



Cortland County Legislature

Legislative Session

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

~ Minutes ~

Thursday, August 25, 2022

6:00 PM

Board Room

Salute to the Flag

Call to Order

The meeting was called to order at 6:00 PM by Chair of the Legislature Kevin Fitch

Roll Call

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

Approval of Minutes

1. Cortland County Legislature - Legislative Session - Jun 23, 2022 6:00 PM

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

Privilege of the Floor

Proclamations & Recognitions

1. Proclaiming September 2022 as Suicide Awareness Month in Cortland County

RESULT:	COMPLETED
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Presentation of Petitions, Communications, and Notice

Receive and File

Reports of Standing, Special and Ad Hoc Committees

Articles Postponed to Day Certain

Unfinished Business

New Business

Resolutions

Resolutions from the Chair

AGENDA ITEM NO. 1 – Appoint Liaison - Tompkins Cortland Community College Board of Trustees

RESULT:	ADOPTED [14 TO 1]
MOVER:	Kevin Fitch, Chair of the Legislature
SECONDER:	Kelly L. Fairchild-Preston, Legislator
AYES:	Bentley, Harbin, Bischoff, Wilson, Stock, Homer, Fitch, Jones, Fairchild-Preston, Newell, Price, Wagner, Heider, Eccleston
NAYS:	Ronald J. Van Dee
EXCUSED:	Joseph Nauseef, Eugene Waldbauer

ON MOTION OF FITCH

RESOLUTION NO. 176-22

Appoint Liaison - Tompkins Cortland Community College Board of Trustees

WHEREAS, Section 5. Liaisons to the Board of Trustees contained within the Bylaws of the Tompkins Cortland Community College Board of Trustees provides the option of designating a non-voting liaison to participate in discussions and present materials, upon request, AND

WHEREAS, the Cortland County Legislature believes designating a liaison is in the best interests of the County, AND

WHEREAS, Resolution No. 9-22 appointed George Wagner as the Legislative Liaison, AND

WHEREAS, George Wagner has resigned from the Legislative Liaison duties, NOW THEREFORE BE IT

RESOLVED, that Cathy Bischoff, of 16 ½ Elwood Avenue, Cortland, New York 13045, is hereby appointed to fill the Legislative Liaison to the Tompkins Cortland Community College Board of Directors for a term to expire December 31, 2023.

Referred from Building & Grounds Committee

AGENDA ITEM NO. 2 – Authorize Memorandum of Understanding with the City of Cortland for City Court Space in the County Courthouse - Buildings & Grounds Department

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

ON MOTION OF HEIDER

RESOLUTION NO. 177-22

Authorize Memorandum of Understanding with the City of Cortland for City Court Space in the County Courthouse - Buildings & Grounds Department

WHEREAS, the 6th Judicial Court District seeks to move Cortland City Court into the Cortland County Court House, AND

WHEREAS, in order to benefit all citizens of Cortland County and in order to assist in decreasing costs for the City of Cortland, the County of Cortland and the State of New York, and in order to make accessibility to the Cortland City Court more convenient for all citizens, the City of Cortland, New York wishes to move its City Court operations to the Cortland County Courthouse, AND

WHEREAS, the County and City of Cortland wish to enter into a Memorandum of Understanding to facilitate such an agreement, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon approval by the County Attorney or designee, be and hereby is authorized to execute a Memorandum of Understanding with the City of Cortland to accommodate such move of Cortland City Court into the Cortland County Courthouse.

AGENDA ITEM NO. 3 – Award Bid - Outside Plant Fiber Optic Infrastructure Installation at 111 Port Watson Street - Information Technology

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

ON MOTION OF HEIDER

RESOLUTION NO. 178-22

Award Bid - Outside Plant Fiber Optic Infrastructure Installation at 111 Port Watson Street - Information Technology

WHEREAS, a Request for Proposals (RFP) was issued May 4, 2022 for the Installation of Outside Plant Fiber Optic Infrastructure from the County Office Building to the new Mental Health facility located at 111 Port Watson Street, Cortland, NY 13045, AND

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

WHEREAS, bid proposals were received and opened for this project on July 13, 2022 and the following list constitutes the results of said bid opening:

<u>BIDDER NAME</u>	<u>AMOUNT OF BID</u>
Eastcom Utility Contractors, Inc. 1092 County Route 37 Central Square, NY 13036	\$34,811.00
Celerity Integrated Services, Inc. 3500 AM Drive Quakertown, PA 18951	\$34,995.00

, AND

WHEREAS, the funds for this contract are coming from A43115.52320.ARP Building Improvements, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby authorizes the County Administrator, upon review and approval by the County Attorney or designee, to enter into an agreement with Eastcom Utility Contractors, Inc., of 1092 County Route 37, Central Square, NY 13036, for the installation of outside plant fiber optic infrastructure from the County Office Building to 111 Port Watson Street as outlined in the accepted proposal at a cost not to exceed \$34,811.00.

Referred from Highway Committee

Referred from Health & Human Services Committee

AGENDA ITEM NO. 4 – Authorize Agreement Between the County of Cortland and the New York State Nurse's Association Effective July 1, 2022 to December 31, 2026

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

ON MOTION OF PRICE

RESOLUTION NO. 179-22

Authorize Agreement Between the County of Cortland and the New York State Nurse's Association Effective July 1, 2022 to December 31, 2026

WHEREAS, Cortland County and New York State Nurse's Association (NYSNA) negotiating committees have met to negotiate a new contract, AND

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

WHEREAS, the New York State Nurses Association ratified the contract on June 21, 2022,
NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby approves the New York State Nurses Association of Cortland County contract.

AGENDA ITEM NO. 5 – Authorize Agreement Medical Consultant for Tuberculosis Control Activities – Health Department

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

ON MOTION OF PRICE

RESOLUTION NO. 180-22

Authorize Agreement Medical Consultant for Tuberculosis Control Activities – Health Department

WHEREAS, the Cortland County Health Department is required by provisions under New York State Public Health Law to provide tuberculosis (TB) control activities, AND

WHEREAS, licensed physician, Douglas D. MacQueen, MD, of 108 Besemer Hill Rd, Ithaca, New York 14850, is knowledgeable and up-to-date with current TB treatment requirements, AND

WHEREAS, a fee of \$550 per month will be paid to the contractor, AND

WHEREAS, funds have been budgeted for this expense in account number A40115-54815-4037 Public Health Contracted Agencies, AND

WHEREAS, the term for this agreement shall be from September 1, 2022 through August 31, 2024, with the right to renew by the parties for 2 year terms, up to 3 renewals total, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Administrator and the Public Health Director, upon review and approval by the County Attorney or designee, are authorized to execute agreements for the provision of tuberculosis contract activities with Douglas D. MacQueen, MD, of 108 Besemer Hill Rd., Ithaca, NY 14850, for the period September 1, 2022 - August 31, 2024.

AGENDA ITEM NO. 6 – Authorize Agreement with Private Companies, Schools, Health Facilities & Private Organizations for Emergency Planning - Health Department

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

ON MOTION OF PRICE

RESOLUTION NO. 181-22

Authorize Agreement with Private Companies, Schools, Health Facilities & Private Organizations for Emergency Planning - Health Department

WHEREAS, the Cortland County Health Department is tasked by the New York State Department of Health with being prepared to provide medical countermeasures, such as vaccinations and prophylactic medications, within a 48 hour period to the entire population of Cortland County, AND

WHEREAS, the Health Department would need assistance from other entities in order to meet this requirement, AND

WHEREAS, other entities that employ healthcare professionals can assist by providing the medical countermeasures to the population that they work with and service, AND

WHEREAS, there would be no cost to the County other than the cost of supplies provided to the dispensing entity, NOW THEREFORE BE IT

RESOLVED, that the County Administrator and the Public Health Director, upon review and approval by the County Attorney or designee, are hereby authorized to sign agreements with entities willing to participate in a program that assists the Health Department in the dispensing of medical countermeasures for the period December 1, 2022 - December 31, 2027.

AGENDA ITEM NO. 7 – Authorize Amendment/Accept Funds - Health Research, Inc., COVID-19 ELC/Emergency Preparedness - Health Department

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

ON MOTION OF PRICE

RESOLUTION NO. 182-22

Authorize Amendment/Accept Funds - Health Research, Inc., COVID-19 ELC/Emergency Preparedness - Health Department

WHEREAS, Resolution No. 284-20 gave the Cortland County Health Department permission to enter into a grant from Health Research, Inc. for funding for COVID-19 Epidemiology and Laboratory Capacity (ELC) Enhanced Detection, Contract # 6411-01, CFDA # 93.323, AND

WHEREAS, it is now desired to amend the provisions of the contract, AND

WHEREAS, funding for this grant will increase from \$581,922 to \$681,922, NOW THEREFORE BE IT

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

		<u>Current</u>	<u>Amendment</u>	<u>Adjusted</u>
Increase Revenue:				
A40115.44401.ELC	ELC Grant	\$307,974	\$100,000	\$407,974
Increase Expenditures:				
A40115.51005.4037	Personal Services	\$471,304	\$22,148	\$493,452
A40115.52015.4037	Dept. Equipment	\$7,300	\$28,830	\$36,130
A40115.54045.4037	Travel	\$200	\$500	\$700
A40115.54048.4037	Program Supplies	\$5,000	\$9,405	\$14,405
A40115.54060.4037	Advertising	\$37,901	\$27,325	\$65,226
A40115.54067.4037	RP Rent/Lease	\$0	\$2,150	\$2,150

A40115.58020.4037	Retirement	\$53,898	\$3,544	\$57,442
A40115.58030.4037	FICA	\$36,056	\$1,694	\$37,750
A40115.58060.4037	Health Insurance	<u>\$115,336</u>	<u>\$4,404</u>	<u>\$119,740</u>
			\$100,000	

, AND BE IT FURTHER

RESOLVED, that the County Administrator and Public Health Director, 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 execute the Health Research, Inc. Amendment for COVID-19 Epidemiology and Laboratory Capacity (ELC) Enhanced Detection and to accept these funds, AND BE IT FURTHER

RESOLVED, that the Treasurer's office is authorized to pay from the appropriate expense account and that in the event that the County does not receive the appropriate funds from the Health Research, Inc, the County shall not be liable to pay any of its own funds to meet any deficiency under the terms of the contract, AND BE IT FURTHER

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

AGENDA ITEM NO. 8 – Accept Funds/NYS Rental Supplement Program Funds SFY 2022-2023 - Department of Social Services

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

ON MOTION OF PRICE

RESOLUTION NO. 183-22

Accept Funds/NYS Rental Supplement Program Funds SFY 2022-2023 - Department of Social Services

WHEREAS, the New York State Office of Temporary and Disability Assistance has allocated the Cortland County Department of Social Services (CCDSS) \$141,026 in Rental Supplement Program (RSP) funds to provide rental supplements to individuals and families who are experiencing homelessness or are facing an imminent loss of housing, AND

WHEREAS, the CCDSS received approval on June 23, 2022 of a plan to spend this money beginning April 1, 2022 through March 31, 2023, NOW THEREFORE BE IT

RESOLVED, that the State allocation funds be accepted, and the 2022 County Budget be amended as follows:

Increase:

Expense:

A60105.54800.RSP	Program Expense RSP	\$141,026.00
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Revenue:

A601043.43689.RSP	Other DSS Admin RSP	\$141,026.00
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AGENDA ITEM NO. 9 – Amend 2022 Budget/Other Compensation and Raises - Department of Social Services

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

ON MOTION OF PRICE

RESOLUTION NO. 184-22

Amend 2022 Budget/Other Compensation and Raises - Department of Social Services

WHEREAS, expenditures for vacation payouts have increased due to staff turnover in the Department of Social Services, AND

WHEREAS, due to expenditures for Child Protective Services on-call pay trending higher this year, the expenses in the Other Compensation and Raises account are expected to exceed the amount appropriated in our 2022 budget, NOW THEREFORE BE IT

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

DECREASE:

Health Insurance			
A60105.58060	current 1,229,997.36	DECREASE (\$100,000)	new = \$1,129,997.36

INCREASE:

Other Compensation & Raises			
A60105.51035	current \$125,000	INCREASE +\$100,000	new = \$225,000

Referred from Agriculture/Planning/Environment Committee

AGENDA ITEM NO. 10 – Amend 2022 Budget/Accept New York State Department of Health State Medicaid SFY 2022-2023 Rural Transit Assistance Funding - Planning Department

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

ON MOTION OF HARBIN

RESOLUTION NO. 185-22

Amend 2022 Budget/Accept New York State Department of Health State Medicaid SFY 2022-2023 Rural Transit Assistance Funding - Planning Department

WHEREAS, for more than 20 years the New York State Department of Health provided funds to the Department of Social Services to provide the essential service of providing for and arranging for non-emergency Medicaid transportation service for medical appointments, AND

WHEREAS, the Department of Social Services contracted with First Transit, Inc. for said transportation service which included a State approved method of paying a share of costs for operating

public transportation to benefit all Medicaid recipients using the system to get to medical appointments, AND

WHEREAS, in 2010, the State Department of Health was given statutory authority under 365-h of Social Services Law to assume the administrative management of non-emergency transportation from counties and has since mandated that a private Medicaid brokerage system be implemented, which began in Cortland County October 1, 2013, AND

WHEREAS, as a result of the transfer of the administrative management of non-emergency transportation to a private Medicaid brokerage system, First Transit lost 40% of its revenue to operate the public transportation service in Cortland County, AND

WHEREAS, transportation providers throughout New York State lobbied to their State Representatives to provide funding to make up for the loss of funding due to the transfer of the administrative management of non-emergency transportation to a private Medicaid brokerage system, AND

WHEREAS, then-Governor Andrew Cuomo, the New York State Department of Health (NYSDOH) and the New York State Department of Transportation (NYSDOT) have identified a series of action targets to preserve critical access to necessary Non-Emergency Medical Transportation (NEMT) services through a coordinated public transportation system in upstate New York, AND

WHEREAS, one of these action targets is to provide rescue funding to the public transportation service in Cortland County to address the lost revenue as a result of the transfer of the administrative management of non-emergency transportation to a private Medicaid brokerage system, AND

WHEREAS, on July 6, 2022, an emailed letter was sent from the New York State Department of Health by the Office of Health Insurance Programs notifying Cortland County of an electronic payment in the amount of \$368,241 for a State Medicaid payment intended for Rural Transit Assistance purposes enacted as part of the State Fiscal Year 2022-2023 Enacted Budget, AND

WHEREAS, Cortland County has received a Rural Transit Assistance payment in the amount of \$368,241 which will be paid to Cortland County's public transportation provider, First Transit, Inc., NOW THEREFORE BE IT

RESOLVED, the Cortland County Legislature authorizes the County Treasurer to release said payment to First Transit, Inc., AND BE IT FURTHER

RESOLVED, the 2022 budget be modified as follows:

	<u>CURRENT</u>	<u>CHANGE</u>	<u>REVISED</u>
Expense: A56305.54815.RESC	0	\$368,241	\$368,241
Revenue: A563043.43594.RESC	0	\$368,241	\$368,241

Referred from Judiciary & Public Safety Committee

AGENDA ITEM NO. 11 – Create Assistant Public Defender Position - Public Defender

RESULT:	ADOPTED [13 TO 2]
MOVER:	Kelly L. Fairchild-Preston, Legislator
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Harbin, Bischoff, Wilson, Stock, Fitch, Jones, Fairchild-Preston, Newell, Price, Wagner, Heider, Eccleston
NAYS:	Ronald J. Van Dee, Ann Homer
EXCUSED:	Joseph Nauseef, Eugene Waldbauer

ON MOTION OF FAIRCHILD-PRESTON

RESOLUTION NO. 186-22

Create Assistant Public Defender Position - Public Defender

WHEREAS, Resolution No. 99-22 authorized the agreement with Upstate Family Defense (Child Welfare) Quality Improvement for a Case Load Reduction grant through the NYS Office of Indigent Legal Services, AND

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

WHEREAS, this position will be funded by the aforementioned grant and will expire when grant monies are no longer available, AND

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

RESOLVED, that one full-time position of Assistant Public Defender (Management/Management Confidential Compensation Plan, Grade 6, \$72,247- \$96,160/yr, non-competitive class, full-time with benefits) be created on August 25, 2022 with approval to fill.

AGENDA ITEM NO. 12 – Create Position - Keyboard Specialist - Sheriff's Office

RESULT:	ADOPTED [11 TO 4]
MOVER:	Kelly L. Fairchild-Preston, Legislator
SECONDER:	George Wagner, Majority Leader
AYES:	Bentley, Bischoff, Stock, Fitch, Jones, Fairchild-Preston, Newell, Price, Wagner, Heider, Eccleston
NAYS:	Beau Harbin, Ronald J. Van Dee, Susan Wilson, Ann Homer
EXCUSED:	Joseph Nauseef, Eugene Waldbauer

ON MOTION OF FAIRCHILD-PRESTON

RESOLUTION NO. 187-22

Create Position - Keyboard Specialist - Sheriff's Office

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

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

RESOLVED, that one full-time position of Keyboard Specialist (Corrections/Civilian CSEA, Grade 1, \$16.0670- \$21.3545/hr, competitive class, full-time with benefits) be created on August 25, 2022 with approval to fill.

AGENDA ITEM NO. 13 – Authorize Agreement for Jail Physician, Physician's Assistant and Registered Nursing Services - Sheriff's Department

RESULT:	ADOPTED [14 TO 1]
MOVER:	Kelly L. Fairchild-Preston, Legislator
SECONDER:	Christopher Newell, Legislator
AYES:	Bentley, Harbin, Bischoff, Wilson, Stock, Homer, Fitch, Jones, Fairchild-Preston, Newell, Price, Wagner, Heider, Eccleston
NAYS:	Ronald J. Van Dee
EXCUSED:	Joseph Nauseef, Eugene Waldbauer

ON MOTION OF FAIRCHILD-PRESTON

RESOLUTION NO. 188-22

Authorize Agreement for Jail Physician, Physician's Assistant and Registered Nursing Services - Sheriff's Department

WHEREAS, New York State Correction Law § 501 requires the County to appoint a reputable physician, duly authorized to practice medicine, as the physician to the jail of the County, AND

WHEREAS, the physician appointed shall hold his office at the pleasure of the legislature, AND

WHEREAS, it is the finding of the County Legislature that the professional medical care requirements of Correction Law § 501 should be provided in an affordable and practical manner, AND

WHEREAS, it is the finding of the County Legislature that the legal requirements of Correction Law § 501 can best be met by providing for the compensation of a Jail Physician and their Physician's Assistant and Registered Nurses by contractual agreement, NOW THEREFORE BE IT

RESOLVED, that Marshall M. Trabout, M.D., is appointed Cortland County Jail Physician to serve at the pleasure of the County Legislature, AND BE IT FURTHER

RESOLVED, that the compensation and payments to the Jail Physician for services to be rendered at the Cortland County Jail shall not exceed \$7,238 per month from January 1, 2023 through December 31, 2025, AND BE IT FURTHER

RESOLVED, that the compensation and payments to the Jail Physician for the medical professional services of the Registered Nurse employed by the Physician for services to be rendered at the Cortland County Jail shall not exceed \$11,109 per month from January 1, 2023 through December 31, 2025, AND BE IT FURTHER

RESOLVED, that the funds to cover this contract are available in account number A31505-54615, Contracted Medical Services, AND BE IT FURTHER

RESOLVED, that the County Administrator and the Sheriff of Cortland County, upon review and approval by the County Attorney or designee, be and herby are authorized to contract with the Jail Physician for the Cortland County Jail for the period January 1, 2023 through December 31, 2025.

AGENDA ITEM NO. 14 – Authorize Agreement with K&A Radiologic Technology Services, Inc. - Sheriff's Department

RESULT: REFER TO COMMITTEE-VOTE [14 TO 1]

Next: 9/13/2022 9:00 AM

MOVER: Kelly L. Fairchild-Preston, Legislator

SECONDER: Ann Homer, Legislator

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

NAYS: Paul Heider

EXCUSED: Joseph Nauseef, Eugene Waldbauer

ON MOTION OF FAIRCHILD-PRESTON

RESOLUTION NO.

Authorize Agreement with K&A Radiologic Technology Services, Inc. - Sheriff's Department

WHEREAS, K&A Radiologic Technology Services, Inc., of 6400 Collamer Road, East Syracuse, New York 13057, has agreed to enter into an agreement to furnish Cortland County Jail with portable x-ray, Ultrasound Services, 12-lead EKG, and Holter monitor services as prescribed by the doctor for inmates housed in the Cortland County Jail, AND

WHEREAS, the Cortland County Sheriff has determined this is a professional service which is exempt under General Municipal Law, Section 103, AND

WHEREAS the cost for each service is as follows:

X-Ray services shall be \$130.00 for first exam and \$65 for each additional exam

Minimum STAT charge \$140

Holter monitoring \$150 per patient

Ultrasound exams \$170 per exam

, AND

WHEREAS, the funds to cover this contract are available in account number A31505.54615-Contracted Medical Svcs, NOW THEREFORE BE IT

RESOLVED, that the County Administrator and the Sheriff of Cortland County, upon review and approval by the County Attorney or designee, be and herby are authorized to contract with K&A Radiology Technology Services, Inc., of 6400 Collamer Road, East Syracuse, New York 13057, for the period of September 1, 2022 to August 31, 2024 for said purposes.

Referred from Government Operations Committee

AGENDA ITEM NO. 15 – Authorize County Administrator to Authorize Volunteers - County Administrator

RESULT: ADOPTED [14 TO 1]

MOVER: Richard Stock, Legislator

SECONDER: Kelly L. Fairchild-Preston, Legislator

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

NAYS: Ronald J. Van Dee

EXCUSED: Joseph Nauseef, Eugene Waldbauer

ON MOTION OF STOCK

RESOLUTION NO. 189-22

Authorize County Administrator to Authorize Volunteers - County Administrator

WHEREAS, various Cortland County Departments utilize volunteers to aid with normal day to day operations and special events, AND

WHEREAS, there is no monetary cost to the County for allowing the use of volunteers, AND

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

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

RESOLVED, that the County Administrator, upon review and approval by the Personnel Officer and with procedure agreed upon by the County Administrator, Personnel Office and County Attorney or designee, is hereby authorized to allow volunteer placements.

AGENDA ITEM NO. 16 – Reappoint Personnel Officer - Personnel Department

RESULT:	ADOPTED [14 TO 1]
MOVER:	Richard Stock, Legislator
SECONDER:	Kelly L. Fairchild-Preston, Legislator
AYES:	Bentley, Harbin, Bischoff, Wilson, Stock, Homer, Fitch, Jones, Fairchild-Preston, Newell, Price, Wagner, Heider, Eccleston
NAYS:	Ronald J. Van Dee
EXCUSED:	Joseph Nauseef, Eugene Waldbauer

ON MOTION OF STOCK

RESOLUTION NO. 190-22

Reappoint Personnel Officer - Personnel Department

WHEREAS, the Cortland County Legislature, through Resolution No. 135-21, appointed Laurie Leonard as the Cortland County Personnel Officer on May 27, 2021, to fill a term left vacant by the previous Personnel Officer through November 17, 2022, AND

WHEREAS, the appointment of Personnel Officer has a six year term in accordance with Civil Service Law § 15, AND

WHEREAS, the County Administrator, pursuant to Section 5 of Local Law No. 7 of year 2002, as amended by Local Law No. 5 of 2018, is responsible for making recommendations to the County Legislature for the appointment of each department head, AND

WHEREAS, the County Administrator, after evaluation, recommends the reappointment of Laurie Leonard as Cortland County Personnel Officer, AND

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

RESOLVED, that Laurie Leonard, of Homer, NY, be and is hereby appointed for a term commencing November 18, 2022 and ending November 17, 2028, and shall be compensated in accordance with the Management and Management Confidential Compensation Policy as may be amended from time to time.

AGENDA ITEM NO. 17 – Amend the Policies and Procedures of Cortland County Government Service Animals And/Or Emotional Support Animals and Public Accommodations Within Cortland County Buildings and Properties Policy - Personnel Department

Ms. Homer MADE A MOTION TO AMEND the policy to insert "for employees" in Section III, B, 1, after the word "animals" in the final sentence, Mr. Harbin SECONDED THE MOTION, and following a voice vote of members present, the amendment was approved. Mr. Heider and Mr. Eccleston VOTED NO to the amendment.

RESULT:	ADOPTED AS AMENDED [12 TO 3]
MOVER:	Richard Stock, Legislator
SECONDER:	Ann Homer, Legislator
AYES:	Bentley, Harbin, Bischoff, Wilson, Stock, Homer, Fitch, Newell, Price, Wagner, Heider, Eccleston
NAYS:	Ronald J. Van Dee, Linda Jones, Kelly L. Fairchild-Preston
EXCUSED:	Joseph Nauseef, Eugene Waldbauer

ON MOTION OF STOCK

RESOLUTION NO. 191-22

Amend the Policies and Procedures of Cortland County Government Service Animals And/Or Emotional Support Animals and Public Accommodations Within Cortland County Buildings and Properties Policy - Personnel Department

WHEREAS, the Cortland County Legislature has adopted a Service Animal Policy, AND

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

RESOLVED, that the plan will be amended effective August 26, 2022 as attached.

AGENDA ITEM NO. 18 – Amend Driver and Vehicle Use Policy - Personnel Department

RESULT:	ADOPTED [9 TO 6]
MOVER:	Richard Stock, Legislator
SECONDER:	Kelly L. Fairchild-Preston, Legislator
AYES:	Bischoff, Stock, Fitch, Jones, Fairchild-Preston, Newell, Price, Heider, Eccleston
NAYS:	Bentley, Harbin, Van Dee, Wilson, Homer, Wagner
EXCUSED:	Joseph Nauseef, Eugene Waldbauer

ON MOTION OF STOCK

RESOLUTION NO. 192-22

Amend Driver and Vehicle Use Policy - Personnel Department

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

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

RESOLVED, that the plan will be amended effective August 26, 2022 as attached.

AGENDA ITEM NO. 19 – Amend Smoking and Tobacco Use Policy - Personnel Department

Ms. Homer MADE A MOTION TO REFER THIS ITEM BACK TO COMMITTEE, Mr. Wagner SECONDED THE MOTION, and a voice vote took place as follows:

	<u>AYE</u>	<u>NAY</u>
Bentley (LD1)		1
Bischoff (LD3)	1	
Eccleston (LD17)	1	
Harbin (LD2)		1
Heider (16)		1
Homer (LD7)	1	
Jones (LD9)	1	
Nauseef (LD12)		1
Newell (LD11)		1
Preston (LD10)		1
Price (LD14)	1	
Stock (LD6)		1
VanDee (LD4)		1
Wagner (LD 15)	1	
Waldbauer (LD13)		1
Wilson (LD5)	1	
Chairman Fitch (LD8)	1	
Total	8	9

MOTION TO REFER TO COMMITTEE FAILED.

A roll call vote for the resolution was taken as follows:

	<u>Votes</u>	<u>AYE</u>	<u>NAY</u>	<u>Total</u>
Bentley (LD1)	2744		1	0
Bischoff (LD3)	2743		1	0
Eccleston (LD17)	3379	1		3379
Harbin (LD2)	2747		1	0
Heider (16)	3192	1		3192
Homer (LD7)	2743		1	0
Jones (LD9)	2989		1	0
Nauseef (LD12)	2819		1	0
Newell (LD11)	2837		1	0
Preston (LD10)	2995	1		2995
Price (LD14)	3344		1	0
Stock (LD6)	2740	1		2740
VanDee (LD4)	2743		1	0
Wagner (LD 15)	2734		1	0
Waldbauer (LD13)	2853		1	0
Wilson (LD5)	2744		1	0
Chairman Fitch (LD8)	2990	1		2990
Total	46346	5	12	12306
		Majority	24669	
		2/3rd	32892	

MOTION FAILED.

RESULT:	DEFEATED [5 TO 10]
MOVER:	Richard Stock, Legislator
SECONDER:	Kelly L. Fairchild-Preston, Legislator
AYES:	Stock, Fitch, Fairchild-Preston, Heider, Eccleston
NAYS:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Homer, Jones, Newell, Price, Wagner
EXCUSED:	Joseph Nauseef, Eugene Waldbauer

ON MOTION OF STOCK

RESOLUTION NO.

Amend Smoking and Tobacco Use Policy - Personnel Department

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

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

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

Referred from Finance & Administration Committee

AGENDA ITEM NO. 20 – Designate Cortland County Convention and Visitors Bureau as Cortland County's Tourism Promotion Agency

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	George Wagner, Majority Leader
SECONDER:	Ronald J. Van Dee, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Stock, Homer, Fitch, Jones, Fairchild-Preston, Newell, Price, Wagner, Heider, Eccleston
EXCUSED:	Joseph Nauseef, Eugene Waldbauer

ON MOTION OF WAGNER

RESOLUTION NO. 193-22

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 2023, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Convention and Visitors Bureau Inc., is hereby designated for 2023 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.

AGENDA ITEM NO. 21 – Authorize Agreement Cortland County Convention and Visitors Bureau for Provision of Public Benefits Services for Promotion and Publicity

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

ON MOTION OF WAGNER

RESOLUTION NO. 194-22

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 Treasurer shall remit to the CVB the sum of \$551,934.57, consistent with the 2021 Occupancy tax collections, to the tourism and publicity account.
6. The term of this agreement shall be one (1) year from January 1, 2023 to December 31, 2023.
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, 2023 through December 31, 2023 in accordance with the terms and conditions listed above.

AGENDA ITEM NO. 22 – Distribution of Second Quarter 2022 Sales Tax

RESULT:	ADOPTED [14 TO 1]
MOVER:	George Wagner, Majority Leader
SECONDER:	Mitchel Eccleston, Legislator
AYES:	Bentley, Bischoff, Van Dee, Wilson, Stock, Homer, Fitch, Jones, Fairchild-Preston, Newell, Price, Wagner, Heider, Eccleston
NAYS:	Beau Harbin
EXCUSED:	Joseph Nauseef, Eugene Waldbauer

ON MOTION OF WAGNER

RESOLUTION NO. 195-22

Distribution of Second Quarter 2022 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 2022 second quarter sales tax information has been provided by the New York State Comptroller's Office showing a total collection for second quarter 2022 to be \$9,746,598.58, AND

WHEREAS, the total amount available for distribution is \$9,371,598.58, 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 (\$670,000.00) is to be withheld from the quarterly distribution, AND

WHEREAS, Cortland County receives (54%), or \$5,060,663.23 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 2022 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	\$1,663,458.75	\$-0-	\$1,663,458.75	\$-0-
Cincinnati, Town of	\$77,707.90	\$-0-	\$77,707.90	\$-0-
Cortlandville, Town of	\$831,158.44	\$-0-	\$831,158.44	\$-0-
Cuyler, Town of	\$70,794.18	\$(28,750.00)	\$42,044.18	\$-0-
Freetown, Town of	\$53,225.09	\$-0-	\$53,225.09	\$-0-
Harford, Town of	\$84,160.91	\$-0-	\$84,160.91	\$-0-
Homer, Town of	\$283,453.43	\$-0-	\$283,453.43	\$-0-
Homer, Village of	\$201,607.53	\$-0-	\$201,607.53	\$-0-
Lapeer, Town of	\$109,731.06	\$(77,500.00)	\$32,231.06	\$-0-
Marathon, Town of	\$84,116.43	\$-0-	\$84,116.43	\$-0-
Marathon, Village of	\$42,511.77	\$-0-	\$42,511.77	\$-0-
McGraw, Village of	\$36,923.17	\$-0-	\$36,923.17	\$-0-
Preble, Town of	\$144,421.48	\$-0-	\$144,421.48	\$-0-
Scott, Town of	\$85,673.71	\$-0-	\$85,673.71	\$-0-
Solon, Town of	\$79,176.03	\$-0-	\$79,176.03	\$-0-
Taylor, Town of	\$46,454.46	\$-0-	\$46,454.46	\$-0-
Truxton, Town of	\$102,249.59	\$-0-	\$102,249.59	\$-0-
Virgil, Town of	\$245,255.89	\$(16,250.00)	\$229,005.89	\$-0-
Willet, Town of	\$68,855.53	\$-0-	\$68,855.53	\$-0-
Total	\$4,310,935.35	\$(122,500.00)	\$4,188,435.35	\$-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.

Announcements

Adjournment

The meeting was closed at 6:58 PM



Cortland County Legislature

Legislative Session

~ Minutes ~

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

4.1

Thursday, June 23, 2022

6:00 PM

Board Room

Salute to the Flag

Public Hearings

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

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

2. Proposed Tompkins Cortland Community College 2022-2023 Operating Budget

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

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

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

Call to Order

The meeting was called to order at 6:05 PM by Chair of the Legislature Kevin Fitch.

Roll Call

Attendee Name	Organization	Title	Status	Arrived
Douglas Bentley	Cortland County, NY	Legislator	Present	
Beau Harbin	Cortland County, NY	Minority Leader	Present	
Cathy Bischoff	Cortland County, NY	Legislator	Present	
Ronald J. Van Dee	Cortland County, NY	Legislator	Present	
Susan Wilson	Cortland County, NY	Legislator	Present	
Richard Stock	Cortland County, NY	Legislator	Present	
Ann Homer	Cortland County, NY	Legislator	Excused	
Kevin Fitch	Cortland County, NY	Chair of the Legislature	Present	
Linda Jones	Cortland County, NY	Legislator	Present	

Minutes Acceptance: Minutes of Jun 23, 2022 6:00 PM (Approval of Minutes)

Kelly L. Fairchild-Preston	Cortland County, NY	Legislator	Present	
Christopher Newell	Cortland County, NY	Legislator	Present	
Joseph Nauseef	Cortland County, NY	Legislator	Present	
Eugene Waldbauer	Cortland County, NY	Legislator	Present	
Sandra Price	Cortland County, NY	Legislator	Present	
George Wagner	Cortland County, NY	Majority Leader	Present	
Paul Heider	Cortland County, NY	Legislator	Present	
Mitchel Eccleston	Cortland County, NY	Legislator	Present	

Approval of Minutes

1. Cortland County Legislature - Legislative Session - May 26, 2022 6:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Joseph Nauseef, Legislator
SECONDER:	Sandra Price, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Stock, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Ann Homer

Privilege of the Floor

Proclamations & Recognitions

1. Proclaiming July 26, 2022 as Americans with Disabilities Act Awareness Day

RESULT:	COMPLETED
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2. Recognizing McGraw Central School Clay Target/Trap Club

RESULT:	COMPLETED
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Presentation of Petitions, Communications, and Notice

Receive and File

1. 2022 State of the County

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

2. Receive & File 2021 Annual Report - Department of Social Services

RESULT:	RECEIVE AND FILE [UNANIMOUS]
MOVER:	Sandra Price, Legislator
SECONDER:	Cathy Bischoff, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Stock, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Ann Homer

Reports of Standing, Special and Ad Hoc Committees

Articles Postponed to Day Certain

Unfinished Business

AGENDA ITEM NO. 1 – Local Law 6 of 2022 - a Local Law to Adopt Amendments to the New York State Open Meetings Law for the Expanded Use of Videoconferencing

RESULT:	ADOPTED [13 TO 3]
MOVER:	Richard Stock, Legislator
SECONDER:	Kelly L. Fairchild-Preston, Legislator
AYES:	Bentley, Harbin, Bischoff, Wilson, Stock, Fitch, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Heider, Eccleston
NAYS:	Ronald J. Van Dee, Linda Jones, George Wagner
EXCUSED:	Ann Homer

ON MOTION OF STOCK**RESOLUTION NO. 149-22**

Local Law 6 of 2022 - a Local Law to Adopt Amendments to the New York State Open Meetings Law for the Expanded Use of Videoconferencing

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

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

SECTION 1. PURPOSE

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

SECTION 2. CONDITIONS

- a) Members of the Board shall be physically present at meetings, unless allowed remote attendance at locations that do not allow for in-person physical attendance by the public, under extraordinary circumstances.
- b) The list of extraordinary circumstances is non-exhaustive, but shall include illness, or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting. The following shall not be deemed as extraordinary circumstances: vacation or delayed travel.
- c) Members shall provide notice of their inability to attend a meeting to the Legislative Clerk's Office at least 24 hours prior to the meeting or as soon as reasonably able.
- d) The Chair of the Board shall retain discretion over permitted extraordinary circumstances for the Board and for Standing Committees when that Chair is unavailable, pursuant to Section 2(b) of this local law.
- e) The Standing Committee Chairs, when available, shall retain discretion over permitted extraordinary circumstances for their Committee, pursuant to Section 2(b) of this local law.
- f) It is understood that members permitted to attend at a location that does not allow for in-person physical attendance by the public, will not count toward a quorum. Only members present at a physical location which allows for in-person attendance by the public, will count toward a quorum.

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

SECTION 3. EFFECTIVE DATE

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

SECTION 4. SEVERABILITY

If any clause, sentence, paragraph, subdivision, section or part of this Local Law or the application thereof, to any person, individual, corporation, firm, partnership, entity, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional such order of judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this Local Law or in its application to the person, individual, corporation, firm partnership, entity, or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 5. EXPIRATION

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

New Business

Resolutions

Resolutions from the Chair

AGENDA ITEM NO. 2 – Appoint Members - Central New York Regional Planning and Development Board

RESULT: ADOPTED [UNANIMOUS]
MOVER: Kevin Fitch, Chair of the Legislature
SECONDER: Linda Jones, Legislator
AYES: Bentley, Harbin, Bischoff, Van Dee, Wilson, Stock, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED: Ann Homer

ON MOTION OF FITCH**RESOLUTION NO. 150-22****Appoint Members - Central New York Regional Planning and Development Board**

WHEREAS, Cortland County has two vacancies on the Central New York Regional Planning and Development Board due to one resignation and one open seat for a Cortland County representative, NOW THEREFORE BE IT

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

Name	Capacity	Term Expiration
Scott Steve	Local Elected Official	Term expires 12/31/22
Patrick Clune	At-Large Representative	Term expires 12/31/22

AGENDA ITEM NO. 3 – Designate Director of Planning as Certifying Officer for Environmental Reviews - CDBG Cares Act Funding

RESULT: ADOPTED [UNANIMOUS]
MOVER: Kevin Fitch, Chair of the Legislature
SECONDER: Beau Harbin, Minority Leader
AYES: Bentley, Harbin, Bischoff, Van Dee, Wilson, Stock, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED: Ann Homer

ON MOTION OF FITCH**RESOLUTION NO. 151-22****Designate Director of Planning as Certifying Officer for Environmental Reviews - CDBG Cares Act Funding**

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

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

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

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

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

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

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

AGENDA ITEM NO. 4 – Local Law 7 of 2022 - a Local Law Further Amending Local Law 2 of 1972 - a Local Law Reapportioning the County of Cortland

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kevin Fitch, Chair of the Legislature
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Stock, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Ann Homer

ON MOTION OF FITCH

RESOLUTION NO. 152-22

Local Law 7 of 2022 - a Local Law Further Amending Local Law 2 of 1972 - a Local Law Reapportioning the County of Cortland

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

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

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

WHEREAS, there is an ongoing COVID pandemic, AND

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

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

Local Law 2 of 1972 is hereby amended as follows:

Article 1:

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

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

Article 2:

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

Referred from Building & Grounds Committee

AGENDA ITEM NO. 5 – Authorize Agreement with KONE/Amend 2022 Budget for Elevator Repairs and Modernization - Buildings & Grounds Department

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

ON MOTION OF HEIDER**RESOLUTION NO. 153-22**

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

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

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

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

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

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

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

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

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

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

Increase:

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

Minutes Acceptance: Minutes of Jun 23, 2022 6:00 PM (Approval of Minutes)

A351100

Appropriated Reserves

\$100,000

Referred from Highway Committee

AGENDA ITEM NO. 6 – Authorize Creation of Road Machinery Capital Reserve Fund - Highway Department

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

ON MOTION OF NEWELL

RESOLUTION NO. 154-22

Authorize Creation of Road Machinery Capital Reserve Fund - Highway Department

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

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

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

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

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

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

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

RESOLVED, that the Director of Finance is authorized to place \$839,676 in reserve account

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E386300.CAP to be used only for the specified uses above, AND BE IT FURTHER

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

AGENDA ITEM NO. 7 – Authorize Agreement for Vehicle Inspection Services - Highway Department

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

ON MOTION OF NEWELL

RESOLUTION NO. 155-22

Authorize Agreement for Vehicle Inspection Services - Highway Department

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

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

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

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

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

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

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

AGENDA ITEM NO. 8 – Abolish Four Positions of Motor Equipment Operator/Create Four Positions of Motor Equipment Operator Trainee/Motor Equipment Operator - Highway Department

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

ON MOTION OF NEWELL

RESOLUTION NO. 156-22

Minutes Acceptance: Minutes of Jun 23, 2022 6:00 PM (Approval of Minutes)

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

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

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

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

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

AGENDA ITEM NO. 9 – Reappoint Superintendent of Highways - Highway Department

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

ON MOTION OF NEWELL

RESOLUTION NO. 157-22

Reappoint Superintendent of Highways - Highway Department

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

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

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

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

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

Minutes Acceptance: Minutes of Jun 23, 2022 6:00 PM (Approval of Minutes)

Referred from Health & Human Services Committee

AGENDA ITEM NO. 10 – Amend 2022 Budget/Accept CMC6 American Rescue Plan for Nutrition Services - Title IIIC - Area Agency on Aging

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

ON MOTION OF PRICE

RESOLUTION NO. 158-22

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

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

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

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

Increase:

Revenues:

A677444.44772.CMC6	Federal Aid - CMC6	\$39,776
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Expenses:

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

, AND BE IT FURTHER

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

AGENDA ITEM NO. 11 – Amend 2022 Budget to Accept Unmet Need Funding - Area Agency on Aging

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

ON MOTION OF PRICE

RESOLUTION NO. 159-22

Minutes Acceptance: Minutes of Jun 23, 2022 6:00 PM (Approval of Minutes)

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

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

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

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

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

Increase:

Expenses:

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

Revenues:

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

, AND BE IT FURTHER

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

AGENDA ITEM NO. 12 – Authorize Award of Transit Vehicle - One (1) 12 Passenger, Two (2) Wheelchair Accessible 2020 Ford E-350 Transit Vehicle - Area Agency on Aging

RESULT:	ADOPTED [12 TO 4]
MOVER:	Sandra Price, Legislator
SECONDER:	Susan Wilson, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Stock, Fitch, Newell, Nauseef, Waldbauer, Price, Heider
NAYS:	Linda Jones, Kelly L. Fairchild-Preston, George Wagner, Mitchel Eccleston
EXCUSED:	Ann Homer

ON MOTION OF PRICE

RESOLUTION NO. 160-22

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

WHEREAS, the Cortland County Area Agency on Aging must offer transportation from outlying areas of the County to the Age Well Center in Cortland to individuals over 60 years of age as part of the senior center restructuring plan as approved by the New York State Office for Aging and the Cortland County Legislature in 2021, AND

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

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

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

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

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

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

AGENDA ITEM NO. 13 – Reallocate Salary Grade for Staff Development Coordinator - Department of Social Services

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

ON MOTION OF PRICE

RESOLUTION NO. 161-22

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

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

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

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

Referred from Agriculture/Planning/Environment Committee

AGENDA ITEM NO. 14 – Authorize One Time County Support to the Soil & Water Conservation District for Harvester at Little York Lake

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RESULT:	ADOPTED [14 TO 1]
MOVER:	Beau Harbin, Minority Leader
SECONDER:	Kelly L. Fairchild-Preston, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Stock, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner
NAYS:	Paul Heider
EXCUSED:	Ann Homer, Mitchel Eccleston

ON MOTION OF HARBIN**RESOLUTION NO. 162-22**

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

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

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

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

RESOLVED, that the Cortland Legislature hereby authorizes the County Administrator, upon review and approval of the County Attorney or designee, to enter into an agreement with Cortland County Soil and Water Conservation District for one time funding for the harvesting of weeds at Little York Lake in the amount of \$2,500, AND BE IT FURTHER

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

INCREASE:

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

AGENDA ITEM NO. 15 – Authorize Creation of One Police Officer (Deputy Sheriff) - Sheriff's Department

Ms. Preston MADE A MOTION TO AMEND the resolution to add the following as a final RESOLVED clause:

"RESOLVED, that this position is dependent on funding and will be abolished with the termination of funding."

Ms. Jones SECONDED THE MOTION TO AMEND, and upon voice voted of members present, the AMENDMENT WAS APPROVED.

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

ON MOTION OF FAIRCHILD-PRESTON**RESOLUTION NO. 163-22****Authorize Creation of One Police Officer (Deputy Sheriff) - Sheriff's Department**

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

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

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

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

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

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

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

RESOLVED, that this position is dependent on funding and will be abolished with the termination of funding.

AGENDA ITEM NO. 16 – Amend 2022 Budget and Transfer Funds to Medical Supplies -Sheriff

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

ON MOTION OF FAIRCHILD-PRESTON**RESOLUTION NO. 164-22****Amend 2022 Budget and Transfer Funds to Medical Supplies -Sheriff**

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

WHEREAS, it is anticipated that the County jail will continue the need for medical supplies for

jail inmates, NOW THEREFORE BE IT

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

Increase:

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

AGENDA ITEM NO. 17 – Authorize Agreement/Accept Grant Third Upstate Quality Improvement and Caseload Reduction Grant - Public Defender

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

ON MOTION OF FAIRCHILD-PRESTON

RESOLUTION NO. 165-22

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

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

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

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

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

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

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

RESOLVED, the Director of Finance shall carryover all unused grant funds to the subsequent

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year(s) budget covered by the grant, per the approved grant agreement.

AGENDA ITEM NO. 18 – Authorize Agreement/Accept Funds Indigent Legal Services Distribution No. 12 - Public Defender

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

ON MOTION OF FAIRCHILD-PRESTON

RESOLUTION NO. 166-22

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

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

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

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

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

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

AGENDA ITEM NO. 19 – Abolish One Position of Assistant District Attorney/Create One Position of Associate Attorney (Office of the District Attorney)/Assistant District Attorney - District Attorney's Office

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

ON MOTION OF FAIRCHILD-PRESTON

RESOLUTION NO. 167-22

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

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

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

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

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

Referred from Government Operations Committee

AGENDA ITEM NO. 20 – Amend Drug Free Workplace Policy - Personnel Department

Mr. Harbin MADE A MOTION TO AMEND the policy to add, in Section 2. Policy, after the first paragraph to say, "does not include cannaboid hemp products as defined by New York State Office of Cannabis Management, such as products made containing CBD.", Ms. Jones SECONDED the motion, and upon voice vote of members present, the MOTION TO AMEND CARRIED. Mr. Wagner voted NO on the MOTION TO AMEND.

Mr. VanDee MADE A MOTION TO POSTPONE TO DATE CERTAIN, Mr. Wagner SECONDED THE MOTION, and a roll call vote took place as follows:

	Votes	AYE	NAY	Total
Bentley (LD1)	2744		1	0
Bischoff (LD3)	2743	1		2743
Eccleston (LD17)	3379	1		3379
Harbin (LD2)	2747		1	0
Heider (16)	3192		1	0
Homer (LD7)	2743		1	0
Jones (LD9)	2989	1		2989
Nauseef (LD12)	2819	1		2819
Newell (LD11)	2837	1		2837
Preston (LD10)	2995		1	0
Price (LD14)	3344		1	0
Stock (LD6)	2740		1	0
VanDee (LD4)	2743	1		2743
Wagner (LD 15)	2734	1		2734
Waldbauer (LD13)	2853		1	0
Wilson (LD5)	2744	1		2744
Chairman Fitch (LD8)	2990		1	0
Total	46346	8	9	22988
		Majority	24669	
		2/3rd	32892	

The MOTION TO POSTPONE TO DATE CERTAIN FAILED.

RESULT:	ADOPTED AS AMENDED [12 TO 4]
MOVER:	Richard Stock, Legislator
SECONDER:	Kelly L. Fairchild-Preston, Legislator
AYES:	Bentley, Harbin, Wilson, Stock, Fitch, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Heider, Eccleston
NAYS:	Cathy Bischoff, Ronald J. Van Dee, Linda Jones, George Wagner
EXCUSED:	Ann Homer

ON MOTION OF STOCK

RESOLUTION NO. 168-22

Amend Drug Free Workplace Policy - Personnel Department

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

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

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

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

AGENDA ITEM NO. 21 – Amend Driver and Vehicle Use Policy

RESULT:	REFER TO COMMITTEE-VOTE [12 TO 4]
	Next: 8/11/2022 9:00 AM
MOVER:	Beau Harbin, Minority Leader
SECONDER:	Linda Jones, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Jones, Newell, Nauseef, Waldbauer, Price, Wagner, Eccleston
NAYS:	Richard Stock, Kevin Fitch, Kelly L. Fairchild-Preston, Paul Heider
EXCUSED:	Ann Homer

ON MOTION OF STOCK

RESOLUTION NO.

Amend Driver and Vehicle Use Policy

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

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

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

AGENDA ITEM NO. 22 – Amend Smoking and Tobacco Use Policy - Personnel Department

Minutes Acceptance: Minutes of Jun 23, 2022 6:00 PM (Approval of Minutes)

RESULT: REFER TO COMMITTEE-VOTE [12 TO 4]

MOVER: Next: 8/11/2022 9:00 AM

Beau Harbin, Minority Leader

SECONDER: Susan Wilson, Legislator

AYES: Bentley, Harbin, Bischoff, Van Dee, Wilson, Jones, Newell, Nauseef, Waldbauer, Price, Wagner, Eccleston

NAYS: Richard Stock, Kevin Fitch, Kelly L. Fairchild-Preston, Paul Heider

EXCUSED: Ann Homer

ON MOTION OF STOCK

RESOLUTION NO.

Amend Smoking and Tobacco Use Policy - Personnel Department

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

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

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

Referred from Finance & Administration Committee

AGENDA ITEM NO. 23 – Authorize Agreement/Funding - Cortland County Business Development Corporation

Mr. VanDee MADE A MOTION TO AMEND the resolution to change the annual percentage increase to 3% for all four years of the contract, Mr. Heider SECONDED THE MOTION TO AMEND and a roll call vote took place as follows:

	Votes	AYE	NAY	Total
Bentley (LD1)	2744		1	0
Bischoff (LD3)	2743		1	0
Eccleston (LD17)	3379	1		3379
Harbin (LD2)	2747		1	0
Heider (16)	3192	1		3192
Homer (LD7)	2743		1	0
Jones (LD9)	2989	1		2989
Nauseef (LD12)	2819		1	0
Newell (LD11)	2837		1	0
Preston (LD10)	2995	1		2995
Price (LD14)	3344		1	0
Stock (LD6)	2740		1	0
VanDee (LD4)	2743	1		2743
Wagner (LD 15)	2734		1	0
Waldbauer (LD13)	2853		1	0
Wilson (LD5)	2744		1	0
Chairman Fitch (LD8)	2990		1	0
Total	46346	5	12	15298
		Majority	24669	
		2/3rd	32892	

The MOTION TO AMEND FAILED.

Minutes Acceptance: Minutes of Jun 23, 2022 6:00 PM (Approval of Minutes)

Following that, a roll call vote took place on agenda item no. 23 as follows:

	Votes	AYE	NAY	Total
Bentley (LD1)	2744	1		2744
Bischoff (LD3)	2743	1		2743
Eccleston (LD17)	3379		1	0
Harbin (LD2)	2747	1		2747
Heider (16)	3192		1	0
Homer (LD7)	2743		1	0
Jones (LD9)	2989	1		2989
Nauseef (LD12)	2819	1		2819
Newell (LD11)	2837	1		2837
Preston (LD10)	2995		1	0
Price (LD14)	3344	1		3344
Stock (LD6)	2740	1		2740
VanDee (LD4)	2743		1	0
Wagner (LD 15)	2734	1		2734
Waldbauer (LD13)	2853	1		2853
Wilson (LD5)	2744	1		2744
Chairman Fitch (LD8)	2990	1		2990
Total	46346	12	5	31294
		Majority	24669	
		2/3rd	32892	

The MOTION CARRIED.

RESULT:	ADOPTED [12 TO 4]
MOVER:	George Wagner, Majority Leader
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Harbin, Bischoff, Wilson, Stock, Fitch, Jones, Newell, Nauseef, Waldbauer, Price, Wagner
NAYS:	Ronald J. Van Dee, Kelly L. Fairchild-Preston, Paul Heider, Mitchel Eccleston
EXCUSED:	Ann Homer

ON MOTION OF WAGNER

RESOLUTION NO. 169-22

Authorize Agreement/Funding - Cortland County Business Development Corporation

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

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

2023 - \$492,193 (8%)
 2024 - \$516,803 (5%)
 2025 - \$542,643 (5%)
 2026 - \$569,775 (5%)

, AND BE IT FURTHER

RESOLVED, that the County Administrator be and hereby is authorized and directed to enter into an agreement, upon review and approval by the County Attorney or designee, and subject to

appropriation by the Legislature with the Cortland County Business Development Corporation in accordance with the above.

AGENDA ITEM NO. 24 – Proposed Local Law "F" of 2022 - a Local Law Abolishing the Elected Office of County Treasurer

RESULT:	ADOPTED [15 TO 1]
MOVER:	George Wagner, Majority Leader
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Stock, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider
NAYS:	Mitchel Eccleston
EXCUSED:	Ann Homer

ON MOTION OF WAGNER

RESOLUTION NO. 170-22

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

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

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

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

SECTION 1. Legislative Intent

- A. The County of Cortland is being increasingly required to administer various programs which are either unfunded or not adequately funded by the State and Federal governments. Such mandates, together with the revenue constraints of the County, require the best financial administration possible.
- B. It is the desire of the Cortland County Legislature, in its continuing efforts to upgrade the administration of County government, to ensure to the effective management of the fiscal responsibilities of the County of Cortland.
- C. The Cortland County Legislature finds that, through a more efficient administration of the various fiscal affairs of Cortland County, the County Legislature will be able to provide for better direction, control and coordination of Cortland County governmental finances. Further, the timely reporting of the County's fiscal position, statements of expenses and revenues, and cash flow will provide for improved day-to-day handling and management of the County's fiscal affairs.
- D. It is the intention of the Cortland County Legislature, through the enactment hereof; to provide for professional qualifications and professional background required of its Chief Fiscal Officer.
- E. The Director of Finance presently has the ultimate responsibility of the financial management activities of the County other than the collection of delinquent property taxes and other related activities undertaken by the County Treasurer. The Director of Finance is responsible for directing and maintaining the financial records of the County in the manner prescribed by the Office of the New York State Comptroller, as well as ensuring these record keeping activities are carried out ethically and in accordance with all applicable laws, rules, and regulations and

Minutes Acceptance: Minutes of Jun 23, 2022 6:00 PM (Approval of Minutes)

in accordance with accepted governmental accounting standards. The position also monitors and controls the fiscal operations of County departments and agencies through the analysis of required fiscal reports.

- F. It is the further intent of the Cortland County Legislature to provide for the transfer of the duties of Treasurer to the existing position of Director of Finance as the County's professional Chief Fiscal Officer; having the professional qualifications, education and experience necessary for the position; and abolishing the elective Office of County Treasurer. By a mandatory referendum in accordance with Municipal Home Rule Law, Section 10, it is the intent to eliminate the elected Office of County Treasurer and transfer the duties of Treasurer to the Director of Finance after a referendum conducted in all respects under the provision of Municipal Home Rule Law, Section 23.
- G. It is not the purpose or intent of the Cortland County Legislature in the adoption of this local law to curtail, diminish, transfer or divest the Cortland County Legislature of any of its functions, powers or duties.

SECTION 2. Abolishing the elective Office of County Treasurer

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

SECTION 3. No Divestiture of Powers And Duties of Legislature

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

SECTION 4. Severability of Provisions

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

SECTION 5. Construction of Local Law

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

SECTION 6. Conflict With Previous Local Laws and Resolutions

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

SECTION 7. Referendum

- A. The local law shall be placed on the ballot for the election to be held on November 8, 2022.
- B. The form of the proposition shall be as follows: "Shall the elective Office of County Treasurer be abolished and the duties of Treasurer be transferred to the existing position of Director of Finance

as the County's professional Chief Fiscal Officer in Cortland County as approved by the Cortland County Legislature in Local Law No. __ of 2022?"

SECTION 8. Effective Date

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

AGENDA ITEM NO. 25 – Authorization to Create Opioid Reserve - Finance Department

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

ON MOTION OF WAGNER

RESOLUTION NO. 171-22

Authorization to Create Opioid Reserve - Finance Department

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

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

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

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

AGENDA ITEM NO. 26 – Adopt 2022-2023 Tompkins Cortland Community College Operating Budget

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

ON MOTION OF WAGNER

RESOLUTION NO. 172-22

Adopt 2022-2023 Tompkins Cortland Community College Operating Budget

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

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

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

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

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

Resolution After Suspension of the Rules

Mr. Heider MADE A MOTION TO SUSPEND THE RULES to entertain three additional resolutions, Dr. Wilson SECONDED THE MOTION, and upon unanimous voice vote of members present, the MOTION TO SUSPEND THE RULES CARRIED.

AGENDA ITEM NO. 27 – Authorize Memorandum of Understanding and Local Government Efficiency Grant - 2022 Consolidated Funding Application

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kevin Fitch, Chair of the Legislature
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Stock, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Ann Homer

ON MOTION OF FITCH

RESOLUTION NO. 173-22

Authorize Memorandum of Understanding and Local Government Efficiency Grant - 2022 Consolidated Funding Application

WHEREAS, Cortland County intends to be the lead-applicant on a Local Government Efficiency Grant with the City of Cortland, Village of McGraw and the Town of Cortlandville, AND

WHEREAS, funds for the program will be requested from the Department of State in the form of a grant through the 2022 Consolidated Funding Application process, AND

WHEREAS, if award the County intends to enter a Memorandum of Understanding with the City of Cortland, Village of McGraw and the Town of Cortlandville to pursue a Landfill Leachate Pipeline to provide a substantial savings to the residents of the county and each co-applicant, NOW THEREFORE BE IT

RESOLVED, that Kevin Fitch, as Chairman of Cortland County Legislature, be and hereby is authorized and directed to file an application for funds and upon approval of said request to enter into and execute a grant agreement with Department of State for financial assistance to Cortland County, and, if appropriate, take actions necessary to implement the proposed Program/grant upon approval from the State.

Minutes Acceptance: Minutes of Jun 23, 2022 6:00 PM (Approval of Minutes)

AGENDA ITEM NO. 28 – Amend 2022 Budget/Authorize Applications for Appalachian Regional Commission (ARC) and Empire State Development (ESD) Grant Funds for Cortland County Comprehensive Plan - Planning Department

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kevin Fitch, Chair of the Legislature
SECONDER:	Mitchel Eccleston, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Stock, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Ann Homer

ON MOTION OF FITCH

RESOLUTION NO. 174-22

Amend 2022 Budget/Authorize Applications for Appalachian Regional Commission (ARC) and Empire State Development (ESD) Grant Funds for Cortland County Comprehensive Plan - Planning Department

WHEREAS, the Federal Appalachian Regional Commission (ARC) has programs that could assist in the development of a Cortland County comprehensive plan, AND

WHEREAS, this project furthers the ARC Goal Area and NYS Strategy by creating a new comprehensive plan for Cortland County, AND

WHEREAS, Cortland County's current comprehensive plan, titled *Land Use Plan for Cortland County*, was created in June 1978, and being over 40 years old, this plan is severely outdated and has not been referenced in decades, AND

WHEREAS, a fresh comprehensive plan is needed, especially now in our post-pandemic world, with the need to update our infrastructure to provide better broadband access, create more affordable housing options, and promote sustainable growth, AND

WHEREAS, communities across Cortland County, regardless of size, have witnessed a population change, loss of businesses and resources stretched to new limits, AND

WHEREAS, a new plan needs to be created and strategies developed to provide the vision for our County's economic growth, community development, and to foster resiliency, AND

WHEREAS, Cortland County has determined that hiring a consultant is the best option because just like our local businesses struggling to secure the workforce to meet demands, the Cortland County Planning has also struggled with workforce issues, i.e. growing demand for services and limited resources, and the use of a qualified consultant will help develop the framework of the plan, in addition to providing a fresh perspective for developing strategies, AND

WHEREAS, Cortland County Planning Department would be overseeing the project. Cortland County would be utilizing a consulting firm to assist with the development of the new Cortland County comprehensive plan. The comprehensive plan project budget would be set at \$200,000., AND

WHEREAS, Cortland County will be applying for \$100,000 from the Federal Appalachian Regional Commission (ARC) for the creation of the new comprehensive plan for Cortland County, AND

WHEREAS, Cortland County will be applying for a Empire State Development Strategic Planning and Feasibility Study Grant to accept and implement the proposed project to satisfy a match requirement of the program in the amount of \$90,000, AND

WHEREAS, Cortland County would be required to satisfy a cash match requirement for the implementation of the program, for a total cost to Cortland County of \$10,000, NOW THEREFORE BE

Minutes Acceptance: Minutes of Jun 23, 2022 6:00 PM (Approval of Minutes)

IT

RESOLVED, that upon the approval of the Cortland County Legislature that the County Administrator and/or Chair of the Legislature be and hereby are authorized to execute, on behalf of Cortland County, any and all necessary applications, agreements, certifications and assurances to apply for and secure the Federal Appalachian Regional Commission (ARC) funding for a comprehensive plan for Cortland County, AND BE IT FURTHER

RESOLVED, that upon the approval of the Cortland County Legislature, the County Administrator and/or Chair of the Legislature be and hereby are authorized to execute, on behalf of Cortland County, any and all necessary applications, agreements, certifications and assurances to apply for and secure an Empire State Development Strategic Planning and Feasibility Study Grant for a comprehensive plan project to update the 1978 Land Use Plan for Cortland County, AND BE IT FURTHER

RESOLVED, that upon notice of award, the County Administrator and/or Chair of the Legislature be and hereby are authorized to execute, on behalf of Cortland County, any such certifications and/or grant agreements with the Appalachian Regional Commission (ARC) as may be required to accept and implement the proposed grant and project, AND BE IT FURTHER

RESOLVED, that upon notice of award, the County Administrator and/or Chair of the Legislature be and hereby are authorized to execute, on behalf of Cortland County, any such certifications and/or grant agreements with the Empire State Development for Strategic Planning and Feasibility Study Grant as may be required to accept and implement the proposed grant and project, AND BE IT FURTHER

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

Increase:

Revenue:

State Aid Planning Studies	A80205.43902	\$90,000.00
Federal Aid Planning Studies	A80205.44902	\$100,000.00
Appropriated Fund Balance	A359900	\$10,000.00

Expense:

Professional Services	A80205.54055	\$200,000.00
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, AND BE IT FURTHER

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

AGENDA ITEM NO. 29 – Amend Resolution No. 15-22 Appointing the Redistricting Commission

RESULT:	ADOPTED [15 TO 1]
MOVER:	Kevin Fitch, Chair of the Legislature
SECONDER:	Kelly L. Fairchild-Preston, Legislator
AYES:	Bentley, Harbin, Bischoff, Wilson, Stock, Fitch, Jones, Fairchild-Preston, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
NAYS:	Ronald J. Van Dee
EXCUSED:	Ann Homer

ON MOTION OF FITCH

RESOLUTION NO. 175-22

Minutes Acceptance: Minutes of Jun 23, 2022 6:00 PM (Approval of Minutes)

Amend Resolution No. 15-22 Appointing the Redistricting Commission

WHEREAS, Resolution No. 15-22 authorized the appointment of the Cortland County Redistricting Commission and the composition of the Redistricting Commission Citizen's Advisory Committee, AND

WHEREAS, it is the recommendation of the Cortland County Legislature and the Redistricting Commission to have bipartisan co-chairs of the Redistricting Commission, AND

WHEREAS, Resolution No. 15-22 appointed the Cortland County Election Commissioners to the Redistricting Commission, AND

WHEREAS, it is the recommendation of the Cortland County Legislature and the Redistricting Commission to remove the Cortland County Election Commissioners from the Redistricting Commission Citizen's Advisory Committee and to have them attend meetings as necessary as subject matter experts to advise the commission, NOW THEREFORE BE IT

RESOLVED, that George Wagner be and hereby is removed as Chair of the Redistricting Commission, AND BE IT FURTHER

RESOLVED, that Kelly Preston (R) and Cathy Bischoff (D) be and hereby are appointed as bipartisan co-chairs of the Redistricting Commission effective immediately, AND BE IT FURTHER

RESOLVED, that the Cortland County Election Commissioners be and hereby are removed from the Redistricting Commission Citizen's Advisory Committee and shall be considered subject matter experts to advise the Redistricting Commission effective immediately.

Announcements

Adjournment

The meeting was closed at 7:36 PM.

Minutes Acceptance: Minutes of Jun 23, 2022 6:00 PM (Approval of Minutes)

Cortland County Proclamation



PROCLAIMING SEPTEMBER AS SUICIDE PREVENTION MONTH IN CORTLAND COUNTY

WHEREAS, suicide is a complex public health issue that is associated with a range of risk and protective factors. When people die by suicide, surviving families and friends can experience emotions (shock, anger and guilt), symptoms of depression and anxiety, post-traumatic stress disorder, and increased risk of suicide ideation and suicide attempts, **AND**

WHEREAS, in the United States, suicide was one of the leading twelve causes of death throughout all age groups in 2020, **AND**

WHEREAS, 93% of adults surveyed in the United States think suicide can be prevented, **AND**

WHEREAS, Cortland County has the 2nd highest rate of death by suicide in the Central New York region and almost double that of New York State, **AND**

WHEREAS, when having thoughts of suicide, most Americans would tell someone, and people select different sources of support including: a mental health provider, a family member, a spouse or significant other, a friend, a primary care doctor, a hotline/crisis line, clergy/faith leader, a social media network or a coworker, which makes suicide prevention efforts important for everyone, **AND**

WHEREAS, in Cortland County the SPEAK UP Cortland Suicide Prevention Coalition is promoting “chalk the walk” for September. This is a community effort to use chalk on the sidewalks by writing and drawing inspirational messages of hope and promote suicide awareness and prevention. Local community members and businesses are supporting the effort by spreading awareness and participating alongside the coalition, **AND**

WHEREAS, everyone can take action to support others to strengthen mental health and suicide prevention here in Cortland, **NOW THEREFORE BE IT**

RESOLVED, that the Cortland County Legislature hereby proclaims the month of September as “Suicide Prevention Month” in Cortland County and urges all county residents to learn how they can help prevent suicides.

IN WITNESS WHEREOF, I have hereunto set my hand this 25th day of August, 2022.

Kevin Fitch, Chair
Cortland County Legislature



**Cortland County
Administrative Policy Manual**

Service Animals, Emotional Support Animals and/or Therapy Animals and Public Accommodations Within Cortland County Buildings and Properties Policy

Policy/Procedure Number: 02.004

Modified Date (s): 8/27/2020, 5/24/2022

Resolution No.: 240-20

Effective Date: 8/27/2020

Next Review:

Objective: The purpose of this policy is to provide guidance to Department Heads and security personnel as to the rights of access for bonafide service animals, emotional support animals, and/or therapy animals in accordance with United States and New York State laws and regulations, and for the safety of staff and other occupants of Cortland County buildings and properties.

Reference (All applicable federal, state, and local laws): Americans with Disabilities Act (ADA)

NYS Office of Attorney General Brochure for Service Animals

NYS Agriculture and Markets: Report from the New York State Therapy Dog Work Group

Legislative Policy Statement:

Responsible Department:

General Information:

I. Definitions:

Americans with Disability Act (ADA): The ADA is a civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, schools, transportation, and all public and private places that are open to the general public. The ADA gives civil rights protections to individuals with disabilities similar to those provided to individuals on the basis of race, color, sex, national origin, age and religion. It guarantees equal opportunity for individuals with disabilities in public accommodations, employment, transportation, state and local government services and telecommunications.

Disability: A person who has a physical or mental impairment that substantially limits one or more major life activities. This includes people who have a record of such impairment, even if they do not currently have a disability. It also includes individuals who do not have a disability but are regarded as having a disability. The ADA also makes it unlawful to discriminate against a person based upon that person's association with a person with a disability.

Deleted: The Policies and Procedures of Cortland County Government

Deleted: and/or

Attachment: Support Animal Policy - August 2022 [Revision 1] (191-22 : Amend Service/Emotional Support Animal Policy - Personnel



Cortland County Administrative Policy Manual

Service Animal: A service animal is any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not considered service animals. The work tasks performed by a service animal must be directly related to an individual's disability. Examples of work tasks include but are not limited to:

- a. Assisting individuals who are blind or have low vision with navigation and other tasks;
- b. Alerting individuals who are deaf or hard of hearing to the presence of people or sounds;
- c. Providing non-violent protection or rescue work;
- d. Pulling a wheelchair;
- e. Assisting an individual during a seizure;
- f. Alerting individuals to the presence of allergens;
- g. Retrieving items such as medicine or the telephone;
- h. Providing physical support and assistance with balanced and stability to individuals with mobility disabilities;
- i. Helping individuals with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

A public entity or private business must allow a person with a disability to bring a miniature horse on the premises so long as it has been individually trained to do work or perform tasks for the benefit of the individual with a disability. However, an organization can consider whether the facility can accommodate the miniature horse based upon the horsetype, size, and weight. The rules that apply to service dogs also apply to miniature horses.

Emotional Support Animals: Emotional support animals or comfort animals are often used as part of a medical treatment plan as therapy animals. They are *not* considered service animals under the ADA. These support animals provide companionship, relieve loneliness, and sometimes help with depression, anxiety, and certain phobias, but do not have special training to perform tasks that assist people with disabilities. These animals are not limited to working with people with disabilities and therefore, are not covered by federal laws protecting the use of service animals.

Therapy Animals: Therapy animals provided people with therapeutic contact, usually in a clinical setting, to improve their physical, social, emotional, and/or cognitive welfare. Most

Deleted: s

Deleted: ,

Moved down [1]: Therapy animals provided with therapeutic contact, usually in a clinical setting to improve their physical, social, emotional, and/or cognitive welfare.

Moved (insertion) [1]



Cortland County Administrative Policy Manual

therapy animals visit places like hospitals, nursing homes, college campuses, schools, and other facilities to lift spirits and help humans de-stress. They are offered no legal protections.

II. Policy:

Cortland County is committed to providing equal access to County services and facilities for people with disabilities who utilize service animals in accordance with the Americans with Disabilities Act (ADA). This policy and procedure is to provide guidance to Department Heads and security personnel as to the rights of access for bonafide service animals in accordance with United States and New York State laws and regulations, and for the safety of staff and other occupants of Cortland County buildings and properties. Emotional support animals and therapy animals are *not* considered service animals under the ADA and will be denied access to any Cortland County building and/or facilities, with the exception of the Cortland County Mental Health Clinic and Cortland County Child Advocacy Center or with approval from the County Administrator.

III. Procedure:

A. SERVICE ANIMALS:

1. No individual assisted by a service animal satisfying the definition pursuant to the provisions of the ADA will be denied access to any Cortland County facility to areas where the public is normally allowed access.
2. Service animals will be required to be harnessed, leashed, or tethered, unless this device interferes with the service animal's work or the individual's disability prevents the use of such devices. Service animals should be under the owners control at all times and the service animal should not be allowed to engage with other people while on County property.
3. In the event it is not obvious what service the service animal provides, *VERY* limited inquiry is permitted before granting access. Staff may ask:

a) Is the service dog required because of a disability?

b) ii. What work task is the dog trained to perform?

c) iii. STAFF CANNOT:

- i. Ask about the person's disability;
- ii. Require medical documentation;
- iii. Require a special identification card or training documentation for the dog; or
- iv. Ask that the dog demonstrate its ability to perform the work or task.

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Cortland County Administrative Policy Manual

A person with a disability and their service animal seeking access to a Cortland County Facility cannot be denied entry, ~~be~~ asked or required to remove a service dog from the premises unless: (1) the dog is out of control or (2) the dog is not housebroken.

4. Allergies or fears of dogs are not valid reasons for denying access or refusing service to people using service animals. For example, if another person claims to be allergic to dog dander and the person who uses a service animal must spend time in the same room or facility, such as a classroom, waiting area, or at a homeless shelter, they both should be accommodated by assigning them, if possible, to different locations within the room or different rooms in the facility. Every effort at reasonable accommodation must be made.
5. Service animals must be quiet and not distract others while within Cortland County buildings and premises.
6. Service animals are not allowed to chew on waste or any form of office equipment or any other item not belonging to the service animal while within Cortland County buildings and premises.
7. Service animals need to be harnessed and tethered at all times for safety reasons. If the service animal is disruptive, you will be asked to leave the facility with your service animals immediately.
8. Toys that produce loud sounds or squeaking are prohibited within the facilities.
9. Clients are responsible for cleaning up and sanitizing immediately after accidents. Feces bags must be sealed and discarded. Clients must bring their own feces bags for their service animals.
10. All service animals must be accompanied by the owner at all times. Service animals are not allowed to wander unattended, inside or outside of the building.
11. Service animals are required to be current with their rabies vaccinations and their licensing requirements. All service animals will wear a tag indicating current licensing and current rabies vaccination. In absence of a tag, proof of vaccination and/or licensing may be required.
12. Bites or other injuries to bystanders, members, patients, visitors, or employees will be immediately reported to the Public Health Department and/or ~~or~~ designees. An Incident Report Form (Cortland County Incident Reporting) will be completed to include notification ~~to~~ the County Safety Officer (X-5068). The service animal will be required to leave that building and/or premises and may be denied reentry to ~~the~~ building in the future.

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Cortland County Administrative Policy Manual

B. EMOTIONAL SUPPORT ANIMALS AND THERAPY ANIMALS - LIMITED EXCEPTIONS:

1. Cortland County Mental Health Clinic, Cortland County Child Advocacy Center, and other departments by contract with prior approval are the only facilities that will permit entry of emotional support animals or therapy animals. At the request of a client, subject to approval by the appropriate staff member of the facility, a client of the facility may be approved to enter the clinic area accompanied by their emotional support animal. Other departments that wish to contract with a provider of such animals for employees will require prior approval from the County Administrator.
2. Any client who brings an emotional support animal into the facility must inform the provider with information as to what emotional needs the support animal fulfills prior to their scheduled appointment. Additionally, the client shall inform the provider what work or tasks the support animal has been trained to do.
3. Clients will consult with their therapist and/or staff at the facility prior to bringing their emotional support animal to the facility. The facility will note in the client's chart as to when the client and their emotional support animal will be attending appointments at the facility to ensure the safety of the facilities and the people within the facilities.
4. Emotional support animals will not be allowed within the facilities if they are not adequately trained to behave in a manner that is non-aggressive.
5. The emotional support animal needs to be harnessed and tethered at all times for safety reasons. If the emotional support animal is disruptive, you will be asked to leave the facility with your support animal immediately.
6. Toys that produce loud sounds or squeaking are prohibited within the facilities.
7. Emotional support animals are not allowed to chew on waste or any form of office equipment or any other item not belonging to the emotional support animal while within Cortland County buildings or premises.
8. Clients are responsible for cleaning up and sanitizing immediately after accidents. Feces bags must be sealed and discarded. Clients must bring their own feces bags for their support animals.
9. All emotional support animals must be accompanied by the owner at all times. Support animals are not allowed to wander unattended, inside or outside of the building.

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**Cortland County
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10. Emotional support animals must be quiet and not distract the other clients or employees when in the facility. If another client is either allergic or afraid of an emotional support animal, within the facility, the owner of the animal must leave the facility with the support animal and reschedule their appointment.
11. If an emotional support animal misbehaves on two (2) occasions at the facility, their owner is prohibited from bringing the support animal to the facility again.
12. Emotional support animals such as snakes, spiders, rabbits, or other animals that are susceptible to damaging the facility or frightening clients or staff, will not be allowed to enter the facility.
13. Emotional support animals should be under the owner's control at all times and the support animal should not be allowed to engage with the other clients in the waiting room. Emotional support animals are not allowed to bark or damage any property in the facility nor endanger themselves or other~~s~~ while present in the facility. This behavior will not be tolerated in the facility and the client and their support animal will be asked to leave the facility if the support animal's behavior is disruptive in any manner.
14. Emotional support animals are required to be current with their rabies vaccinations. All emotional support animals will wear a tag indicating its current rabies vaccination. In absence of a tag, proof of vaccination may be required.
15. Bites or other injuries to bystanders, members, patients, visitors, or employees will be immediately reported to the Public Health Department and/or~~or~~ designees. An Incident Report Form (Cortland County Incident Reporting) will be completed to include notification ~~to~~ the County Safety Officer (X-5068). The service animal will be required to leave that building and/or premises and may be denied reentry to ~~the~~ building in the future.
16. Therapy animals may be allowed in Cortland County facilities with prior approval from the County Administrator. The same restrictions apply to therapy animals as stated above.

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**Cortland County
Administrative Policy Manual**

Driver and Vehicle Use Policy

Policy/Procedure Number: 01.003

Modified Date(s):

Resolution No.: 486-16

Effective Date: 1/01/2017

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Next Scheduled Review:

Objective: To ensure all operators of a motor vehicle, while used on official County business, are qualified to drive and drive in a safe manner.

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

Legislative Policy Statement: The purpose of this Driver and Vehicle Use Policy and Procedure is to ensure the County establishes a consistent system to determine that drivers on County business have sufficient knowledge about vehicle handling, portrayed through a safe driving record, so as to protect employees, volunteers, clients, the public and the County from an unsafe driver. Additionally, this Policy and Procedure will outline the acceptable uses of a County owned or leased vehicle.

Responsible Department(s): Personnel Department is responsible for maintaining and keeping this policy up to date.

General Information: This policy includes both County-owned or leased motor vehicles and privately owned motor vehicles used while on County business. Further, this policy will apply to employees of the County as well as any individuals serving the County in a volunteer capacity.

I. Definitions:

- A. **Driver:** The operator of a motor vehicle.
- B. **County Vehicle:** Any vehicle, usually motorized, owned or leased by Cortland County.
- C. **Personal Vehicle:** Any vehicle, usually motorized, that is owned or leased by an individual or entity that is not Cortland County.
- D. **Smoking** – inhaling or exhaling from, or possessing, a lighted pipe, lighted cigar, operating electronic smoking device, or lighted cigarette of any kind, or the lighting of a pipe, cigar, electronic smoking device, or cigarette of any kind, including but not limited to, tobacco, cannabis, or any other weed or plant.

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II. Policy:

The purpose of this Driver and Vehicle Use Policy and Procedure is to ensure the County establishes a consistent system to determine that drivers on County business have sufficient knowledge about vehicle handling, portrayed through a safe driving record, so as to protect

Attachment: Driver & Vehicle Use Policy - August 2022 (192-22 : Amend Driver and Vehicle Use Policy - Personnel Department)



Cortland County Administrative Policy Manual

employees, volunteers, clients, the public and the County from an unsafe driver. Additionally, this Policy and Procedure will outline the acceptable uses of a County owned or leased vehicle.

III. Procedure:

- A. The County procedures regarding requesting use of a County vehicle are as follows:
 1. All County vehicles will be parked overnight at their designated location either at the County Court House, Mental Health Clinic, Sheriff's Department, Highway Department, or the lot off Elm Street with the exception of the following:
 - i. If the driver is on call and the vehicle is required for that assignment;
 - ii. It is a contractual agreement that the driver is allowed to drive the vehicle to his or her residence; or
 - iii. The Department Head or County Administrator has given permission for the driver to drive the vehicle to his or her residence.
- B. The County procedures regarding driver qualifications, requirements and expectations are as follows:
 1. Every driver of county vehicles and those using personal vehicles for purposes of county business will comply with all applicable laws of New York State, any other state in which the operation is required as well as any additional regulations of the County;
 2. Every driver is expected to maintain the requirements of the necessary New York State Driver's license he or she holds;
 3. Every driver must inform his/her supervisor of any suspension, revocation, restriction or limitation of their driving privilege. Failure to do so by the next work day following knowledge of any change may result in disciplinary action up to and including termination of employment with the County;
 4. No vehicle, while on County business, is to be operated by an improperly licensed driver or by a driver with an unacceptable driving record or history, nor should any passenger in such vehicle knowingly allow a driver to operate the vehicle in violation of this policy;
 5. Any driver found to have an unacceptable driving record may be subject to appropriate disciplinary action up to and including termination of employment with the County;

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**Cortland County
Administrative Policy Manual**

6. An unacceptable driving record would consist of any of the following situations and/or convictions within the past twelve (12) months:
 - i. DWI, DWAI-Drugs and/or DWAI [or any equivalent conviction in another jurisdiction];
 - ii. Vehicular homicide;
 - iii. Vehicular assault;
 - iv. Use of a motor vehicle in the commission of a felony or misdemeanor as such would be defined under New York State Law or its equivalent in another jurisdiction;
 - v. Reckless, careless and/or negligent driving;
 - vi. Operating a motor vehicle without the owner's consent;
 - vii. Fleeing or attempting to elude a police officer;
 - viii. Driving while license/registration is suspended or revoked;
 - ix. Hit and run or leaving the scene of an accident with injury or death resulting, or property damage exceeding \$100.00;
 - x. Two (2) moving violations within any twelve (12) month period of time.

7. Any driver who receives two (2) moving violations within any twelve (12) month period will be reviewed by his or her Department Head in conjunction with the Director of Personnel and may recommend appropriate action including a suspension of driving for County business. In cases where driving is a job requirement, this may result in an inability to do assigned work and therefore require termination of employment with the County;

8. Any driver using medication or who has any other condition, whether permanent or temporary, that would impair his or her ability to drive, must immediately inform his or her supervisor. Every attempt will be made to provide another driver.

9. No driver will consume any alcoholic beverages or other intoxicants including but not limited to cannabis two (2) hours prior to his or her scheduled work time or consume any alcoholic beverages or other intoxicants during work hours;

10. No driver will operate a County vehicle or operate a private vehicle while on County business if he or she has consumed alcoholic beverages or other intoxicants including but not limited to cannabis within two (2) hours prior to working; while in possession of an open container of an alcoholic beverage or other intoxicant hangover that adversely affects a driver's physical or mental faculties to any perceptible degree; or if the driver's blood alcohol content (BAC) exceeds .00 for law enforcement personnel



Cortland County Administrative Policy Manual

or .02 percent for all other personnel. Violation of this policy is subject to disciplinary action up to and including termination of employment with the County. To address these concerns please refer to the applicable Collective Bargaining Agreement (CBA) regarding reasonable suspicion and what to do in this type of situation and/or contact the Personnel Department at 607-753-5076.

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C. Standard for Operation of Vehicles

1. Before initial use of any vehicle each day, the driver will inspect his or her assigned vehicle for damage, inoperable lights, safe tires and any other condition that may be a safety hazard. Any deficiency found must be reported to a supervisor immediately;
2. Seatbelts must be worn by the driver and all passengers whether the motor vehicle is owned or leased by the County or is a personal vehicle or an emergency exists;
3. When a private vehicle is used for County business, the driver of the vehicle will assure to his or her supervisor that;
 - i. The vehicle is in operable mechanical condition;
 - ii. The vehicle is registered, inspected and insured as required by New York State Law. Evidence of insurance must be provided annually to the County Safety Officer.
4. The use of County vehicles for any private purpose is prohibited;
5. Non-County personnel are not allowed in County vehicles unless on official business;
6. Each driver is responsible for the condition, contents and utilization of his or her assigned vehicle;
7. Alcoholic beverages or other intoxicating agents including but not limited to cannabis are not allowed in County vehicles under any circumstances, except for law enforcement purposes;
8. Smoking is not allowed in County vehicles under any circumstances;
9. No driver is allowed to text or use similar devices in County vehicles while the vehicle is moving (if the vehicle is not in park then it is a moving vehicle). Texting or use of similar devices is only allowed when the driver of a County vehicle is parked and not creating any road hazard;



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10. No driver is allowed to use his or her cell phone, without a hands-free device while the vehicle is moving (if the vehicle is not in park then it is a moving vehicle). Use of a cell phone without a hands-free device is only allowed when the driver of a County vehicle is parked and not creating any road hazards;
11. Drivers who use two-way radios must do so in the proper manner as follows:
 - i. Drivers must call 'in' and 'out' of service;
 - ii. Drivers must give the proper vehicle number;
 - iii. Drivers must give their location;
 - iv. Drivers must send a short and courteous message;
 - v. Drivers will not use derogatory or abusive language;
 - vi. Drivers will not use two-way radios for private use;
 - vii. The two-way radio system is to be used for operations and emergencies and is monitored and regulated by the County and the Federal Communications Commission.
12. Drivers of County vehicles as well as drivers using personal vehicles for County business will not park in "NO PARKING" zones or any other zone or area where parking is prohibited;
13. In emergency situations, drivers will use emergency blinkers;
14. Drivers of County vehicles will pay any traffic tickets or parking tickets unless due to the circumstances the Department Head approves otherwise. The driver must advise his or her supervisor, Department Head and the County Safety Officer upon receipt of a ticket while driving a County vehicle. This provision also applies to drivers using a personal vehicle for County business who receives a ticket.
15. All County vehicles must be locked when not in use or are left unattended;
16. All vehicles equipped with a tailgate will have the tailgate up and locked when the vehicle is in motion. If the vehicle's function requires the tailgate to remain in the open position, the red flags must be attached to the load;
17. If a vehicle does not have tailgate but is loaded, the driver of the vehicle will make sure the load is secure and that any overhangs are properly marked in accordance with applicable federal, state and local laws;
18. While the vehicle is in operation, the driver will not engage in any activity which will be a distraction from safe operation of the vehicle, including



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but not limited to consuming a meal, reading, texting or using a similar devices, or talking on a cell phone without a hands-free device. A snack and non-alcoholic beverages may be consumed while driving but drivers are warned to exercise caution and not to create any type of hazardous situation;

19. The driver and any passengers will insure that all trash and personal items are removed from the County vehicle after each use.

D. Accidents

1. Always call 911. Keep in mind that it is a crime to leave the scene of an accident that causes death, personal injury or property damage;
2. The driver or passenger, if the driver is unable, must notify his or her supervisor and the County Safety Officer (607-753-5081) of the accident immediately, if possible, but no later than 24 hours after the accident;
3. The driver or passenger, if the driver is unable, must file the County Incident/Accident Report form within 24 hours by online submission or fax to (607)756-3489;
4. If the driver is involved in an accident that involves only property damage of \$1,000.00 or less then the driver must stop and exchange information with the other involved driver(s) that will include the exchange of information about driver's licenses, insurance and registration of vehicle of involved drivers;
5. If the accident involved a parked vehicle, other damaged property or the injury or death of a domestic animals, the driver must locate the owner or contact the police;
6. If the property damage of any person exceeds \$1,000.00, there was a fatality or personal injury then all of the drivers involved must file form MV-104 within ten (10) days of the incident. Failure to file within 10 days is a misdemeanor. In addition a driver may have his or her license and/or registration suspended until the report is filed with the Department of Motor Vehicles;
7. A driver using a County vehicle or operating a private vehicle while on County business who causes an accident may be subject to disciplinary action up to and including termination of employment with the County.



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E. Corrective Action

1. Corrective actions for violations of the policy should be carried out by the driver's Department Head or his/her designee;
2. All corrective actions should be progressive and consistent. The Director of Personnel will be consulted prior to any disciplinary or corrective action to ensure compliance with the appropriate collective bargaining agreement (CBA) and/or policy;
3. The following are recommendations for corrective action; however, nothing in the policy precludes termination of employment on the first offense where the circumstances warrant it:
 - i. Minor violations may be dealt with through training or verbal reprimands for the first occurrence. Subsequent violations may be resolved through application of progressively severe actions including suspension. Major or repeated violations may result in termination of employment consistent with applicable personnel rules;
 - ii. Any driver action on County business who is convicted of a moving violation may be disciplined in accordance with the policy for the first offense, with progressively severe discipline for conviction of subsequent moving violations. Any driver who receives two (2) moving violations in any 12 month period will be reviewed by his or her Department Head in conjunction with the Director of Personnel and may recommend appropriate action including a suspension of driving for County business. In cases where driving is a job requirement, this may result in an inability to do assigned work and therefore require termination of employment with the County;
 - iii. Any driver convicted of driving while intoxicated or under the influence of any intoxicating substance including but not limited to cannabis while on County business or in a County vehicle may be subject to discipline up to an including discharge in accordance with the appropriate CBA and/or policy;
 - iv. Any driver convicted of driving while under the influence of any intoxicating substance including but not limited to cannabis will not operate a vehicle on the County's behalf until the individual is in possession of valid driver's license and the case has been reviewed and continued driving is approved by the Department Head and Director of Personnel.

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**Cortland County
Administrative Policy Manual**

Tobacco and Cannabis Use Policy

Policy/Procedure Number: 02.003

Modified Date(s): 8/1/2011, 4/26/2018

Resolution No.: 192-18

Effective Date: 4/26/2018

Next Scheduled Review:

Objective: To establish policy regarding tobacco and cannabis use on County-owned or leased properties or in County maintained facilities, thus reducing exposure to secondhand smoke and/or vapor by visitors and employees, and upholding the County's commitment to enhancing the health and safety of its employees and residents.

Reference (All applicable federal, state, and local laws): Public Health Law Article 13-E, New York State Clean Indoor Air Act

Legislative Policy Statement: Recognizing the accumulated weight of scientific studies that document the harm to public health from exposure to both direct and secondhand tobacco and cannabis use, it is the policy of the Cortland County Legislature to prohibit tobacco and cannabis use in all its facilities and mobile equipment and on all its properties, with exceptions.

Responsible Department(s): Personnel is responsible for maintaining and keeping this policy up to date.

General Information: Numerous studies have found that tobacco use is a major contributor to indoor and outdoor air pollution. Reliable studies have shown that breathing secondhand smoke or vaping aerosols, whether in an indoor or outdoor atmosphere, is a significant health hazard for several population groups: including older adults, individuals with cardiovascular disease, individuals with impaired respiratory function, those with asthma and those with obstructive airway disease. Non-tobacco/cannabis users who suffer allergies, respiratory diseases and other ill effects of breathing tobacco/cannabis smoke and/or aerosols may experience a loss of job productivity or may be forced to take periodic sick leave because of such adverse reactions. Smoking is a potential cause of fires and can cause unnecessary losses. Vaping and the use of other aerosol delivery systems has been related to injuries and potential risk of death due to the combustion of these devices. Tobacco and cannabis products are chemically addictive and contribute to escalating health insurance expenditures.

I. Definitions:

- a. Facilities and property (leased or owned) – includes Cortland County maintained buildings, parking lots (including privately owned vehicles while on County property), County parks, entrance lanes, sidewalks, structures, County-owned vehicles, and landscaped areas
- b. Smoking – inhaling or exhaling from, or possessing, a lighted pipe, lighted cigar, operating electronic smoking device, or lighted cigarette of any kind, or the

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- lighting of a pipe, cigar, electronic smoking device, or cigarette of any kind, including but not limited to, tobacco, cannabis, or any other weed or plant.
- c. **Tobacco products** – (1) any product that is made from or derived from tobacco, or that contains nicotine, that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any other means, including but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus; (2) any electronic smoking device and any substances that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine; or (3) any component, part, or accessory of (1) or (2), whether or not any of these contains tobacco or nicotine, including but not limited to filters, rolling papers, blunt or hemp wraps, hookahs, mouthpieces, and pipes. 'Tobacco product' does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act.
- d. **Cannabis products** – products containing usable cannabis, extract, or any other cannabis resin and other ingredients intended for human consumption or use, including edible cannabis products; does not include cannabinoid hemp products as defined by New York State Office of Cannabis Management, such as products made containing CBD.
- e. **Electronic Smoking Device** - any device that may be used to deliver any aerosolized or vaporized substance to the person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen, or e-hookah.

II. Policy:

The New York State Clean Indoor Air Act (Public Health Law, Article 13-E) prohibits smoking and vaping in almost all public and private indoor workplaces (including company-owned vehicles) to protect workers and the public from exposure to harmful secondhand tobacco smoke and vaping aerosols.

All Cortland County facilities and property, whether owned or leased, shall be tobacco-free and cannabis-free **effective November 1, 2022**; this includes use being prohibited during all evacuation drills and/or events. Employees are also not permitted to leave the assigned area in order to use such products during drills/events.

The only exceptions are as follows:

- **COUNTY-OWNED or LEASED PROPERTY:** Tobacco use may be permitted, by County employees only, in designated areas located on County-owned or leased property approved by either the Department Head of areas of County property for which they are responsible and the County Administrator (or designee in the absence of a County

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Cortland County Administrative Policy Manual

Administrator). All tobacco materials used in designated areas will be extinguished and disposed of in appropriate containers.

- COUNTY SHERIFF'S DEPARTMENT: All Sheriff Department employees must adhere to the Sheriff's Smoking and Tobacco Use Policy.

III. Procedure:

Employees will be informed of this policy through signage throughout County property. Additionally, the policy will be disseminated to newly hired employees at orientation. Visitors will be informed of this policy through signage. Every effort will be made to communicate this policy with employees and visitors.

Department Heads and/or Supervisors shall be responsible for insuring that this policy and the law are implemented and adhered to within the County building(s) or areas of County property for which they are responsible. Everyone has the responsibility to inform any individual who is using tobacco or cannabis in any area where smoking it is prohibited that the individual is in violation of the smoking restrictions. Employees who use tobacco and/or cannabis in restricted areas are in violation of New York State law and/or County policy and may be subject to appropriate disciplinary procedures in accordance with the provisions of applicable collective bargaining agreement and/or State law.

Employees and the public may confidentially report violations of the New York State Clean Indoor Air Act by contacting the Cortland County Health Department or the New York State Regional Environmental Health Program Office.

Cessation is a personal choice. Information regarding cessation will be available for employees seeking assistance.

Deleted: Smoking shall mean inhaling of, or burning any type of matter or substance that contains tobacco, including, but not limited to cigars, cigarettes, pipes, vaporizers, e-cigarettes, and other electronic nicotine delivery systems. ¶

Effective April 1, 1994, all Cortland County owned buildings and vehicles (owned or leased) became tobacco smoke free and tobacco use free. ¶

Effective August 1, 2011, smoking will be prohibited within a fifty-foot radius of all County owned buildings with the following exceptions: ¶

The smoking structure at 60 Central Avenue¶
Public Safety Building stairwell¶

All Sheriff Department employees must adhere to the Sheriff's Smoking and Tobacco Use Policy¶

Effective May 1, 2018, during all evacuation and/or events employees are prohibited from smoking and cannot leave the assigned area in order to smoke. Smoking cessation is a personal choice. It is the County policy to encourage and assist employee quitting smoking. Information is available from Cortland County Health Department. ¶

Deleted: All employees will be responsible for compliance with this policy. Everyone has the responsibility to inform any individual who is smoking in an area where smoking is prohibited that the individual is in violation of the smoking restrictions. Employees who smoke in non-smoking areas are in violation of New York State law and/or County policy and may be subject to appropriate disciplinary procedures.

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STATE OF NEW YORK

4142

2021-2022 Regular Sessions

IN SENATE

February 2, 2021

Introduced by Sens. STAVISKY, KRUEGER, LIU -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to prohibiting smoking in certain outdoor areas

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The public health law is amended by adding a new section 1399-o-2 to read as follows:

§ 1399-o-2. Smoking restrictions; certain outdoor areas. 1. Smoking shall not be permitted and no person shall smoke in any public park.

2. For the purposes of this section "park" shall mean:

(a) public parks, beaches, pools, boardwalks, marinas, playgrounds, recreation centers, and group camps; and

(b) equipment, buildings and facilities now or hereafter under the jurisdiction, charge or control of any state or local government agency or department that are located at or on any property described in paragraph (a) of this subdivision; provided, however, that for the purposes of this section the term public park shall not include the Adirondack park or the Catskill park as those terms are defined in section 9-0101 of the environmental conservation law.

3. The provisions of this section shall not apply to: (a) the sidewalks immediately adjoining parks, squares and public places; (b) any pedestrian route through any park strip, median or mall that is adjacent to vehicular traffic; (c) parking lots or roadways; (d) theatrical productions; and (e) any portion of a park that is not used for park purposes, except when smoking has been specifically prohibited in a state park or portion thereof by the office of parks, recreation and historic preservation. This subdivision shall not limit the applicability of any other laws to such places.

§ 2. Section 1399-v of the public health law, as added by chapter 244 of the laws of 1989, is amended to read as follows:

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

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S. 4142

2

1 § 1399-v. Penalties. The commissioner may impose a civil penalty for
2 a violation of this article in an amount not to exceed that set forth in
3 subdivision one of section twelve of this chapter. Any other enforcement
4 officer may impose a civil penalty for a violation of this article in an
5 amount not to exceed that set forth in paragraph [~~f~~] (**f**) of subdivision
6 one of section three hundred nine of this chapter. Notwithstanding the
7 foregoing provisions, a violation of the provisions of section thirteen
8 hundred ninety-nine-o-two of this article shall be punishable by a civil
9 penalty of fifty dollars for each violation.

10 § 3. This act shall take effect on the ninetieth day after it shall
11 have become a law.

Legislation S.4142/A.5061 Prohibits Smoking in Public Parks and Beaches

Governor Kathy Hochul today signed legislation (S.4142/A.5061) prohibiting smoking in all state-owned beaches, boardwalks, marinas, playgrounds, recreation centers, and group camps. Smoking in these designated areas will be punishable with a civil fine of \$50. The bill exempts the Adirondacks and Catskills from the ban as well as parking lots, sidewalks adjoining parks, and areas not used for park purposes.

"Smoking is a dangerous habit that affects not only the smoker but everyone around them, including families and children enjoying our state's great public places," **Governor Hochul said**. "I'm proud to sign this legislation that will protect New Yorker's health and help reduce litter in public parks and beaches across the state."

Many municipalities and local governments already have restrictions or bans on smoking in public spaces. This additional penalty will enforce a statewide prohibition and includes a fine that will be collected by localities.

In addition to the health risks posed by secondhand smoke, cigarette butts are a major environmental hazard due to the non-biodegradable filters that are discarded. They are the leading item found during cleanup projects. Through this prohibition, parks and beaches will be kept cleaner and safer as will our local ecosystems.

State Senator Toby Ann Stavisky said, "New York's public parks are family friendly venues. No one, especially children, should be subjected to secondhand smoke while playing on a playground or enjoying the day at a public beach or camp site. Our parks also shouldn't be tainted by non-biodegradable cigarette butts scattered throughout their grounds. I am proud to sponsor this legislation to protect and improve our beautiful network of

parks and I thank Governor Hochul for helping New Yorkers enjoy the beauty of our parks by signing it into law."

Assemblymember Jeffrey Dinowitz said, "New Yorkers head to our parks for fresh air and to foster a healthy lifestyle. Smoking is the opposite of that. I am very pleased the Governor Hochul has signed into law this important statewide ban on smoking in parks, and thank you to my colleagues for their vital support on this bill over the years."