FURTHER

RESOLVED, that the County Administrator, upon review by the County Attorney or designee, be and hereby is authorized to enter into an agreement with InnovaTel Telebehavioral Health for remote Telebehavioral Health services, AND BE IT FURTHER

RESOLVED, that the 2021 budget be amended as follows:

			Budgeted	Decrease	Adjusted Budget
A43105.51010.4200	Personal Services	\$	101,147.28	\$ (53,376.93)	\$ 47,770.35
A43105.58020.4200	Retirement		14,160.62	(7,472.77)	6,687.85
A43105.58030.4200	FICA		7,737.77	(4,286.44)	3,451.33
A43105.58040.4200	Workers' Compensation		995.00	(497.50)	497.50
A43105.58060.4200	Health Insurance		18,275.24	(9,137.62)	9,137.62
A43105.58062.4200	Dental Insurance		90.24	(45.12)	45.12
A43105.58065.4200	Vision Benefits		19.60	(9.80)	9.80
		\$	142,425.75	\$ (74,826.18)	\$ 67,599.57

			Budgeted	Increase	Adjusted Budget
A43105.54615.4200	Contracted Medical Svc	\$	137,300.00	\$ 74,826.18	\$ 212,126.18

ON MOTION OF BISCHOFF

AGENDA ITEM NO. 5

Authorize Agreement Cortland Transit, Inc. and Multiple Taxi Companies Serving Cortland County - Area Agency on Aging

WHEREAS, the Area Agency on Aging wishes to enter into contract with Cortland Transit, Inc. and taxi companies serving Cortland County, AND

WHEREAS, the Area Agency on Aging receives state funding to provide transportation to older adults, AND

WHEREAS, the Area Agency on Aging wishes to expand transportation assistance to better serve older adults, AND

WHEREAS, the funding for this agreement is included in the Cortland County 2021 budget for the Area Agency on Aging, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee, be and herby is authorized to execute said agreement, not to exceed \$5,600, to be paid from account A67725-54049-4339.

ON MOTION OF BISCHOFF

AGENDA ITEM NO. 6

Authorize Lease Agreement with Crescent Commons Master Tenant, LLC for Lease of Property Located at Crescent Commons - Area Agency on Aging

WHEREAS, the Cortland County Area Agency on Aging (Lessee) is in need of leasing property at Crescent Commons, 165 Main St, Suite B2, Cortland, New York, from Crescent Commons Master Tenant, LLC (Lessor) to be used as the Cortland Senior Center for Cortland County residents, AND

WHEREAS, the term of the lease is for five (5) years commencing August 1, 2021 and ending July 31, 2026, AND

WHEREAS, the rent is to be paid in monthly installments of \$2,000.00 per month, or a total of \$24,000 per year, AND

WHEREAS, an additional amount of \$200.00 per month for all utilities is assessed, also to be paid monthly, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee, is hereby authorized and directed to sign a lease with Crescent Commons Master Tenant, LLC and authorizes the Cortland County Treasurer's office to release funds accordingly.

ON MOTION OF BISCHOFF

AGENDA ITEM NO. 7

Authorization to Provide Senior Centers Grants - Area Agency on Aging

WHEREAS, the recent COVID-19 pandemic has forced the closing of our senior centers centrally controlled and staffed by the Cortland County Area Agency on Aging, AND

WHEREAS, these closings provided an opportunity to make a more direct investment in, and consequently better serve, our aging adult population by empowering them to become active leaders and participants in creating, directing and managing those activities best suited to the needs of the local communities in which they reside, AND

WHEREAS, the Cortland County Legislature is desirous of establishing a grant program for, and with, municipalities, community, not-for-profits and/or faith-based organizations to provide meeting places, activities, and outreach for the County's aging adult population, AND

WHEREAS, Cortland County Area Agency on Aging has developed a grant program, the Local Aging Adult Satellite for Services (LASS) and accompanying grant application process, to disburse

County funds which will enable and support such activities in a manner tailored and targeted to local areas and their aging adult residents throughout the County, AND

WHEREAS, this grant funding will be awarded based on a completed LASS grant application submitted by the municipality, community, not-for-profits and/or faith-based organizations which successfully fulfills both the program and review process criteria outlined in the grant application, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or his/her designee and subject to appropriation of funding, be and hereby is authorized to sign the grant contract(s) with the awarded agency(ies) with a total LASS program award not to exceed \$100,000.

ON MOTION OF BISCHOFF

AGENDA ITEM NO. 8

Amend 2021 Budget/Accept Funds American Rescue Plan for Family Caregiver Support Program - Area Agency on Aging

WHEREAS, the New York State Office for the Aging has made available the sum of \$22,124 under the American Rescue Plan for Family Caregiver Support Program, for the period April 1, 2021 through September 30, 2024, AND

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

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

INCREASE:

Revenue:	A677244.44772.4332	Federal Aid - Title III E	\$22,124
Expenses:	A67725.54055.4332	Professional Services	\$22,124

AND BE IT FURTHER

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

ON MOTION OF BISCHOFF

AGENDA ITEM NO. 9

Award Bid/Authorize Agreement - Transportation of Children with Disabilities-Health Department/Children with Special Needs - Health Department

WHEREAS, the County of Cortland is responsible for providing transportation for children with disabilities (ages birth through 5 years) for therapy and program participation, AND

WHEREAS, the County issued a Request for Proposal (RFP) on June 10, 2021 for transportation of children with disabilities for the 2021-2023 contract years, AND

WHEREAS, all proposals were solicited in accordance with County policy, AND

WHEREAS, one proposal was received and the contractor meets all of the County's requirements, AND

WHEREAS, the funding for this agreement is available in account number A40465.54800.PREK, NOW THEREFORE BE IT

RESOLVED, that the contract for transportation of children with disabilities for the 2021-2023 contract years be awarded to First Transit Inc., 600 Vine Street, Suite 1400, Cincinnati, OH, 45202, AND BE IT FURTHER

RESOLVED, the Legislature authorizes the County Administrator, upon review and approval of the County Attorney or designee, to enter into an agreement with First Transit Inc., 600 Vine Street, Suite 1400, Cincinnati, OH, 45202 for the two-year period of October 1, 2021 through September 30, 2023, with an optional one year extension.

ON MOTION OF BISCHOFF

AGENDA ITEM NO. 10

Authorize Agreement/Accept Funds Integrated Cancer Services Program - Health Department

WHEREAS, the New York State Department of Health has awarded the Cortland County Health Dept. a total of \$600,000 for the contract term of 10/1/2020-9/30/2023 to be the lead agency for the three County Cancer Services Program, Breast, Cervical & Colorectal Cancer Partnerships which includes Tompkins and Cayuga Counties and provides screenings and education, AND

WHEREAS, for the period of 10/1/2020-9/30/2021, \$200,000 has been awarded to the Cortland County Health Department, AND

WHEREAS, \$80,986 of these funds have already been allocated in the County Budget, AND

WHEREAS, that the finds in the 2021 County Budget will be amended as follows:

<u>Increase Revenue:</u>	<u>Current</u>	<u>Increase</u>	<u>Balance</u>
A40105.43450.20CSC CA SVC	\$80,986	\$119,014	\$200,000
<u>Increase/Decrease Expense</u>	<u>Current</u>	<u>Inc/(Dec)</u>	<u>Balance</u>
A40105.51005.20CSC PERSONAL SERV	\$52,283	(\$2,874)	\$49,409
A40105.54000.20CSC TELEPHONE	\$158	\$292	\$450
A40105.54005.20CSC OFFICE SUPPLIES	\$200	\$1,006	\$1,206
A40105.54020.20CSC POSTAGE	\$100	-0-	\$100
A40105.54045.20CSC TRAVEL	\$200	\$1,480	\$1,680
A40105.54048.20CSC PROGRAM SUP	\$3,685	\$2,715	\$6,400
A40105.54060.20CSC LEGAL ADV	\$1,000	\$106,420	\$107,420
A40105.54213.20CSC COPIER	\$270	\$80	\$350
A40105.58020.20CSC RETIREMENT	\$7,320	\$585	\$7,905
A40105.58030.20CSC FICA	\$4,000	-0-	\$4,000
A40105.58040.20CSC WRKS COMP	\$1,995	\$120	\$2,115
A40105.58060.20CSC HEALTH INS	\$9,665	\$9,190	\$18,855
A40105.58062.20CSC DENTAL INS	\$90	-0-	\$90
A40105.58065.20CSC VISION CARE	\$20	-0-	\$20
		\$119,014	

, AND BE IT FURTHER

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

RESOLVED, 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.

Authorize Agreement with Salvation Army for Warming Center - Department of Social Services

WHEREAS, the NYS Office of Temporary and Disability Assistance has committed to fully reimbursing all counties for costs related to regulatory requirements of 18NYCRR Section 304.1 titled Protection of Vulnerable Homeless Persons, otherwise referred to as “Code Blue” to provide shelter during inclement weather when air temperatures are at or below 32 degrees Fahrenheit, AND

WHEREAS, the Salvation Army has the expertise in congregate care operations to provide a warming center to assist Cortland County in complying with the requirements of Code Blue regulations, AND

WHEREAS, the \$165,000.00 in funding needed for this Agreement is provided through a State plan and will be paid from Account A60105.54800.4696 titled Admin – Code Blue and the revenue will be posted in Account A601043.43689.4696, WHEREAS, NOW, THEREFORE BE IT

RESOLVED, the County Administrator, upon review and approval by the County Attorney or designee, be and hereby is authorized to sign an Agreement for the time period of November 1, 2021 through April 30, 2022 with the Salvation Army in an amount not to exceed \$165,000.

ON MOTION OF BISCHOFF**AGENDA ITEM NO. 12****Appoint Member Cortland County Board of Health - Health Department**

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

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

WHEREAS, the term of Marie Walsh on the Cortland County Board of Health expires on June 30, 2021, NOW THEREFORE BE IT

RESOLVED, that Susan Williams, 10 Kennedy Parkway, Cortland, NY 13045 be and hereby is appointed to said Board as an At-Large member, for a six (6) year term beginning on July 1, 2021 and ending December 31, 2026.

Referred from Agriculture/Planning/Environment Committee**ON MOTION OF FITCH****AGENDA ITEM NO. 13****Authorize Negative Declaration of Environmental Impact Under State Environmental Quality Review (SEQR) for 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 agricultural district created eight years after the date of the creation and every eight years thereafter, AND

WHEREAS, having reviewed the criteria contained in 6NYCRR, Section 617.7, Cortland County finds that there will be no significant adverse environmental impact resulting from the modification of this district, AND

WHEREAS, it is the County’s intent to support meaningful local farmland protection, encourage active farming on viable agricultural lands and strengthen current developmental patterns to reflect a rural

lifestyle, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee, be and hereby is authorized to sign a Declaration of Environmental Impact under State Environmental Quality Review stating that there will be no significant adverse environmental impact resulting from the modification and adoption of the Cortland County Consolidated Agricultural District.

Referred from Judiciary & Public Safety Committee

ON MOTION OF PRICE

AGENDA ITEM NO. 14

Renew Agreement with Rural Law Center for Indigent Defense Appeals - Assigned Counsel

WHEREAS, the Cortland County Office of Assigned Counsel keeps records of attorney vouchers for assigned appeals in the county, AND

WHEREAS, Cortland County has previously contracted with the Rural Law Center of Central New York ("RLC") to be its exclusive provider of legal services for Cortland County appeals, AND

WHEREAS, RLC has agreed that such exclusivity will be limited to criminal appeals and no fewer than four family court appeals per contractual year, providing local 18-b panel attorneys an opportunity to participate in the appellate panel program, AND

WHEREAS, the RLC has agreed that such services shall be paid at the rate of \$2,500.00 per appeal, not including the cost of Family Court transcripts, which the County pays for, if Cortland County agrees to a two year contract period beginning on September 1, 2021 and ending on August 31, 2023, NOW THEREFORE BE IT

RESOLVED, the County Administrator, upon review and approval by the County Attorney or designee, be and hereby is authorized to sign the agreement with the Rural Law Center of Central New York ("RLC") for provision of appellate representation to indigent parties, as discussed above, for the period from September 1, 2021 through August 31, 2023 at the rate of \$2,500.00 per appeal, AND BE IT FURTHER

RESOLVED, that the funds for this agreement shall be taken from A11755.54055, Professional Services.

ON MOTION OF PRICE

AGENDA ITEM NO. 15

Authorize Extension of Contract 091-15-New York State Department of Homeland Security - Department of Emergency Response and Communications

WHEREAS, the Cortland County Department of Emergency Response was awarded a grant through the New York State Department of Homeland Security and Emergency Services for the installation and use of the software system called Mutualink, AND

WHEREAS, the Cortland County Legislature authorized a contract under Resolution No. 162-15, dated May 28, 2015 for the use and acceptance of the software and equipment called Mutualink, AND

WHEREAS, the Cortland County Legislature and the New York State Department of Homeland Security and Emergency Services has previously extended the original contract under resolution 278-18, dated July 26, 2018, AND

WHEREAS, the NYS Department of Homeland Security and Emergency Services has re-authorized the grant award for a new contract ending of March 31, 2024 at no cost to the County, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Administrator, upon review and approval of the County Attorney or their designee, be and hereby is authorized to sign a contract extension to Contract 091-15 authorized under Resolution No. 162-15 and 278-18 for the new time period ending March 31, 2024 with the New York State Department of Homeland Security and Emergency Services.

ON MOTION OF PRICE

AGENDA ITEM NO. 16

Accept Federal Government Surplus Real Property - FAA Tower Site – 3350 South Hill Road, Cortlandville – Department of Emergency Response and Communications

WHEREAS, the United States Government office of General Services Administration has posted notice of surplus determination for federal real property described as FAA McGraw RCLR site, 3350 South Hill Road, Cortland, NY GSA Control Number: 1-U-NY-1019-AA, dated May 17, 2021, AND

WHEREAS, the United States Government office of General Services administration through the Federal Emergency Management Agency (FEMA) is offering the property at 3350 South Hill Road to Cortland County at no charge under the Public Benefit Conveyance for Emergency Management Response purposes under Title 40, United States Code 553, AND

WHEREAS, the property at 3350 South Hill road is currently landlocked and exempt from property taxes so its acquisition by Cortland County will not affect the County's property tax revenues, AND

WHEREAS, the United States Government has removed the radio tower and communications building at 3350 South Hill Road, AND

WHEREAS, the Cortland County Department of Emergency Response and Communications has desired interest in obtaining the property at 3350 South Hill Road, AND

WHEREAS, the acquisition of the property will greatly enhance the physical security of the County's existing Cortlandville Tower site and prevent any future development on the property that may be detrimental to the operation of the Cortlandville Tower, AND

WHEREAS, if approved the County would have to agree that the deed for the property would include a covenant requiring the property to be used and maintained for emergency management response purposes in perpetuity, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee, be and hereby is authorized to sign a contract to execute real property acquisition documents with the Federal Emergency Management Agency (FEMA) for 3350 South Hill Road, Cortland, New York.

ON MOTION OF PRICE

AGENDA ITEM NO. 17

Amend 2021 Budget to Accept 2020 Public Safety Answering Points Operations Grant and Authorize Agreement - Department of Emergency Response & Communications

WHEREAS, the New York State Department of Homeland Security and Emergency Services (NYS DHSES) has awarded the Cortland County Department of Emergency Response and Communications a Public Safety Answering Points Operations Grant (PSAP) grant in the amount of \$188,819, resulting in no new county costs, in support of Public Safety Answering Point operations, AND

WHEREAS, the fiscal period for this grant is January 1, 2021 to December 31, 2021, NOW

THEREFORE BE IT

RESOLVED, that Cortland County Department of Emergency Response and Communications is hereby directed to expend the grant funds according to the stated grant guidance, AND BE IT FURTHER

RESOLVED, that the 2021 budget is amended as follows:

	Current	Change	Revised
INCREASE REVENUE BUDGET:			
A302043.43306.PSP DHSES Grant	\$60,000	\$128,819	\$188,819
INCREASE EXPENDITURE BUDGET:			
A30205.51005.PSP Personal Services	\$60,000	\$18,328	\$78,328
A30205.54015.PSP Maintenance Agreements	\$0	\$110,491	\$110,491

, AND BE IT FURTHER

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or her designee and subject to appropriation of funding, be and hereby is authorized to sign the grant contract with the New York State Department of Homeland Security and Emergency Services at an amount not to exceed \$188,819, AND BE IT FURTHER

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

ON MOTION OF PRICE

AGENDA ITEM NO. 18

Amend 2021 Budget to Accept 2020 Hazardous Materials Emergency Preparedness Grant and Authorize Agreement -Department of Emergency Response & Communication

WHEREAS, the New York State Department of Homeland Security and Emergency Services (NYS DHSES) has awarded the Cortland County Department of Emergency Response and Communications a Hazardous Materials Emergency Preparedness (HMEP) grant in the amount of \$5,172, resulting in no new county costs, in support of State Hazardous Materials Emergency Preparedness, AND

WHEREAS, the fiscal period for this grant is April 1, 2021 to July 31, 2022, NOW THEREFORE BE IT

RESOLVED, that Cortland County Department of Emergency Response and Communications is hereby directed to expend the grant funds according to the stated grant guidance, AND BE IT FURTHER

RESOLVED, that the 2021 budget is amended as follows:

	Current	Change	Revised
INCREASE REVENUE BUDGET:			
A341044.44305.22HMP DHSES Grant	\$0	\$5,172	\$5,172
INCREASE EXPENDITURE BUDGET:			
A34105.54048.22HMP Prog Spec Materials & Supp	\$0	\$5,172	\$5,172

, AND BE IT FURTHER

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or their designee and subject to appropriation of funding, be and hereby is authorized to sign the grant contract with the New York State Department of Homeland Security and Emergency Services at an

amount not to exceed \$5,172, AND BE IT FURTHER

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

ON MOTION OF PRICE

AGENDA ITEM NO. 19

Abolish Keyboard Specialist/Create Information Processing Clerk - Assigned Counsel

WHEREAS, the needs of the office will be better served by abolishing one (1) full-time Keyboard Specialist position and creating one (1) full-time Information Processing Clerk position in the Assigned Counsel Office, AND

WHEREAS, the Judiciary & Public Safety Committee recommends the abolition and creation of these positions, NOW THEREFORE BE IT

RESOLVED, that one (1) position of Keyboard Specialist (Grade 5, \$14.9573-\$18.7442/hour, CSEA, competitive class, full-time 35 hours/week with benefits) be and hereby is abolished effective July 22, 2021 at midnight, AND BE IT FURTHER

RESOLVED, that one (1) position of Information Processing Clerk (Grade 8, \$16.3259-\$20.4594/hour, CSEA, competitive class, full-time 35 hours/week with benefits) be created with permission to fill effective July 23, 2021 at 12:01 am.

Referred from Government Operations Committee

ON MOTION OF WILSON

AGENDA ITEM NO. 20

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 July 23, 2021.

Adopt Local Law "F" of 2021, Amending Law No. 9 for the Year 2016 Which Established a Plan of Mutual Self-Insurance for Workers' Compensation; Amend Rules and Regulations and Apportionment

WHEREAS, Cortland County adopted Local Law No. 1 of 1956 establishing a plan of self-insurance as provided for under Article 5 of the New York State Workers' Compensation Law, AND

WHEREAS, various amendments and enactments to the original law have occurred, AND

WHEREAS, the County and all participants in the plan have secured workers' compensation insurance from a third-party as of January 1, 2020, AND

WHEREAS, the claims and liabilities incurred by the plan during its active operation are in run-off, AND

WHEREAS, the County and all participants desire to address the provision of workers' compensation insurance, and the payment and allocation of the liabilities and termination of the plan of self-insurance, AND

WHEREAS, the proposed local law has been on Legislators' desks for the required seven days, and a Public Hearing was held June 24, 2021, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby adopts Local Law "F" of 2021 as follows:

WHEREAS, Cortland County adopted Local Law No. 1 of 1956 establishing a plan of self-insurance as provided for under Article 5 of the New York State Workers' Compensation Law, AND

WHEREAS, the Cortland County Legislature wishes to codify and amend the plan to address the provision of workers' compensation insurance, and the payment and allocation of the liabilities and termination of the plan of self-insurance, NOW THEREFORE BE IT ENACTED, by the County Legislature of the County of Cortland, as follows:

Section 1. Created.

The plan of self-insurance previously created by Cortland County as provided for in Article 5 of the Workers' Compensation Law known as the Cortland County Self-Insured Workers' Compensation Plan (the "Self-Insured Plan") is hereby continued to operate in run-off until terminated, as prescribed herein.

The Cortland County Group Insurance Program (the "Group Insurance Program") is hereby created to provide workers compensation insurance to its participants on a group basis as of January 1, 2020 and continuing into the future until discontinued.

Section 2. Administration.

The Self-Insured Plan and the Group Insurance Program shall be administered by the County Administrator or his/her designee (the "Administrator") and overseen by the applicable jurisdictional Legislative Committee.

- A. The Administrator reserves the right to RFP and select the Third Party Administrator (TPA) for the Self-Insured Plan.
- B. The Administrator reserves the right to RFP for Group Insurance; Plan participants, by weighted vote, shall select the TPA or insurer for the Group Insurance Plan.

Section 3. Self-Insured Plan in Run-Off.

A. Participation in the Self-Insured Plan.

Each participant in the Self-Insured Plan as of December 31, 2019, shall continue as a participant unless and until such participant withdraws or the Self-Insured Plan is terminated, as provided herein.

B. Withdrawal from the Self-Insured Plan.

A participant in the Self-Insured Plan may withdraw therefrom at the beginning of the next ensuing calendar year by filing with the Clerk of the County Legislature on or before the 31st day of July of any year a certified copy of a resolution of its governing body electing to withdraw from the Self-Insured Plan, upon condition that such participant shall pay prior to the date of withdrawal, in a lump sum, its estimated share of the outstanding liabilities of the plan. The outstanding liabilities of the Self-Insured Plan shall include the total of all claims, costs and expenses projected to be incurred (including those not yet reported) by the plan until termination. The estimated share of the withdrawing participant shall be consistent with the most recent actuarial report.

The Director of Finance, with the approval of the County Legislature may permit said payment to be made in installments, subject to interest at the prime rate prevailing at the time of withdrawal (as reported in the Wall Street Journal). Installment plans may not exceed two years, and withdrawal shall be effective upon receipt of the final installment payment.

C. Termination of the Self-Insured Plan.

Upon satisfaction of all liabilities, the Self-Insured Plan will terminate. Satisfaction of all liabilities may occur either upon settlement or closure of all claims and payment of all costs and expenses of the Self-Insured Plan or upon the purchase of an Assumption of Loss Policy, loss portfolio transfer or other transaction to transfer all liabilities of the Self-Insured Plan including the payment of all costs and expenses relating to same. Upon satisfaction of all liabilities and termination of the Self-Insured Plan, any funds remaining in the Reserve Fund shall be paid to the participants remaining at the time of termination, in an amount determined in accordance with Section 6.A.

Section 4. Group Insurance Plan.

A. Participation in the Group Insurance Program.

The County may secure Workers' Compensation insurance for itself and participants on a group basis through the Public Employer Risk Management Association, Inc. ("PERMA") or another acceptable insurer. Any participant that is not prohibited from participating pursuant to Section 5.E and satisfies the underwriting criteria of PERMA or such other insurer may secure such Workers Compensation insurance upon approval of plan participants by weighted vote, and execution of a Memorandum of Understanding which outlines the terms of participation.

B. Withdrawal of the Group Insurance Program.

A participant in the Group Insurance Program may withdraw therefrom at the beginning of the next ensuing calendar year by filing with the Clerk of the County Legislature on or before the 31st day of July of any year a certified copy of a resolution of its governing body electing to withdraw. A participant who withdraws from the Group Insurance Program shall remain liable for its share of the cost of insurance through the end of the current premium year.

C. Termination of the Group Insurance Program.

Upon withdrawal of all participants, and payment of all outstanding premiums and other expenses, the Group Insurance Plan shall terminate.

Section 5. Rules and Regulations.

Participants in the Self-Insured Plan and the Group Insurance Program shall be subject to the following standards, conditions, rules and regulations:

- A. Participants shall cooperate fully with the Administrator in the administration of the plan, and shall prepare and file with the Administrator such reports and information as may, from time to time, be requested.
- B. Participants shall promptly furnish all pertinent information relative to any claim, and shall aid in the investigation of any claim as may be required by the County, any insurer, administrator or tribunal.
- C. Fines and penalties imposed on the plan for late filing of reports and forms shall be assessed against and paid by the participant if, in the opinion of the Administrator, the delay is occasioned by the failure or fault of the participant.
- D. Violation of any of the foregoing provisions of this section by any participant shall be punishable by the imposition of a penalty, which shall not exceed \$500.00 for each violation, at the discretion of the Administrator, or by expulsion from the plan upon a weighted vote of the participant based on the 2019 ratios. Expulsion of a participant shall constitute a withdrawal.
- E. A participant who withdraws or has withdrawn from either the Self-Insured Plan or the Group Insurance Program shall not be permitted to re-enter or participate in the Self-Insured Plan or the Group Insurance Program.

Section 6. Apportionment of Costs.

A. Self-Insured Plan

1. Each participant in the Self-Insured Plan under Section 3 shall pay an annual assessment, based on the prior 3-year averaged claims expense of participants and any additional fees and expenses determined by the Administrator. Apportionment of costs shall be determined by taking the total amount to be assessed and applying the following formula:
 - a. Forty percent (40%) of the total revenue for the Self-Insured Plan shall be generated based upon assessed valuation as of December 31, 2019. Each participant's share shall be calculated by determining the participant's percentage of full value assessment within the plan and multiplying that percentage of full value assessment by the total amount of revenue to be generated. The County's percentage of full value assessment shall only include the full value assessment contained within municipalities participating in the Self-Insured Plan. When calculating the full value assessment of a town, the assessment of a participating village within such town shall be excluded.
 - b. Sixty percent (60%) of the total revenue for the Self-Insured Plan shall be generated based upon claims history as of December 31, 2019. Each participant's share shall be calculated by determining the participant's percentage of the average claims paid for the preceding three (3) years, which average claims paid shall be known as the "experience factor", and multiplying that percentage by the total amount of revenue to be generated.
2. The apportionment of costs shall be subject to the following:

- a. If a participant's annual assessment exceeds the annual assessment for the previous year, any increase in the assessment from the previous year shall not exceed 5% of the previous year's assessment; and
- b. If a participant's annual assessment is less than the annual assessment for the previous year, any decrease in assessment from the previous year shall not exceed 10% of the previous year's assessment.

B. Group Insurance Program.

Each participant in the Group Insurance Program shall pay its share of the cost of insurance. Each participant's share shall be calculated as follows:

1. An Individual Premium shall be calculated for each participant based on that participant's payroll and individual modification factor (loss history).
2. A Group Premium shall be calculated based on all participants' payroll and a group modification factor (loss history).
3. An Individual Percentage shall be calculated for each participant as the percentage that its Individual Premium bears to the total sum of all participant's Individual Premiums.
4. Each participant's share of the cost of insurance shall be its Individual Percentage of the Group Premium, or any other premium as determined by the chosen TPA or insurer.

C. Notice and Payment

The Administrator shall notify each participant in writing, not later than December 1st, of the amount of its assessment under Section 6.A, cost of insurance under Section 6.B and contribution to the Reserve Fund under Section 7, and each participant shall pay the County Treasurer the amount so specified in such notice on or before January 31st of the following year.

Section 7. Reserve Fund.

The existing Workers' Compensation Reserve shall continue for the Self-Insured Plan. The maximum balance of such Reserve Fund (without investment earnings) shall be no greater than 125% of the amount projected by the Self-Insured Plan to purchase an Assumption of Loss Policy, loss portfolio transfer or other transaction which transfers all liabilities and terminates the Self-Insured Plan. The Director of Finance shall be required to establish and maintain a separate line item for the sole purpose of tracking the Reserve Fund until such time as the Self-Insured Plan is terminated. The amount of any annual contribution to said Reserve Fund shall be determined by the Administrator's recommendation and will be approved by a weighted vote of the participants, utilizing their 2019 share; each participant's share of that contribution shall be based on its assessment under Section 6.A.

Section 8. Conflicts with Previous Laws; Severability of Provisions; Effective Date.

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

If any clause, sentence, paragraph, subdivision, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment, decree, or order shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment, decree or order have been rendered.

This local law shall take effect immediately

Authorize Agreement Burke Group for Department Heads, Management Employees and Management/Confidential Employees Salary Review and Analysis - Cortland County Legislature

WHEREAS, the Cortland County Legislature wishes to review the salaries of the County's Department Heads, Management Employees and Management/Confidential Employees, AND

WHEREAS, the Cortland County Legislature's Government Operations Committee has determined that there is a need for expertise to evaluate said salaries, AND

WHEREAS, the Cortland County Legislature is desirous of entering into an agreement with the Burke Group to provide contractual services to the County to perform the above referenced analysis of the salaries of the County's Department Heads, Management Employees and Management/Confidential Employees, AND

WHEREAS, the funding for this agreement is available in account number A10105.54055, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee, is hereby authorized to execute an agreement with the Burke Group to provide the above referenced services for an amount not to exceed \$8,250.

Referred from Finance & Administration Committee

Authorization to Fund Cortland County's Costs for Year One of the Tompkins Cortland Community College Workforce and Career Development Pilot Program

WHEREAS, for the past several years, Tompkins Cortland Community College (TC3) has struggled to remain competitive and financially healthy under a New York State funding formula that is inadequate to meet the needs of community colleges, AND

WHEREAS, the impacts of the Covid-19 pandemic have exacerbated the strain on TC3's budget and enrollment, AND

WHEREAS, the changing economy in Central New York has created a new demographic of older students who are seeking vocational training to enable them to pursue new careers, AND

WHEREAS, TC3 is aware of these economic and demographic changes and the opportunity they present for the college to expand its curriculum and better position itself to attract future students, AND

WHEREAS, TC3 has responded to this opportunity by creating a three-year pilot program to expand its workforce and career development course offerings, beginning in the college's 2021-2022 academic year, AND

WHEREAS, on June 2, 2021, TC3 administrators presented an overview of the pilot program proposal to several members of the Tompkins and Cortland County Legislatures, AND

WHEREAS, all attendees at the June 2 presentation expressed enthusiasm for the program and a willingness to recommend funding, AND

WHEREAS, the cost of the program will be \$200,000 in year one (2021-2022 academic year), \$350,000 in year two (2022-2023 academic year), and \$200,000 in year three (2023-2024 academic year),

to be shared by Tompkins and Cortland Counties according to the formula used to determine their sponsorship shares (*i.e.*, 2020-21 is 63% from Tompkins County and 37% from Cortland County), AND

WHEREAS, the year one cost of the workforce development and career pilot program is needed so that the program can begin during the upcoming fall semester, NOW THEREFORE BE IT

RESOLVED, on recommendation of the Finance and Administration Committee, that Cortland County will provide \$74,000 to Tompkins Cortland Community College to pay its share of the year one cost of the College's three-year workforce and career development pilot program, AND BE IT FURTHER

RESOLVED, that the Director of Finance is hereby directed to amend the 2021 budget as follows:

INCREASE:

A62935.54780	Sponsor Contributions	\$74,000
--------------	-----------------------	----------

A359900	Appropriated Fund Balance	\$74,000
---------	---------------------------	----------

, AND BE IT FURTHER

RESOLVED, that Cortland County's share of the year two and three costs of the College's pilot program will be considered as part of its upcoming budget processes, AND BE IT FURTHER

RESOLVED, that copies of this resolution be sent to Dr. Orinthia Montague, President, Tompkins Cortland Community College; Bill Talbot, Vice-President of Finance and Administration, Tompkins Cortland Community College; and Deborah Dawson, Chair of the Budget, Capital and Personnel Committee for the Tompkins County Legislature.

ON MOTION OF WAGNER

AGENDA ITEM NO. 24

Adopt 2021-2022 Tompkins Cortland Community College Operating Budget

WHEREAS, the Board of Trustees of Tompkins Cortland Community College has presented to this Legislature an Operating Budget for the college fiscal year September 1, 2021 through August 31, 2022, AND

WHEREAS, a public hearing on said budget has been held on July 22, 2021, and heard all persons wishing to speak on this topic, pursuant to notice duly published, NOW THEREFORE BE IT

RESOLVED, that said operating budget in the amount of \$34,319,089.00 be and hereby is approved and adopted, AND BE IT FURTHER

RESOLVED, that the Cortland County Legislature include in the Cortland County Budget for the year 2022 an amount to be determined pursuant to a plan for said college adopted by Resolution No. 129 for the year 1966, as amended by Resolution No. 128 and 131 for the year 1971, totaling approximately \$1,855,495 as Cortland County's share of the total Sponsoring Community Contribution of \$4,882,882 to be paid in four payments from account #A24955.54780 after January 1, 2022 as per contractual agreement, AND BE IT FURTHER

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

Authorize Renewal of Contract - Property Tax Collection Software - ATC Taxes - Treasurer's Office

WHEREAS, Cortland County currently utilizes real property tax software to track current and delinquent real property tax payments and provide necessary reports for auditing parcel payment status on parcels which have relevies, fees or interest, and support in a timely manner, AND

WHEREAS, the real property tax collection software is the primary tool for the loading, balancing, reporting, and auditing of property tax collection for Cortland County, AND

WHEREAS, following extensive review of the limited alternative real property tax software utilized within NYS counties and the municipalities within Cortland County, Resolution No. 371-16 authorized a contract with Allen Tunnel Corporation, Binghamton, NY, to replace and convert the real property information as well as provide support services, AND

WHEREAS, the initial contract with this sole-service provider expired on October 31, 2017 and the contract extended per Resolution 195-18 expired December 2020, it is desired to extend the contract period for support and maintenance of this software, AND

WHEREAS, this program is critical for the collection of county, municipal, and school taxes as well as preparation for the real property foreclosure process, AND

WHEREAS, the cost of said contract for the year 2021 is budgeted in the 2021 budget in account A13255.54015, AND

WHEREAS, said cost of contract shall be as follows:

2021 - \$34,950

2022 - \$36,700

2023 - \$36,700

, NOW THEREFORE BE IT

RESOLVED that the Cortland County Legislatures authorizes the County Administrator to sign said contract, upon the review and approval of the County Attorney or designee, for real property tax software with Allen Tunnel Corporation, 161 Rosedale Dr., Binghamton, NY 13905 for the years 2021, 2022 and 2023.

Amend Budget/Authorize Optional Payout of Accumulated Comp Time for Department Heads and Management Employees - County Administrator

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

WHEREAS, due to the COVID-19 pandemic, many County Department Heads and Management employees have accumulated comp time in response to performing essential work throughout the COVID-19 Public Health emergency, AND

WHEREAS, due to the excessive amounts of comp time earned, Department Heads and Management Employees will have a difficult time in using their accumulated time, AND

WHEREAS, the total amount of time accumulated for County Department Heads and Management Employees through June 15, 2021 is approximately 1,750 hours, AND

WHEREAS, the Federal Government has authorized the use of the American Rescue Plan funds to respond to workers performing essential work during the COVID-19 public health emergency, AND

WHEREAS, the Federal Aid Allocation Citizen's Advisory Committee recommends the use of American Rescue Plan funds for the optional payout of accumulated comp time for Department Heads and Management Employees, NOW THEREFORE BE IT

RESOLVED, that the County is authorized to offer Department Heads and Management Employees the opportunity to cash in their accumulated comp time that was accumulated through June 15, 2021, due to the COVID pandemic, at their regular hourly rate, AND BE IT FURTHER

RESOLVED, that the total amount paid out shall not exceed \$75,000, AND

RESOLVED, that the Cortland County Legislature amends the 2021 budget as follows:

Increase: Account A90895.58000.ARP	Other Employee Benefits	\$75,000
------------------------------------	-------------------------	----------

Increase: Account A359900	Appropriated Fund Balance	\$75,000
---------------------------	---------------------------	----------

, 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.

Announcements

Adjourn