



Cortland County Legislature

Legislative Session

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

~ Minutes ~

Thursday, August 26, 2021

6:00 PM

Board Room

Salute to the Flag

Public Hearings

1. Local Law No. "G" of 2021 - a Local Law Adopting a County Code of Ethics and Requiring Financial Disclosure by Certain County Officials and Employees; and Rescinding Local Law No. 2 of 2008

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

Call to Order

The meeting was called to order at 6:00 PM by Chairman Paul Heider

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

Roll Call

Approval of Minutes

1. Cortland County Legislature - Legislative Session - Jul 22, 2021 6:00 PM

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

Proclamations & Recognitions

1. Suicide Prevention Month

RESULT:	ANNOUNCED
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2. Proclamation Recognizing the 100 Year Anniversary of Higgins Supply Co.

RESULT:	ANNOUNCED
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3. Proclamation Recognizing Sue Dale-Hall

RESULT:	ANNOUNCED
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Privilege of the Floor

Presentation of Petitions, Communications, and Notice

Receive and File

Reports of Standing, Special and Ad Hoc Committees

Articles Postponed to Day Certain

Unfinished Business

New Business

Resolutions

Resolutions from the Chair

AGENDA ITEM NO. 1 – Appoint Members - Cortland County Planning Board

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

ON MOTION OF HEIDER

RESOLUTION NO. 194-21

Appoint Members - Cortland County Planning Board

WHEREAS, due to the resignation of two members, there are two vacancies on the Cortland County Planning Board, AND

WHEREAS, applications were received and reviewed for the vacant positions on the Cortland County Planning Board, AND

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

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

Name	Address	Municipality	Term Expiration
Emma Hans	14 Sunnyfield Drive, Cortland, NY	City of Cortland	6/30/2022
Daniel Haynes	2181 Washington Street, Cortland, NY	Town of Virgil	6/30/2024

Referred from Building & Grounds Committee

AGENDA ITEM NO. 2 – Award Bid/Authorize Contract for Jail Boiler Replacement - Buildings & Grounds

RESULT: REFER TO COMMITTEE - NO VOTE

Next: 9/7/2021 9:00 AM

ON MOTION OF HARBIN

RESOLUTION NO.

Award Bid/Authorize Contract for Jail Boiler Replacement - Buildings & Grounds

WHEREAS, a Request for Proposal was issued to replace both boilers, controls and venting in the Cortland County Jail, AND

WHEREAS, one valid proposal was received from Reagan-Riter Boiler Works, Inc. in the amount of \$47,419.00, AND

WHEREAS, based upon the results of the RFP, the Building and Grounds Committee recommends Reagan-Riter Boiler Works, Inc. be awarded the contract, AND

WHEREAS, resolution #313-15 created a Jail Project Reserve for repairs, construction, capital projects or other related expenses for the correctional facility, with a current balance of \$1,364,107, and it is the recommendation of the Buildings and Grounds Committee to utilize reserve funds for the boiler replacement, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee, is hereby authorized to enter into a Contract with Reagan-Riter Boiler Works Inc., P.O. Box 228, 4739 Carroway Hill Road, Homer, NY 13077, for the replacement of these boilers, not to exceed \$47,419.00, AND BE IT FURTHER

RESOLVED, that the Cortland County Legislature approves the use of Jail Project Reserve funds, up to \$47,419.00 for the replacement of both boilers in the County Jail, AND BE IT FURTHER

RESOLVED, the 2021 budget be amended as follows:

INCREASE:

A31505.52320	Building Improvements	\$47,419.00
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AGENDA ITEM NO. 3 – Authorize Agreement for Secure Website Form Submission - Information Technology

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

ON MOTION OF HARBIN

RESOLUTION NO. 195-21

Authorize Agreement for Secure Website Form Submission - Information Technology

WHEREAS, quotes were requested for the creation of a secure website to accept and process forms for various departments, AND

WHEREAS, quotes were received from the following:

Company	Address	Amount
IMM, LLC	28 Michigan Hollow Road, Spencer, NY 14883	\$4,675
Freshy Sites	306 S. Meadow Street, Ithaca NY 14850	\$16,500

, AND

WHEREAS, IMM, LLC of 28 Michigan Hollow Rd Spencer, NY 14883 submitted the lowest responsible quote, NOW THEREFORE BE IT

RESOLVED, that IMM, LLC of 28 Michigan Hollow Rd Spencer, NY 14883 is hereby awarded the contract for the development of a secure web site to accept and process forms for various departments, AND BE IT FURTHER

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee, subject to appropriation by the Legislature, is hereby authorized to enter into a contract with IMM, LLC of 28 Michigan Hollow Rd Spencer, NY 14883 for the development of a secure web site to accept and process forms for various departments.

AGENDA ITEM NO. 4 – Amend 2021 Budget to Accept 2021 Elections Cyber Security Remediation Grant Agreement - Information Technology

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

ON MOTION OF HARBIN

RESOLUTION NO. 196-21

Amend 2021 Budget to Accept 2021 Elections Cyber Security Remediation Grant Agreement - Information Technology

WHEREAS, the New York State Board of Elections (NYS BOE) has awarded Cortland County Information Technology a Elections Cybersecurity Remediation Program grant in the amount of \$73,397.81, resulting in no new County costs, in support of NYS BOE projects, AND

WHEREAS, the fiscal period for this grant is December 21, 2019 to December 31, 2021, with no extensions allowed by NYS Board of Elections, NOW THEREFORE BE IT

RESOLVED, that Cortland County Information Technology is hereby directed to expend the grant funds according to the stated grant guidance, AND BE IT FURTHER

RESOLVED, that the 2021 budget is amended as follows:

		Current	Change	Revised
A16805.43089.BOE	BOE Grant	0	73,397.81	73,397.81
A16805.52060.BOE	Technical Equipment	0	56,397.81	56,397.81
A16805.54055.BOE	Consulting Services	0	17,000	17,000

, AND BE IT FURTHER

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee and subject to appropriation of funding, be and hereby is authorized to sign the grant contract with the New York State Board of Elections.

AGENDA ITEM NO. 5 – Amend 2021 Budget to Accept 2020 State Homeland Security Grant and Authorize Required Grant Agreement - Information Technology

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

ON MOTION OF HARBIN

RESOLUTION NO. 197-21

Amend 2021 Budget to Accept 2020 State Homeland Security Grant and Authorize Required Grant Agreement - Information Technology

WHEREAS, the New York State Department of Homeland Security and Emergency Services (NYS DHSES) has awarded Cortland County Information Technology a grant in the amount of \$50,000, resulting in no new county costs, in support of State Cyber Security Projects, CFDA #97.063, AND

WHEREAS, the fiscal period for this grant is April 1, 2021 to August 31, 2022, with no extensions allowed by NYS DHSES, NOW THEREFORE BE IT

RESOLVED, that Cortland County Information Technology is hereby directed to expend the grant funds according to the stated grant guidance, AND BE IT FURTHER

RESOLVED, that the 2021 budget is amended as follows:

		Current	Increase	Revised
A16805.44389.DHSES	Other Public Safety-Federal	0	50,000	50,000
A16805.52060.DHSES	Capital Computer Equip	0	25,186	25,186

, AND BE IT FURTHER

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

Referred from Agriculture/Planning/Environment Committee

AGENDA ITEM NO. 6 – Amend 2021 Budget for Transportation Purchase of Spare Public Transit Bus - Planning Department

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

ON MOTION OF FITCH

RESOLUTION NO. 198-21

Amend 2021 Budget for Transportation Purchase of Spare Public Transit Bus - Planning Department

WHEREAS, the County of Cortland has received money from the auction and sale of buses disposed of under the Cortland County public transportation system, AND

WHEREAS, pursuant to New York State Equipment Disposition and Spare Vehicle Factor Policy for Section 5311 Funded Equipment, Section IV, C, the net income from the sale of used buses shall be used to reduce the gross project cost of other capital transit projects, AND

WHEREAS, the monies from the sale of buses has been deposited into reserve account A386300.STOA, AND

WHEREAS, the County of Oneida has offered the transfer of their 2017 Ford E450 Cutaway Bus to Cortland County for the sum of \$1,800.00, AND

WHEREAS, New York State Department of Transportation has approved the transfer of said vehicle to Cortland County in order to provide a spare bus for the public transportation system in accordance with the 5311 grant requirements, NOW THEREFORE BE IT

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

Increase:		
A56305.52030	Vehicles	\$1,800.00
A351100	Appropriated Reserves	\$1,800.00

Referred from Health & Human Services Committee

AGENDA ITEM NO. 7 – Authorize 2022 Annual Agreements - Mental Health Department

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 199-21

Authorize 2022 Annual Agreements - Mental Health Department

WHEREAS, Cortland County Department of Mental Health must execute several contracts for various administrative and program services for the calendar year 2022, AND

WHEREAS, such contracts, costs, terms, functional areas and associated account numbers are listed in the attached chart, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review by the County Attorney or designee and subject to appropriation of funding by the Legislature, be and hereby is authorized to execute agreements between 1/1/22 and 12/31/22 for or with the following:

**Abel Screening
Ability Network
Catholic Charities of Cortland County
Contact Community Services
Cortland County Department of Social Services
Coordinated Care Services, Inc.
Cortland Enlarged City School District
Family & Children Counseling Services
Franziska Racker Center
Guthrie Cortland Medical Center
Identrust
InnovaTel
Insero & Co. CPA's
JM Murray Center
Joe Armideo
Kinney Management Services
Language Line Translation Solutions
MEDENT (Community Computers)
Mental Health Association of Cortland County
Seven Valleys Health Coalition
SUNY Upstate Medical University
TalkSoft**

AGENDA ITEM NO. 8 – Authorize 2022-2023 Agreements with Cortland Area Communities that Care and Columbia University - Mental Health Department

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 200-21

Authorize 2022-2023 Agreements with Cortland Area Communities that Care and Columbia University - Mental Health Department

WHEREAS, Cortland County Department of Mental Health must execute contracts with Cortland Area Communities That Care (CACTC) and Columbia University for various administrative and program services related to the HEALing Communities Grant for the calendar years 2022 and 2023, AND

WHEREAS, such contracts, costs, terms, functional areas and associated account numbers are listed in the attached chart, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review by the County Attorney or designee and subject to appropriation of funding by the Legislature, be and hereby is authorized to execute agreements between 1/1/22 and 12/31/23 with Cortland Area Communities That Care (CACTC) and Columbia University.

AGENDA ITEM NO. 9 – Appoint Members - Cayuga/Cortland Workforce Development Board - Employment and Training Grant Administration

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 201-21

Appoint Members - Cayuga/Cortland Workforce Development Board - Employment and Training Grant Administration

WHEREAS, pursuant to the Workforce Innovation and Opportunity Act of 2017, the Governor of the State of New York has authorized and directed the Chief Local Elected Officials of the Cortland and Cayuga Counties, which have been designated as a Workforce Area, to appoint/reappoint members to the Workforce Development Board for said Area, NOW THEREFORE BE IT

RESOLVED, that the following be and hereby is appointed effective immediately to serve on the Cayuga/Cortland Workforce Development Board for the term and from the sector listed below:

Name	Address	Sector	Term
Danielle Chase	4 Wall Street Homer, NY 13077	Business/Private - William George Agency for Children's Services	9/1/21-6/30/24

AGENDA ITEM NO. 10 – Create Position Principal Account Clerk - Health Department

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 202-21

Create Position Principal Account Clerk - Health Department

WHEREAS, the needs of the County will be better served by creating one full time position of Principal Account Clerk in the Health Department, AND

WHEREAS, the Health and Human Services Committee recommends the creation of this position, NOW THEREFORE BE IT

RESOLVED, that one position of Principal Account Clerk (CSEA, Grade 13, \$19.1113-23.9499/hr, competitive class, full-time with benefits) be created effective August 26, 2021 at 12:01 A.M., with approval to fill, AND BE IT FURTHER

RESOLVED, that the Grade 9 Account Clerk position is to remain vacant until approval to fill is given by the Legislature

AGENDA ITEM NO. 11 – Create Positions - Public Health Nurse and Epidemiology Manager - Health Department

RESULT:	ADOPTED [15 TO 1]
MOVER:	Cathy Bischoff, Legislator
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Stock, Homer, Fitch, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
NAYS:	Linda Jones
EXCUSED:	Kelly L. Fairchild-Preston

ON MOTION OF BISCHOFF

RESOLUTION NO. 203-21

Create Positions - Public Health Nurse and Epidemiology Manager - Health Department

WHEREAS, the needs of the County will be better served by creating one full time position of Public Health Nurse and one full time position of Epidemiology Manager in the Health Department, AND

WHEREAS, these positions are being funded by COVID ELC grants, AND

WHEREAS, the Health and Human Services Committee recommends the creation of these positions, NOW THEREFORE BE IT

RESOLVED, that one position of Public Health Nurse (NYSNA, \$30.0662-35.2175/hr, competitive class, full-time with benefits) and one position of Epidemiology Manager (Management Compensation Plan, Grade 6, \$ 59,571-72,477, competitive class, full-time with benefits) be created effective August 26, 2021 at 12:01 A.M., with approval to fill.

AGENDA ITEM NO. 12 – Accept Funds Resource Allocation Plan NYS Office of Children and Family Services - Health Department/Youth Bureau

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 204-21

Accept Funds Resource Allocation Plan NYS Office of Children and Family Services - Health Department/Youth Bureau

WHEREAS, the New York State Office of Children and Family Services, through the Resource Allocation Plan has made available the sum of \$68,686 to the Cortland County Youth Bureau, AND

WHEREAS, the County Youth Bureau has designated the funds to various county municipalities and agencies for the year 2021, for which a copy is in the County Youth Bureau Office, AND

WHEREAS, \$53,821 will be allocated to Cortland County municipalities and \$14,865 will be allocated to the Cortland County Youth Bureau for administration, NOW THEREFORE BE IT

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

<u>Increase Revenue:</u>		<u>Current</u>	<u>IncreaseBalance</u>	
A73125.43820.21YB	Youth Bureau	\$0	\$68,686	\$68,686
<u>Increase Expenditure:</u>		<u>Current</u>	<u>IncreaseBalance</u>	
A73125.51005.21YB	Personal Service	\$0	\$9,271	\$9,271
A73125.54020.21YB	Postage	\$0	\$30	\$30
A73125.54035.21YB	Educ/Train	\$0	\$200	\$200
A73125.54045.21YB	Travel & Sustenance	\$0	\$200	\$200
A73125.54048.21YB	Program Supplies	\$0	\$100	\$100
A73125.54800.21YB	Program Exp	\$0	\$53,821	\$53,821
A73125.58020.21YB	Retirement	\$0	\$1,483	\$1,483
A73125.58030.21YB	FICA	\$0	\$709	\$709
A73125.58060.21YB	Health Ins	\$0	\$2,872	\$2,872

, AND BE IT FURTHER

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee, is hereby authorized to execute the Resource Allocation Plan agreement with the NY State Office of Children and Family Services and contract with approved agencies, 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 NY State Office of Children and Family Services, the County shall not be liable to pay any of its own funds to meet any deficiency under the terms of the contract.

AGENDA ITEM NO. 13 – Amend 2021 Budget/Authorize Agreement Lead Poisoning Prevention Grant - Health Department

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 205-21

Amend 2021 Budget/Authorize Agreement Lead Poisoning Prevention Grant - Health Department

WHEREAS, the New York State Department of Health has awarded the Cortland County Health Department \$40,297 for the Lead Poisoning Prevention Program for the period of 10/1/20-9/30/21, Contract# T36464GG, CFDA# 93.994, AND

WHEREAS, these funds will be used to support and enhance local efforts to reduce the prevalence of elevated blood lead levels in children under six years of age through implementation of a comprehensive program of primary and secondary prevention which includes: public and professional outreach and education, collaboration with local primary care providers; screening, diagnostic evaluation, medical management and education and environmental interventions, NOW THEREFORE BE IT

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

AGENDA ITEM NO. 14 – Amend Budget/Authorize Agreement EIP NYS GRANT Children with Special Needs Program- Health Department

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 206-21

Amend Budget/Authorize Agreement EIP NYS GRANT Children with Special Needs Program- Health Department

WHEREAS, the New York State Dept. of Health has awarded the Cortland County Health Dept. \$170,305 for the period of 10/1/21-9/30/26 for funding the Early Intervention Program (EIP), Contract #C36399GG, CFDA #84.181A, with \$34,061 being awarded each year of the grant, AND

WHEREAS, these funds will be used to supplement the administration of the County's Early Intervention Program, AND

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

<u>Increase Revenue</u>		<u>Current</u>	<u>Increase</u>	<u>Balance</u>
A40595.44451.21CSN	2122 EI Admin Grant	\$0	\$34,061	\$34,061
<u>Increase Expenditure</u>		<u>Current</u>	<u>Increase</u>	<u>Balance</u>
A40595.51005.21CSN	Personal Services	\$0	\$20,710	\$20,710
A40595.58020.21CSN	Retirement	\$0	\$3,314	\$3,314

A40595.58030.21CSN	FICA	\$0	\$1,584	\$1,584
A40595.58060.21CSN	Health Insurance	\$0	\$8,453	\$8,453

, AND BE IT FURTHER

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

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

AGENDA ITEM NO. 15 – Approval of Revised Cortland County Board of Health Bylaws

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 207-21

Approval of Revised Cortland County Board of Health Bylaws

WHEREAS, the Cortland County Board of Health has submitted updated Bylaws for review and approval, AND

WHEREAS, the Health and Human Services Committee reviewed and recommends the approval of the proposed bylaws of the Cortland County Board of Health, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature be and hereby approves the Bylaws of the Cortland County Board of Health, AND BE IT FURTHER

RESOLVED, that a copy of the bylaws shall be kept on file with the Clerk of the Legislature.

AGENDA ITEM NO. 16 – Amend 2021 Budget Other Compensation - Department of Social Services

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 208-21

Amend 2021 Budget Other Compensation - Department of Social Services

WHEREAS, expenditures for vacation payouts have increased due to staff turnover, AND

WHEREAS, expenditures for Child Protective Services on-call pay are trending higher this year and expenses in the Other Compensation and Raises account are expected to exceed the amount appropriated in our 2021 budget, NOW THEREFORE BE IT

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

		Current	Change	Revised
DECREASE:				
A60105.58060	Health Insurance	\$1,214,504.98	\$(60,000)	\$1,154,504.98
INCREASE:				
A6105.51035	Other Compensation & Raises	\$122,000	\$60,000	\$182,000

Referred from Judiciary & Public Safety Committee

AGENDA ITEM NO. 17 – Amend 2021 Budget for Contracted Medical Services - County Coroner

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

ON MOTION OF PRICE

RESOLUTION NO. 209-21

Amend 2021 Budget for Contracted Medical Services - County Coroner

WHEREAS, the Coroner's office has nearly exceeded budgeted funds in the 2021 budget due to additional professional service and transportation costs associated with the removal and autopsy of decedent's, NOW THEREFORE BE IT

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

Increase:

A1185.54615	Contracted Medical Svcs	\$35,000.00
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Decrease:

A390900	General Fund	\$35,000.00
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AGENDA ITEM NO. 18 – Authorize Appointment of Coroner's Physician - County Coroner

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

ON MOTION OF PRICE

RESOLUTION NO. 210-21

Authorize Appointment of Coroner's Physician - County Coroner

WHEREAS, Section 400 of the County law requires that a County in which any Coroner is not a

physician appoint a Coroner's Physician, AND

WHEREAS, Darshan Patel, M.D. of 15 Suits Ave., Homer, NY 13077 has agreed to serve that role for Cortland County, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby appoints Darshan Patel, M.D., as Coroner's Physician for a term to expire December 31, 2023, AND BE IT FURTHER

RESOLVED, that the Coroner's Physician shall, by virtue of the office, be a Deputy Coroner and shall possess the powers and perform the duties of the Coroner during the absence or inability of the Coroner to act, or in the event of a vacancy in the Office of the Coroner, AND BE IT FURTHER

RESOLVED, that the County Administrator, upon review of the County Attorney or designee, be and hereby is authorized and directed to enter into an agreement with Darshan Patel, M.D. of 15 Suits Ave., Homer, NY 13077, to provide Coroner services for a term beginning September 1, 2021 and expiring Dec. 31, 2023.

AGENDA ITEM NO. 19 – Amend 2021 Budget to Accept 2022 Child Passenger Safety Grant - Sheriff's Department

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

ON MOTION OF PRICE

RESOLUTION NO. 211-21

Amend 2021 Budget to Accept 2022 Child Passenger Safety Grant - Sheriff's Department

WHEREAS, the New York State Governor's Traffic Safety Committee, has awarded the Cortland County Sheriff's Office a grant to participate in the statewide "Child Passenger Safety" program, CPS-2022-Cortland Co SO-000655-(012), SA00002152, CFDA# 20.616, and receive grant monies from the State for the period of October 1, 2021 to September 30, 2022, NOW THEREFORE BE IT

RESOLVED, the Cortland County Sheriff's Office accept the grant, and that the 2021 budget be amended to reflect the acceptance of these funds with the following adjustments:

		Addition
Revenue	A31205.44389.22CPS	\$1,500
Expense	A31205.52015.22CPS	\$1,000
	Department Specific Equipment	
	A31205.54035.22CPS	\$ 250
	Education & Training	
	A31205.54005.22CPS	\$ 250
	Office Supplies	

, AND BE IT FURTHER

RESOLVED, that the County Administrator, upon review and approval by the County Attorney

or designee and subject to appropriation of funding, be and hereby is authorized to sign the grant contract with the New York State Governor's Traffic Safety Committee to participate in the statewide "Child Passenger Safety" program. AND BE IT FURTHER

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

AGENDA ITEM NO. 20 – Accept 2021-2022 STOP DWI Crackdown Grant Funds - Sheriff's Office

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

ON MOTION OF PRICE

RESOLUTION NO. 212-21

Accept 2021-2022 STOP DWI Crackdown Grant Funds - Sheriff's Office

WHEREAS, the New York State STOP DWI Foundation has been awarded a Crackdown Grant as part of New York State's Highway Safety Program in which Cortland County STOP DWI has been accepted to participate in and receive partial grant monies from the State for the period October 1, 2021 to September 30, 2022, NOW THEREFORE BE IT

RESOLVED, the Cortland County STOP DWI Program accept the grant, and that the 2021 budget be amended to reflect the acceptance of these funds with the following adjustments:

	Original	Increase	Revised
REVENUE			
A331543.43389.22DWI State Aid-STOP DWI	\$-0-	\$15,000	\$15,000
EXPENSE			
A33155.54800.22DWI Enforcement-STOP DWI	\$-0-	\$15,000	\$15,000

, AND BE IT FURTHER

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee and subject to appropriation of funding, be and hereby is authorized to sign the grant contract with the New York State STOP DWI Foundation to participate in the Crackdown Grant program, AND BE IT FURTHER

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

AGENDA ITEM NO. 21 – Amend 2021 Budget to Accept 2021-22 Passenger Traffic Grant & Authorize Agreement - Sheriff's Office

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

ON MOTION OF PRICE

RESOLUTION NO. 213-21

Amend 2021 Budget to Accept 2021-22 Passenger Traffic Grant & Authorize Agreement - Sheriff's Office

WHEREAS, the New York State Governor's Traffic Safety Committee has awarded the Cortland County Sheriff's Office a grant to participate in the statewide "Passenger Traffic Safety", PTS-20220 - Cortland Co SO-00084-(012), CFDA#: 20.600, Contract #T006864, program and receive grant monies from the State for the period of October 1, 2021 to September 30, 2022, NOW THEREFORE BE IT

RESOLVED, the Cortland County Sheriff's Office accept the grant, and that the 2021 budget be amended to reflect the acceptance of these funds with the following adjustments to the 2021 budget:

		Revised
INCREASE REVENUE BUDGET:		
Revenue	A312044.44589.22GTS	\$10,050
INCREASE EXPENDITURE BUDGET:		
Expense	A31205.51020.22GTS	\$ 9,800
	Overtime	
	A31205.54045.22GTS	\$ 250
	Travel Expense	

, AND BE IT FURTHER

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee and subject to appropriation of funding, be and hereby is authorized to sign the grant contract with the New York State Governor's Traffic Safety Committee to participate in the "Passenger Traffic Safety" program, AND BE IT FURTHER

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

AGENDA ITEM NO. 22 – Authorize Agreement New York State Public Defender's Association for Public Defense Case Management System - Public Defender & Assigned Counsel

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

ON MOTION OF PRICE

RESOLUTION NO. 214-21

Authorize Agreement New York State Public Defender's Association for Public Defense Case Management System - Public Defender & Assigned Counsel

WHEREAS, the Cortland County Office of Public Defenders Office and the Assigned Counsel Office require an electronic case management system in order to efficiently manage indigent defense cases, AND

WHEREAS, the New York State Public Defender's Association provides a computerized Public Defense Case Management System ("PDCMS"), AND

WHEREAS, the PDCMS will be used to expedite the assignment of cases, collect data concerning numbers and types of cases assigned, allocate cases among attorneys, and create required reports, AND

WHEREAS, the Public Defender's Association requires the execution a professional services agreement to acquire, install, maintain and support the case management system for case assignments, AND

WHEREAS, the contract will be for a period of 1 year 10/01/21 through 09/30/22, at cost of Four thousand dollars (\$4,000.00); which will provide up to nine (9) licenses for the various program users, AND

WHEREAS, the cost for the program will be paid by the Public Defender's Office and the Assigned Counsel Office and where possible will utilize grant funds provided by New York State to for costs associated with providing indigent defense, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Administrator, upon review and approval by the County Attorney or designee and subject to appropriation of funding by the Legislature, be and hereby is authorized to sign the agreement with the New York State Public Defender's Association, Inc., for (PDCMS) program, AND BE IT FURTHER

RESOLVED, that the funds for this agreement shall be taken from the Public Defender's Professional Services account# A11750.54055 and the Assigned Counsel Offices Professional Services account# A11755.54055HH11 on a prorated basis, based on the number of user licenses per department.

Referred from Government Operations Committee

AGENDA ITEM NO. 23 – Amend 2021 Budget/Authorize Transfer Funds to Legal Fees - Personnel Department

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

ON MOTION OF WILSON

RESOLUTION NO. 215-21

Amend 2021 Budget/Authorize Transfer Funds to Legal Fees - Personnel Department

WHEREAS, the billing for the legal fees has increased beyond the projected budget amount, AND

WHEREAS, it is necessary to appropriate monies to the legal fees account to pay future bills, NOW THEREFORE BE IT

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

Increase:

Fund Balance	Appropriated Fund Balance	A3599000	\$50,000
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Increase:

Expense	Legal Fees	A14305.54063	\$50,000
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AGENDA ITEM NO. 24 – Amend 2021 Budget/Authorize Transfer of Funds - Health Insurance - Personnel Department

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

ON MOTION OF WILSON

RESOLUTION NO. 216-21

Amend 2021 Budget/Authorize Transfer of Funds - Health Insurance - Personnel Department

WHEREAS, it is necessary to appropriate monies to the Self-Insured Health Insurance Fund Professional Services account to cover medical and prescription administrative fees, AND

WHEREAS, this amount has already been appropriated in the 2021 budget in the Health Insurance TPA Insurance account, NOW THEREFORE BE IT

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

Decrease:

TPA Insurance	CH90605.58800	\$350,000
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Increase:

Professional Services	CH90605.54055	\$350,000
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AGENDA ITEM NO. 25 – Adopt Cortland County Diversity and Inclusion Policy

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

ON MOTION OF WILSON

RESOLUTION NO. 217-21

Adopt Cortland County Diversity and Inclusion Policy

WHEREAS, the Cortland County Legislature is the governing body in and for the County of Cortland, AND

WHEREAS, the County Legislature wishes to adopt a policy to provide a diverse, inclusive and equitable workplace, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby adopts the Cortland County Diversity and Inclusion Policy and that such policy shall take effect upon passage of this resolution and shall remain in effect until such time as it is amended or rescinded.

AGENDA ITEM NO. 26 – Local Law No. "G" of 2021 - a Local Law Adopting a County Code of Ethics and Requiring Financial Disclosure by Certain County Officials and Employees; and Rescinding Local Law No. 2 of 2008

RESULT: REFER TO COMMITTEE - NO VOTE

Next: 9/9/2021 10:00 AM

ON MOTION OF WILSON

RESOLUTION NO.

Local Law No. "G" of 2021 - a Local Law Adopting a County Code of Ethics and Requiring Financial Disclosure by Certain County Officials and Employees; and Rescinding Local Law No. 2 of 2008

WHEREAS, the Cortland County Legislature (Board of Supervisors) adopted Local Law No.1 of 1971, with subsequent amendments by Local Law No. 5 of 1984 and Local Law No. 2 of 2008, AND

WHEREAS, Local Law No.1 of 1971 established the Cortland County Code of Ethics, AND

WHEREAS, the Cortland County Board of Ethics has recommended revisions to said Local Law, AND

WHEREAS, a public hearing was held on August 26, 2021 before the Cortland County Legislature, AND

WHEREAS, said Local Law has been in its final form upon the desks of the Cortland County Legislature at least seven (7) calendar days exclusive of Sunday, prior to this date, NOW THEREFORE BE IT

RESOLVED, that Local Law No. "G" for the year 2021 be and is hereby enacted as attached.

AGENDA ITEM NO. 27 – Authorize Agreement Clear Ballot Group, Inc. Maintenance of ClearCount/Clear Audit Station - Board of Elections

RESULT: ADOPTED [UNANIMOUS]

MOVER: Susan Wilson, Legislator

SECONDER: Sandra Price, Legislator

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

EXCUSED: Kelly L. Fairchild-Preston

ON MOTION OF WILSON

RESOLUTION NO. 218-21

Authorize Agreement Clear Ballot Group, Inc. Maintenance of ClearCount/Clear Audit Station - Board of Elections

WHEREAS, the Cortland County Legislature approved the purchase of a ClearCount/ClearAudit scan station with Resolution No. 198-20, AND

WHEREAS, without the use of this technology to verify and count ballots, the Board of Elections

would be unable to comply with New York State and Federal voting requirements, AND

WHEREAS, annual maintenance is needed on the ClearCount/ClearAudit machine to keep the machine working properly, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee and subject to funding by the Cortland County Legislature, is hereby authorized to enter into an agreement with Clear Ballot Group, Inc. of 2 Oliver Street, Floor 2, Boston, MA 02109, for the term of 10/1/21-9/30/26, for an annual cost of \$2,097.

AGENDA ITEM NO. 28 – Abolish Secretary to the County Administrator/Create Executive Assistant to the County Administrator - Personnel/County Administrator

RESULT:	ADOPTED [14 TO 2]
MOVER:	George Wagner, Majority Leader
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Stock, Homer, Fitch, Newell, Waldbauer, Price, Wagner, Heider, Eccleston
NAYS:	Linda Jones, Joseph Nauseef
EXCUSED:	Kelly L. Fairchild-Preston

ON MOTION OF WAGNER

RESOLUTION NO. 219-21

Abolish Secretary to the County Administrator/Create Executive Assistant to the County Administrator - Personnel/County Administrator

WHEREAS, the needs of the office will be better served by abolishing one (1) full-time Secretary to the County Administrator position and creating one (1) full-time Executive Assistant to the County Administrator in the Office of the County Administrator, AND

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

RESOLVED, that one (1) position of Secretary to the County Administrator (Grade 2 Management Confidential, \$18.6797-22.7267/hr, Management Compensation Plan, exempt class, full-time, 35 hours/week with benefits) be and hereby is abolished effective August 26, 2021 at midnight, AND BE IT FURTHER

RESOLVED, that one (1) position of Executive Assistant to the County Administrator (Grade 10, \$44,607-54,272, Management Compensation Plan, competitive class, full-time 35 hours/week with benefits) be created with permission to fill effective August 27, 2021 at 12:01 am.

AGENDA ITEM NO. 29 – Approve Contract REMI Equipment Maintenance-County Clerk

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

ON MOTION OF WILSON

RESOLUTION NO. 220-21

Approve Contract REMI Equipment Maintenance-County Clerk

WHEREAS, the Cortland County Clerk's Office currently has a one year maintenance agreement with REMI to provide preventative maintenance and cleaning along with service and replacement of parts used in the map scanner/printer in the County Clerk's Office through REMI, AND

WHEREAS, the contract expires on August 31, 2021, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Administrator, upon approval of the Cortland County Attorney or designee, is authorized to sign a one year maintenance agreement with REMI at the cost of \$657.00 to be paid out of account A14105.54015.

AGENDA ITEM NO. 30 – Amend Date of October 2021 Legislative Session - Legislature

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

ON MOTION OF WILSON

RESOLUTION NO. 221-21

Amend Date of October 2021 Legislative Session - Legislature

WHEREAS, Article VIII, Number 1 of the Cortland County Legislature Rules of Order state, "The Legislature may, at any meeting, by resolution, change the time and place of the next regularly scheduled meeting.....", AND

WHEREAS, the date of the New York State Association of Clerks of County Legislative Boards training and conference conflicts with the regularly scheduled October Legislative Session, AND

WHEREAS, it is to the benefit of the Legislature to modify its schedule to allow the Clerk of the Legislature to attend the crucial training and conference, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby amends the date of the October 2021 Legislative Session meeting from October 28, 2021 to October 26, 2021.

AGENDA ITEM NO. 31 – Adopt of Rules of Order - Cortland County Legislature

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

ON MOTION OF WILSON

RESOLUTION NO. 222-21

Adopt of Rules of Order - Cortland County Legislature

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

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

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

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

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

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

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

RESOLVED, that this resolution shall take effect August 27, 2021.

AGENDA ITEM NO. 32 – Award Bid/Authorize Agreement with West Publishing Corporation for Electronic Legal Research - County Attorney

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

ON MOTION OF WILSON

RESOLUTION NO. 223-21

Award Bid/Authorize Agreement with West Publishing Corporation for Electronic Legal Research - County Attorney

WHEREAS, Cortland County maintains a subscription for electronic legal research that is used in various County Departments, AND

WHEREAS, the current contract is due to expire on August 31, 2021, AND

WHEREAS, a Request for Proposals (RFP) was issued for Electronic Legal Research Service Providers, AND

WHEREAS, bids were received from the following:

West Publishing Corporation, 610 Opperman Drive, Eagan, MN 55123

WHEREAS, based upon the results of the bid, the County Attorney and the County Administrator recommend that bid be awarded to the lowest responsible bidder, NOW THEREFORE BE IT

RESOLVED, that West Publishing Corporation of 610 Opperman Drive, Eagan, MN 55123 hereby is awarded the bid for Electronic Legal Research Service, AND BE IT FURTHER

RESOLVED, that the annual cost of the services are as follows:

	Fixed Monthly Charge	Annual Cost
Year 1: 9/1/2021 - 8/31/2022	\$1,259.00 per month	\$15,108.00
Year 2: 9/1/2022 - 8/31/2023	\$1,296.77 per month	\$15,561.24
Year 3: 9/1/2023 - 8/31/2024	\$1,335.67 per month	\$16,028.04
Option Year 1: 9/1/2024 - 8/31/2025 \$1,375.74 per month		\$16,508.88
Option Year 2: 9/1/2025 - 8/31/2026 \$1,417.01 per month		\$17,004.12

, AND BE IT FURTHER

RESOLVED, that funding for the contract shall be paid from Account No. A16805.54004, AND BE IT FURTHER

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee, is hereby authorized to enter into a contract with West Publishing Corporation, 610 Opperman Drive, Eagan, MN 55123 for the period September 1, 2021 through August 31, 2024, with the option of a two-year extension.

Referred from Highway Committee

AGENDA ITEM NO. 33 – Amend Budget/Authorize Supplemental Agreement No. 2 New York State McGraw Marathon Road Bridge (BIN 3312050) Replacement - Highway Department

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

ON MOTION OF NEWELL

RESOLUTION NO. 224-21

Amend Budget/Authorize Supplemental Agreement No. 2 New York State McGraw Marathon Road Bridge (BIN 3312050) Replacement - Highway Department

WHEREAS, the project for the McGraw Marathon Road Bridge (BIN 3312050), Replacement Project P.I.N. 375654 (the project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 95% federal funds and 5% non-federal funds, AND

WHEREAS, the Highway Committee desires to authorize the implementation and funding in the first instance, 100% of the Federally funded eligible costs of the project, and appropriate funds therefore, AND

WHEREAS, the Cortland County Legislature authorized said agreement by Resolution No. 8-19, AND

WHEREAS, the Cortland County Legislature approved an agreement with the New York State Department of Transportation (NYSDOT) for the Acquisition of Right of Way property by Resolution No. 82-20, AND

WHEREAS, due to time restraints, the NYSDOT is rescinding the Right of Way Agreement and implementing Supplemental Agreement # 2, AND

WHEREAS, Supplemental Agreement # 2 transfers the Right of Way responsibilities and to the County of Cortland and provides funding for these expenditures, AND

WHEREAS, also due to time restraints, Supplemental Agreement # 2 amends the end date of said agreement from December 31, 2023 to December 31, 2025, NOW THEREFORE BE IT

RESOLVED, that the County Legislature hereby authorizes the County of Cortland to pay in the first instance 100% of the Federal share of the Right of Way incidentals and acquisitions for the project, AND BE IT FURTHER

RESOLVED, that the Cortland County Treasurer is hereby authorized and directed to amend the 2021 budget for the Federal and local shares and appropriate funds for the purchase of right of ways under BIN 3312050 as follows:

INCREASE:

HH512243.44597.MMBR	Federal Revenue	\$18,948
HH99015.45031.MMBR	Local Share	\$998
HH51225.52100.MMBR	Land & Improvements	\$19,946

AGENDA ITEM NO. 34 – Extend Agreement of the Handling, Transportation and Safe Disposal of Household Hazardous Waste - Solid Waste Division - Highway Department

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

ON MOTION OF NEWELL

RESOLUTION NO. 225-21

Extend Agreement of the Handling, Transportation and Safe Disposal of Household Hazardous Waste - Solid Waste Division - Highway Department

WHEREAS, the County of Cortland entered into Agreement No. 260-20 with Care Environmental Corporation (the Contractor), 429 East Blackwell St., Dover, NJ 07801, on October 23, 2020 for the Handling, Transportation and Safe Disposal of Household Hazardous Waste, AND

WHEREAS, the term of said agreement can be renewed under the same terms and conditions for a maximum of three one-year extensions, conditioned on mutual agreement between the Contractor and the County, AND

WHEREAS, the funds to cover this agreement are in the 2021 Recycling budget in account # EL81615.54625, AND

WHEREAS, both parties have agreed to extend the terms of Agreement 260-20, NOW THEREFORE BE IT

RESOLVED, that in accordance with the recommendations of the Highway Committee, the County hereby extends the agreement for the handling, transportation and safe disposal of the household

hazardous waste bid with Care Environmental Corporation, 429 East Blackwell St., Dover, NJ 07801,
AND BE IT FURTHER

RESOLVED, that the County Administrator, upon review and approval as to form by the County Attorney or designee, is hereby authorized to execute the extension of the agreement with Care Environmental Corporation, 429 East Blackwell St., Dover, NJ 07801.

AGENDA ITEM NO. 35 – Resolution to Approve Modification of Fee Schedule for Disposal of Tires at the Cortland County Recycling Center - Highway Department

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

ON MOTION OF NEWELL

RESOLUTION NO. 226-21

Resolution to Approve Modification of Fee Schedule for Disposal of Tires at the Cortland County Recycling Center - Highway Department

WHEREAS, the County of Cortland is responsible for properly disposing of solid waste at all County-owned Solid Waste Facilities, and as owner, is responsible for setting the fees associated with the acceptance of solid waste, AND

WHEREAS, refuse tires are currently accepted at the County owned Recycling Center, AND

WHEREAS, the cost associated with the disposal of tires accepted at the County-owned Recycling Center exceeds the fees received for said disposal, AND

WHEREAS, the County of Cortland desires to increase the tire disposal fees to cover the County's cost of disposal, AND

WHEREAS, to cover the cost of tire disposal, the County of Cortland desires to modify the tire fee schedule as follows:

- | | | |
|----|--|---------------|
| a) | Passenger and pickup truck tires: | \$4.00 each |
| b) | Truck tires up to 24.5 inch tubeless: | \$15.00 each |
| c) | Industrial, tractor or off-road tires: | \$100.00 each |

, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby approves above said fee schedule for tire disposal at the County owned Recycling Center as described above, AND BE IT FURTHER

RESOLVED, that the above said fee schedule for tire disposal at County owned Recycling Center shall become effective immediately.

AGENDA ITEM NO. 36 – Lease Agreement with Cortland County Agricultural Corporation - Highway Department

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

ON MOTION OF NEWELL

RESOLUTION NO. 227-21

Lease Agreement with Cortland County Agricultural Corporation - Highway Department

WHEREAS, there is a need to store County Highway heavy construction equipment during the winter season, AND

WHEREAS, the County of Cortland Agricultural Corporation currently owns buildings at the Cortland County Fairgrounds with adequate space available located at the Cortland County Fairgrounds, AND

WHEREAS, the County of Cortland Agricultural Corporation is agreeable to lease said buildings to Cortland County during the winter season, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon approval by the County Attorney or designee and subject to appropriation of funding by the Legislature, is hereby authorized and directed to execute a lease agreement for the 2021-2022 winter season starting October 15, 2021 and ending May 8, 2022 with the County of Cortland Agricultural Corporation for a fee of \$2,650.00, to be charged to account E51305.54067.

Referred from Finance & Administration Committee

AGENDA ITEM NO. 37 – Accept Funds - Expanding Access to COVID-19 Vaccines Via the Aging Network (VAC5) - Area Agency on Aging

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

ON MOTION OF WAGNER

RESOLUTION NO. 228-21

Accept Funds - Expanding Access to COVID-19 Vaccines Via the Aging Network (VAC5) - Area Agency on Aging

WHEREAS, the New York State Office for the Aging has made available the sum of \$6,230 under the VAC5, for the period April 1, 2021 through September 30, 2022, CFDA #93.044, through Area Agency on Aging, AND

WHEREAS, these funds are to be used for COVID community education and access to vaccinations, NOW THEREFORE BE IT

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

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

Revenues:

A677244.44772.VAC5	Federal Aid - VAC5	\$6,230
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Expenses:

A67725.54060.VAC5	Advertising	\$6,230
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AGENDA ITEM NO. 38 – Amend 2021 Budget/Accept Funds ADRC/NWD Covid-19 Vaccine Access Supplemental Funding Program - Area Agency on Aging

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

ON MOTION OF WAGNER

RESOLUTION NO. 229-21

Amend 2021 Budget/Accept Funds ADRC/NWD Covid-19 Vaccine Access Supplemental Funding Program - Area Agency on Aging

WHEREAS, the New York State Office for the Aging has made available the sum of \$12,574 under the ADRC/NWD COVID-19 Vaccine Access Supplemental Funding Program, for the period April 1, 2021 through September 30, 2022, CFDA #93.048, through Area Agency on Aging AND

WHEREAS, these funds are to be used for COVID community education and access to vaccinations, NOW, THEREFORE, BE IT

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

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

Revenues:

A677244.44772.COV19	Federal Aid	\$12,574
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Expenses:

A67725.54060.COV19	Advertising	\$12,574
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AGENDA ITEM NO. 39 – Authorize Agreement - First Transit for Transport for 2021 Agricultural Tour

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

Authorize Agreement - First Transit for Transport for 2021 Agricultural Tour

WHEREAS, the Cooperative Extension and Soil and Water Conservation District have planned an Agricultural Tour of Cortland County on September 25, 2021, AND

WHEREAS, transportation would be needed for this tour, AND

WHEREAS, funding is available for travel in account number A10105.54045, AND

WHEREAS, transportation is available to be provided by First Transit, Inc. at a cost of \$95 per hour, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon approval of the County Attorney or designee, is hereby authorized to enter into an agreement with First Transit, Inc. for transportation for the 2021 Agricultural Tour at a cost of \$95 per hour, not to exceed \$2,500.

AGENDA ITEM NO. 40 – Authorize Additional Funding for Occupancy Tax from American Rescue Plan Funding

RESULT:	ADOPTED [14 TO 2]
MOVER:	George Wagner, Majority Leader
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Homer, Fitch, Jones, Newell, Waldbauer, Price, Wagner, Heider, Eccleston
NAYS:	Richard Stock, Joseph Nauseef
EXCUSED:	Kelly L. Fairchild-Preston

Authorize Additional Funding for Occupancy Tax from American Rescue Plan Funding

WHEREAS, the COVID-19 pandemic caused a decrease in Occupancy Tax receipts from 2019 to 2020 in the amount of \$279,030, AND

WHEREAS, the American Rescue Plan allows for an additional 4.1% funding reimbursement of revenue loss for Occupancy Tax, AND

WHEREAS, it is in the best interest of Cortland County to fully fund and make whole the publicity and tourism budget, NOW THEREFORE BE IT

RESOLVED, that \$290,470.32 be added to the 2022 publicity and tourism budget to be paid from the American Rescue Plan funding received by Cortland County.

AGENDA ITEM NO. 41 – Designate Cortland County Convention and Visitors Bureau as Cortland County's Tourism Promotion Agency

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

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 2022, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Convention and Visitors Bureau Inc., is hereby designated for 2022 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. 42 – 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:	Mitchel Eccleston, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Stock, Homer, Fitch, Jones, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Kelly L. Fairchild-Preston

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.4 of 1987 and shall remit those funds to the CVB for re-distribution.
4. Cortland County will retain 10% of the occupancy funds per section 3 (12) of Local Law No. 4 of 1987 for the purpose of administering such tax.
5. The Cortland County Treasurer shall remit to the CVB the sum of \$585,368.47, comprised of 2020 Occupancy tax collections in the amount of \$323,945.18 plus \$261,423.29 allocated from the American Rescue Plan funds to the tourism and publicity account.
6. The term of this agreement shall be one (1) year from January 1, 2022 to December 31, 2022.
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, 2022 through December 31, 2022 in accordance with the terms and conditions listed above.

AGENDA ITEM NO. 43 – Amend Collection, Handling & Disbursement of Departmental Funds Policy

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

ON MOTION OF WAGNER

RESOLUTION NO. 234-21

Amend Collection, Handling & Disbursement of Departmental Funds Policy

WHEREAS, Resolution 424-06 established policies and procedures for the collection, handling and disbursement of departmental funds, as amended by Resolutions 185-10 and 24-11, AND

WHEREAS, there is a need to amend that policy for changes in job position titles and regulations regarding petty cash and department bank accounts, NOW THEREFORE BE IT

RESOLVED, that the policy be amended as attached.

AGENDA ITEM NO. 44 – Distribution of Second Quarter 2021 Sales Tax

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

ON MOTION OF WAGNER

RESOLUTION NO. 235-21

Distribution of Second Quarter 2021 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 provide for quarterly, AND

WHEREAS, the 2021 second quarter sales tax information has been provided by the New York State Comptroller's Office showing a total collection for second quarter 2021 to be \$9,890,612.32, AND

WHEREAS, the total amount available for distribution is \$9,515,612.32, after the direct deduction for County purposes, AND

WHEREAS, individual municipalities by resolution have opted to apply a portion of their sales tax dollars to off-set the property tax levy and that amount (\$700,000.00) is to be withheld from the quarterly distribution, AND

WHEREAS, Cortland County receives (54%), or \$5,138,430.65 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 2021 as so stated below from Account No. A19855.54101 in either the form of a county check or by direct bank transfer as per the request of the receiving municipality:

Municipality	Distribution Amount Pre-Tax Credit	Applied Tax Credits	Net Distribution After Tax Credit	Balance Owed Against Tax Credits
Cortland, City of	\$1,689,021.19	\$-0-	\$1,689,021.19	\$-0-
Cincinnatus, Town of	\$81,277.30	\$-0-	\$81,277.30	\$-0-
Cortlandville, Town of	\$821,428.73	\$-0-	\$821,428.73	\$-0-
Cuyler, Town of	\$71,704.67	\$(57,908.68)	\$13,795.99	\$-0-
Freetown, Town of	\$55,908.44	\$-0-	\$55,908.44	\$-0-
Harford, Town of	\$89,175.48	\$-0-	\$89,175.48	\$-0-
Homer, Town of	\$286,341.12	\$-0-	\$286,341.12	\$-0-

Homer, Village of	\$202,844.83	\$-0-	\$202,844.83	\$-0-
Lapeer, Town of	\$116,350.38	\$(217,361.72)	\$-0-	\$(101,011.34)
Marathon, Town of	\$87,986.12	\$-0-	\$87,986.12	\$-0-
Marathon, Village of	\$45,177.47	\$-0-	\$45,177.47	\$-0-
McGraw, Village of	\$37,323.14	\$-0-	\$37,323.14	\$-0-
Preble, Town of	\$147,258.89	\$-0-	\$147,258.89	\$-0-
Scott, Town of	\$88,014.91	\$-0-	\$88,014.91	\$-0-
Solon, Town of	\$75,899.52	\$-0-	\$75,899.52	\$-0-
Taylor, Town of	\$48,825.41	\$-0-	\$48,825.41	\$-0-
Truxton, Town of	\$104,910.70	\$(6,470.00)	\$98,440.70	\$-0-
Virgil, Town of	\$257,902.17	\$-0-	\$257,902.17	\$-0-
Willet, Town of	\$69,831.20	\$-0-	\$69,831.20	\$-0-
Total	\$4,377,181.67	\$(281,740.40)	\$4,196,452.61	\$(101,011.34)

, 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.

AGENDA ITEM NO. 45 – Authorize Use of American Rescue Plan Funds for the Development of Gutches Lumber Sports Complex and Town Park

Ms. Wilson MADE A MOTION to SUSPEND THE RULES for the purposes of allowing this resolution to go to the floor, Mrs. Price SECONDED the motion, and the MOTION CARRIED after the following two-thirds majority took place:

	Votes	AYE	NAY	Total
Bentley (LD1)	2744	1		2744
Bischoff (LD3)	2743		1	0
Eccleston (LD17)	3379	1		3379
Fitch (LD8)	2990	1		2990
Harbin (LD2)	2747		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		2743
Wagner (LD 15)	2734	1		2734
Waldbauer (LD13)	2853	1		2853
Wilson (LD5)	2744	1		2744
Heider (16)	3192	1		3192
Total	49336			38108
		Majority	24669	
		2/3rd	32892	

Mr. Wagner MADE A MOTION, Mrs. Price SECONDED the motion, and the MOTION CARRIED after the following roll-call vote:

	Votes	AYE	NAY	Total
Bentley (LD1)	2744		1	0
Bischoff (LD3)	2743		1	0
Eccleston (LD17)	3379	1		3379
Fitch (LD8)	2990	1		2990
Harbin (LD2)	2747		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		2743
Wagner (LD 15)	2734	1		2734
Waldbauer (LD13)	2853	1		2853
Wilson (LD5)	2744	1		2744
Heider (16)	3192	1		3192
Total	49336			35364

Majority 24669
2/3rd 32892

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

ON MOTION OF WAGNER

RESOLUTION NO. 236-21

Authorize Use of American Rescue Plan Funds for the Development of Gutches Lumber Sports Complex and Town Park

WHEREAS, the Town of Cortlandville has invested \$3,000,000 towards the development of the Gutches Lumber Sports Complex & Town Park for the betterment of Cortland County, AND

WHEREAS, the Gutches Lumber Sports Complex & Town Park brings visitors and outside investment into Cortland County including occupancy and sales tax revenue, AND

WHEREAS, the Town of Cortlandville proposes further expansion of the Gutches Lumber Sports Complex & Town Park to provide for additional economic impact as well as contributing to the quality of life for Town and County residents, AND

WHEREAS, it would be in the best interest of Cortland County residents to invest in the development of the Gutches Lumber Sports Complex & Town Park, AND

WHEREAS, Cortland County has been awarded \$9,000,000 through the Federal American Rescue plan to support projects that will provide for economic resiliency and enhance communities that have been negatively affected by the COVID-19 pandemic, AND

WHEREAS, the Cortland County Federal Aid Allocation Citizen's Advisory Committee has

endorsed a proposal to invest \$500,000 of the federal aid revenue into the Gutches Lumber Sports Complex & Town Park, including the expansion of athletic facilities as well as other publicly accessible park facilities, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby authorizes the expenditure of \$500,000 from the Federal American Rescue Plan funds for the Gutches Lumber Sports Complex & Town Park for the purposes of developing athletic and publicly accessible recreation facilities, AND BE IT FURTHER

RESOLVED, that \$250,000 be allocated to the Gutches Lumber Sports Complex & Town Park from the 2021 Federal American Rescue Plan funds and that \$250,000 be allocated to the Gutches Lumber Sports Complex & Town Park from the 2022 Federal American Rescue Plan funds, AND BE IT FURTHER

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or her designee, be and hereby is authorized to enter into an agreement for said purposes.

Additional Resolutions

AGENDA ITEM NO. 46 – Authorize Agreement with Park Outdoor Advertising of New York to Advertise on a Billboard for COVID-19 - Area Agency on Aging

Ms. Homer MADE A MOTION to SUSPEND THE RULES for the purposes of allowing this resolution to go to the floor, Mr. Harbin SECONDED the motion, and the MOTION CARRIED after the following two-thirds majority took place:

	Votes	AYE	NAY	Total
Bentley (LD1)	2744	1		2744
Bischoff (LD3)	2743	1		2743
Eccleston (LD17)	3379	1		3379
Fitch (LD8)	2990	1		2990
Harbin (LD2)	2747	1		2747
Homer (LD7)	2743	1		2743
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		2743
Wagner (LD 15)	2734	1		2734
Waldbauer (LD13)	2853	1		2853
Wilson (LD5)	2744	1		2744
Heider (16)	3192	1		3192
Total	49336			46341

Majority 24669
2/3rd 32892

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

ON MOTION OF HEIDER

RESOLUTION NO. 237-21

Authorize Agreement with Park Outdoor Advertising of New York to Advertise on a Billboard for COVID-19 - Area Agency on Aging

WHEREAS, the Cortland County Area Agency on Aging was awarded grant funds to be used to for COVID-19 purposes, AND

WHEREAS, Cortland County Area Agency on Aging desires to contract with Park Advertising of New York, Inc., Finger Lakes Division, 2516 Corning Rd., Elmira 14903 for COVID-19 specific advertisement(s) on a billboard located in Cortland County, AND

WHEREAS, these expenses are budgeted in account:

Legal Notices/Advertising A67725.54060

, NOW THEREFORE BE IT

RESOLVED, that the County Administrator and the Director of the Area Agency on Aging, upon review and approval by the County Attorney or designee, are authorized to execute agreements for the provision of said services for a cost not to exceed \$5,000.

AGENDA ITEM NO. 47 – Approve Settlement of Ongoing Litigation

Ms. Homer MADE A MOTION to SUSPEND THE RULES for the purposes of allowing this resolution to go to the floor, Ms. Wilson SECONDED the motion, and the MOTION CARRIED after the following two-thirds majority took place:

	Votes	AYE	NAY	Total
Bentley (LD1)	2744	1		2744
Bischoff (LD3)	2743	1		2743
Eccleston (LD17)	3379	1		3379
Fitch (LD8)	2990	1		2990
Harbin (LD2)	2747	1		2747
Homer (LD7)	2743	1		2743
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		2743
Wagner (LD 15)	2734	1		2734
Waldbauer (LD13)	2853	1		2853
Wilson (LD5)	2744	1		2744
Heider (16)	3192	1		3192
Total	49336			46341
		Majority	24669	
		2/3rd	32892	

Mr. Harbin MADE A MOTION TO AMEND the resolution to add the following additional clause:

"RESOLVED, that all funds received from the settlement be set aside into a special reserve account for the sole purpose of addressing the opioid epidemic in Cortland County."

Ms. Homer SECONDED the MOTION, and after a voice-vote of members present, the MOTION TO AMEND CARRIED. Mr. Wagner voted NO to the amendment.

RESULT:	ADOPTED [15 TO 1]
MOVER:	Paul Heider, Chairman
SECONDER:	Ann Homer, Legislator
AYES:	Bentley, Harbin, Bischoff, Van Dee, Wilson, Stock, Homer, Fitch, Jones, Newell, Nauseef, Waldbauer, Price, Heider, Eccleston
NAYS:	George Wagner
EXCUSED:	Kelly L. Fairchild-Preston

ON MOTION OF HEIDER

RESOLUTION NO. 238-21

Approve Settlement of Ongoing Litigation

WHEREAS, after discussion the Cortland County Legislature authorized the County Attorney to accept a settlement for an ongoing matter, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Board of Legislature hereby authorizes the Chairman of the Board of Legislature to accept said settlement and authorized parties to sign related documents, AND BE IT FURTHER

RESOLVED, that all funds received from the settlement be set aside into a special reserve account for the sole purpose of addressing the opioid epidemic in Cortland County.

Announcements

Adjourn



Cortland County Legislature

Legislative Session

~ Minutes ~

Legislative Chambers

Cortland, NY 13045

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

5.1

Thursday, July 22, 2021

6:00 PM

Board Room

Salute to the Flag

Public Hearings

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

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

2. Authorize the Possible Submission of One or More Community Development Block Grant (CDBG) CARES ACT Application

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

Call to Order

The meeting was called to order at 6:07 PM by Chairman Paul Heider

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

Minutes Acceptance: Minutes of Jul 22, 2021 6:00 PM (Approval of Minutes)

Kelly L. Fairchild-Preston	Cortland County, NY	Legislator	Excused	
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	Excused	
Paul Heider	Cortland County, NY	Chairman	Present	
Mitchel Eccleston	Cortland County, NY	Legislator	Present	
Rob Corpora	Cortland County, NY	County Administrator	Present	
Savannah Hempstead	Cortland County, NY	Clerk of the Legislature	Present	
Francis J. Casullo	Cortland County, NY	County Attorney	Present	
Scott Roman	Cortland County, NY	Director of Emergency Response and Communications	Present	
Charles Sudbrink	Cortland County, NY	Superintendent of Highways	Present	
Trisha Jesset	Cortland County, NY	Planning Director	Present	
Laurie Leonard	Cortland County, NY	Personnel Officer	Present	
Lisa Perfetti	Cortland County, NY	Public Health Director	Present	
Nicole Anjeski	Cortland County, NY	Deputy Director of Public Health	Present	
Kristen Monroe	Cortland County, NY	Commissioner of Social Services	Present	
Sharon MacDougall	Cortland County, NY	Director of Community Services	Present	
Fred Forbes	Town of Homer	Supervisor	Present	
Bill McGovern	Village of Marathon	Mayor	Present	
Steve Furlin	Town of Solon	Supervisor	Present	
Lloyd Sutton	Town of Truxton	Supervisor	Present	
Gary Mead	Cortland County, NY	Resident	Present	
Linda Mead	Cortland County, NY	Resident	Present	
Thomas Gobel	Cortland County, NY	Resident	Present	
Gus Wehbe	Cortland County, NY	Resident	Present	
John Carroll	Cortland County, NY	Resident	Present	

Valerie Puma	Cortland Standard	Reporter	Present	
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Roll Call

Approval of Minutes

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

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

Proclamations & Recognitions

1. Cortland County Retiree Proclamation

RESULT:	ANNOUNCED
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Privilege of the Floor

Presentation of Petitions, Communications, and Notice

Receive and File

1. 2021 State of the County Address

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

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 Members - Cortland County Planning Board

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

ON MOTION OF HEIDER**RESOLUTION NO. 169-21****Appoint Members - Cortland County Planning Board**

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

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

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

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

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

Referred from Building & Grounds Committee**AGENDA ITEM NO. 2 – Adopt Cortland County Weapons Policy**

RESULT: **ADOPTED [12 TO 2]**
MOVER: Beau Harbin, Minority Leader
SECONDER: Ann Homer, Legislator
AYES: Bentley, Harbin, Bischoff, Wilson, Stock, Homer, Fitch, Newell, Waldbauer, Price, Heider, Eccleston
NAYS: Linda Jones, Joseph Nauseef
EXCUSED: Ronald J. Van Dee, Kelly L. Fairchild-Preston, George Wagner

ON MOTION OF HARBIN**RESOLUTION NO. 170-21****Adopt Cortland County Weapons Policy**

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

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

Referred from Highway Committee

AGENDA ITEM NO. 3 – Authorize Use of American Rescue Plan Funds for Rehabilitation of County Roads - Highway Department

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

ON MOTION OF NEWELL

RESOLUTION NO. 171-21

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

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

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

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

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

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

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

Increase: Account D51125.54077.ARP	Construction & Main	\$250,000
Increase: Account D51105.54077.07	Const/Main Hot Patch	\$50,000
Increase: Account D99015.45031.ARP	Interfund Transfer	\$300,000
Increase Account A99015.99014.ARP	Interfund Transfer	\$300,000
Increase Account A359900	Appropriated Fund Bal	\$300,000

, AND BE IT FURTHER

RESOLVED, that the County General Fund be reimbursed for the cost of this project upon receipt of the Federal American rescue plan funds.

Referred from Health & Human Services Committee

AGENDA ITEM NO. 4 – Amend 2021 Budget/Abolish Child Psychiatrist Position/Authorize Contract InnovaTel Telebehaviorial Health Psychiatrist - Mental Health Department

Minutes Acceptance: Minutes of Jul 22, 2021 6:00 PM (Approval of Minutes)

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

ON MOTION OF BISCHOFF**RESOLUTION NO. 172-21**

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

WHEREAS, the Cortland County Mental Health Department has accepted the resignation of the Part-Time Child Psychiatrist effective July 23, 2021, AND

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

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

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

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

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

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

RESOLVED, that the 2021 budget be amended as follows:

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

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

Minutes Acceptance: Minutes of Jul 22, 2021 6:00 PM (Approval of Minutes)

AGENDA ITEM NO. 5 – Authorize Agreement Cortland Transit, Inc. and Multiple Taxi Companies Serving Cortland County - Area Agency on Aging

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 173-21

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

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

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

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

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

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

AGENDA ITEM NO. 6 – Authorize Lease Agreement with Crescent Commons Master Tenant, LLC for Lease of Property Located at Crescent Commons - Area Agency on Aging

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 174-21

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

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

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

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

Minutes Acceptance: Minutes of Jul 22, 2021 6:00 PM (Approval of Minutes)

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

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

AGENDA ITEM NO. 7 – Authorization to Provide Senior Centers Grants - Area Agency on Aging

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 175-21

Authorization to Provide Senior Centers Grants - Area Agency on Aging

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

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

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

WHEREAS, Cortland County Area Agency on Aging has developed a grant program, the Local Aging Adult Satellite for Services (LASS) and accompanying grant application process, to disburse County funds which will enable and support such activities in a manner tailored and targeted to local areas and their aging adult residents throughout the County, AND

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

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

AGENDA ITEM NO. 8 – Amend 2021 Budget/Accept Funds American Rescue Plan for Family Caregiver Support Program - Area Agency on Aging

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

ON MOTION OF BISCHOFF**RESOLUTION NO. 176-21**

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

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

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

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

INCREASE:

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

, AND BE IT FURTHER

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

AGENDA ITEM NO. 9 – Award Bid/Authorize Agreement - Transportation of Children with Disabilities-Health Department/Children with Special Needs - Health Department

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

ON MOTION OF BISCHOFF**RESOLUTION NO. 177-21**

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

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

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

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

Minutes Acceptance: Minutes of Jul 22, 2021 6:00 PM (Approval of Minutes)

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

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

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

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

AGENDA ITEM NO. 10 – Authorize Agreement/Accept Funds Integrated Cancer Services Program - Health Department

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 178-21

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

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

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

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

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

<u>Increase Revenue:</u>	<u>Current</u>	<u>Increase</u>	<u>Balance</u>
A40105.43450.20CSC CA SVC	\$80,986	\$119,014	\$200,000
<u>Increase/Decrease Expense</u>	<u>Current</u>	<u>Inc/(Dec)</u>	<u>Balance</u>
A40105.51005.20CSC PERSONAL SERV	\$52,283	(\$2,874)	\$49,409
A40105.54000.20CSC TELEPHONE	\$158	\$292	\$450
A40105.54005.20CSC OFFICE SUPPLIES	\$200	\$1,006	\$1,206
A40105.54020.20CSC POSTAGE	\$100	-0-	\$100
A40105.54045.20CSC TRAVEL	\$200	\$1,480	\$1,680
A40105.54048.20CSC PROGRAM SUP	\$3,685	\$2,715	\$6,400
A40105.54060.20CSC LEGAL ADV	\$1,000	\$106,420	\$107,420
A40105.54213.20CSC COPIER	\$270	\$80	\$350
A40105.58020.20CSC RETIREMENT	\$7,320	\$585	\$7,905

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A40105.58030.20CSC	FICA	\$4,000	-0-	\$4,000
A40105.58040.20CSC	WRKS COMP	\$1,995	\$120	\$2,115
A40105.58060.20CSC	HEALTH INS	\$9,665	\$9,190	\$18,855
A40105.58062.20CSC	DENTAL INS	\$90	-0-	\$90
A40105.58065.20CSC	VISION CARE	\$20	-0-	\$20
			\$119,014	

, AND BE IT FURTHER

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

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

AGENDA ITEM NO. 11 – Authorize Agreement with Salvation Army for Warming Center - Department of Social Services

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 179-21

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

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

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

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

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

AGENDA ITEM NO. 12 – Appoint Member Cortland County Board of Health - Health Department

Minutes Acceptance: Minutes of Jul 22, 2021 6:00 PM (Approval of Minutes)

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

ON MOTION OF BISCHOFF**RESOLUTION NO. 180-21****Appoint Member Cortland County Board of Health - Health Department**

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

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

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

RESOLVED, that Susan Williams, 10 Kennedy Parkway, Cortland, NY 13045 be and hereby is appointed to said Board as an At-Large member, for a six (6) year term beginning on July 1, 2021 and ending December 31, 2027.

Referred from Agriculture/Planning/Environment Committee

AGENDA ITEM NO. 13 – Authorize Negative Declaration of Environmental Impact Under State Environmental Quality Review (SEQR) for Consolidated Agricultural District 2021-2029 - Planning Department

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

ON MOTION OF FITCH**RESOLUTION NO. 181-21****Authorize Negative Declaration of Environmental Impact Under State Environmental Quality Review (SEQR) for Consolidated Agricultural District 2021-2029 - Planning Department**

WHEREAS, Article 25-AA, Section 303 (a) of the Agriculture and Markets Law, states that the County Legislature shall review any agricultural district created eight years after the date of the creation and every eight years thereafter, AND

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

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

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or

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

Referred from Judiciary & Public Safety Committee

AGENDA ITEM NO. 14 – Renew Agreement with Rural Law Center for Indigent Defense Appeals - Assigned Counsel

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

ON MOTION OF PRICE

RESOLUTION NO. 182-21

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

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

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

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

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

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

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

AGENDA ITEM NO. 15 – Authorize Extension of Contract 091-15-New York State Department of Homeland Security - Department of Emergency Response and Communications

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

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

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

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

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

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

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

AGENDA ITEM NO. 16 – Accept Federal Government Surplus Real Property - FAA Tower Site – 3350 South Hill Road, Cortlandville – Department of Emergency Response and Communications

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

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

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

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

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

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

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

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

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

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

AGENDA ITEM NO. 17 – Amend 2021 Budget to Accept 2020 Public Safety Answering Points Operations Grant and Authorize Agreement - Department of Emergency Response & Communications

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

ON MOTION OF PRICE

RESOLUTION NO. 185-21

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

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

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

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

RESOLVED, that the 2021 budget is amended as follows:

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

, AND BE IT FURTHER

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

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

AGENDA ITEM NO. 18 – Amend 2021 Budget to Accept 2020 Hazardous Materials Emergency Preparedness Grant and Authorize Agreement -Department of Emergency Response & Communication

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

ON MOTION OF PRICE

RESOLUTION NO. 186-21

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

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

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

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

RESOLVED, that the 2021 budget is amended as follows:

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

, AND BE IT FURTHER

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or their designee and subject to appropriation of funding, be and hereby is authorized to sign the grant contract with the New York State Department of Homeland Security and Emergency Services at an amount not to exceed \$5,172, AND BE IT FURTHER

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

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AGENDA ITEM NO. 19 – Abolish Keyboard Specialist/Create Information Processing Clerk - Assigned Counsel

RESULT:	ADOPTED [12 TO 2]
MOVER:	Sandra Price, Legislator
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Harbin, Bischoff, Wilson, Stock, Homer, Fitch, Newell, Waldbauer, Price, Heider, Eccleston
NAYS:	Linda Jones, Joseph Nauseef
EXCUSED:	Ronald J. Van Dee, Kelly L. Fairchild-Preston, George Wagner

ON MOTION OF PRICE

RESOLUTION NO. 187-21

Abolish Keyboard Specialist/Create Information Processing Clerk - Assigned Counsel

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

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

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

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

Referred from Government Operations Committee

AGENDA ITEM NO. 20 – Adopt of Rules of Order - Cortland County Legislature

	Votes	AYE	NAY	Total
Bentley (LD1)	2744	1		2744
Bischoff (LD3)	2743	1		2743
Eccleston (LD17)	3379	1		3379
Fitch (LD8)	2990	1		2990
Harbin (LD2)	2747	1		2747
Homer (LD7)	2743		1	0
Jones (LD9)	2989		1	0
Nauseef (LD12)	2819		1	0
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	0
Waldbauer (LD13)	2853	1		2853
Wilson (LD5)	2744	1		2744
Heider (16)	3192	1		3192
Total	49336			32313
		Majority	24669	
		2/3rd	32892	

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RESULT:	FAILED [11 TO 3]
MOVER:	Susan Wilson, Legislator
SECONDER:	Sandra Price, Legislator
AYES:	Bentley, Harbin, Bischoff, Wilson, Stock, Fitch, Newell, Waldbauer, Price, Heider, Eccleston
NAYS:	Ann Homer, Linda Jones, Joseph Nauseef
EXCUSED:	Ronald J. Van Dee, Kelly L. Fairchild-Preston, George Wagner

ON MOTION OF WILSON

RESOLUTION NO.

Adopt of Rules of Order - Cortland County Legislature

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

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

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

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

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

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

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

RESOLVED, that this resolution shall take effect July 23, 2021.

AGENDA ITEM NO. 21 – Authorize Agreement Burke Group for Department Heads, Management Employees and Management/Confidential Employees Salary Review and Analysis - Cortland County Legislature

RESULT:	ADOPTED [12 TO 2]
MOVER:	Susan Wilson, Legislator
SECONDER:	Ann Homer, Legislator
AYES:	Bentley, Harbin, Bischoff, Wilson, Stock, Homer, Fitch, Newell, Waldbauer, Price, Heider, Eccleston
NAYS:	Linda Jones, Joseph Nauseef
EXCUSED:	Ronald J. Van Dee, Kelly L. Fairchild-Preston, George Wagner

ON MOTION OF WILSON

RESOLUTION NO. 188-21

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

WHEREAS, the Cortland County Legislature wishes to review the salaries of the County's

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Department Heads, Management Employees and Management/Confidential Employees, AND

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

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

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

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

Referred from Finance & Administration Committee

AGENDA ITEM NO. 22 – Adopt Local Law "F" of 2021, Amending Law No. 9 for the Year 2016 Which Established a Plan of Mutual Self-Insurance for Workers' Compensation; Amend Rules and Regulations and Apportionment

RESULT:	ADOPTED [12 TO 2]
MOVER:	Mitchel Eccleston, Legislator
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Harbin, Bischoff, Wilson, Stock, Homer, Fitch, Newell, Waldbauer, Price, Heider, Eccleston
NAYS:	Linda Jones, Joseph Nauseef
EXCUSED:	Ronald J. Van Dee, Kelly L. Fairchild-Preston, George Wagner

ON MOTION OF ECCLESTON

RESOLUTION NO. 189-21

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

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

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

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

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

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

WHEREAS, the proposed local law has been on Legislators' desks for the required seven days, and a Public Hearing was held July 22, 2021, NOW THEREFORE BE IT

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

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

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

Section 1. Created.

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

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

Section 2. Administration.

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

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

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

- A. Participation in the Self-Insured Plan.

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

- B. Withdrawal from the Self-Insured Plan.

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

The Director of Finance, with the approval of the County Legislature may permit said payment to be made in installments, subject to interest at the prime rate prevailing at the time of withdrawal

(as reported in the Wall Street Journal). Installment plans may not exceed two years, and withdrawal shall be effective upon receipt of the final installment payment.

C. Termination of the Self-Insured Plan.

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

Section 4. Group Insurance Plan.

A. Participation in the Group Insurance Program.

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

B. Withdrawal of the Group Insurance Program.

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

C. Termination of the Group Insurance Program.

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

Section 5. Rules and Regulations.

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

- A. Participants shall cooperate fully with the Administrator in the administration of the plan, and shall prepare and file with the Administrator such reports and information as may, from time to time, be requested.
- B. Participants shall promptly furnish all pertinent information relative to any claim, and shall aid in the investigation of any claim as may be required by the County, any insurer, administrator or tribunal.
- C. Fines and penalties imposed on the plan for late filing of reports and forms shall be assessed against and paid by the participant if, in the opinion of the Administrator, the delay is occasioned by the failure or fault of the participant.
- D. Violation of any of the foregoing provisions of this section by any participant shall be punishable by the imposition of a penalty, which shall not exceed \$500.00 for each violation, at the

discretion of the Administrator, or by expulsion from the plan upon a weighted vote of the participant based on the 2019 ratios. Expulsion of a participant shall constitute a withdrawal.

- E. A participant who withdraws or has withdrawn from either the Self-Insured Plan or the Group Insurance Program shall not be permitted to re-enter or participate in the Self-Insured Plan or the Group Insurance Program.

Section 6. Apportionment of Costs.

A. Self-Insured Plan

1. Each participant in the Self-Insured Plan under Section 3 shall pay an annual assessment, based on the prior 3-year averaged claims expense of participants and any additional fees and expenses determined by the Administrator. Apportionment of costs shall be determined by taking the total amount to be assessed and applying the following formula:
 - a. Forty percent (40%) of the total revenue for the Self-Insured Plan shall be generated based upon assessed valuation as of December 31, 2019. Each participant's share shall be calculated by determining the participant's percentage of full value assessment within the plan and multiplying that percentage of full value assessment by the total amount of revenue to be generated. The County's percentage of full value assessment shall only include the full value assessment contained within municipalities participating in the Self-Insured Plan. When calculating the full value assessment of a town, the assessment of a participating village within such town shall be excluded.
 - b. Sixty percent (60%) of the total revenue for the Self-Insured Plan shall be generated based upon claims history as of December 31, 2019. Each participant's share shall be calculated by determining the participant's percentage of the average claims paid for the preceding three (3) years, which average claims paid shall be known as the "experience factor", and multiplying that percentage by the total amount of revenue to be generated.
2. The apportionment of costs shall be subject to the following:
 - a. If a participant's annual assessment exceeds the annual assessment for the previous year, any increase in the assessment from the previous year shall not exceed 5% of the previous year's assessment; and
 - b. If a participant's annual assessment is less than the annual assessment for the previous year, any decrease in assessment from the previous year shall not exceed 10% of the previous year's assessment.

B. Group Insurance Program.

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

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

C. Notice and Payment

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

Section 7. Reserve Fund.

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

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

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

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

This local law shall take effect immediately

AGENDA ITEM NO. 23 – Authorization to Fund Cortland County's Costs for Year One of the Tompkins Cortland Community College Workforce and Career Development Pilot Program

RESULT:	ADOPTED [13 TO 1]
MOVER:	Mitchel Eccleston, Legislator
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Harbin, Bischoff, Wilson, Stock, Homer, Fitch, Newell, Nauseef, Waldbauer, Price, Heider, Eccleston
NAYS:	Linda Jones
EXCUSED:	Ronald J. Van Dee, Kelly L. Fairchild-Preston, George Wagner

ON MOTION OF WAGNER

RESOLUTION NO. 190-21

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

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

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

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

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

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

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

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

WHEREAS, the cost of the program will be \$200,000 in year one (2021-2022 academic year), \$350,000 in year two (2022-2023 academic year), and \$200,000 in year three (2023-2024 academic year), to be shared by Tompkins and Cortland Counties according to the formula used to determine their sponsorship shares (*i.e.*, 2020-21 is 63% from Tompkins County and 37% from Cortland County), AND

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

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

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

INCREASE:

A62935.54780	Sponsor Contributions	\$74,000
A359900	Appropriated Fund Balance	\$74,000

, AND BE IT FURTHER

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

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

AGENDA ITEM NO. 24 – Adopt 2021-2022 Tompkins Cortland Community College Operating Budget

RESULT:	ADOPTED [12 TO 2]
MOVER:	Mitchel Eccleston, Legislator
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Harbin, Bischoff, Wilson, Stock, Homer, Fitch, Newell, Waldbauer, Price, Heider, Eccleston
NAYS:	Linda Jones, Joseph Nauseef
EXCUSED:	Ronald J. Van Dee, Kelly L. Fairchild-Preston, George Wagner

ON MOTION OF WAGNER**RESOLUTION NO. 191-21****Adopt 2021-2022 Tompkins Cortland Community College Operating Budget**

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

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

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

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

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

AGENDA ITEM NO. 25 – Authorize Renewal of Contract - Property Tax Collection Software - ATC Taxes - Treasurer's Office

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

ON MOTION OF WAGNER**RESOLUTION NO. 192-21****Authorize Renewal of Contract - Property Tax Collection Software - ATC Taxes - Treasurer's Office**

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

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

WHEREAS, following extensive review of the limited alternative real property tax software

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

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

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

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

WHEREAS, said cost of contract shall be as follows:

2021 - \$34,950

2022 - \$36,700

2023 - \$36,700, NOW THEREFORE BE IT

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

AGENDA ITEM NO. 26 – Amend Budget/Authorize Optional Payout of Accumulated Comp Time for Department Heads and Management Employees - County Administrator

RESULT:	ADOPTED [12 TO 2]
MOVER:	Mitchel Eccleston, Legislator
SECONDER:	Cathy Bischoff, Legislator
AYES:	Bentley, Harbin, Bischoff, Wilson, Stock, Homer, Fitch, Newell, Waldbauer, Price, Heider, Eccleston
NAYS:	Linda Jones, Joseph Nauseef
EXCUSED:	Ronald J. Van Dee, Kelly L. Fairchild-Preston, George Wagner

ON MOTION OF WAGNER

RESOLUTION NO. 193-21

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

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

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

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

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

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

Minutes Acceptance: Minutes of Jul 22, 2021 6:00 PM (Approval of Minutes)

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

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

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

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

Increase: Account A90895.58000.ARP	Other Employee Benefits	\$75,000
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Increase: Account A359900	Appropriated Fund Balance	\$75,000
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, AND BE IT FURTHER

RESOLVED, that the County General Fund be reimbursed for the cost of this project upon receipt of the Federal American Rescue Plan funds.

Announcements

Adjourn



WEBSITE PROPOSAL

Why FreshySites

2,200+

Website projects delivered since 2011

300+

Five star reviews on Google

19+

Top notch WordPress experts on our team

1.

Experience

We have worked on over 2,200 website projects since our launch in 2011. As one of the largest website design groups on the east coast we are adding around 30 sites per month to our active client roster.

2.

In-house staff

With a team of 19 top notch WordPress Experts in house, we manage all project details, design, and development with excellence.

3.

WordPress experts

Our team lives and breathes WordPress. We build all of our websites on WordPress and the latest frameworks so that you have a fluid user and management experience.

4.

Process driven design

We have honed our process over the past 8 years to ensure timely and attractive design elements and experiences.

5.

Customer service

Our team is here to put your goals, objectives, and needs first. We are a platform built on solid customer service, it is our primary focus.

6.

Ongoing support

We have a full time support staff works every day to ensure all of our current customers are happy. We provide any/all support needed to keep things running smoothly for you. Our average support ticket turnaround time is under 8 minutes.

Team overview



Ben Giordano
Founder



Vincent Consumano
Founder



Kelsey Moore
Operations Manager



Erin Cortazar
Director of Support
Services



Tim Burford
Creative Director



Jon Fuller
Lead Web Developer



Tod Anderson
Web Designer



Emily Petko
Support Success Lead



Karina Lenartowicz
Web Designer



Liz Jachimowicz
Project Manager



Chelsey Buttrey
Web Designer



Michael Alderson
Support Specialist

Team overview



Jorge Mata
Project Manager



Binh Ehrler
Project Manager



Givanna Bernardo
Digital Marketing
Specialist



Don Schindler
Account Manager



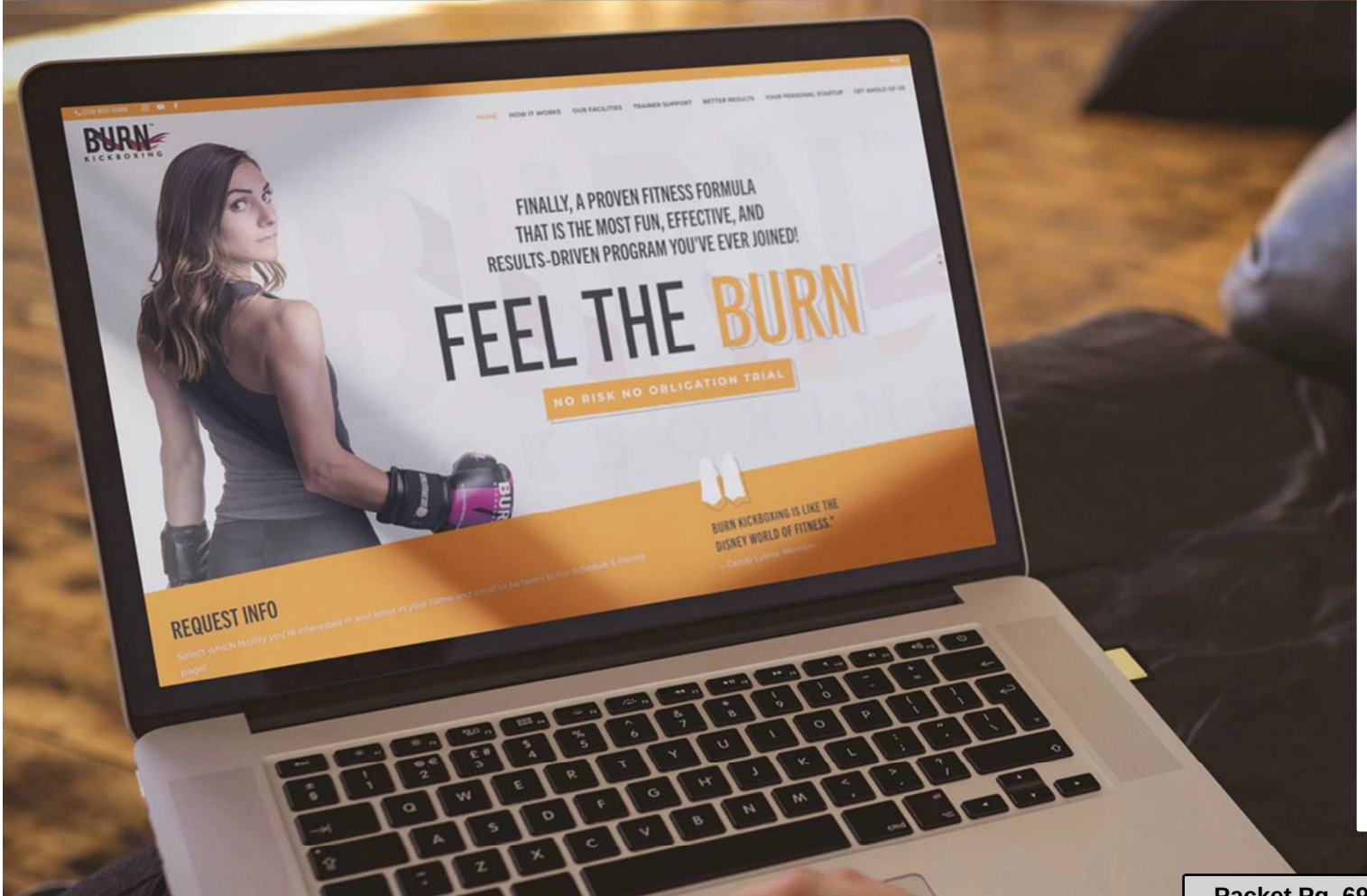
Jen Schindler
Account Manager

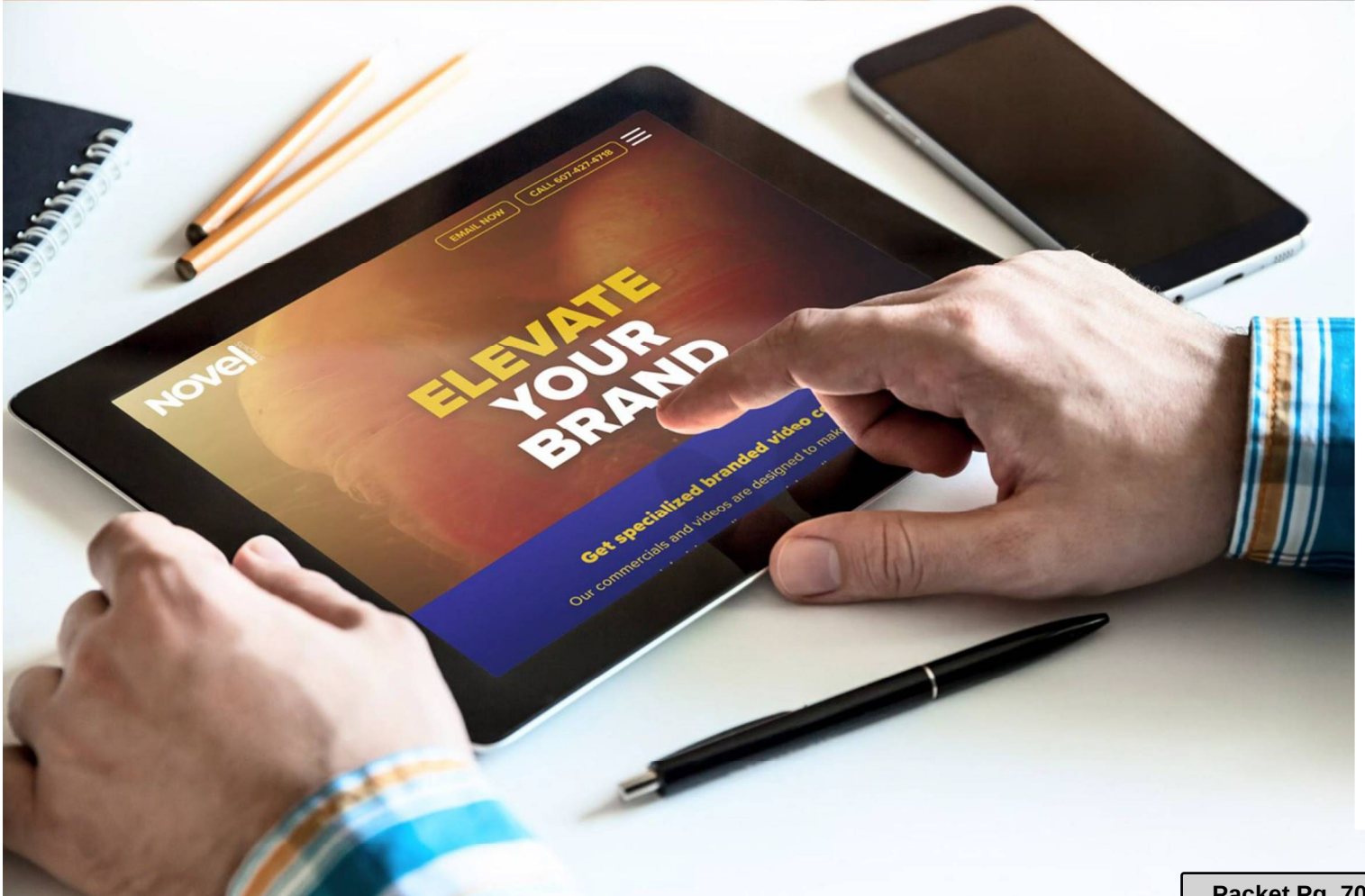
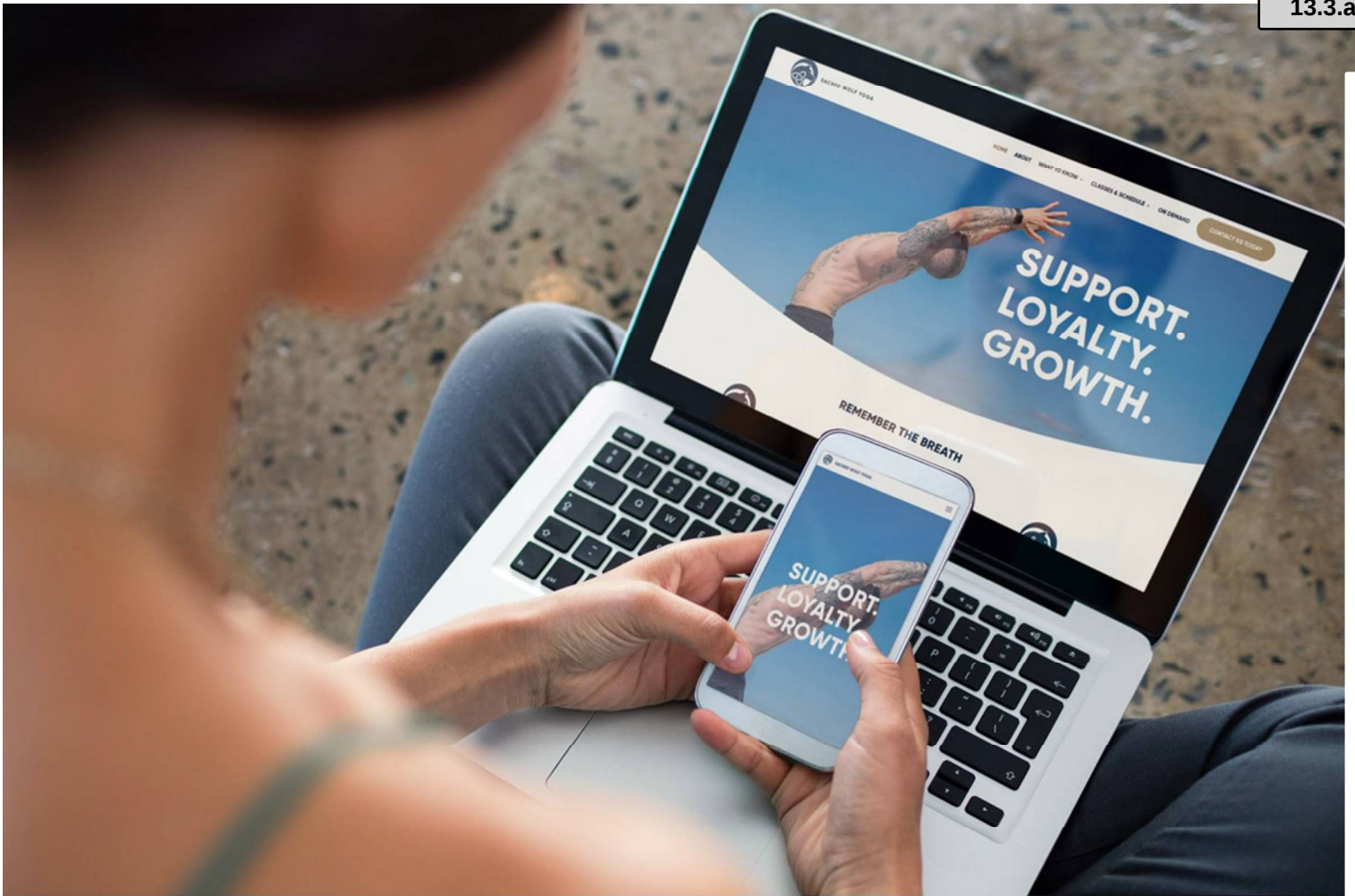
**We have an amazing
team at FreshySites, we love
what we do — and it shows.**

Our product value is defined by our customers, not us.

We are not selling websites, we are selling a team of people that help guide small business owners and organizations through the maze that is the current digital landscape. Everything we do, every team member we have, every process we add or remove, should further that mission and value proposition.









Attachment: FreshySites-Cortland County4-12-2021 (195-21 : Authorize Agreement for Secure Website Form Submission - Information



Scope of work

Cortland County

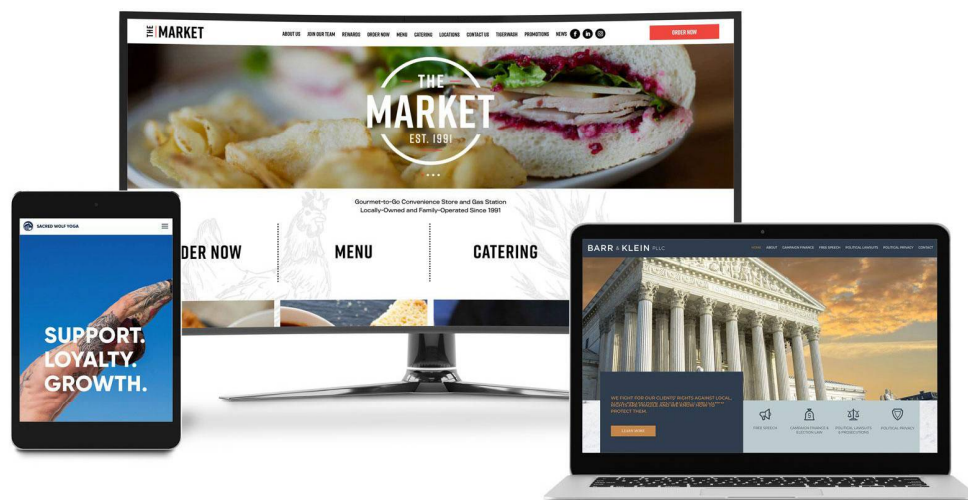
April 12, 2021

Overview

Thank you for the opportunity to present this proposal and for considering FreshySites to support your website and website development needs.

FreshySites specializes in providing businesses and organizations with professional and powerful digital marketing services. We utilize unique concepts, high-end talent and fresh online tools to make sure our client projects exceed expectations.

Please find attached our proposed approach, scope of work, estimated fees and payment schedule. Please take your time in reviewing this proposal and contact us with any questions or concerns. We look forward to working with you.



Specifications

Website Project Briefing, Website Design Mockups, Mockup Revisions, Website Development & Coding, Website Revisions, Launch, & Optimization

Scope of Work: Setup

Website Design & Development

\$16,500

- Project Overview Meeting & Project Briefing Form
 - Review of Company, Brand, Content, & Messaging
 - Sitemap Development
 - Home Page Wireframe Development
- Home Page Mockups and Layout Design
 - Development and Presentation Home Page Mockups
 - Three Revision Rounds – Not to Exceed 6 Hours
- Website Content Management System and Framework
 - Installation of the WordPress Content Management System
 - Customization of the CMS to Fit Project Needs
 - Website Framework Installation
 - Content Integration and Layout
- Functionality Requirements
 - Client to provide LAMP Stack Server with WordPress Installed
 - Up to 12 Pages of Content and Layout Work
 - Various Secure Forms Including:
 - Application for Employment
 - Application for Representation
 - Other applications built out (at additional costs)

Fully Responsive Mobile-First Design

- Website style sheets customization for multi-device usage
- Website file set customization for multi-device usage
- Mobile-First Navigation Layout and UX

Website Presentation Phase

- Present Fully Working Website on Development Domain
- Up to Three Revision Rounds – Not to Exceed 18 Hours
- Finalized Website Presentation & Launch

Quarterly Plugin & Theme Management

\$375/qtr

- Managed plugin and theme updates
 - Scheduled on a recurring quarterly basis
 - Includes up to 30 mins of troubleshooting per quarter
 - Does not include support requests, additions or updates to website
- freshysites.com/monthly-management

Professional design process



1. Kickoff & creative brief: We dive in deep to learn about your organization, brand, mission, and more. We work together to build a project overview document and creative blueprint that will guide the website design and development.



2. Website mock-ups & design: Our world class design team brings concepts to life in our mockup process. Interactive feedback tool and revision rounds add value and help us manage the design process as a team.



3. Website development: Our expert web design and development team builds your approved designs into the industry-leading drag-and-drop system for easy updating and ongoing maintenance. All sites are always fully responsive for all screen sizes and devices.



5. Revisions & launch: Our revision rounds are an opportunity for us to work with clients to key in any changes to the development link prior to launch, we work until it's perfect.



6. Hosting, security, & support: We provide ongoing hosting on the world's leading WordPress managed infrastructure. Our CDN, Backups, SSL, and security scanning ensure your site is always updated, fast, and available for your visitors.

WordPress & WooCommerce expert

World's most powerful website platform, fully drag and drop, simple to update, easy to maintain.

Important notes

Client Owns Website & All Assets/Content: All content is solely owned by client upon project completion and final payment. This proposal does include initial configuration and setup. However, it does not include ongoing website management, ongoing support management, or ongoing management of any kind. FreshySites is proposing the above with the understanding that the client will be maintaining and managing the content, updates, changes, ongoing marketing efforts, etc. Any items outside of the initial setup will be subject to FreshySites' hourly rate of \$185/hr.

All Ongoing Fees Start at Project Onset: In order to design and develop your new website we need to create and host a new installation instance. Therefore, all ongoing fees commence at project onset.

Development Notes: FreshySites cannot move forward with the build process without content. A revision round at any phase requires an approximate one week turn around. Any additional revisions may add to the estimated timeline. Expedited website development and revisions can be procured at an increased rate.

DNS Management: At FreshySites, we utilize Cloudflare (<https://www.cloudflare.com/>) to manage our client DNS records. This allows us to make the technical changes as needed and fully leverage the Cloudflare CDN and DDOS Mitigation systems.

Basic Training Documentation Included – Advanced Training Available: Training available upon request and will be billed separately. Free videos and training documentation provided by FreshySites.

Support of Website: FreshySites provides approximately an hour of basic support a month for simple content updates, changes, etc. Additions to your website and major changes would be scope separately at our hourly rate.

Dormant Projects: If client becomes unresponsive for over 2 months a restart fee of 15% of project budget may be applied due to inactivity. If over 6 months of inactivity FreshySites reserves the right to cancel the project.

Professional references

Sarah Rayle

Tioga State Bank
tiogabank.com
srayle@tiogabank.com
 (607) 589-7600

Sarah Son

American College of Obstetricians
womenspreventivehealth.org
sson@acog.org
 (800) 673-8444

Anthony Maione Jr.

Core Management Services
coreamerica.com
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 (877) 583-9292

James B. Reed

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jreed@zifflaw.com
 (607) 733-8866

Erik Briceno

V2 Systems
v2systems.com
e.briceno@v2systems.com
 (703) 361-4606 x 105

Kim Shanahan

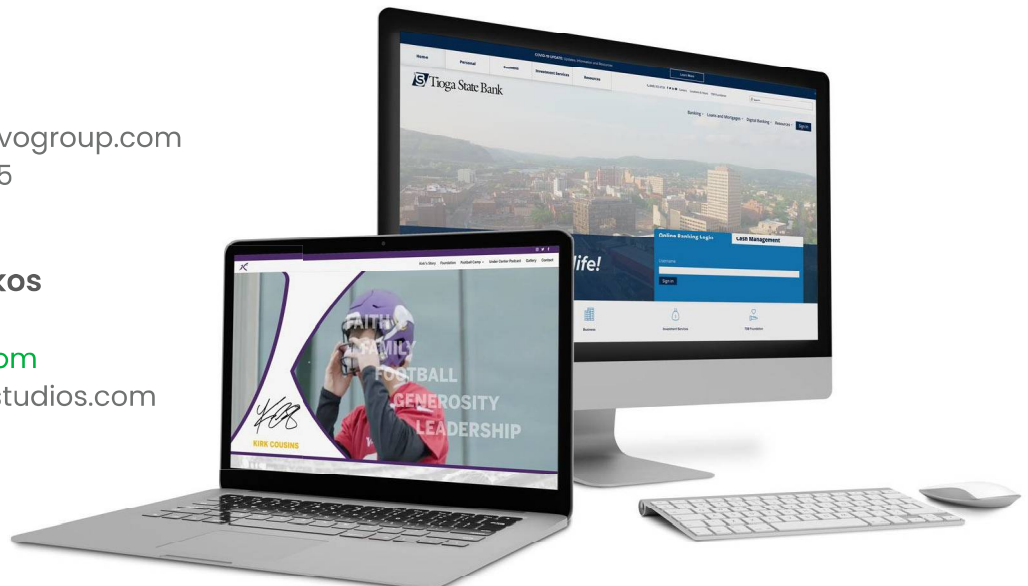
AccelHRate
accelhrate.com
kim.shanahan@accelhrate.com
 (571) 599-2242

Rhett Hintze

Bravo Group
bravogroup.us
hintze@thebravogroup.com
 (888) 224-9955

Howey Mitsakos

Novel Studios
novelstudios.com
howey@novelstudios.com
 (607) 427-4718



Our clients love us

Don't just take our word for it. Over the years, we've gotten some great positive feedback from our happy customers. Below are just a few.



With my initial vision, coupled with vague instructions, the FreshySites team was able to capture the **exact look and feel we wanted** when redesigning our WordPress website, as part of a rebranding strategy. The team was on top of every detail, had open lines of communication, and patience when we were combing through the final product and correct the smallest of details.

Professional creativity and service exudes from this very BIG small business! The products and services of a much larger firm, but the attention and investment into their client, as if a 1-person start up! **If you dream it, they will build it.** Job well done."

Jordan Patch, Animal Adventure Park



Thank you so much for all your work on our new United Way website. **We all absolutely love it** and are so grateful that we will be able to showcase our work and the work of our community partners through such a beautiful website. We look forward to working with you in the near future. Thank you again."

Maria Cataldo, United way of Broome County



I had a **great experience working with FreshySites** on various projects – including logo, business card design and website development. The team was incredibly professional and very easy to work with. They were all responsive and the final products were exactly what I wanted (even better, actually). I will recommend them to friends and would **wholeheartedly recommend them to anyone else**. I plan on using them again in the future."

Patricia Marti Rop, Vine Ventures, Inc.



Best website company period! **They have over-delivered time after time.** When we need anything updated, it is done asap! Even though they are a large company, **they make you feel like you are their most important client** because of their attentiveness."

Kevin Webb, KW Fitness



[View all testimonials](#)

Agreement

Cortland County (hereafter known as "Client") agrees to enter into the marketing program update initiative as outlined above. Client agrees to FreshySites terms of service located at <https://freshysites.com/terms/>. Any changes or deviations to the scope of work may result in additional fees. FreshySites, will not adjust or modify the scope of work outlined in this proposal without the prior consent of Client. Further, Client understands that the agreement of the outlined timeline for this project is contingent on certain expectations of Client to gather and provide necessary information and data to FreshySites. In addition, to the fullest extent permitted by law the client shall indemnify and hold harmless FreshySites from and against claims, damages, losses and expenses, including but not limited to attorneys' fees, arising out of or resulting from performance of the Work. Client agrees to pay FreshySites all project fees at project onset. Client agrees to start monthly services at project onset with a corporate credit card.

To Accept This Agreement Please Click the Button Below and Complete the Form:

Start Here!



Form Development, WordPress Install and Maintenance for Cortland County

By Jonathan Meyerhoff – Founder/Senior Consultant for IMM
4/26/'21

The goals of this project will be to:

Allow public users to enter information on an application to be submitted to the appropriate department for processing. This information will be hosted on an in-house (County) web server. Specifications will include:

- The use of WordPress as a platform to develop and maintain the forms
- Development of a secure form for the following uses:
 - Application for employment for the Personnel Department
 - If a certain box is checked, the applicant must fill out an additional form
 - Form will be rejected without submission of the additional form
 - The ability to accept payment for any fees via GovPay
 - If there is an application fee, user must confirm they have submitted payment by entering purchase confirmation number.
 - Other requirements to be determined
 - Application for representation for the Assigned Counsel Department
 - Requirements to be determined
 - Other application development for use within the County as business rules dictate

Project Details

IMM will take the following steps to complete the project:

A – IMM will perform the development on its development server, so we will set up an account and do a fresh install of WordPress (most likely Divi theme).

B – Have an initial kick off meeting with CC personnel and gather specifications on the forms and any other expectations

C – Install Gravity Forms plugin (www.gravityforms.com). This is the most trusted and flexible form maker available for WordPress (\$59 per year). There are free plugin forms, but we would not recommend them for CC.

D – Install Wordfence Firewall and Security Scanner

- Web Application Firewall identifies and blocks malicious traffic.
- Protects the web site at the endpoint, enabling deep integration with WordPress. Unlike cloud alternatives does not break encryption, cannot be bypassed and cannot leak data.
- Integrated malware scanner blocks requests that include malicious code or content.
- Protection from brute force attacks by limiting login attempts.

E – Prior to building out the forms, IMM will share the various form designs available. There will be option for IMM to create a custom designed form if CC would like. This will add an additional 10–12 hours for the project.

F – Build out both the application for employment and application for representation for the Assigned Counsel Department.

The employment application will have the following specifications:

- If a certain box is checked, the applicant must fill out an additional form
- Form will be rejected without submission of the additional form
- The ability to accept payment for any fees via GovPay
- If there is an application fee, user must confirm they have submitted payment by entering purchase confirmation number.
- Other requirements to be determined

The application for representation for the Assigned Counsel Department will be determined.

G – Link AllPaid/GovPay payment gateway for users to make payments (<https://www.govpaynow.com/gps/user/cyg/welcome>).

H – Integrate responsive design, test for continuity with mobile design and the four major browsers (Chrome, FireFox, Safari, Explorer).

I – Once the forms are completed, IMM will share a development URL with CC for review i.e., cortlandcounty.immllcdev.com

J – When the forms have been approved IMM will then need ftp/Cpanel logins to the CC server and will move the WordPress theme with forms over to the CC server.

The minimum recommended hardware requirements for running WordPress are:

- Disk Space: 1GB+
- Web Server: Apache or Nginx
- Database: MySQL version 5.0.15 or greater or any version of MariaDB
- RAM: 512MB+
- PHP: Version 7.3 or greater
- Processor: 1.0GHz+

K – Once everything has been transferred IMM will test and as we do, try and break things!

Fees

IMM will charge it's local/regional small business rate of \$85 per hour.

Steps A–K above, including project management, startup meetings, system administration and all development, will take roughly 50–55 hours give or take depending on the specifications of the application for representation for the Assigned Counsel Department (content is TBD) or \$4,200–\$4,675

Again, if custom design is desired for the form templates this will accrue additional hours/cost.

Yearly fee for Gravity Forms – \$59

Ongoing maintenance

IMM will maintain a mirror copy of the website on its development server. As new theme updates are available, in the event an update might potentially conflict with any of the installed plugins i.e., Gravity Forms, IMM can test on the development website first prior to performing the update on the production site. IMM will add its admin management email to the WordPress theme in order to receive notifications for updates (hosting@imm-llc.com).

IMM has a ticket system, managed daily between 7AM–6PM EST available for clients to use when any specific needs or questions arise.

WordPress managed website maintenance – \$250 per year

This includes updating the theme and plugins, monitoring the Wordfence plugin and addressing any alerts etc.

Additional development needs moving forward

As CC has additional development needs, IMM will quote the projects as they arise at the rate of \$85 per hour. IMM has a deep resource of developers for multiple different platforms/languages to tap into. IMM is currently working on building an app for one of its national clients based in Cortland.

IMM LLC
28 Michigan Hollow Rd
Spencer, NY 14883
www.imm-llc.com
607-330-1547

**Cortland County Department of Mental Health
2022 Agreements with Agencies**

CONTRACTOR	DESCRIPTION	Contract Term	ESTIMATED COST	ACCOUNT NUMBER CHARGED TO:
Abel Screening, Inc.	AASI Screening	1/01/2022 - 12/31/2022	\$ 1,612.00	A -04-4310-4310-54055-4200
Ability Network, Inc.	Computerized Batch Claiming Services for Medicare	1/01/2022 - 12/31/2022	\$ 367.00	A -04-4310-4310-54002-4200
EFPR Group	2021 Consolidated Fiscal Report Review	1/01/2022 - 12/31/2022	\$ 6,120.00	A -04-4310-4310-54086-4200
Catholic Charities	Recovery Center, Health Homes, Work Program, Supported Housing, Rental Assistance funded by OMH	1/01/2022 - 12/31/2022	\$ 724,234.00	A -04-4310-4310-54815-4213
Catholic Charities	Supported Housing, Community Residential funded by OASAS	1/01/2022 - 12/31/2022	\$ 344,295.00	A -04-4310-4310-54815-4213
Contact Community Services	Crisis Services	1/01/2022 - 12/31/2022	\$ 10,200.00	A -04-4310-4310-54815-4227
Cortland County Department of Social Services	Prevention program funded by DSS	1/01/2022 - 12/31/2022	\$ 83,069.00	A -04-4310-4310-51005-42RS
Cortland Enlarged City School District	Alcohol and Substance Abuse Prevention Program funded by OASAS	1/01/2022 - 12/31/2022	\$ 99,210.00	A -04-4310-4310-54815-4211
Coordinated Care Services, Inc.	Fiscal Officer Services	1/01/2022 - 12/31/2022	\$ 44,880.00	A -04-4310-4310-54055-4200
Cortland County DSS	DSS Preventive Services	1/01/2022 - 12/31/2023	\$ 150,000.00	A -04-4310-4310-51005-4200
Guthrie Medical Center	Psychiatric Emergency Services & Psychiatric Jail Evaluations funded by OMH	1/01/2022 - 12/31/2022	\$ 28,250.00	A -04-4310-4310-54815-4222
Indentrust	Bi-annual renewal of identity proofing for e-prescribe	1/01/2022 - 12/31/2022	\$ 306.00	A -04-4310-4310-54002-4200
InnovaTel	Psychiatric Services	1/01/2022 - 12/31/2022	\$ 145,000.00	A -04-4310-4310-54055-4200
Language Line	Translation services for non-English speaking clients	1/01/2022 - 12/31/2022	\$ 561.00	A -04-4310-4310-54055-4200
Family & Children Counseling Services	Early Recognition and Screening Program funded by OMH	1/01/2022 - 12/31/2022	\$ 49,768.00	A -04-4310-4310-54815-4208
Family & Children Counseling Services	Chemical Dependency Treatment and Prevention Program funded by OASAS	1/01/2022 - 12/31/2022	\$ 905,386.00	A -04-4310-4310-54815-4208
Family & Children Counseling Services	Jail evaluations for inmates for substance abuse	1/01/2022 - 12/31/2022	\$ 21,675.00	A -04-4310-4310-54055-4200
Franziska Racker	Provide psycho-educational program for students with serious emotional and behavioral needs funded by OMH	1/01/2022 - 12/31/2022	\$ 40,854.00	A -04-4310-4310-54815-4219
JM Murray Center	Extended Supported Employment and Assisted Competitive Employment funded by OMH	1/01/2022 - 12/31/2022	\$ 216,978.00	A -04-4310-4310-54815-4216
Joe Amideo	Lease of 7 Clayton Avenue	1/01/2022 - 12/31/2022	\$ 89,454.00	A -04-4310-4310-54067-4200
Joe Amideo	Maintenance of 7 Clayton Avenue	1/01/2022 - 12/31/2022	\$ 1,530.00	A -04-4310-4310-54015-4200
Kinney Management Services, LLC	Screening of potential and current employees to assure participation in Medicaid	1/01/2022 - 12/31/2022	\$ 663.00	A -04-4310-4310-54055-4200
MEDENT	Maintenance of Behavior Health Clinical and Billing Software	1/01/2022 - 12/31/2022	\$ 28,494.00	A -04-4310-4310-54002-4200
Mental Health Association of Cortland County	Provide information to members of the community to help reduce the stigma associated with Mental Illness funded by OMH	1/01/2022 - 12/31/2022	\$ 20,010.00	A -04-4310-4310-54815-4224
Seven Valleys Health Coalition	211 information and Referral System	1/01/2022 - 12/31/2022	\$ 12,240.00	A -04-4310-4310-54815-427V
SUNY Upstate Medical	AOT (Assisted Outpatient Treatment)	1/01/2022 - 12/31/2022	\$ 2,040.00	A -04-4310-4310-54055-4200
Talksoft	Provide automated reminder calls to clients	1/01/2022 - 12/31/2022	\$ 5,875.00	A -04-4310-4310-54002-4200

**Cortland County Department of Mental Health
2022-2023 Agreements with Agencies**

CONTRACTOR	DESCRIPTION	Contract Term	ESTIMATED COST/YEAR	ACCOUNT NUMBER CHARGED TO:
Columbia University	Healing Communities that Care Grant	1/01/2022 - 12/31/2023	\$ 103,020.00	A -04-4310-4310-54055-HEAL
Cortland Area Communitites that Care	Healing Communities that Care Grant	1/01/2022 - 12/31/2023	\$ 103,020.00	A -04-4310-4310-54055-HEAL



Cortland County Board of Health
 County Office Building
 60 Central Avenue
 Cortland, New York 13045
<http://cchd.cortland-co.org>

Bylaws

I. Establishment and Operation

Section 1.00 The Cortland County Board of Health, established November 26, 1929 in accordance with the provisions of N.Y. State Public Health Law Article 3, Titles I - III, shall exercise all the powers and duties of local boards of health, and shall further assume the responsibilities as may arise or be indicated for county boards of health, as defined in Article 3, Titles I - III. It shall also operate within such provisions that may be adopted in connection therewith by the Cortland County Legislature.

II. Board of Health Powers and Duties

Section 2.00 The Board of Health, herein referred to as the Board, having the powers and duties as described in Section 1:00 of these Bylaws, shall take such actions including:

(a) Formulate, promulgate, adopt, amend or repeal, and publish rules, regulations, orders, and directives for the security of life and health in the Health District (i.e., all of Cortland County) that shall not be inconsistent with the Public Health Law or the State Sanitary Code. Such rules, regulations, orders and directives shall be known as the "County Sanitary Code"; and take appropriate action to preserve and improve public health within the County;

(b) Consider any matters that may come to its attention relating to the preservation and improvement of public health within the County and advise the Director of Public Health (Director) thereon, either at the Director's request or upon its own initiative, and from time to time make recommendations to the Director thereon;

(c) Review and make recommendations on the budget of the Department of Health;

(d) Operate within the financial, personnel, and administrative County policies as established by the Cortland County Legislature;

(e) Where required by law, establish fees for the services provided by the Health Department which shall be filed with the State Department of Health and the Cortland County Legislature.

III. Sanitary Code: Procedures for Adoption

Section 3.00 The following procedures shall be used for adoption of the Cortland County Sanitary Code:

(a) The affirmative vote of two-thirds (2/3) of the entire current Board membership shall be required to adopt any rule, regulation, order, or directive that constitutes the adoption of, or an amendment to, the County Sanitary Code. For the final adoption, a roll call of Board members shall be taken, and the names of members present and votes shall be entered in the minutes of the proceedings

(b) Every rule, regulation, order, or directive that constitutes an amendment to the County Sanitary Code shall be mailed or delivered in final form to each member at least seven (7) business days prior to the official vote.

(c) The Board shall hold a public hearing on every rule, regulation, order, or directive that constitutes the adoption of, or an amendment to, the County Sanitary Code, prior to its final passage. Notice of such public hearing shall be published according to standard Cortland County protocol at least ten (10) business days prior to the hearing's date.

(d) A Board approved rule, regulation, order, or directive must be filed with the N.Y. State Department of Health before it is enforceable.

(e) In consultation with the Board, the Director of Public Health shall cause to be published annually a supplement to the County Sanitary Code which shall indicate, amendments of any section of said Code and shall cause to be furnished certified copies of the County Sanitary Code and its amendments for such fees as may be authorized by law.

IV. Board of Health Membership

Section 4.00 The Board shall consist of seven members, one of whom shall be a member of the County Legislature, selected by the County Legislature, and at least three of whom shall be medical providers licensed to practice in the State of New York. In addition, the City of Cortland shall be entitled to one representative member on the Board for a total of seven, as long as the City remains a part of the county Health District.

Section 4.01 Members of the Board shall be residents of Cortland County.

Section 4.02

(a) The members of the Board shall be appointed by the County Legislature.

(b) The county medical society may submit to the Director of Public Health a list of medical providers from which the Director may choose to recommend such medical persons to the County Legislature for approval as Board members.

(c) The City of Cortland representative member of the Board shall be appointed by the County Legislature from a list of individual(s) residing in the City of Cortland submitted by the Director of Public Health.

Section 4.03 The term of office of each appointive member of the Board, including the city representative, shall be six years, with terms overlapping such that at least one member term expires each year except that the term of office of the representative member of the County Legislature shall be for the term of office for which elected.

Section 4.04 Vacancies on the Board shall be filled by appointment by the Cortland County Legislature for the unexpired terms from a candidate list provided by the Director of Public Health.

Section 4.05 No member may be appointed for more than two consecutive terms, unless this provision is waived by a majority vote of the full Board membership which is filled, and the County Legislature concurs.

V. Board Officers and Duties

Section 5.00 The Officers of the Board shall be a President and a Vice President, each of whom shall be elected annually by the members of the Board at the first meeting of the Board each year. The term shall be for one year or until successors are elected and assume office. The Board may designate the Director of Public Health or his/her designee to serve as its Secretary or elect one of its members to the position. In the event the office of the President becomes vacant, the Vice President shall automatically succeed to the office of the President for the unexpired term. Should the office of Vice President become vacant, the members of the Board shall elect one of its members to fill the vacancy.

Section 5.01 The duties of the President shall be to preside over all meetings of the Board, to appoint all committees, and to perform all duties incidental to the position and office and such other duties as the Board may from time-to-time direct.

Section 5.02 The Vice President shall perform such duties as the President or the Board may from time-to-time direct. In the event of the temporary absence, incapacity, or inability of the President to perform the duties or exercise the powers of the office, they shall be performed and exercised by the Vice-President.

Section 5.03 The Secretary shall, with the assistance of a staff member if the Secretary is not a staff member, record the minutes of each meeting and provide them to each member in the most suitable format prior to the subsequent meeting. The Secretary under the direction of the President and the Director of Public Health shall handle all correspondence addressed to the Board.

VI. Board Meetings

Section 6.00 Meetings shall be held monthly at a time and place to be determined by the Board. A copy of the agenda shall be transmitted to Board members a minimum of five (5) days prior to the meeting.

Section 6.01 Members who miss more than four meetings annually can be recommended for replacement by the President of the Board of Health to the Cortland County Legislature unless the President determines that there was good cause for the failure to attend the Board meetings.

Section 6.02 A quorum shall be a majority of the Board membership. A majority vote is required for adoption of motions, except a two-thirds vote of the entire Board is required to adopt any rule, regulation, order or directive that constitutes the adoption of or amendment or addition to the County Sanitary Code.

Section 6.03 Board President and/or the Director of Public Health may call for a regular meeting on a five (5) day notice to the Board and may also call special meetings with twenty-four (24) notice to the Board. Notice of a special meeting shall include the purpose for which the meeting is called.

At the request of at least three Board members, the Board President shall call and convene a board meeting within ten business (10) days of the request for the meeting.

Section 6.04 All matters pertaining to notifying, conducting, transacting and recording the Board's official responsibilities may be done by and through electronic format as long as the electronic format provides for simultaneous aural communication by all participants.

VII. Public Health Director

Section 7.00 When an appointment or reappointment occurs for the position of Director of Public Health, an equal number of Board members and County Legislative members who represent the statutory oversight committee, in addition to the County Administrator and Personnel Officer, shall serve as a committee to select a candidate subject to confirmation by the New York State Commissioner of Health and approval by the Cortland County Legislature as provided in N.Y. Public Health Law Article 3, Title III, Section 351 of the Public Health Law. Upon appointment or reappointment, the Director of Health shall be provided the most current copy of N.Y. Public Health Law Article 3.

Section 7.01 The Public Health Director shall have the powers and duties as defined in the applicable provisions of N.Y. Public Health Law Article 3 and shall perform such duties as the Board or Cortland County Legislature from time-to-time may confer or request. The Public Health Director shall have the responsibility for the administration of the Cortland County Health Department and the programs and services conducted by it.

Section 7.02 The term of office of the Public Health Director shall be six years in accordance with the provisions set forth in N.Y. Public Health Law Article 3, Title III, Sections 351 (5) and 354.

VIII. Medical Advisor

Section 8.00 There shall be a Medical Advisor who shall be appointed by the Director of Public Health after consultation with the Board of Health and approval by the Cortland County Legislature. The Medical Advisor shall be directly responsible to the Director and shall exercise general supervision and control, in concert with the Director, of all medical aspects of the

Department's operations. At the time of appointment and throughout the term of office, the Medical Advisor shall be and remain duly licensed and entitled to practice medicine in the State of New York, and shall have such other qualifications as may be required by law, the local Civil Service Office, and the Cortland County Legislature.

IX. Board Committees

Section 9.00 Executive Committee

This committee shall be composed of the President and Vice-President and one other member designated by the President. In every instance, however, there shall be at least one medical provider member. This committee shall have the power to act for, and in place of, the Board when action is urgent and a quorum cannot be obtained or proper notice of a meeting cannot be given. Minutes of the Executive Committee shall be kept, and any action taken shall be reported at the next meeting of the Board.

Meetings of the Executive Committee shall be called by the President and may be held at the request of the Director of Public Health.

Section 9.01 Advisory Committees

The Board may appoint Advisory Committees as necessary. The President, with the consent of the Board, shall appoint qualified persons from the County to serve on such committees. In all instances there shall be at least one member of the Board on such a committee who shall serve as Chair of the committee and report to the Board on the recommendations of the committee.

X. Amendments to these By-Laws

Section 10.0 These Bylaws may be amended by a two-thirds vote of the Board provided copies of all proposed amendments are provided to the Board at least seven (7) days prior to meeting. Amendments adopted by the Board must be approved by the Cortland County Legislature.

The Administrative Manual: The Policies and Procedures of Cortland County Government

Diversity and Inclusion Statement

Policy/Procedure Number:

Modified Date (s):

Resolution No.:

Effective Date:

Next Scheduled Review:

Objective: To memorialize Cortland County's commitment to modeling diversity and inclusion for the entire County and to maintain an inclusive environment with equitable treatment for all.

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

Legislative Policy Statement:

Responsible Department: Personnel Department

General Information:

I. Definitions:

II. Policy:

At Cortland County a diverse, inclusive, and equitable workplace is one where all employees and volunteers, whatever their gender, race, ethnicity, national origin, age, sexual orientation or identity, education or disability, feels valued and respected. We are committed to a nondiscriminatory approach and provide equal opportunity for employment and advancement in all of our departments, programs, and worksites. We respect and value diverse life experiences and heritages and ensure that all voices are valued and heard.

We're committed to modeling diversity and inclusion for the entire County, and to maintaining an inclusive environment with equitable treatment for all.

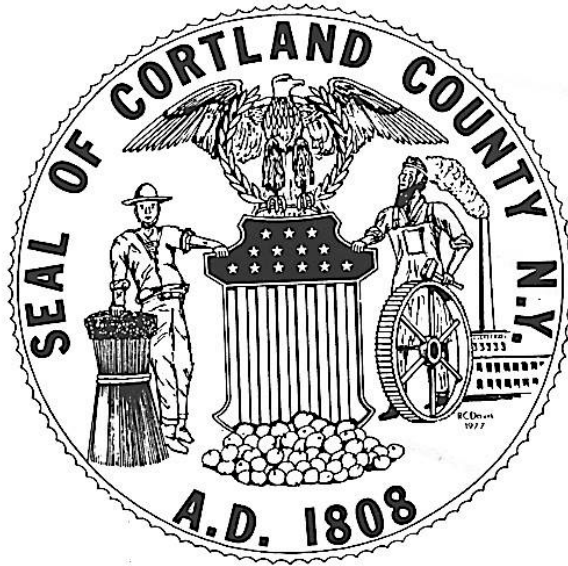
To provide informed, authentic leadership for cultural equity, Cortland County strives to:

- See diversity, inclusion, and equity as connected to our mission and critical to ensure the well-being of our staff and the communities we serve.
- Acknowledge and dismantle any inequities within our policies, systems, programs, and services, and continually update and report organization progress.
- Explore potential underlying, unquestioned assumptions that interfere with inclusiveness.

- Advocate for and support board-level thinking about how systemic inequities impact our organization's work, and how best to address that in a way that is consistent with our mission.
- Help to challenge assumptions about what it takes to be a strong leader at our organization, and who is well-positioned to provide leadership.
- Practice and encourage transparent communication in all interactions.
- Commit time and resources to expand more diverse leadership within our board, staff, committee, and advisory bodies.
- Lead with respect and tolerance. We expect all employees to embrace this notion and to express it in workplace interactions and through everyday practices.

Cortland County abides by the following action items to help promote diversity and inclusion in our workplace:

- Pursue cultural competency throughout our organization by creating substantive learning opportunities and formal, transparent policies.
- Generate and aggregate quantitative and qualitative research related to equity to make incremental, measurable progress toward the visibility of our diversity, inclusion, and equity efforts. Once the content is curated it will be added to our website so others can access.
- Improve our cultural leadership pipeline by creating and supporting programs and policies that foster leadership that reflects the diversity of American society.
- Pool resources and expand offerings for underrepresented constituents by connecting with other County organizations committed to diversity and inclusion efforts.
- Develop and present sessions on diversity, inclusion, and equity to provide information and resources both internally and to members of the community.
- Develop a system for being more intentional and conscious of bias during the hiring, promoting, or evaluating process. Train our hiring team on equitable practices.
- Include a salary range with all public job vacancies and exam announcements.
- Advocate for public and private-sector policy that promotes diversity, inclusion, and equity. Challenge systems and policies that create inequity, oppression and disparity.



CORTLAND COUNTY

CODE OF ETHICS

LOCAL LAW No. ____ OF 2021

*A Local Law Adopting a County Code of Ethics
and requiring financial disclosure by certain
County Officials and employees;
Rescinding Local Law No. 2 of 2008*

**A Local Law adopting a County Code of Ethics
and requiring financial disclosure by certain County Officials
and employees; and rescinding Local Law No. 2 of 2008**

Be it enacted by the Cortland County Legislature:

Article I. Purpose and Intent

Pursuant to the provisions of Article 18 of the General Municipal Law, the Cortland County Legislature recognizes that there are rules of ethical conduct for public officers and employees, which must be observed if a high degree of moral conduct is to be obtained and if public confidence is to be maintained in our unit of local government. The proper administration of the government of Cortland County requires its officers and employees, whether elected or appoint, paid or unpaid, including members of administrative boards, commissions, or their agencies, to be impartial and free from conflicts of interest in fulfilling their public responsibilities.

The purpose of this article is to state, for those officers, employees and appointees of Cortland County, and for the citizens of the County, standards of conduct necessary to assure that these goals are met, in addition to, and in accordance with, the standards prescribed in Article 18 of the General Municipal Law. Further, it is the purpose of this article to promulgate the rules and guidelines of official and ethical conduct for officers, appointees and employees of Cortland County.

These rules of ethical conduct, as adopted, shall not conflict with, but shall be in addition to, any provision of Article 18 of the General Municipal Law or any other applicable law relating to ethical conduct municipal officers and employees.

Article II. Definitions

- (A) Appointed official – any individual appointed by the Chairman of the County’s governing body, the County’s governing body, or anyone having authority to appoint, derived from either of the foregoing, to any agency, institution, department, district, office, branch, division, council, commission, board or bureau, whether unpaid or paid.
- (B) Chief Elected Official – for the purposes of interpreting this local law only, the Chairperson of the County’s governing body or designee.
- (C) Child – any son, daughter, stepson or stepdaughter of a County officer, employee or elected official, a minor living in the care of, any member of the household, or as otherwise a dependent of the officer, employee or appointed official, as set forth in Section 152(a)(1) and (2) of the Internal Revenue Code and any amendments thereto.
- (D) County elected official – a member of the County’s governing body, Coroner, County Clerk, County Treasurer, District Attorney, or Sheriff.

- (E) Interest – a direct or indirect pecuniary or material benefit accruing to a County officer, employee or appointed official, spouse or child, whether the result of a contract with the County or otherwise. For the purpose of this chapter, a County officer, employee or appointed official shall be deemed to have an interest in the contract if (i) a spouse and/or child is a party to the contract, except a contract of employment with the County (ii) a firm, partnership or association of which such officer, employee or appointed official or spouse or child is a member or employee is a party to the contract; (iii) a corporation of which such officer, employee or appointed official, or child is an officer or director; and (iv) the outstanding capital stock of a corporation is a party to the contract which is owned by, or controlled directly or indirectly by an officer, employee or appointed official, or his/her spouse or child.
- (F) Jurisdiction – having authority, capacity, power or right to act with regard to the management and administration of policy and supervision of personnel of the County agency in which she/he is an officer, employee or appointed official.
- (G) Legislation – a matter which appears upon the calendar of the Cortland County Legislature, or upon a committee thereof, upon which any official action has been taken including adopted acts, local laws or resolutions.
- (H) Officer or employee – any officer or employee of Cortland County, whether paid or unpaid, including elected officials, appointed officials and heads of any agency, institution, department, district, office, branch, division, council, commission, board or bureau of the County.
- (I) Reporting officer, employee or appointed official – an officer, employee, appointed official or candidate for County elected office who is required to complete and file an annual statement of financial disclosure, pursuant to this Local Law.
- (J) Spouse – the husband or wife of an officer, employee and appointed official subject to the provisions of this Local Law, unless legally separated from such officer, employee or appointed official.

Article III. Code of Ethics

(A) Prohibited Activities

It is the policy of the County that all officers and employees must avoid conflicts or potential conflicts of interest. A conflict, or potential conflict exists, whenever an officer or employee, as defined above, has an interest, direct or indirect, which conflicts with their duty to the County or which could adversely affect an individual's judgment in the discharge of their responsibilities. No officer or employee shall:

1. Take action or participate, in any manner whatsoever, in their official capacity, in the discussion, negotiation or awarding of any contract, or in any business or professional dealings with the County, or any agency thereof, in which the official or employee has,

or will have an interest, direct or indirect, in such contract or professional dealings.

2. Have an interest in any business or other entity which has a contract with the County of which they are an owner, officer employee, or have any interest in, as described in Section 801 of General Municipal Law except in those circumstances described in Section 802 of General Municipal Law.
3. Engage in, solicit, negotiate for or promise to accept private employment or render services for their persona benefit, when such employment or service creates a conflict or impairs the proper discharge of their official duties.
4. Directly or indirectly, solicit any gifts, or receive or accept any gift having a value of SEVENTY-FIVE DOLLARS (\$75.00), or gifts having accumulative value of SEVENTY-FIVE (\$75.00) or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or in any other form, under circumstances in which it could be reasonably inferred that the gift was intended to influence them, or could reasonably be expected to influence them, in the performance of their official duties, or was intended as a reward for any official action. Specifically excepted from this provision are any gift(s) between spouses, domestic partners or parent(s) and child(ren).
5. Disclose confidential information acquired in the course of official duties or use such information to further their personal interest, or use, for profit, information about the property, affairs, finances or government of the County that is not generally available to the public, exclusive of information available to the public under Freedom of Information laws.
6. Take action on a matter before the County or any instrumentality thereof when the performance of that action would provide a pecuniary or material benefit to themselves, their spouse or their child.
7. No person who has served as an officer or employee of the county or any county agency shall, within a period of six months after termination of such service or employment, appear before any board or agency of Cortland County or receive any compensation for services rendered on behalf of any person (other than themselves), firm, corporation or association in relation to any case, proceeding or application, with respect to which such person was directly concerned or in which they personally participated during the period of their service or employment or was under consideration. No board of agency of the County shall allow an individual to appear before it on behalf of any person, firm, corporation or other entity (except for himself or herself) who is an officer or employee of the County during the preceding six (6) months regarding a matter that said individual worked on or had any knowledge of while acting in said position within the County.
8. Use or permit the use of county property (including land, vehicles, equipment, materials and/or any other property) for personal convenience or profit, except when such use is

available to county citizens, generally, or is provided as a condition of county employment or as a matter of departmental or county policy.

(B) Disclosure of Interest

1. Any officer who has, will have or intends to acquire a direct or indirect interest in any matter being considered by the Legislature of the County or by any other official, board, agency, officer or employee of the County who participates in the discussion before, or who gives an opinion or gives advice to any board, agency or individual considering the same, shall first publicly disclose on the official record the nature and extent of such interest.
2. Any officer or employee of the County who has knowledge of any matter being considered by any board, agency, officer or employee of the County, of which he or she is a member, in which matter he or she has or will have or intends to acquire any direct or indirect interest, shall be required immediately to disclose, in writing, his or her interest to such board, agency, officer or employee, and the nature and extent thereof, to the degree that such disclosure gives substantial notice of any potential conflict of interest.

(C) Limitation upon filing for election; Dual Office Holding

1. No appointed County Officer or Department Head may run for the County Legislature without first resigning their appointive position. The reason for this prohibition is to avoid the appearance of conflict that inevitably occurs when one in a position to render advice or information to the legislature places him/herself in a position to compete for the elective office to which he/she renders advice.
2. A County Officer shall be deemed to have offered himself/herself for nomination or election to the County Legislature upon the filing of a nomination paper pursuant to New York State Election Law or formal public declaration of candidacy for such office, whichever comes first.
3. The resignation of a County Officer duly filed in writing with the officer, board or commission having jurisdiction of the office shall, if not accepted within ten days, be deemed to have become effective as of the date of filing.
4. No person shall hold the Office of Election Commissioner while concurrently serving as Executive Officer, Chairman or Vice-Chairman of any Political Party.
5. A person violating any provision of this section is guilty of misfeasance in office and the office held by such person shall be declared vacant.

(D) Code of Ethics Review

Every official and employee, as defined herein, shall attest at the time of hiring and within

sixty (60) days of the time of any revisions made to this Code of Ethics to having reviewed this Code of Ethics.

Article IV. Financial Disclosure

(A) Positions Required to File

Attached hereto as "Appendix B", which is fully incorporated into this law by this reference, is a listing of all positions for which financial disclosure is required of the persons holding one or more positions contained therein. Said "Appendix B" may be amended by the adoption of a Resolution of the Legislature, as needed, subject to provisions of this law and New York State statutes. Any such amendments shall be effective immediately, and a certified copy thereof shall be filed with the Board of Ethics within five (5) days of adoption.

(B) Filing

1. **Current Officials and Employees:** Financial disclosure shall be accomplished by completing a copy of the Financial Disclosure Form, attached to this law as "Appendix A", which is fully incorporated into this law by this reference. Financial disclosure shall be required through the discretionary designation of the Board, in the same manner as set forth in Article IV Section (A) above, and is applicable to those persons as defined in Article II, sections (D), (E), and (F), and to those who may not fall within the specific purview of this section but are, with proper discretion, deemed to be "policymaking" within the construction of Article 18 of the New York State General Municipal Law, and any subsequent amendment to, and whose position is listed in Appendix B, attached hereto. This form shall be completed and filed with the Board of Ethics on or before May 15 of each year for which the employment is in effect.
2. **New Appointees and Amendments:** Any person not required to file an annual statement of financial disclosure who becomes so required due to a change in position, or experiences a change in reporting levels, or is elected or appointed to an office or employment with the County after April 15, shall file the appropriate annual statement within thirty (30) days of the date upon which the change becomes effective, or the office of employment commences. The Board of Ethics may grant, upon written application, an extension of no more than thirty (30) additional days to a person filing pursuant to this paragraph upon finding that additional time is needed to file. Further extensions may only be granted for cause, upon a request made under the provisions of Article IV, Section (D).

(B) Extensions of Time to File

1. **Extensions for Cause Shown:** Any person required to file an annual statement of financial disclosure may request, prior to May 1 or 15 days prior to the date the filing would otherwise be due, an extension of time to file for an additional specific period. Such request shall be made in writing to the Board of Ethics, with approval based

upon substantiation of justifiable cause or undue hardship. The Board of Ethics may grant or deny the request, by vote of the membership, and extensions shall be for no longer than the specific period of additional time requested.

Article V. Board of Ethics

(A) Established; Appointments; Quorum

1. Pursuant to Article 18 of the General Municipal Law, there is hereby established a County Board of Ethics, which shall be charged with general responsibility for ensuring full compliance with this code of ethics and disclosure and which shall serve at the pleasure of the Cortland County Legislature as more fully described in Article V, (C) below.
2. The County Board of Ethics shall consist of five (5) members, each appointed by a majority vote of the County Legislature. The Chairman of the Board of Ethics shall be selected by the Chairman of the County Legislature. Members of the Board of Ethics shall be construed, under this local law, as policy-making officials, and thus be subject to all appropriate ethics and disclosure requirements.
 - (1) Each member of the Board of Ethics must be a resident of the County of Cortland.
 - (2) At least one member of the Board shall be an elected or appointed officer or employee of the County or a municipality of the County. In no instance shall elected or appointed officers or employees of the County or municipalities of the County constitute a majority of the Board. ,
3. The presence of three (3) members shall constitute a quorum. Any action of the Board of Ethics shall require at least three (3) affirmative votes.

(B) Reimbursement; Terms; Vacancies

1. Members of the Board of Ethics shall serve without compensation, but shall be entitled to reimbursement of reasonable expenses and mileage, in accordance with rules established by the County Legislature.
2. Members of the Board of Ethics shall serve terms of five (5) years, said terms to be established for each board member such that one board member's term expires at the end of each calendar year. These five (5) year terms shall first commence upon the respective expiration of the terms of the current board members; however upon the expiration of the terms of the two board members expiring 12/31/__, one new appointment shall be for a five (5) year term and one new appointment shall be for a one (1) year term. Vacancies shall be filled for the remainder of the unexpired term of

the predecessor. If a term expires, the person holding the seat is a holdover and shall continue in said position until a replacement is named.

(C) Removal

In addition to penalties defined specifically for violation of the Cortland County Code of Ethics, and other pertinent sections of local, state and federal law, members of the Board of Ethics determined to have violated one or more of such provisions may be removed by the Chairman of County Legislature with the concurrence of two-thirds of the County Legislature. Prior to removal, the Board of Ethics member shall be given written notice thereof, and be provided with an opportunity to reply.

(D) Powers and Duties

1. Statutory Powers - The Board of Ethics shall possess all power and duties authorized by Section 808 of General Municipal Law, as amended.
2. Necessary and Proper Powers - The Board of Ethics shall possess, exercise and enjoy all the rights, powers and privileges necessary and proper to the enforcement of the Code of Ethics and the completion and filing by officers, employees and appointed officials, of annual statements of financial disclosure required by this law.
3. Regulatory Powers; Rule Promulgation - The Board of Ethics shall promulgate rules and regulations in furtherance of its powers and duties, including rules governing the conduct of adjudicatory proceedings and appeals relating to the assessment of civil penalties herein authorized, and shall maintain appropriate records of its opinions and proceedings. The Board of Ethics shall have the authority to conduct investigations necessary to carry out the provisions of this law. Pursuant to this power and duty, the Board of Ethics may administer oaths or affirmations, subpoena witnesses, whether or not a County officer, employee or appointed official, compel their attendance and require the production of any document, books or records deemed relevant or material to the resolving any adjudicatory proceeding.
4. Advisory Opinions- The Board of Ethics shall render advisory opinions, in writing, to officers, employees and appointed officials of the County, regarding specific matters pertaining to potential conflicts of interest, filings and reporting categories, with respect to this Law and Article 18 of the General Municipal Law, within 30 business days, whenever possible, after fully investigating the circumstances surrounding the request. Such opinions shall be rendered only upon written request of the officer, employee or appointed official concerning only the subject of the inquiry, as it pertains to the requesting individual's own filing requirements or inquiry. An opinion rendered by the Board of Ethics, until amended or revoked, shall be binding on the Board in any subsequent proceeding concerning the person who requested the opinion and who acted in good faith, unless material facts were omitted or misstated by the person in the request for an opinion. Such opinion may also be _relied upon by such person and may be introduced in any criminal or civil action.
5. Opinion Disclosure - Opinions shall not be publically disclosed, unless required by

the Freedom of Information Law (Public Officers Law Article 6), in which case the identity of the person requesting the opinion shall not be disclosed, or unless required for use in a disciplinary proceeding or proceeding under Article VII of this Local Law. Whenever a request for access to an advisory opinion is received, the officer, employee or appointed official who originally requested the opinion shall be notified of the request within forty-eight (48) hours of the receipt of the request.

6. Filing Repository - The Board of Ethics shall be the repository for completed annual statements of financial disclosure, pursuant to Section 808(5) of the General Municipal Law and Article IV herein, and such other written instruments, affidavits, and disclosures as required under this local law.
7. Review of Disclosure Statements - The Board of Ethics shall review the filed Financial Disclosure Statements and attestations submitted by officials and employees, as required by this Law, to ascertain whether any person subject to these reporting requirements has violated any local or state law governing conflicts of interest or prohibited activities.
8. Recommendation of Conflict Resolution - In addition to other powers conferred by this Local Law, the Board of Ethics may recommend to the official or employee, the manner in which the conflict of interest or appearance of impropriety may be resolved. An affidavit by the official or employee detailing compliance with the recommendation maybe sufficient reason to rescind the Board of Ethics decision to make a disclosure. The affidavit must be delivered to the Board of Ethics, at a specific time and place as determined and delineated by the Board of Ethics, through a certified, return receipt requested, letter to such official or employee. If the official or employee fails to follow the recommendations of the Board of Ethics by eliminating the conflict of interest or appearance of impropriety, that fact shall also be disclosed. Nothing contained herein shall be construed or interpreted to mean that the Board of Ethics is under a duty to make such recommendations to the official or the employee.
9. The County Board of Ethics shall not act with respect to the officers and employees of any municipality located within such county or agency thereof, if the municipality has established its own Board of Ethics, except that the local Board of Ethics may, at its option, refer matters to the County Board of Ethics.

Article VI. Violations of the Code of Ethics

- (A) Complaints - The Board of Ethics shall receive and investigate complaints alleging a violation of the Code of Ethics.

1. All ethics complaints against county officials or employees must be in writing,

signed and sworn to, and must contain sufficient allegations of fact to support the accusation. All complaints shall be filed with the Clerk of the Legislature, on behalf of the Board of Ethics. The Board of Ethics shall review the complaint within fifteen (15) days of receipt. If, after review, a majority of the members of the Board of Ethics find that the complaint may have merit the Board of Ethics shall further investigate, pursuant to its rules and this Local Law.

2. If a reporting person has filed a statement revealing a possible violation of the Code of Ethics, or the Board of Ethics receives a sworn complaint alleging such a violation, or if the Board of Ethics determines, on its own initiative, to investigate a possible violation, the Board of Ethics shall notify the alleged offender, in writing, describe the possible violation and provide the person fifteen (15) days to submit a written response setting forth information relating to the activities cited as a possible or alleged violation of law.
3. If the Board of Ethics thereafter makes a determination that further inquiry is justified, it shall give the reporting person or alleged offender an opportunity to be heard. The Board of Ethics shall also inform the reporting individual or alleged offender of its rules regarding the conduct of adjudicatory proceedings and appeals and the due process procedural mechanisms available to such individual.
4. If the Board of Ethics determines that there is reasonable cause to believe that a violation has occurred, it shall send notice of such finding to the reporting person, alleged offender, to the complainant, if any, and to the Clerk of the County Legislature.
5. If the Board of Ethics determines, at any stage of the proceeding, that there is no violation or that any potential conflict of interest violation has been rectified, it shall so advise the reporting person, alleged offender and the complainant, if any, and the Clerk of the County Legislature.
6. If the Board of Ethics finds that no violation of the Code of Ethics has occurred, it shall dismiss the complaint. Any record of a dismissed complaint shall be sealed and not subject to disclosure or inspection under the Freedom of Information Law or other applicable law, unless disclosure is ordered by a court of county-wide or statewide jurisdiction, or a court of the United States.

All of the foregoing proceedings shall be confidential, except as otherwise provided in the Freedom of Information Law and Public Officer Law.

(B) Rules for Proceedings; Penalties; and Appeals

1. Rules of Proceedings - Concerning adjudicatory proceeding, the Board of Ethics shall operate as if it were an agency within the meaning of Article 3 of the State

Administrative Procedure Act and shall adopt rules governing the conduct of adjudicatory proceedings and appeals taken pursuant to a proceeding commenced under Article 78 of the Civil Practice Law and Rules as they relate to the assessment of the civil penalties herein authorized. Such rules, which shall not be subject to the approval requirements of the State Administrative Procedure Act, shall provide for due process procedural mechanisms substantially similar to those set forth in such Article 3 of the State Administrative Procedure Act, but such mechanisms need not be identical in terms or scope.

2. Civil Penalty; Referral - A reporting individual who knowingly and willfully fails to file an annual statement of financial disclosure or who intends to deceive, makes a false statement or gives information known to be false shall be assessed a civil penalty, in an amount not to exceed TEN THOUSAND (\$10,000) DOLLARS. Assessment of a civil penalty shall be made by the Board of Ethics. For a violation of this section, other than for conduct which constitutes a violation of subdivision twelve of section seventy-three of the Public Officers Law, the Board of Ethics may, in lieu of a civil penalty, refer a violation to the appropriate prosecutor and upon such conviction, shall be punishable as a Class A misdemeanor. A civil penalty for false filing may not be imposed hereunder in the event a category of "value" or "amount" reported hereunder is incorrect unless such reported information is intentionally understated. Upon an appropriate determination and vote, the Board of Ethics may file a written recommendation with the Chief Elected Official or other disciplinary body, establishing grounds for removal for cause, in accordance with other provisions of Cortland County laws, rules, regulations or policies governing conduct of officers, officials and employees. Notwithstanding any other provision of law to the contrary, no other penalty, civil or criminal may be imposed for a failure to file, or for a false filing, of such statement, except that the appointing authority may impose disciplinary action as otherwise provided by law.
3. Appeal - Assessment of a civil penalty or the Board of Ethics denial of any request shall be final, unless modified, suspended or vacated within 30 days of imposition, with respect to the assessment of such penalty, or unless such denial of request is reversed within such time period and, upon becoming final, shall be subject to review at the insistence of the affected reporting individuals in a proceeding commenced against the Board pursuant to Article 78 of the Civil Practice Law and Rules.

Article VII.

Administrative and Legal Support

- (A) Legal Counsel - The Cortland County Attorney may provide counsel to the Board of Ethics upon request. In the event of a conflict involving the County Attorney, the Board of Ethics shall advise the Chairman of the County Legislature, who may authorize another attorney, admitted to practice in the State of New York, to serve as counsel to the Board of Ethics.
- (B) Support Staff - The Board of Ethics may request from the County Legislature, support staff assistance in furtherance of its duties and responsibilities.
- (C) Clerical Assistance - The confidential staff to the County Administrator may assist the

Board of Ethics for the purpose of (1) receiving and filing all disclosure forms, correspondence and documentation on behalf of the Board of Ethics, (2) directing and disseminating correspondence, documents, notices, etc., to the Board of Ethics' members, and (3) such other clerical duties as the Board of Ethics may direct, to the extent that other clerical staff have not been provided by the County Legislature.

Article VIII. Records and Meetings of the Board of Ethics

(A) Records

Notwithstanding the provisions of Article Six of the Public Officers Law, and pursuant to Article 18 of the General Municipal Law, the only records of the Board of Ethics which shall be available for public inspection are:

- (1) the information set forth in an annual statement of financial disclosure filed pursuant to this law;
- (2) Notice of Delinquency issued;
- (3) Notice of reasonable cause to believe that a violation has occurred, after issuance; and
- (4) Notice of civil assessments imposed.

(B) Meetings

Notwithstanding the provisions of Article Six of the Public Officers Law, and pursuant to Article 18 of the General Municipal Law, no meeting or proceeding of the Board of Ethics shall be open to the public, except if expressly provided otherwise by the Board of Ethics.

Article IX. Annual Statement of Financial Disclosure

The County Legislature hereby designates the "Financial Disclosure Form" attached as Appendix A, incorporated by reference, as the annual statement of financial disclosure for the purpose of fulfilling the requirements of the Cortland County Ethics and Disclosure Law and the General Municipal Law of the State of New York.

Article X. Severability

The various elements of the Cortland County Ethics Law are explicitly intended to be construed within the application of Article 18 of the New York State General Municipal Law. Should any portion of this law be determined to be unconstitutional, improper, or otherwise void by any administrative body or court having jurisdiction, said determination shall have no bearing on the severable remainder of this local law.

Article XI. Consistency with Laws

This Local Law is a policy of the Cortland County Legislature, and supercedes all previously adopted Resolutions and Local Laws.

ANNUAL STATEMENT OF FINANCIAL DISCLOSURE FOR THE
CORTLAND COUNTY FOR 20____

1. Name and Address.

Last Name	Middle Initial	First Name
Title		
Department or Agency		
Department or Agency Address		Telephone No.
Residence Address		Telephone No.

2. Financial Interests.

a. Business Positions. Do you now hold any office, trusteeship, directorship, partnership, or other position in any business, association, proprietary, or not-for-profit organization involved with the County in any manner? (If yes, describe)

b. Outside Employment. Do you have any outside occupation, employment, trade, business, or profession providing more than \$1,000/year for you? (If yes, describe)

c. Future Employment. Do you have any contract, promise or other agreement between you and anyone else with respect to your employment after leaving your County office or position? (If yes, describe)

d. Real Estate holdings. Do you have any real estate within the County, or within five (5) miles thereof? (If yes, describe)

e. Investments. Do you have any investments in excess of \$5,000 or five percent (5%) of the value in any business, corporation, partnership, any real estate within the County, or within five miles thereof? (If yes, describe)

3. Gifts and Honorariums. Have you received any gifts aggregating in excess of \$75.00 during the last year, excluding gifts from a relative? The term "gifts" includes gifts of cash, property, personal items, payments to third parties on your behalf, forgiveness of debt, honorariums, and other payments that are not reportable as income. (If yes, describe)

4. Third Party Reimbursements. Have you during the last year, received any third-party reimbursement for travel-related expenditures in excess of \$250.00 for any matter that relates to your official duties? The term "reimbursement" includes any travel-related expenses provided by anyone other than the County for speaking engagements, conferences, or fact-finding events that relate to your official duties. (If yes, describe)

5. Debts. Do you have any debts over \$5,000 wherein the creditor does business with the County? (If yes, describe)

I HEREBY REPRESENT THAT I AM FAMILIAR WITH THE CORTLAND COUNTY CODE OF ETHICS AND UNDERSTAND THAT I MUST ABIDE BY ALL THE PROVISIONS IN SAID CODE. IF IN THE FUTURE, IT IS ALLEGED BY COMPLAINT THAT I MAY BE IN VIOLATION OF THE CODE OF ETHICS OR, IN THE EVENT THAT CONDITIONS COME ABOUT SO THAT A CONFLICT OF INTEREST SHOULD BE REPORTED TO THE COUNTY, I AGREE TO SO REPORT THE CONFLICT AND TO COMPLETE A FINANCIAL DISCLOSURE FORM AND WILL INCLUDE THE MATTER CONSTITUTING A CONFLICT OF INTEREST WHETHER THAT INFORMATION IS REQUESTED IN THE FORM OR NOT, PROVIDED THE CONFLICT OF INTEREST IN QUESTION IS DEFINED AS SUCH IN THE CORTLAND COUNTY CODE OF ETHICS.

Signature

Date: _____

APPENDIX "B"
Officers and Employees Required
to File Financial Disclosure
Statement

County Legislators
Clerk, Board of Legislature
Deputy Clerk, Board of Legislature
County Attorney
Chief Assistant County Attorney
Director of Veteran's Services
County Clerk
Deputy County Clerk(s)
Director of Finance
Deputy Director of Finance
Manager of Audit and Financial Projects
County Treasurer
Superintendent of Highways
Deputy Superintendent of Highways
Director of Community Services (Mental Health)
Personnel Officer
Deputy Personnel Officer
Commissioner of Social Services
Deputy Commissioner(s) of Social Services
Director of Social Services (Administrative Services)
Chief Social Services Attorney(s)
Sheriff
Undersheriff
Director of Information and Technology
Director of Area Agency on Aging
Assistant Director of Area Agency on Aging

Deputy Director of Information Technology
Public Defender
Chief Assistant Public Defender
County Coroners
District Attorney
Chief Assistant District Attorney
Supervisor, Solid Waste Management
Grant Administrator
Administrative Services Manager
Employment and Training Director
Plan Administrator (Assigned Counsel)
Director of Emergency Response and Communication
Deputy Director of Emergency Response and Communication
Probation Director II
Commissioners of Election
Public Health Director
Deputy Director Public Health
Director of Environmental Health
Director of Planning
County Administrator
Director, Real Property Tax Service Agency
Director of Weights and Measures (Sealer)
Superintendent of Buildings and Grounds
Building Maintenance Foreperson

Advisory Boards and Committees

Members of Board of Ethics
Members of Cortland County Industrial Development Agency/BDC
Members of Cortland County Board of Health
Members of the Tobacco Asset Securitization Corporation
Members of the Tompkins Cortland Community College Board of Trustees
Members of Cortland County Planning Board

CORTLAND COUNTY LEGISLATURE RULES OF ORDER



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ARTICLE I DEFINITIONS

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

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

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



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

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

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

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

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

- 20. **Interest** – a direct or indirect pecuniary or material benefit accruing to a County officer, employee or appointed official, spouse or child, whether the result of a contract with the County or otherwise. For the purpose of this chapter, a County officer, employee or appointed official shall be deemed to have an interest in the contract if (i) a spouse and/or children, except a contract of employment with the County; (ii) a firm, partnership or association of which such officer, employee or appointed official or spouse or child is a member or employee; (iii) a corporation of which such officer, employee or appointed official, or child is an officer or director; and (iv) the outstanding capital stock of a corporation which is owned by, or controlled directly or indirectly by an officer, employee or appointed official, or his/her spouse or child.
- 21. **Journal** – is the copy of the record of proceedings of the Cortland County Legislature for a calendar year in printed bound volume, or recorded by electronic means, or both, certified by the Clerk of the



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

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

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

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

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

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

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

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

46.47. Special Article – is any resolution, petition, report, communication or motion which may appropriately come before the Legislature at a meeting without, however, being included on the agenda which has been distributed in accordance with the timeframe established in Article V of these Rules.

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

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

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40. ~~Special Order~~ — a motion made to consider an item not included on the agenda. Requires a two-thirds vote.

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

**ARTICLE II
ORGANIZATION**

1. Biennial Organizational Meeting

A. Scheduling

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

B. Notification

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



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

C. Business

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

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

2. Elections and Appointments

A. Appointment Process Timeline

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

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



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

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

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

B. Procedure for Election of a Chair

- i. ~~In accordance with Article II, Section 202, ORGANIZATION, of Local Law No. 2 for year 1972, at each biennial organizational meeting, the Clerk of the outgoing Legislature shall call the meeting to order and preside over the election of the Chair.~~
- ii. The Chair shall be elected by a majority vote of the whole number of weighted votes of the total membership of the Legislature. The Clerk of the County Legislature last elected shall act as Chair pro tem. He/She shall call the County Legislature to order

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

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

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

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

C. Appointment of a Clerk

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

D. Appointment of the County Attorney

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

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

E. Appointment of the County Auditor

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

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F. Appointment of a Public Defender

- i. At each biennial organizational meeting following the election of the Legislature, the Legislature shall appoint a Public Defender, in accordance with Local Law No. 26 for year 19662021. (See County Law, § 716).
- ii. The term of the office of Public Defender shall be for the term for which the membership of the Legislature appointing him/her was elected or for a term as may be determined by local law not to exceed four years.
- iii. The Public Defender shall be appointed by a majority vote of the weighted votes of the total of the Legislature.

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G. Appointment of a Veterans' Services Officer

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

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ARTICLE III



CORTLAND COUNTY LEGISLATURE RULES OF ORDER

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AUTHORITY OF THE CHAIR

1. Legislative Meetings

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

- i. call the meeting to order at the set time;
- ii. proceed to the business in the manner prescribed by these Rules, unless there is no quorum;
- iii. preserve order and decorum in debate, preventing personal reflections and confining members' remarks to the question under debate;
- iv. recognize members entitled to speak in debate, ruling which member is first entitled to speak when two or more members seek recognition simultaneously; this ruling shall be subject to appeal from the ruling of the Chair;
- v. rule on the priority of business and all points of order, subject to appeal from the ruling of the Chair. On each appeal, the Chair shall have the right to speak first and last in debate, if the question is debatable, to explain the reason(s) for the ruling; ~~all other members may speak once in debate if the question is debatable;~~
- vi. grant the privilege of the floor to individuals who have signed in before the beginning of the session and set the time limit, up to but not more than **five (5) minutes** per speaker, **which, upon authority of the Chair, may be extended:**

Public Comment: Privilege of the floor shall be granted to any individual in the manner prescribed as follows: Any person or group may request permission to appear before the Legislature by signing on the provided sign-in sheet. The Legislature will provide a thirty (30) minute public comment period, at the discretion of the Chair, or upon majority vote of the Legislature, the public comment period may be extended, before resolutions are acted upon. Said thirty minutes will be divided evenly among the number of persons or groups that wish to appear before the Legislature, with no one person or group appearing for more than **five (5) minutes**. The **five-minute time limit per speaker may be extended and/or limited at the discretion** of the Chair or upon majority vote of the Legislature to accommodate the group. This rule shall not apply to the County Administrator, Department heads, or others invited to appear before the legislature. The Chair shall preserve order and decorum. He or she shall prevent any persons speaking, including members of the Legislature, from making personal or derogatory comments regarding individuals and he or she shall confine the speakers to subject matters pertaining to the agenda. The Chair shall have the authority to have disruptive individuals removed from the meeting.

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

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

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

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

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

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

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2. Committee Responsibilities

The Chair shall:

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



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

3. **Communications**

A. **Resolutions**

Upon receipt of any resolution, forward it to:

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

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

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

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

C. **Communications from Others**

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

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

4. **Oath of Office**

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

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

5. Administrative Responsibilities – The Chair

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

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

6. **Temporary Chair**

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

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7. Permanent Vacancy

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

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

**ARTICLE IV
AUTHORITY OF COMMITTEE CHAIRMEN**

1. Each committee Chair shall:

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



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

2. **Each committee Chair may:**

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

ARTICLE V

RESPONSIBILITIES AND DUTIES OF THE CLERK OF THE LEGISLATURE

The Clerk shall:

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

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

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21. record all notices of committee meetings;

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

ARTICLE VI

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

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

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

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

2. The County Administrator shall:

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

**ARTICLE VII
PRESENTATION OF RESOLUTIONS**

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



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

ARTICLE VIII MEETINGS

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

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**ARTICLE IX
ORDER OF BUSINESS**

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



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ARTICLE X
MOTIONS AND THEIR PRECEDENCE

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

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

ARTICLE XI
RULES OF VOTING

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



CORTLAND COUNTY LEGISLATURE RULES OF ORDER

Proposed Changes May 2021

ARTICLE XII **COMMITTEES**

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

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Attachment: Rules of Order - Revised June 28 2021 (222-21 : Adopt Cortland County Rules of Order)



**CORTLAND COUNTY LEGISLATURE RULES OF
ORDER**

Proposed Changes May 2021

- A. **Finance and Administration** – A seven (7) member Committee shall review the tentative budget filed by the Budget Officer and shall consider and recommend appropriations required for all purposes and prepare and report the annual estimates for the tax levy.
- The Committee shall oversee:
- The Treasurer's Office, the Finance Office, Administration Office, Office of the Manager of Audit and Financial Projects, the Department of Real Property Tax Services, occupancy tax, Tompkins Cortland Community College (TC3), Industrial Development Agency and Business Development Corporation, and the agency that provides promotional and tourism service. The Finance and Administration Committee shall serve as the Audit Committee.
- B. **Judiciary and Public Safety** – Not less than five (5) nor more than seven (7) members who shall oversee:
- The District Attorney's Office, Coroners, Assigned Counsel, Public Defender, Sheriff's Department, Probation Department, Department of Emergency Response and Communications.
- C. **Government Operations** – Not less than five (5) nor more than seven (7) members who shall oversee:
- Personnel/Civil Service Office, County Attorney, Board of Elections, Weights & Measures, County Clerk/Department of Motor Vehicles and the Clerk of the Legislature/Historian.
- All matters concerning operation and revision of these Rules shall be referred to the Committee.
- D. **Highway/Solid Waste** – Not less than five (5) nor more than seven (7) members who shall oversee:
- County Highway Department
- E. **Buildings and Grounds** – Not less than five (5) nor more than seven (7) members who shall oversee:
- Buildings and Grounds Department, the Safety Office and Information and Technology Department.
- F. **Health & Human Services** – Shall consist of no less than five (5) and no more than seven (7) members who shall oversee:
- The Health Department, Mental Health Department, Department of Social Services, Employment and Training Office and Grant Administration, Area Agency on Aging and Veterans' Services.



CORTLAND COUNTY LEGISLATURE RULES OF ORDER

Proposed Changes May 2021

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

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

ARTICLE XIII **SUSPENSION OR AMENDMENT OF RULES**

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

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

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

ARTICLE XV **EFFECTIVE DATE**

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

Adopted January 2010 – Revised 7-28-11

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

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

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

Adopted December 18, 2020

- 31 -

Attachment: Rules of Order - Revised June 28 2021 (222-21 : Adopt Cortland County Rules of Order)



**Cortland County
Administrative Policy Manual**

Collection, Handling and Disbursement of Departmental Funds Policy

Number: **Modified Date (s):** ~~4/30/2021~~ 7/14/2021

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Resolution No.: 424-06, 185-10, 24-11 **Effective Date:** 2006
Next Review:

Objective: This policy is designed to provide a uniform set of regulations and procedures applicable to all County Departments, Offices and Agencies that have responsibility for directly collecting, handling or disbursing funds, insure ~~to~~ the security and safeguarding of those funds and provide for the appropriate oversight and audit.

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

Legislative Policy Statement:

Responsible Department: Finance

General Information:

I. Definitions:

II. Policy:

Departments involved in the collection or handling of funds in connection with the conduct of official County business shall be subject to regulations and procedures, which, in every reasonable way, provide for full accountability and control so as to insure the security and safeguarding of those funds.

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The County Treasurer, as Chief Fiscal Officer of the County, shall have a primary role in overseeing the handling of and accounting for County funds.

In order to optimize the cash flow of the County and to maximize investment income, County funds collected shall be paid over to the County Treasurer as frequently as possible.

III. Procedure:

1. Collection of County Fees and Payments

Department Heads shall be responsible for the collection of fees and payments due to the County either as a result of goods or services delivered or provided by their department or pursuant to that department's other duly authorized or designated governmental responsibility. County fees and payments collected shall be at rates established by law or regulation, as provided for in duly authorized contracts or as otherwise established by the County Legislature.

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Cortland County Administrative Policy Manual

Unless otherwise prescribed by law or regulation, payment for goods or services delivered by a department for which a fee is collectable shall generally be due upon delivery of the good or service. In the event that collection of a fee or payment shall not be appropriate at the time of delivery of the good or service, the department shall promptly issue invoices or bills for such goods or services. Except as otherwise approved in writing by the County Treasurer, invoices or bills shall be issued on at least a monthly basis and shall be in a form approved by the County Treasurer. Where possible, departments shall issue invoices and bills on a more frequent basis. Invoices and bills shall instruct that checks shall be made payable to "Cortland County Treasurer" unless a department has been authorized to establish a departmental bank account for the deposit of such funds, in which case invoices and bills shall instruct that checks be made payable to the head of the collecting department by title or the department.

The County Attorney's Office shall provide legal assistance to a department as necessary to enforce collection of delinquent payment of bills and invoices issued by a department.

The ~~County Treasurer~~ Director of Finance shall be notified at the close of each fiscal year in writing as to the amount of and status of invoices or bills issued and outstanding. The ~~County Treasurer~~ Director of Finance may require that such information be provided on a more frequent basis when appropriate for accounting purposes.

2. Fees and Payments Collected and Held on Behalf of Others

In cases where funds collected in the form of fees or payments are to be held by a department on behalf of another government agency or private concern pursuant to the provisions of State or Federal statutes or regulations or pursuant to a court order, such funds shall be collected, handled, accounted for and disbursed in accordance with the requirements of such statutes, regulations or court order. To the extent that this policy does not conflict with such statutes, regulations or court order, such funds shall be collected, handled, accounted for and disbursed in accordance with this policy.

3. Form of Payment

Department heads shall accept as payment of funds owed to the County as provided in Section 1, either cash, check or other warrant except as provided in Section 7 herein. Unless a department has been authorized to establish a departmental bank account pursuant to Section 10 herein, all checks and warrants which provide for payment of funds owed to the County shall be made payable to "Cortland County Treasurer." In cases where a departmental bank account has been established pursuant to said Section 10, all checks and warrants shall be made payable to the department head of the collecting department by title or the department.



Cortland County Administrative Policy Manual

4. Receipts to be Provided, Restrictive Endorsement

Departments collecting funds on behalf of the County or another government agency or holding funds in custody for a private concern shall provide written or mechanically generated receipts for all fees collected or monies otherwise received when such fees or monies are in the form of cash or when requested by the paying party. Written receipts shall be preprinted and numbered and shall be issued in numerical order. Copies of all receipts issued shall be kept on file in the office of the collecting department.

All checks or warrants received shall be restrictively endorsed immediately upon receipt by the collecting department. In cases where funds are received in the form of a check or warrant by a department which has not been authorized to establish a ~~checking bank~~ account for deposit of such funds, such check or warrant shall be restrictively endorsed by the collecting department as follows: "For Deposit Only, Cortland County Treasurer." In cases where funds are received in the form of check or warrant by a department which has been authorized to establish a bank account for the deposit of such funds, such check or warrant shall be restrictively endorsed as follows: "For Deposit Only " (Name of Collecting Department.)

5. Handling and Accounting for Funds Collected

Departments collecting or receiving monies on behalf of the County, or otherwise collecting funds in accordance with Section 3 above shall maintain a system of record keeping and internal controls which shall fully account for funds received and shall provide a system to properly secure such funds until released from the custody of the Department.

6. Payment and Deposit of County Funds Collected

~~A. Daily Payment of County Funds Collected to County Treasurer
Except as provided in Section 6. B below, County funds in the form of fees collected or payments otherwise received shall be paid over to the County Treasurer on a daily basis, toward the end of each business day, at the minimum.~~

~~B. Temporary Holding and Deposit of County Funds Collected~~

~~Only in cases where daily delivery or payment to the Treasurer of County funds collected is not practical (as determined by the Department Head with the written approval of the County Treasurer) or is prohibited by law or regulation are County funds collected to be held in custody for more than a day by a department. In the event that a department has been authorized to establish a departmental bank account pursuant to Section 10 of these regulations and procedures the department shall temporarily deposit funds collected in such account on a daily basis, provided, however that the County Treasurer may establish a reasonable threshold as to the amount of funds collected in a given day for which a daily deposit would not be required. A. Funds collected by County Departments, Offices and Agencies shall be turned over to the County Treasurer for deposit, or deposited into the~~

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Cortland County Administrative Policy Manual

departmental bank account no later than 3 business days after receipt or when the funds collected total \$500 or more, whichever occurs first.

EB. Payment Procedure

_____ In all cases, all County funds collected during a given month shall be paid _____ over to the County Treasurer by the collecting department ~~prior to~~ no later than the _____ tenth _____ day of the succeeding month. Each time monies are paid over they shall be _____ accompanied by a statement, on a form prescribed by the County Treasurer, signed _____ by the appropriate collecting Department Head or their designee identifying the _____ general source of the funds, identifying the period of time during which the funds _____ were collected and certifying that the amount of funds turned over represent all _____ such funds collected during the specified time period. All checks or warrants paying _____ County funds to the County Treasurer from a checking account established pursuant _____ to Section 10 of this policy shall be payable to "Cortland County Treasurer." Upon _____ receiving County funds from a Department Head the County Treasurer shall _____ provide an appropriate receipt therefore.

7. Checks Returned for Insufficient Funds.

Checks which comprise County funds paid over to a department which are returned for insufficient funds shall be subject to a service charge as provided for in Resolution No. 249 of 2002, ~~as same may be amended from time to time~~. In cases where a party has previously tendered payment by check or warrant which has been returned for insufficient funds, the department may require that future payments from such party shall be made in cash or by certified check.

8. Refunds of County Fees and Payments Erroneously Collected

Refunds of fees or monies erroneously collected on behalf of the County and paid over to the County Treasurer shall be made by the County Treasurer payable to the party from whom funds were originally received by the department upon receipt of a statement from the Department Head attesting to the validity of such refund. In the event that monies erroneously collected on behalf of the County are in the custody of the collecting department and the said department has a departmental checking account, such Department Head shall issue a refund subject to the written approval of the County Treasurer.

9. Departmental Petty Cash Funds.

A. General Requirement

a. The Cortland County Legislature recognizes that petty cash funds are appropriate for ~~the efficient -daily -operation -of -departments,~~ and that suitable accounting procedures and controls must be in place to manage petty cash funds.

~~a.~~

b. All petty cash funds must be authorized by a resolution of the Cortland County Legislature (County Law Section 371 (I)). The ~~County Auditor~~ Manager of Audit and Financial Projects is responsible for the audit of County



Cortland County Administrative Policy Manual

expenditures from petty cash funds and for internal audits to determine that controls are in place and being followed by the departments.

c. Petty cash funds established by the County Legislature may be used for the purposes specified in the resolution establishing the fund. Department Heads having a petty cash fund within their department shall be ~~cashier-custodian~~ of such fund but may designate an employee as ~~cashier-custodian~~ by filing a written designation in the office of the County Treasurer.

d. Physical protection of petty cash funds through the use of locked cash boxes or locked cash drawers shall be adhered to at all times.

~~d.~~ Authorized petty cash expenditures may be for materials, supplies, or services other than employment, furnished to the County for the conduct of its affairs on a daily basis. Such expenditures may include, but are not limited to, expenses for transporting clients, postage due on mail, mailing items after County mail has been done or to meet deadlines and expenses at vendors that do not accept requisitions/purchase orders (i.e. tolls, parking, fuel, and other emergency needs).

~~e. Pursuant to Articles 12, 23, and 24 of the County Police Association: Deputy Sheriff Correctional Officers and the Civilian Unit of Cortland County Agreements, respectfully, by and between Cortland County and the any transport or medical assignment outside of the jail where meals are not provided by the Sheriff, the assigned employees may seek meal expense reimbursement with properly signed receipts submitted on Monday for payment on the following Friday.~~

f. Expenditures that are not considered appropriate for petty cash and that will not be approved include, but are not limited to, conference/meeting or travel expenses, office supplies, personal use, expenditures which circumvent any established bidding procedure or other County purchasing policy.

~~An exception is made in County Law 371 (2) whereby employees of the District Attorney or Sheriff's Department may be advanced funds from petty cash where required to travel on official business.~~

g. A petty cash fund may be used for the purpose of making change when such is required in the performance of official duties. Personal or payroll checks may not be cashed from a petty cash fund.

h. At any given time, the total of cash from a petty cash fund plus receipts in a department's petty cash fund must equal the total amount allocated to that department by resolution of the Legislature.

B. Documentation and Procedures

a. All requests to establish, increase or abolish a petty cash fund must be submitted by the Department Head to the County Administrator for preliminary

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Cortland County Administrative Policy Manual

approval. If approved, the County Administrator shall submit to the ~~Budget and Finance~~ and Administration Committee for their approval. The resolution shall be submitted to the County Legislature for final approval.

b. The Department Head then assigns a custodian to oversee use of the fund and to implement internal control procedures. The department must notify the ~~Auditor's Office~~ Director of Finance of the name(s) of the assigned custodian(s) and title (s).

c. Numbered preprinted petty cash slips shall be generated by the ~~cashier-custodian~~ and signed by the recipient for each disbursement from a petty cash fund. Each slip shall be completed in ink and shall state in numbers and words the amount of funds being disbursed and the reason for disbursement. All disbursements from a petty cash fund shall be subject to submission of appropriate receipts or statements which fully document expenses incurred. Reconciliation of each petty cash fund shall be ~~accomplished-completed~~ at least once per month or each time replenishment of the fund is requested on forms provided by the ~~County Auditor~~ Director of Finance. A request to replenish a petty cash fund shall be subject to the approval of the ~~County Auditor~~ Manager of Audit and Financial Projects. ~~in accordance with the Auditing Policy and may be amended from time to time~~. The custodian(s) can make disbursements from the fund only with the completion of a petty cash slip. In the case where money is advanced for a purchase, the amount of such advance must be recorded and later revised to the exact amount when the purchase is made and a sales slip is received.

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d. Expenditures from petty cash are, of necessity, payments in advance. Therefore, all such payments must be properly itemized and verified and such information must be maintained by the custodian of the petty cash fund subject to a timely reconciliation after the actual expense is determined and documented.

e. The custodian replenishes the fund by submitting a ~~purchase order with the vendor invoice marked "paid" or the sale receipts to the County Auditor in accordance with the Requisition/Purchase Order Policy-voucher detailing the use of petty cash funds with completed petty cash slips and supporting documentation attached to the Director of Finance.~~

f. Whenever there is a change in the Department Head, or the fund custodian, the fund is counted and the new Department Head or custodian, as the case may be, acknowledges in writing, the receipt of the funds. Signed receipts shall also be forwarded to the ~~Auditor's Office~~ Director of Finance.

g. Cash shortages must be immediately reported to the ~~Treasurer's Office~~ Manager of Audit and Financial Projects. Upon such notification, the ~~Treasurer's Office~~ Manager of Audit and Financial Projects shall conduct a full investigation and submit findings to the County Administrator and Director of Finance for further action, if necessary.



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C. Auditing of Petty Cash Funds

The ~~County Auditor and/or the County Treasurer~~Manager of Audit and Financial Projects and Finance Department shall have the authority to audit any petty cash fund at any time, provided, however, that a petty cash fund established for the purposes of conducting criminal investigation activities shall be audited in a manner consistent with that outlined by the New York State Comptroller.

D. Other

The ~~County Treasurer~~Director of Finance, subject to approval of the County Administrator, may issue guidelines, not inconsistent with this policy, which provide further direction and guidance in the administration of petty cash funds.

10. Establishment and Maintenance of Bank Accounts

Unless specifically required by law, regulation or court order, establishment of bank accounts by departments and officers shall be subject to approval of the County Treasurer. Every effort shall be made to minimize the number of bank accounts established. For every bank account currently in existence, or hereafter established, for deposit of funds within the custody of a department, whether such funds shall be the property of the County or another government or private concern, there shall be on file in the County Treasurer's Office a statement signed by the custodial Department Head and the County Treasurer which outlines the need for the account and the purpose or purposes for which it exists or was established. Such statement shall also identify the authorized signatories for the given account or those authorized to otherwise withdraw funds from the account. Departments shall update the statement on file with the Treasurer at such time as there is a significant change in information relating to the account.

Whenever possible and economically beneficial, bank accounts established pursuant to this Section shall be interest bearing accounts. In evaluating whether to open an interest bearing account the department shall take into consideration projected interest earnings as well as service fees. All bank accounts established pursuant to this Section shall be in a commercial bank within the County. All funds deposited in a departmental bank account shall be fully secured by insurance of the Federal Deposit Insurance Corporation or obligations of New York State, obligations of the United States, obligations of federal agencies the principle and interest of which are guaranteed by the United States, obligations of any municipal corporation, school district or district corporation of the State of New York, obligations of a public authority or public housing authority of the State of New York.

By the twentieth day of each month, or more frequently as may be agreed to by the County Treasurer and the Department Head, each Department Head shall provide the County Treasurer with a copy of the bank statement for all bank accounts within his or her custody, a reconciliation of the account and a statement in a form prescribed by the County Treasurer generally describing to what extent the funds are the property of the County or are held in a fiduciary capacity for another government or private concern. The County Treasurer may periodically require that



Cortland County Administrative Policy Manual

cancelled checks be produced by a department in support of bank statements and reconciliation forms.

Departments authorized to establish a bank account pursuant to this Section shall, whenever possible and practical, require two signatures on all checks disbursing funds from a checking account.

All disbursements from checking accounts established pursuant to this Section which are not made payable to "Cortland County Treasurer" and all withdrawals from any other departmental bank account shall be supported by appropriate documentation which shall be kept on file in the department.

11. Audit of Departmental Accounts and Records

All records and accounts in the custody of a Department Head which relate to funds collected on behalf of the County shall be subject to audit at any time by the ~~County Treasurer or by the County Auditor~~ Finance Department or Manager of Audit and Financial Projects. The ~~County Treasurer and County Auditor~~ Finance Department and Manager of Audit and Financial Projects shall report to the County Administrator any findings of non-compliance with these regulations and procedures. The County Administrator shall keep the ~~Chairman~~ Chairperson of the County Legislature and the ~~Budget and Finance~~ and Administration Committee of the Board informed of any incidents of non-compliance and shall initiate appropriate corrective action.

12) Clarification of Policy

Any questions relative to the intent of this policy, regulations and procedures or any request for clarification of same shall be subject to a determination of the ~~Budget and Finance~~ and Administration Committee or, if deemed necessary and appropriate by such Committee, the County Legislature.