



Cortland County Legislature

Legislative Session

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

~ Agenda ~

Thursday, August 24, 2023

6:00 PM

Board Room

WebEx Meeting Information

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

Thursday, August 24, 2023 6:00 PM | 2 hours | (UTC-04:00) Eastern Time (US & Canada)

Meeting number: 2341 321 3864

Password: Y796RmtP4cm

Join by phone

+1-415-655-0001 US Toll

Access code: 234 132 13864

Public Hearing

1. 2023-2024 Tompkins Cortland Community College Operating Budget

Salute to the Flag

Call to Order

Roll Call

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

Approval of Minutes

1. Cortland County Legislature - Legislative Session - Jun 22, 2023 6:00 PM

Presentations

1. Update from Assemblyman Jeff Gallahan
2. Presentation of 2022 Audit Report

Privilege of the Floor

Proclamations & Recognitions

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

ON MOTION OF FITCH

AGENDA ITEM NO. 1

Appoint Member - Tompkins Cortland Community College Board of Trustees

WHEREAS, Judy K. Davison, 21 Broadway, Cortland, New York, was appointed to the Tompkins Cortland Community College Board of Trustees pursuant to Resolution No. 205-16, AND

WHEREAS, the term of Judy K. Davison has expired, and she has expressed her interest in continued service on the Board of Trustees, NOW THEREFORE BE IT

RESOLVED, that Judy K. Davison, be and hereby is re-appointed to the Tompkins Cortland Community College Board of Trustees for a term ending on June 30, 2030.

ON MOTION OF FITCH

AGENDA ITEM NO. 2

Appoint Members to the Cortland County Planning Board - Planning Department

WHEREAS, the term of Municipality representatives expires June 30, 2023, AND

WHEREAS, Article III, Section 3, Terms of Office of the Cortland County Planning Board Bylaws states each voting member shall be appointed by the Legislature for a term of four (4) years, and a member who has served more than half a term in office shall be considered to have served a full term, AND

WHEREAS, Article IV, Section 4, Vacancies of the Cortland County Planning Board Bylaws states vacancies in membership on the Board shall be filled by appointment by the Legislature in

accordance with Section I, Article III of these Bylaws, NOW THEREFORE BE IT

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

Paul Dries
1656 Lighthouse Hill Rd
Homer, NY 13077

Term to Expire
June 30, 2027

Donnell Boyden
6460 NYS Route 41, Lot #G
Homer, NY 13077

June 30, 2027

Ann Swisher
PO Box 1006
McGraw, NY 13101

June 30, 2027

Referred from Building & Grounds Committee

ON MOTION OF HEIDER

AGENDA ITEM NO. 3

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

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

WHEREAS, bids were received from the following:

Company	Address	Amount
Universal Builders	97 Depot St. Canisteo, NY 14823	\$42,964
Marchuska Brothers	408 Commerce Road Vestal, NY 13850	\$49,945
New Britain Roofing, Inc.	721 Fox Street Horseheads, NY 14845	\$98,000
Pulver Roofing Company, Inc.	1418 Erie Street Utica, NY 13502	\$96,000
Sierra Contractors Corp.	14-31 28 th Ave., # 6 Astoria, NY 11102	\$111,000

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 Universal Builders is hereby awarded the bid for the tear-off, repair and replacement of the shingled portion of the roof at 37 Church Street, Cortland, New York 13045, AND BE IT FURTHER

RESOLVED, that the funds for this project are to come from the Buildings & Grounds Capital Project Reserve Fund, Account No. A386300.B&G, 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 Universal Builders of 97 Depot St., Canisteo, NY 14823 for the tear-off, repair and replacement of the shingled portion of the roof at 37 Church Street, Cortland, New York 13045 at a cost not to exceed \$42,964.

Authorize Change Order for 111 Port Watson Street Project

WHEREAS, Cortland County is renovating the 111 Port Watson Street building for a new Mental Health facility, AND

WHEREAS, Cortland County received a proposed contract change order from Bell and Spina for exploratory work at 111 Port Watson Street, AND

WHEREAS, R. E. Kelley is already onsite and insured at the Courthouse and under contract with Cortland County and is able to complete the exploratory work needed at 111 Port Watson Street, AND

WHEREAS, the Cortland County Legislature's Buildings and Grounds Committee has reviewed the proposed contract change order and has recommended moving forward with this proposal with funding to be paid from A43115.52320.ARP, NOW THEREFORE BE IT

RESOLVED, that the Cortland Legislature be and hereby authorizes the County Administrator, upon review and approval of the County Attorney or designee, to sign the change order from Bell and Spina Architects of 215 Wyoming St. St #201, Syracuse, NY 13204, for a cost not to exceed \$1,980, AND BE IT FURTHER

RESOLVED, that the County Administrator be and hereby is authorized to approve change orders for an amount not to exceed \$25,000 per change order for projects, upon approval of the Buildings and Grounds Committee Chair.

Authorize Elevation Change Order for Cortland County Courthouse Project

WHEREAS, Cortland County is restoring the Main Entrance Steps to the historic County Courthouse, AND

WHEREAS, Cortland County received a change order from Bell and Spina Architects, AND

WHEREAS, Bell and Spina has submitted a proposal for elevation changes needed beneath grade that were not equal to the current Courthouse footings, and also address and reconstruct the existing brick wall pocket voids not identified until excavated, AND

WHEREAS, the Cortland County Legislature's Buildings and Grounds Committee has reviewed the proposal and has recommended moving forward with this proposal with funding to be paid from A16205.52320.ARP, NOW THEREFORE BE IT

RESOLVED, that the Cortland Legislature be and hereby authorizes the County Administrator, upon review and approval of the County Attorney or designee, to sign the change order from Bell and Spina Architects of 215 Wyoming St., St #201, Syracuse, NY 13204, for a cost not to exceed \$17,496.68, AND BE IT FURTHER

RESOLVED, that the County Administrator be and hereby is authorized to approve change orders for an amount not to exceed \$25,000 per change order for projects, upon approval of the Buildings and Grounds Committee Chair.

Authorize Change Order for Investigative Work and Repairs at Cortland County Courthouse

WHEREAS, Cortland County wishes to continue restoration/improvements to the historic County Courthouse entrances and exterior, AND

WHEREAS, Cortland County received a change order from Bell and Spina Architects, AND

WHEREAS, Bell and Spina has submitted a proposal for the investigative work for the additional repairs from R. E. Kelley who is currently constructing the new steps, AND

WHEREAS, the Cortland County Legislature's Buildings and Grounds Committee has reviewed the proposal and has recommended moving forward with this proposal with funding to be paid from A16205.52320.ARP, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby authorizes the County Administrator, upon review and approval of the County Attorney or designee, to sign the change order with Bell and Spina Architects 215 Wyoming St. St #201 Syracuse, NY 13204, for a cost not to exceed \$5,160, AND BE IT FURTHER

RESOLVED, that the County Administrator be and hereby is authorized to approve change orders for an amount not to exceed \$25,000 per change order for projects, upon approval of the Buildings and Grounds Committee Chair.

Referred from Highway Committee

ON MOTION OF NEWELL

AGENDA ITEM NO. 7

Amend 2023 County Road Fund Budget with Additional Consolidated Local Street and Highway Improvement Program (CHIPS), Pave NY (PAVE) and Pave Our Potholes (POP) Funding - Highway Department

WHEREAS, the 2023 approved amounts for the Consolidated Local Street and Highway Improvement Program (CHIPS), PAVE NY (PAVE) and Pave our Potholes (POP) are higher than the amounts anticipated when preparing the County Road Fund Budget, AND

WHEREAS, the additional amounts total \$235,672.16, NOW THEREFORE BE IT

RESOLVED, that the 2023 County Road Fund Budget be amended as follows:

Increase Revenues:

D511243.43501	County Road Fund CHIPS Revenue	\$230,703.89
D511243.43501.PAVE	PAVE NY Revenue	\$2,980.96
D511243.43501.POP	Pave our Pothole Revenue	\$1,987.31

Increase Expenses:

D51125.54077	Construction Expenses	\$235,672.16
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ON MOTION OF NEWELL

AGENDA ITEM NO. 8

Award Crains Mills Road Bridge Repair - Bridge Diaphragm Connections (BIN 3312400) - Highway Department

WHEREAS, the Crains Mills Road Bridge (BIN 3312400) has been Red Flagged by the New York State Department of Transportation, AND

WHEREAS, the welded diaphragm connections to the girder webs have cracks, AND

WHEREAS, the repairs to said bridge diaphragms will need to be welded by a New York State Certified welder, AND

WHEREAS, the costs to have the bridge repaired is reimbursable in full under the CHIPS program, AND

WHEREAS, the Highway Superintendent has advertised for and received bids for the repairs to the Crains Mill Road Bridge and they are as follows:

<u>BIDDERS</u>	<u>BID</u>
R. DeVincentis Construction, Inc. One Brick Avenue Binghamton, NY 13901	\$38,000
BVR Construction Company, Inc. 8 King Road Churchville, NY 14428	\$43,000
Vector Construction Corporation 6364 Island Road Cicero, NY 13039	\$67,500
Economy Paving Co., Inc. 1819 NYS RT 13 Cortland, NY 13045	\$105,000

, AND

WHEREAS, the lowest responsible bid received for the repair of said bridge was received from R. DeVincentis Construction, Inc., NOW THEREFORE BE IT

RESOLVED, the Cortland County Administrator, upon review and approval by the County Attorney or designee, is hereby authorized to execute an agreement for the Crains Mill Road Bridge Repair-Bridge Diaphragm Connections (BIN 3312400) to R. DeVincentis, Construction, Inc., One Bick Avenue, Binghamton, NY 13901 for an amount not to exceed \$38,000, AND BE IT FURTHER

RESOLVED, that the project costs be charged to the already established Account # D51125.54077 7177.

ON MOTION OF NEWELL

AGENDA ITEM NO. 9

Award the Project for the 100LL Avgas Fuel Farm Relocation at the Cortland County Airport - Highway Department

WHEREAS, the County of Cortland has been awarded a New York State Department of Transportation (NYSDOT) Aviation Capital Grant funding for the 100 LL Avgas Fuel Farm Relocation at the Cortland County Airport, GEN. Levi R. Chase field, AND

WHEREAS, the design of and construction of the 100LL Fuel System Project (NYS PIN 3903.10) was approved by the Cortland County Legislature by Resolution No. 82-22, AND

WHEREAS, the Highway Superintendent has advertised for and received a bid for the

Construction of the 100LL Fuel System (NYS PIN 3903.10) and it is as follows:

BIDDERS

BID

Cortland Pump, LLC
694 Lake Como Road
Cortland, NY 13045

\$870,000

, AND

WHEREAS, the only responsible bid received for the Construction of the said project was received from Cortland Pump, LLC, NOW THEREFORE BE IT

RESOLVED, that contingent upon NYSDOT's approval of award, the Cortland County Administrator, upon review and approval by the County Attorney or designee, is hereby authorized to execute an agreement for the construction of said project with Cortland Pump, LLC, 694 Lake Como Road, Cortland, NY 13045 for an amount not to exceed \$870,000, AND BE IT FURTHER

RESOLVED, that the project costs be charged to the already established Account # HH56105.52800.100LL.

ON MOTION OF NEWELL

AGENDA ITEM NO. 10

Abolish Positions of Heavy Equipment Operator/Create Positions of Heavy Equipment Operator/Motor Equipment Operator - Highway Department

WHEREAS, the needs of the Highway Department will be better served by abolishing four positions of Heavy Equipment Operator and creating four positions of Heavy Equipment Operator/Motor Equipment Operator, AND

WHEREAS, this change will cost no additional County funding, AND

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

RESOLVED, that four positions of Heavy Equipment Operator (Grade 16, \$22.0488-\$27.9023/HR, CSEA, non-competitive, full time with benefits) be and hereby are abolished effective August 24, 2023 at midnight, AND BE IT FURTHER

RESOLVED, that four positions of Heavy Equipment Operator/Motor Equipment Operator (Grade 16, \$22.0488-\$27.9023/HR, CSEA, non-competitive, full time with benefits OR Grade 14, \$20.6041-\$26.0742/HR, non-competitive, full time with benefits) be created with permission to fill effective August 25, 2023 at 12:01 am with approval to fill.

Referred from Health & Human Services Committee

ON MOTION OF PRICE

AGENDA ITEM NO. 11

Authorize Agreement and Amend Budget Code Blue - Department of Social Services

WHEREAS, the New York State Office of Temporary and Disability Assistance require counties to implement regulations in Title 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 agreed to contract with Cortland County to provide Warming Center services for the 2023-2024 season, AND

WHEREAS the Grace and Holy Spirit Church will require \$608 in utility and supplies costs for the 2023 – 2024 season for the space provided for Warming Center services, AND

WHEREAS, a portion of the contract costs and other Code Blue expenses will need to be paid in 2023, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee, is hereby authorized to sign an agreement with the Salvation Army for Warming Center services for the term November 1, 2023 – April 30, 2024, in an amount not to exceed \$260,000, AND BE IT FURTHER

RESOLVED, that the 2023 County Budget be and hereby is amended as follows:

Increase:

Expense:

A60105.54800.4696	Code Blue	\$25,000.00
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Revenue:

A601043.43689.4696	Code Blue	\$25,000.00
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ON MOTION OF PRICE

AGENDA ITEM NO. 12

Amend 2023 Budget Low Income Day Care - Department of Social Services

WHEREAS, the New York State Office of Children and Family Services has increased eligibility criteria and benefit levels for the Low Income Day Care program, AND

WHEREAS, the number of eligible families has increased significantly in 2023, AND

WHEREAS, there is no longer enough money in the 2023 budget, NOW THEREFORE BE IT

RESOLVED, that the 2023 County Budget be and hereby is amended as follows:

Increase:

Expense:

A60105.56055	Day Care	\$400,000.00
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Revenue:

A601043.43655	Day Care	\$400,000.00
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ON MOTION OF PRICE

AGENDA ITEM NO. 13

Authorize Agreement and Allocation of Opioid Reserve Funding

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

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

WHEREAS, Resolution No. 12-23 established the Cortland County Opioid Settlement Fund Subcommittee, AND

WHEREAS, the Cortland County Opioid Settlement Fund Subcommittee received a request for funding from The Council (Alcohol & Drug Council of Tompkins County) to assist with the needs of their Open Access Detox & Stabilization Center, AND

WHEREAS, it is the recommendation of the Cortland County Opioid Settlement Fund Subcommittee and the Health and Human Services Committee to authorize the allocation of \$100,000 of the Opioid Settlement funds to The Council for use at their Open Access Detox & Stabilization Center, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature be and hereby authorizes the allocation of \$100,000 from the Opioid Reserve, account number A386300.OPD, to The Council for use at their Open Access Detox & Stabilization Center, AND BE IT FURTHER

RESOLVED, that the Cortland County Legislature authorizes the County Administrator, upon approval by the County Attorney or designee, to enter into an agreement with The Council for said purposes, AND BE IT FURTHER

RESOLVED, that the Cortland County 2023 budget be amended as follows:

INCREASE:

A13255.54055 Professional Services \$100,000

A351100 Appropriated Reserves \$100,000

Referred from Agriculture/Planning/Environment Committee

ON MOTION OF HARBIN

AGENDA ITEM NO. 14

Authorize Agreement for Consulting Services to Create a Cortland County Strategic Development Plan - Planning Department

WHEREAS, the Cortland County Planning Department advertised for proposals for Consulting Services to create a Cortland County Strategic Development Plan, AND

WHEREAS, Resolution No. 174-22 approved monies awarded from Appalachian Regional Commission (ARC) and Empire State Development (ESD) in the amount of \$190,000 with a County match of \$10,000 for the cost of services to create a Cortland County Strategic Development Plan, AND

WHEREAS, the Cortland County Planning Department received proposals from the following consultants:

MRB Group D.P.C. - \$200,000
220 Salina Meadows Parkway #180
Syracuse, NY 13212

C&S Engineers, Inc. - \$200,000
499 Col Eileen Collins Blvd
Syracuse, NY 13212

, NOW THEREFORE BE IT

RESOLVED, that in accordance with the recommendations of involved parties, the County

Legislature hereby awards the contract for consulting services to create a Cortland County strategic development plan to MRB Group, D.P.C., AND BE IT FURTHER

RESOLVED, that the County Administrator, upon review and approval as to form by the County Attorney or designee, is hereby authorized to execute the necessary agreements for said contract, AND BE IT FURTHER

RESOLVED, that all costs associated with the consulting services to create a Cortland County strategic development plan shall be paid from account #A80205.54055.

ON MOTION OF HARBIN

AGENDA ITEM NO. 15

Adopt Cortland County Charter Service Permission and Reporting Policy – Planning Department

WHEREAS, Cortland County would like to establish a policy for using Federal Transit Administration (FTA) funded vehicles to follow FTA Charter Bus Service Regulations and request New York State Department of Transportation (NYSDOT) permission prior to accepting any charter trip, AND

WHEREAS, NYSDOT requires all transit systems who would like to offer charter services with federally funded equipment to request approval to provide a charter service, AND

WHEREAS, Cortland County will follow the Charter Service Permission and Reporting Policy prior to accepting any charter trips with Cortland County transit buses, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby adopts the attached Cortland County Charter Service Permission and Reporting Policy, outlining the guidelines and procedures for accepting any charter trips utilizing County owned, federally funded vehicles.

ON MOTION OF HARBIN

AGENDA ITEM NO. 16

Appoint Member Central New York Regional Market Authority

WHEREAS, Section 827 of the Public Authority Law of the State of New York provides that each County Legislature of the Central New York Regional Market District shall name directors to the Central New York Regional Market Authority, AND

WHEREAS, there is a vacancy due to a resignation, NOW THEREFORE BE IT

RESOLVED, that Paul Heider be and hereby is appointed to represent Cortland County on said Board, effective immediately for a term to expire December 31, 2026.

ON MOTION OF HARBIN

AGENDA ITEM NO. 17

Approve Negative Declaration of Environmental Impact Under State Environmental Quality Review (SEQR) for Cortland County Snowmobile Trails - Planning Department

WHEREAS, Article 27 of the New York State Parks, Recreation and Historic Preservation Law establishes a mechanism for allocating funds to local governmental sponsors for the development and maintenance of snowmobile trails designated as part of the State Snowmobile Trail System, 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 development and use of snowmobile trails throughout Cortland County, AND

WHEREAS, it is the County's intent to support the development and maintenance of snowmobile trails as an important economic and recreational resource for Cortland County, 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 Negative Declaration of Environmental Impact statement under the New York State Environmental Quality Review (SEQR), Article 8 of the New York State Environmental Conservation Law, stating that there will be no significant adverse environmental impact resulting from the development and use of snowmobile trails throughout Cortland County.

ON MOTION OF HARBIN

AGENDA ITEM NO. 18

Authorize Grant Application with New York State Department of Parks, Recreation and Historic Preservation for 2023-2024 Cortland County Snowmobile Trail Development and Maintenance Grant - Planning Department

WHEREAS, Article 27 of the New York State Parks, Recreation and Historic Preservation Law establishes a mechanism for allocating funds to local governmental sponsors for the development and maintenance of snowmobile trails designated as part of the State Snowmobile Trail System, AND

WHEREAS, Cortland County is designated as the Local Sponsor under Section 27.17 of the New York State Parks, Recreation and Historic Preservation Law for the purpose of preparing a grant application for Snowmobile Trail Development and Maintenance for the period April 1, 2023 to March 31, 2024, AND

WHEREAS, the County will retain an administration fee up to ten percent (10%) of the grant award to offset the actual cost for administration expenses incurred as the local grant sponsor for the period of April 1, 2023 to March 31, 2024, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review and approval of the County Attorney or designee, is hereby authorized to sign the Local Sponsor Signature Form with documentation to support Department of Environmental Conservation, Department of Transportation, Landowner and other State, or Federal Land Permissions for each Cortland County club to become part of the New York State Snowmobile Trail System, AND BE IT FURTHER

RESOLVED, that the County Administrator, upon review and approval of the County Attorney or designee is hereby authorized to electronically sign all materials as it pertains to the Phase III approval of permissible expenses for Snowmobile Trail development and maintenance Grant for the period April 1, 2023 to March 31, 2024.

ON MOTION OF HARBIN

AGENDA ITEM NO. 19

Authorize Agreements Various Snowmobile Clubs for Annual Snowmobile Trail Maintenance - Grant Funding Years 2023-2024 - Planning Department

WHEREAS, Article 27 of the New York State Parks, Recreation and Historic Preservation Law establishes a mechanism for allocating funds to local governmental sponsors for the development and maintenance of snowmobile trails designated as part of the State Snowmobile Trail System, AND

WHEREAS, Cortland County under Section 27.17 of the State Parks, Recreation and Historic Preservation Law will apply for Snowmobile Trail Development and Maintenance grant funding for the period April 1, 2023 to March 31, 2024, AND

WHEREAS, Cortland County enters into agreements with certain Snowmobile Clubs to ensure that the clubs perform trail maintenance and grooming of existing trails throughout Cortland County, AND

WHEREAS, the County serves as the local sponsor for the grant application and as the grant recipient, AND

WHEREAS, the County will retain an administration fee of up to ten percent (10%) of the grant award to offset the actual cost of administering the grant for the period April 1, 2023 to March 31, 2024,

NOW THEREFORE BE IT

RESOLVED, the Cortland County Legislature hereby authorizes the County Administrator, upon review and approval by the County Attorney or designee, to sign agreements with the following snowmobile clubs: Truxton Snowmobile Club, Inc., Trailblazers of Onondaga & Cortland County (Tully Trailblazers), Trail Hounds, Inc., Seven Valley Snow Goers, Inc., Ridge Rider's Snowmobile Club, Inc., Marathon Snowdusters, Inc., LaFayette Trailriders, and Dryden Caroline Drifters Snowmobile Club for the purposes as previously stated for the period April 1, 2023 to March 31, 2024.

Referred from Judiciary & Public Safety Committee

ON MOTION OF FAIRCHILD-PRESTON

AGENDA ITEM NO. 20

Office Weapon Upon Retirement - Sheriff & Undersheriff

WHEREAS, the County Police Association of Cortland (CPAC), and the CSEA, Local 1000 AFSCME, AFL-CIO contracts state "Upon retirement of a member in good standing, the department issued weapon will become the property of the bargaining unit member. It will also be a requirement that the bargaining unit member possess a valid New York State pistol permit", AND

WHEREAS, the Sheriff and Undersheriff are not part of the CPAC or the CSEA, NOW THEREFORE BE IT

RESOLVED, that the Sheriff and Undersheriff, upon retirement, be allowed to keep their department issued weapon following the requirement of possessing a valid NYS pistol permit.

ON MOTION OF FAIRCHILD-PRESTON

AGENDA ITEM NO. 21

Create Associate Assistant Public Defender/Assistant Public Defender Position - Public Defender

WHEREAS, the needs of the agency will be better served by creating one Associate Assistant Public Defender/Assistant Public Defender (FT), AND

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

RESOLVED, that one position of Associate Assistant Public Defender/Assistant Public Defender (MGMT, Grade 7, \$68,718-\$91,464/yr, pending jurisdictional classification, full time, with benefits or MGMT, Grade 6, \$73,873-98,324/yr, non-competitive class, full-time with benefits) be created with approval to fill on August 25, 2023, AND BE IT FURTHER

RESOLVED, that this position is dependent on the related grant and will be abolished unless extended by resolution prior to grant funding being exhausted.

ON MOTION OF FAIRCHILD-PRESTON

AGENDA ITEM NO. 22

Amend 2023 Budget and Transfer Funds to Jail Medical Supplies - Sheriff's Department

WHEREAS, the Cortland County Sheriff's Office has expended the 2023 budget for Inmate Medical Supplies, AND

WHEREAS, it is anticipated that the County jail will continue to incur expenses for inmate medical supplies, NOW THEREFORE BE IT

RESOLVED, that the 2023 County Budget is hereby amended as follows:

INCREASE:

EXPENSE:

Medical Supplies	A31505-54006	\$100,000
Approp. Fund Balance	A359900	\$100,000

ON MOTION OF FAIRCHILD-PRESTON

AGENDA ITEM NO. 23

Authorize Rental Agreement with NYSEG - Department of Emergency Response

WHEREAS, NYSEG, a public utility company operating in Cortland County, is in need of radio communications tower space to operate part of their radio network, AND

WHEREAS, the Cortland County radio tower known as "Virgil" meets that need, AND

WHEREAS, the County and NYSEG previously entered into rental agreements in August of 2006 and September of 2013, and are now interested in executing another ten (10) year agreement, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature be and hereby authorizes the County Administrator, upon approval of the County Attorney or designee, to execute a ten (10) year rental agreement between the County and NYSEG for radio tower space on the County's Virgil radio tower, revenue of which will be reported in A302046.42410, Rental of Real Property.

ON MOTION OF FAIRCHILD-PRESTON

AGENDA ITEM NO. 24

Authorize Use of County Vehicle Repair/Replacement Reserve for Sheriff Vehicle - Sheriff's Office

WHEREAS, the Cortland County Legislature adopted Resolution No. 107-15, which established the County Vehicle Repair/Replacement Reserve for the purpose of vehicle related costs, AND

WHEREAS, funds are required for the repair of a Sheriff Road Patrol vehicle damaged in an accident, AND

WHEREAS, the County Vehicle Repair/Replacement Reserve balance at May 31, 2023 was \$156,591.08, NOW THEREFORE BE IT

RESOLVED, the Cortland County Legislature be and hereby approves the use of the County Vehicle Repair/Replacement Reserve for the repair of a damaged Sheriff Road Patrol vehicle, AND BE IT FURTHER

RESOLVED, that the 2023 County Budget be and hereby is amended as follows:

Increase:

A31205.54300	Vehicle Repairs & Maintenance	\$15,795.87
A351100	Appropriated Reserves	\$15,795.87

ON MOTION OF FAIRCHILD-PRESTON

AGENDA ITEM NO. 25

**Authorize Agreement with Motorola - Geo Redundant Prime Radio Sites - Department of
Emergency Response & Communications**

WHEREAS, Cortland County's Department of Emergency Response & Communications was awarded a grant from New York State Department of Homeland Security in the amount of \$5,000,000 in support of improvements to the County's radio system, AND

WHEREAS, the County has received a proposal from Motorola, Incorporated to upgrade the County's radio system to include geo-redundant prime sites located at 22 West Court Street and the Cortlandville Tower site on South Hill Road in the amount of \$933,647. This expense is in support of the grant award, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon approval of the County Attorney or designee, is authorized to execute a contract with Motorola, Incorporated for geo-redundant prime sites located at 22 West Court Street and the Cortlandville Tower site on South Hill Road in the amount of \$933,647.

Referred from Government Operations Committee

ON MOTION OF STOCK

AGENDA ITEM NO. 26

Authorize Agreement - Medicare Advantage Plan - Personnel Department

WHEREAS, Broome County has secured contracts with United HealthCare for Medicare Advantage and Prescription Drug Benefit Plans (MAPD plans) for the Medicare primary retirees of the participating entities of the Broome County Purchasing Alliance (BCPA), AND

WHEREAS, Broome County allows participation of other interested municipalities pursuant to General Municipal Law Section 119-o, AND

WHEREAS, each participating municipality will enter into its own contract with United HealthCare under the BCPA to receive the preferred pricing and coverage of the alliance, AND

WHEREAS, Cortland County received four Medicare Advantage Plan proposals that were analyzed by the County health insurance consultants, AND

WHEREAS, upon this analysis, it has been determined that the Broome County Purchasing Alliance will provide the best value and benefits for the County and its retirees, AND

WHEREAS, Cortland County wishes to participate in the BCPA MAPD Program effective January 1, 2024, NOW THEREFORE BE IT

RESOLVED, that Cortland County agrees to participate with Broome County and other participating municipalities in the BCPA for Medicare Advantage and Prescription Drug Benefit Services for its eligible retirees, AND BE IT FURTHER

RESOLVED, that the Cortland County Legislature hereby authorizes and directs the County Administrator, upon review and approval by the County Attorney, to execute a contract for Medicare Advantage Plan Option 4 through the Broome County Purchasing Alliance with United Health Care from January 1, 2024 through December 31, 2024.

ON MOTION OF STOCK

AGENDA ITEM NO. 27

Agreement Between CSEA Local 812, Department of Emergency Response and Communications Unit #6

WHEREAS, Cortland County and CSEA Local 812, Department of Emergency Response and Communications Unit #6550-02 negotiating committees have met to negotiate a new contract, AND

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

WHEREAS, CSEA ratified the contract on June 30, 2023, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby approves the Agreement by and between the County of Cortland and CSEA Cortland County Local 812, Unit #6550-02, for the time period of January 1, 2024 to December 31, 2028.

ON MOTION OF STOCK

AGENDA ITEM NO. 28

Accept Proposal/Authorize Agreement - Cortland County Health Insurance Plan Pharmacy Benefit Manager - Personnel Department

WHEREAS, Cortland County has solicited a Requests for Proposals for a Pharmacy Benefit Manager for the Cortland County Health Insurance Plan, AND

WHEREAS, five (5) Pharmacy Benefit Manager proposals were received and analyzed, AND

WHEREAS, upon this analysis, it has been determined that Keenan (ESI) will provide the highest level of administration of the County's plan, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby accepts and awards the administration of the Cortland County Health Insurance Plan Pharmacy Benefit Manager to Keenan (ESI) and hereby authorizes and directs the County Administrator, upon review and approval by the County Attorney, to execute a contract for pharmacy benefit management from January 1, 2024 through December 31, 2026.

Referred from Finance & Administration Committee

ON MOTION OF WAGNER

AGENDA ITEM NO. 29

Authorize Agreement Cortland County Convention and Visitors Bureau for Provision of Public Benefits Services for Promotion and Publicity

WHEREAS, the County of Cortland desires to promote and publicize the advantages, benefits and attractions of Cortland County in order to attract visitors, businesses and industry, AND

WHEREAS, Cortland County has imposed a Hotel/Motel Occupancy Tax for the purpose of funding Tourism Promotion, AND

WHEREAS, Section 224 of County Law provides the County may contract with non-profit organizations, other corporations, associations and agencies within the County to provide such publicity services, upon certain terms and conditions, AND

WHEREAS, the Cortland County Convention and Visitors Bureau Inc. (CVB), is a non-profit organization promoting Cortland County as a tourism destination, NOW THEREFORE BE IT

RESOLVED, that pursuant to Section 224 of County Law, the County shall enter into a contract with the Cortland County Convention and Visitors Bureau Inc. under the following terms and conditions:

1. The CVB shall provide the County with its services and shall promote and publicize the advantages of Cortland County in such a mode and manner as it deems appropriate, including, but not limited to, all media, print, radio, television, direct contact, event publicity, contests, or other promotional devices.
2. The CVB shall be responsible for the distribution of occupancy funds as outlined in the Cortland County Occupancy Tax Funding Request Guidelines.

3. Cortland County will collect occupancy taxes as prescribed in Local Law No. 1 of 2002 and shall remit those funds to the CVB for redistribution.
4. Cortland County will retain 10% of the occupancy funds per Section 4 (12) of Local Law No. 1 of 2002 for the purpose of administering such tax.
5. The Cortland County Finance Director shall remit to the CVB the sum of \$741,171.06, consistent with the 2022 Occupancy tax collections, to the tourism and publicity account.
6. The term of this agreement shall be one (1) year from January 1, 2024 to December 31, 2024.
7. Within thirty (30) days of the termination of this agreement, the CVB shall provide and render to the County a verified account of the disbursements of such organization with verified or certified vouchers therefore attached. The County Chairman or designee may request such verified accounting be rendered to the County each quarter during the term of this agreement.
8. The CVB shall place any unused monies into a dedicated account for the purpose of developing new events and funding unanticipated activities that support tourism in Cortland County with an emphasis on events that produce multi-day visits or overnight stays.

, AND BE IT FURTHER

RESOLVED, that the County Administrator is authorized and directed to enter into an agreement, upon review and approval of the County Attorney or designee, with the Cortland County Convention and Visitors Bureau Inc. for the period January 1, 2024 through December 31, 2024 in accordance with the terms and conditions listed above.

ON MOTION OF WAGNER

AGENDA ITEM NO. 30

Designate Cortland County Convention and Visitors Bureau as Cortland County's Tourism Promotion Agency

WHEREAS, the New York State Division of Tourism's Matching Grant Program is designated to encourage tourism promotion throughout New York and adjacent states, AND

WHEREAS, the Cortland County Convention and Visitors Bureau Inc., a non-profit organization promoting Cortland County as a tourism destination, qualifies as the official Tourism Promotion Agency for Cortland County, AND

WHEREAS, the Cortland County Convention and Visitors Bureau Inc. has requested to be designated the Tourism Promotion Agency for Cortland County in 2024, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Convention and Visitors Bureau Inc., is hereby designated for 2024 by the Cortland County Legislature to make application for and receive grants on behalf of the County pursuant to the New York State Tourism Promotion Act.

ON MOTION OF WAGNER

AGENDA ITEM NO. 31

Authorize Distribution of Second Quarter 2023 Sales Tax

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 provided for quarterly, AND

WHEREAS, the 2023 second quarter sales tax information has been provided by the New York State Comptroller's Office showing a total collection for second quarter 2023 to be \$9,758,908.82, AND

WHEREAS, the total amount available for distribution is \$9,383,908.82, 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 (\$725,000.00) is to be withheld from the quarterly distribution, AND

WHEREAS, Cortland County receives (54%), or \$5,067,310.76 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 second quarter of 2023 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	\$1,665,643.82	\$-0-	\$1,665,643.82	\$-0-
Cincinnatus, Town of	\$71,510.31	\$-0-	\$71,510.31	\$-0-
Cortlandville, Town of	\$819,689.65	\$-0-	\$819,689.65	\$-0-
Cuyler, Town of	\$69,054.39	\$(28,750.00)	\$40,304.39	\$-0-
Freetown, Town of	\$54,712.19	\$-0-	\$54,712.19	\$-0-
Harford, Town of	\$77,241.70	\$-0-	\$77,241.70	\$-0-
Homer, Town of	\$282,000.98	\$-0-	\$282,000.98	\$-0-
Homer, Village of	\$201,069.39	\$-0-	\$201,069.39	\$-0-
Lapeer, Town of	\$109,051.57	\$(82,500.00)	\$26,551.57	\$-0-
Marathon, Town of	\$83,393.67	\$-0-	\$83,393.67	\$-0-
Marathon, Village of	\$42,965.41	\$-0-	\$42,965.41	\$-0-
McGraw, Village of	\$36,970.22	\$-0-	\$36,970.22	\$-0-
Preble, Town of	\$146,886.22	\$-0-	\$146,886.22	\$-0-
Scott, Town of	\$87,351.77	\$-0-	\$87,351.77	\$-0-
Solon, Town of	\$81,809.71	\$-0-	\$81,809.71	\$-0-
Taylor, Town of	\$44,844.53	\$-0-	\$44,844.53	\$-0-
Truxton, Town of	\$105,926.57	\$-0-	\$105,926.57	\$-0-
Virgil, Town of	\$267,260.48	\$(25,000.00)	\$242,260.48	\$-0-
Willet, Town of	\$69,215.48	\$-0-	\$69,215.48	\$-0-
Total	\$4,316,598.06	\$(136,250.00)	\$4,180,348.06	\$-0-

, 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.

ON MOTION OF WAGNER

AGENDA ITEM NO. 32

Adopt 2023-2024 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, 2023 through August 31, 2024, AND

WHEREAS, a public hearing on said budget has been held on August 24, 2023, 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 \$34,862,992 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 2024 an amount determined pursuant to a plan for said college per adopted 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, 2024, AND BE IT FURTHER

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

Announcements

Adjournment