



Cortland County Legislature

Legislative Session

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

~ Agenda ~

Thursday, September 23, 2021

6:00 PM

Board Room

WebEx Meeting Information

<https://cortlandny.webex.com/cortlandny/j.php?MTID=mc4a8fe32ed50eab73acf9ffc73f4568f>

Thursday, Sep 23, 2021 6:00 pm | 2 hours | (UTC-04:00) Eastern Time (US & Canada)

Meeting number: 2338 486 2188

Password: wMX7eMWGg77

Join by phone

+1-415-655-0001 US Toll

Access code: 233 848 62188

Salute to the Flag

Call to Order

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

Roll Call

Approval of Minutes

1. Cortland County Legislature - Legislative Session - Aug 26, 2021 6:00 PM

Narcan Presentation/Training

Proclamations & Recognitions

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

ON MOTION OF HEIDER

AGENDA ITEM NO. 1

Create Positions - Per Diem Contact Investigators - Health Department

WHEREAS, there is an ongoing need for contact investigating due to the increase in COVID cases, AND

WHEREAS, the needs of the County will be better served by creating six part time, temporary positions of Contact Investigators, AND

WHEREAS, the Chair of the Legislature and the Public Health Department recommend the creation of these positions, NOW THEREFORE BE IT

RESOLVED, that six (6) part time, temporary positions of Contact Investigators, (non-competitive class, up to 30 HRS/WK, \$20/HR) be created effective September 24, 2021 through March 23, 2022, with approval to fill.

Referred from Building & Grounds Committee

ON MOTION OF HARBIN

AGENDA ITEM NO. 2

Authorize Contract Direct Energy for Natural Gas - Buildings and Grounds

WHEREAS, Resolution No. 44-11 authorized the Municipal Electric and Gas Alliance (MEGA) to represent Cortland County in a bid for natural gas, AND

WHEREAS, MEGA in conjunction with Genesee County, NY issued invitations to bid, AND

WHEREAS, MEGA's consulting firm Energy Next evaluated the bids on behalf of alliance members including Cortland County, AND

WHEREAS, upon careful review and analysis it was determined that Direct Energy, One Hess Plaza, Woodbridge, N.J. 07095 was the lowest responsible bidder, and a program agreement was executed with Direct Energy Corporation, AND

WHEREAS, the Cortland County Buildings and Grounds and Finance and Administration Committees have recommended selecting Direct Energy's price protection program which will provide the County with natural gas at \$-.- per decatherm for 36 months commencing on July 1, 2021 and ending June 30, 2024, with the option of extensions, NOW THEREFORE BE IT

RESOLVED, that Cortland County renew the agreement with Direct Energy Corporation for 112 River St, 159 Main St, 60 Central Ave, 49 Grant St, 54 Greenbush St, 7 Clayton Ave, 4267 Traction Drive, 999-B Tompkins St, 37 Church St, 922 State Route 222, 99 Main St, 137 Pendleton St, and 4267 Traction Drive HB4, AND BE IT FURTHER

RESOLVED, that the Cortland County Legislature hereby authorize the County Administrator, upon the approval of the County Attorney or designee, to authorize an agreement, change, or renewal with Direct Energy Corporation, One Hess Plaza, Woodbridge N.J., 07095 for natural gas.

Referred from Highway Committee

ON MOTION OF NEWELL

AGENDA ITEM NO. 3

Allocate Funds to Dwyer Park - Highway Department

WHEREAS, Local Law No. 4 of 1987 provides for the Imposition and Collection of Occupancy Tax in Cortland County, AND

WHEREAS, Section 12 of said Local Law provides for the County to retain an administration fee of 10% of the funds collected, AND

WHEREAS, several rehabilitation, repair, and improvement projects have been identified at the Dwyer Memorial Park, AND

WHEREAS, the Dwyer Memorial Park facilities support and enhance recreational tourism efforts in Cortland County, AND

WHEREAS, the 10% administration fee is put into the General Fund for the County annually, AND

WHEREAS, it is the recommendation of the Highway Committee to allocate \$50,000 annually to the Dwyer Memorial Park budget to support and enhance tourism in Cortland County by repairing, maintaining and improving the facilities and grounds, NOW THEREFORE BE IT

RESOLVED, that \$50,000 be allocated annually, beginning in 2022, to account A71105.54076 to cover costs related to rehabilitation, repair and improvement projects at Dwyer Memorial Park.

Referred from Government Operations Committee

ON MOTION OF WILSON

AGENDA ITEM NO. 4

Reallocate Salary Grade for Various Positions in the Highway Department - Highway Department

WHEREAS, the Personnel/Civil Service Office has reviewed the salary grade for many positions in the Cortland County Highway Department, AND

WHEREAS, it is recommended that the following positions, which are in the CSEA Local 812, Unit 6550 labor contract, be reallocated:

Parts Chaser: Grade 2 to Grade 5
Engineer Technician: Grade 11 to Grade 14
Motor Equipment Operator: Grade 11 to Grade 14
Landfill Equipment Operator: Grade 11 to Grade 14
Recycling Equipment Operator/Mechanic: Grade 11 to Grade 14
Sign Technician: Grade 11 to Grade 14
Airport Maintenance Worker: Grade 13 to Grade 16
Heavy Equipment Operator: Grade 13 to Grade 16
Highway Construction Mechanic: Grade 13 to Grade 16
Senior Engineering Technician: Grade 13 to Grade 16
Assistant Heavy Equipment Maintenance Mechanic: Grade 14 to Grade 17
Heavy Equipment Maintenance Mechanic: Grade 15 to Grade 18
Crew Leader: Grade 15 to Grade 18
Heavy Equipment Maintenance Supervisor: Grade 20 to Grade 21
Assistant Highway Maintenance Supervisor: Grade 23 to Grade 24
Senior Engineer: Grade 25 to Grade 26
Principal Engineer: Grade 27 to Grade 28

, NOW THEREFORE BE IT

RESOLVED, that the positions noted below are hereby reallocated in the CSEA Local 812, Unit 6550 labor contract effective September 24, 2021 at 12:01 AM as follows:

Parts Chaser, Grade 5, \$14.9573-18.7442/hr
Engineer Technician, Grade 14, \$19.7556-24.7574/hr
Motor Equipment Operator, Grade 14, \$19.7556-24.7574/hr
Landfill Equipment Operator, Grade 14, \$19.7556-24.7574/hr
Recycling Equipment Operator/Mechanic, Grade 14, \$19.7556-24.7574/hr
Sign Technician, Grade 14, \$19.7556-24.7574/hr
Airport Maintenance Worker, Grade 16, \$21.1408-26.4932/hr
Heavy Equipment Operator, Grade 16, \$21.1408-26.4932/hr
Highway Construction Mechanic, Grade 16, \$21.1408-26.4932/hr
Senior Engineering Technician, Grade 16, \$21.1408-26.4932/hr
Assistant Heavy Equipment Maintenance Mechanic, Grade 17, \$21.8852-27.4262
Heavy Equipment Maintenance Mechanic, Grade 18, \$22.6675-28.4065/hr
Crew Leader, Grade 18, \$22.6675-28.4065/hr
Heavy Equipment Maintenance Supervisor, Grade 21, \$25.2540-31.6478/hr
Assistant Highway Maintenance Supervisor, Grade 24, \$28.2496-35.4019/hr
Senior Engineer, Grade 26, 30.5057-38.2292/hr
Principal Engineer, Grade 28, \$32.9900-41.3425/hr

ON MOTION OF WILSON

AGENDA ITEM NO. 5

Authorize County Administrator to Create Temporary Positions - Personnel Department

WHEREAS, Cortland County has seen an abnormal amount of employee turnover in recent years, AND

WHEREAS, the County has also experienced unusual absenteeism for many reasons, not to

mention COVID-related, AND

WHEREAS, the needs of the County will be better served by allowing the County Administrator to create temporary positions as needed for not more than 90 days, with no benefits, AND

WHEREAS, these temporary positions would use titles already established, with the corresponding pay grades and starting at the lowest step, NOW THEREFORE BE IT

RESOLVED, that the County Administrator be and hereby is authorized to create these temporary positions after being reviewed by the Personnel Officer, AND BE IT FURTHER

RESOLVED, that the County Administrator will notify the Chair of the Government Operations Committee whenever a temporary positions is created.

ON MOTION OF WILSON

AGENDA ITEM NO. 6

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.

Referred from Agriculture/Planning/Environment Committee

ON MOTION OF FITCH

AGENDA ITEM NO. 7

Appoint Members to Transportation Advisory Committee - Planning Department

WHEREAS, Resolution Number 289-19 authorized the formalization of the Transportation Advisory Committee as a Citizen's Advisory Committee, AND

WHEREAS, the Transportation Advisory Committee as a formal subcommittee of the Agriculture, Planning, and Environment Committee will consist of a membership from a wide variety of community service agencies and government agencies, AND

WHEREAS, the following agencies would best support the transportation system within Cortland County, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature appoint the following community service and government agency representatives or designee to the Transportation Advisory Committee for a term

ending December 31, 2024:

Alison McCabe	Access to Independence
Liz Haskins	Area Agency on Aging
Nicole VanBenSchoten	CAPCO
Tim Lockwood	Catholic Charities
Robert Corpora	Cortland County Administrator
Kevin Fitch	Cortland County Legislature
Trisha Jesset	Cortland County Planning Department
Amy Buggs	Cayuga/Cortland Workforce Development Board
Brian Moore	Cortland County Department of Social Services
Ryan Reynolds	First Transit, Inc.
Karen Schuepbach	JM Murray Center
Melissa Potter	Mobility Manager
Zach Newswanger	SUNY Cortland
Greg Lyons	TC3 Card Office
Jackie Leaf	Seven Valleys Health Coalition
Jennifer Hillman	Cortland County Health Department
Sharon MacDougall	Cortland County Mental Health Department

ON MOTION OF FITCH

AGENDA ITEM NO. 8

Adopt Cortland County Public Transportation System Title VI Plan - Planning Department

WHEREAS, the Title VI Act of 1964 ensured that anti-discrimination is enforced throughout the work environment undertaken by all recipients of federal funding, AND

WHEREAS, the New York State Department of Transportation (NYSDOT) Title VI/Environmental Justice program serves, creates, implements and regulates procedures that comply with Title VI of the Civil Rights Act of 1964, the Environmental Justice Executive Order 12898, Executive Order 13166, Limited English proficiency, the Civil Rights Restoration Act of 1987 and the Title 49 CFR Part 21, AND

WHEREAS, the Federal Transit Administration (FTA) requires that all applicants who receive Federal funding ensure their programs, policies and activities comply with the Title VI of the Civil Rights Act of 1964, AND

WHEREAS, Title VI provisions include, but are not limited to, prohibiting discrimination on the grounds of race, color, sex, age, nationality, religion, disabling condition, or being included within a minority populations and/or low income populations, as well as prohibits exclusion from participation, denial of benefits to, or other subject to discrimination under any program or activity administered by

NYSDOT, AND

WHEREAS, Cortland County is an applicant on various types of public transportation grants, AND

WHEREAS, Trisha R. Jesset PE, Director of Planning, as the Public Transportation Title VI Officer, AND

WHEREAS, under the Federal Transit Administration (FTA) requirements that all recipients who receive Federal Funding have a Transportation Title VI Plan and Procedures, AND

WHEREAS, the adoption of the Cortland County Public Transportation System Title VI Plan will fulfill the Federal Transit Administration (FTA) requirement, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby officially adopt the Cortland County Public Transportation System Title VI Plan.

ON MOTION OF FITCH

AGENDA ITEM NO. 9

Establish the Appointment of a Transportation Title VI Officer - Planning Department

WHEREAS, the Title VI Act of 1964 ensured that anti-discrimination is enforced throughout the work undertaken by all recipients of federal funding, AND

WHEREAS, the New York State Department of Transportation (NYSDOT) Title VI/Environmental Justice program serves, creates, implements and regulates procedures that comply with Title VI of the Civil Rights Act of 1964, the Environmental Justice Executive Order 12898, Executive Order 13166, Limited English proficiency, the Civil Rights Restoration Act of 1987 and the Title 49 CFR Part 21, AND

WHEREAS, the Federal Transit Administration (FTA) requires all applicants who receive federal funding ensure their programs, policies, and activities comply with the Title VI of the Civil Rights Act of 1964, AND

WHEREAS, Title VI provisions include, but are not limited to, prohibiting discrimination on the grounds of race, color, sex, age, nationality, religion, disabling condition, or being included within minority populations and/or low income populations, as well as prohibits exclusion from participation, denial of benefits to, or others subject to discrimination under any program or activity administered by NYSDOT, AND

WHEREAS, Cortland County is an applicant on various types of transportation grants, NOW THEREFORE BE IT

RESOLVED, that Trisha R. Jesset, PE, Director of Planning, be appointed the Transportation Title VI officer as the recipient of federal funds for transportation grants administered by the Planning Department from FTA and NYSDOT.

ON MOTION OF FITCH

AGENDA ITEM NO. 10

Amend 2021 Budget/Accept New York State Operating Assistance (STOA) SFY 2020-21 Additional “Clean Up” Funding - New York State Department of Transportation - Planning Department

WHEREAS, the Public Transportation Bureau has sent vouchers to the New York State Comptroller that distributes the SFY 2020-2021 State Wide Mass Transportation Operating Assistance (STOA) “Clean Up” payments to the upstate formula bus systems, AND

WHEREAS, these payments distribute the remaining 2020-2021 STOA appropriation balances for the upstate formula bus systems, AND

WHEREAS, Cortland County has received a Rural Transit Assistance payment in the amount of \$16,469 which will be paid to Cortland County's public transportation provider, First Transit, Inc., AND

WHEREAS, Cortland County would like to continue this program for the period of January 1, 2021 to December 31, 2021, NOW THEREFORE BE IT

RESOLVED, the 2021 budget be amended as follows:

INCREASE:	<u>CURRENT</u>	<u>CHANGE</u>	<u>REVISED</u>
Revenue: A563044-43589 State Transportation Aid	\$606,236.10	\$16,469.00	\$622,705.10
Expenditure: A56305.54815	\$861,736.10	\$16,469.00	\$878,205.10

, AND BE IT FURTHER

RESOLVED, that the Cortland County Treasurer is authorized to pay First Transit, Inc. \$16,469 from the appropriation expenditure account A56305.54815.

Referred from Health & Human Services Committee

ON MOTION OF BISCHOFF

AGENDA ITEM NO. 11

Authorize Agreement/Accept Funds Health Research, Inc. Emergency Preparedness - Health Department

WHEREAS, the Cortland County Health Department has been awarded a grant by Health Research, Inc. for funding for Epidemiology and Laboratory Capacity (ELC) Schools Grant, Contract #6883-01, CFDA #93.323. \$1,337,971 was awarded for the period of 7/1/21-7/31/23, AND

WHEREAS, these funds will be used to enable schools/districts in Cortland County to establish COVID-19 screening testing programs to support and maintain in-person learning, AND

WHEREAS, Cortland County Health Department will contract with OCM BOCES and laboratory testing facilities to facilitate testing requirements of this grant, AND

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

Increase Revenue:		<u>Current</u>	<u>Increase</u>	<u>Balance</u>
A40105.44401.SELC	Schools ELC Grant	\$0	\$1,337,971	\$1,337,971

Increase Expenditures:		<u>Current</u>	<u>Increase</u>	<u>Balance</u>
A40105.51005.SELC	Personal Services	\$0	\$85,703	\$85,703
A40105.54005.SELC	Office Supplies	\$0	\$5,000	\$5,000
A40105.54035.SELC	Educ/Outreach	\$0	\$30,000	\$30,000
A40105.54045.SELC	Travel	\$0	\$3,000	\$3,000
A40105.54048.SELC	Program Supplies	\$0	\$15,000	\$15,000
A40105.54213.SELC	Copy/Print	\$0	\$1,000	\$1,000
A40105.54815.SELC	Contracted Svc	\$0	\$1,141,053	\$1,141,053
A40105.58020.SELC	Retirement	\$0	\$13,712	\$13,712
A40105.58030.SELC	FICA	\$0	\$6,556	\$6,556
A40105.58040.SELC	Workers Comp	\$0	\$6,000	\$6,000

A40105.58060.SELC	Health Insurance	\$0	<u>\$30,947</u>	\$30,947
			\$1,337,971	

, 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, AND BE IT FURTHER

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

ON MOTION OF BISCHOFF

AGENDA ITEM NO. 12

Authorize Agreement/Accept Funds Health Research, Inc. Emergency Preparedness - Health Department

WHEREAS, the Cortland County Health Department has been awarded a grant by Health Research, Inc. for funding the Public Health Emergency Preparedness Program Grant, Contract #1596-15, CFDA #96.069 in the amount of \$50,099 for the period of 7/1/21-6/30/22, AND

WHEREAS, these funds will be used to continue to assist our County in the development of a Public Health Emergency Response and Preparedness Plan, AND

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

Increase:		<u>Current</u>	<u>Increase</u>	<u>Balance</u>
A40105.44401.21BTE	2122 BTE Grant	\$39,700	\$10,399	\$50,099
A40105.51005.21BTE	Personal Services	\$24,855	\$5,409	\$30,264
A40105.58020.21BTE	Retirement	\$3,480	\$0	\$3,480
A40105.58030.21BTE	FICA	\$1,901	\$0	\$1,901
A40105.58060.21BTE	Health Insurance	\$9,464	\$4,990	\$14,454

, 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 Health Research, Inc. 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.

ON MOTION OF BISCHOFF

AGENDA ITEM NO. 13

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 Cortland and Cayuga Counties, which have been designated as a Workforce Area, to appoint/reappoint members to the Workforce Development Board for said area, AND

WHEREAS, there is a position designated for the Director of Planning for Cortland County, AND

WHEREAS, Trisha Jesset was appointed as the Director of Planning for Cortland County, NOW THEREFORE BE IT

RESOLVED, that Dan Dineen be and hereby is removed from the Cayuga/Cortland Workforce Development Board, AND BE IT FURTHER

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	Term
Trisha Jesset	60 Central Avenue Cortland, NY 13045	10/1/21-6/30/24

ON MOTION OF BISCHOFF

AGENDA ITEM NO. 14

Authorizing the Chairman of the Cortland County Legislature to Sign Local Plan for Program Year 2021

WHEREAS, pursuant to the Workforce Innovation & Opportunity Act (HR 803, PL 113-118) a Local Plan is required to be submitted for the Cayuga Cortland Workforce Development Area (CCWDA) for the Title I-B and Wagner Peyser Programs, AND

WHEREAS, said Local Plan must be signed by the Workforce Development Board Chair and the Chief Elected Officials in Cayuga and Cortland Counties, AND

WHEREAS, said plan upon signing is to be submitted to the New York State Department of Labor, AND

WHEREAS, this legislature has been informed that there are no local funds involved in the execution of said plan, NOW THEREFORE BE IT

RESOLVED, that the Chair of the Cortland County Legislature and Cayuga Cortland Workforce Development Board Director, upon review and approval by the County Attorney, be and hereby is authorized and directed to execute the Local Plan for WIOA Title 1-B and Wagner Peyser programs and related programs.

ON MOTION OF BISCHOFF

AGENDA ITEM NO. 15

Accept Bids/Authorize Purchase - Milk and Dairy Products - Area Agency on Aging

WHEREAS, bids were received on August 4, 2021 for the period October 1, 2021 through June 30, 2022 for the purchase of milk and dairy products in accordance with specifications on file in the Office of the Clerk of the Cortland County Legislature, for use by Area Agency on Aging and the Sheriff's Department, AND

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

WHEREAS, bids were received from the following:

John R. Sears, DBA Bill Bros. Dairy, 219 Port Watson St., Cortland, NY 13045

, NOW THEREFORE BE IT

RESOLVED, that bids of the said vendors, in accordance with the specifications, be and hereby are

accepted at the bid prices on an overall basis, AND BE IT FURTHER

RESOLVED, that the above departments are authorized and directed to purchase said items from the lowest responsible bidder and best value for October 1, 2021 through June 30, 2022

ON MOTION OF BISCHOFF

AGENDA ITEM NO. 16

Accept Bids/Authorize Purchase-Paper Goods & Maintenance Supplies - Area Agency on Aging

WHEREAS, bids were received on August 4, 2021, for period October 1, 2021 through June 30, 2022 for the purchase of paper goods and maintenance supplies in accordance with specifications on file in the Office of the Clerk of the Cortland County Legislature, for use by Area Agency on Aging and the Sheriff's Department, AND

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

WHEREAS, bids were received from the following:

Renzi Food Service, 901 Rail Dr., Watertown, NY 13601
Oliver Packaging & Equip Co., 3236 Wilson Dr NW, Walker, MI 49534
Sanico, Inc., PO Box 2037, 156 Corporate Drive, Binghamton, NY 13905
Unipak, 2766 E 63rd St., Brooklyn, NY 11234
WB Mason, 1200 State Fair Blvd, Syracuse, NY 13209
Economy Products & Solutions, 1175 E. Main Street, Rochester, NY 14609
Central Poly-Bag Corp., 2400 Bedle Place, Linden, NJ 07036
Hill & Markes Wholesale Distr. 1997 St. Hwy 5-S, PO Box 7, Amsterdam, NY 12010
NYSID, 11 Columbia Circle Dr. Albany, NY 12203

, NOW THEREFORE BE IT

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

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

RESOLVED, that the above departments are authorized and directed to purchase said items from the lowest responsible bidders and best value for October 1, 2021 through June 30, 2022.

ON MOTION OF BISCHOFF

AGENDA ITEM NO. 17

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

WHEREAS, bids were received on August 4, 2021 for the period October 1, 2021 through December 31, 2021, for the purchase of miscellaneous groceries and frozen foods in accordance with specifications on file in the Office of the Clerk of the Cortland County Legislature, for use by Area Agency on Aging and the Sheriff's Department, AND

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

WHEREAS, bids were received from the following:

Ginsberg's, PO Box 17, Route 66, Hudson, NY 12534

, NOW THEREFORE BE IT

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

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

RESOLVED, that the above departments are authorized and directed to purchase said items from the lowest responsible bidders and best value for the period October 1, 2021 through December 31, 2021.

ON MOTION OF BISCHOFF

AGENDA ITEM NO. 18

Authorize Agreement Esther Greenhouse M.S. CAPS, Built Environment Strategist Silver to Gold - Area Agency on Aging

WHEREAS, the Cortland County Area Agency on Aging wishes to enter into a contract with Esther Greenhouse, Built Environment Strategist, for the provision of expert consulting in relation to renovations at the Cortland Age Well Center, located at Crescent Commons, 165 Main Street, Cortland, New York 13045, and strategic outreach and planning targeting individuals 50 and older, AND

WHEREAS, the services of a Built Environmental Strategist will support the creation of innovative initiatives to build an environment for all to thrive into the future, AND

WHEREAS, Esther Greenhouse's expertise includes addressing the "status quo of built environments that may be unnecessarily disabling and discriminatory to prevent direct and indirect negative impacts of uninformed design on wellbeing, productivity, and economics", AND

WHEREAS, Esther Greenhouse helps organizations leverage the untapped resource of the built environment to enable older adults to thrive, AND

WHEREAS, Esther Greenhouse is the Strategic Director for AARP International, and is affiliated with Tompkins County Age Friendly Center for Excellence, is an Industry Scholar and at the Institute for Health Futures, AND

WHEREAS, the Area Agency on Aging has funds available in Professional Services and Personnel lines under Aging Services and Nutrition exceeding \$10,000,

WHEREAS, the Coalition for Senior Center Councils (501C3), will contribute \$2,500 towards to share the cost to contract of \$10,000, NOW THEREFORE BE IT

RESOLVED, that the Chairman of the Cortland County Legislature, upon review and approval by the County Attorney or designee, be and hereby is authorized to execute said agreement, not to exceed \$7,500, to be paid from account A67745-54055-4340.

ON MOTION OF BISCHOFF

AGENDA ITEM NO. 19

Authorize Agreement Qualified Individual Assessment Services - Department of Social Services

WHEREAS, the Cortland County Department of Social Services must contract with authorized agencies to provide Qualified Individual Assessment Services to determine the appropriateness of placement in a Qualified Residential Treatment Program as of October 1, 2021, AND

WHEREAS, the payment rates for such services are not yet established by New York State or by agencies who will be authorized to do such assessments, AND

WHEREAS, pursuant to the Family First Prevention Services Act (FFPSA) an independent assessment of a child in foster care placed in a Qualified Residential Treatment Program (QRTP) is required to make determinations, including, but not limited to, whether the placement in the QRTP is appropriate, AND

WHEREAS, the assessment must be completed within 30 days of placement of the child in the QRTP, AND

WHEREAS, each assessment must utilize a federally approved functional assessment tool that is age-appropriate and evidence based, AND

WHEREAS, the standards for the timing, process, content of the assessment and the qualifications for who may conduct the assessment are set forth in federal and New York State statute, regulation and policy, AND

WHEREAS, the Office of Children and Family Services (OCFS) has issued a model contract to be used for the purchase of Qualified Individual Assessment Services, AND

WHEREAS, payments for such services will be made from the Program Expense Account A60105.54800, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review by the County Attorney or designee, be and hereby is authorized and directed to execute contractual agreements for the time period 10/1/2021 – 12/31/2022 for Qualified Individual Assessment Services with providers authorized by the New York State Office of Children and Family Services, AND BE IT FURTHER

RESOLVED, that the said agreements shall be subject to appropriation of funding by the Legislature.

ON MOTION OF BISCHOFF

AGENDA ITEM NO. 20

Authorize Agreement with Cayuga Addiction Recovery Services - Department of Social Services

WHEREAS, the New York State Office of Children and Family Services is anticipated to allocate another round of federal Child Abuse Prevention and Treatment Act (CAPTA) Comprehensive Addiction and Recovery Act of 2016 (CARA) funds to Cortland County and all counties in New York State to help improve their response to families and infants affected by substance use disorders, AND

WHEREAS, Cayuga Addiction Recovery Services (CARS) is an authorized provider of behavioral health services and has the expertise for this partnership, AND

WHEREAS, the \$50,000.00 in funding needed for this Agreement will be provided through a State allocation of federal money and will be paid from Account A60105.54800.4695 titled Admin – Behavioral Health and the revenue will be posted in Account A601044.44689.4695, NOW THEREFORE BE IT

RESOLVED, the County Administrator, upon review and approval by the County Attorney or designee and subject to an allocation from New York State and the appropriation of funding by the Legislature, be and hereby is authorized to sign an Agreement for the time period of December 1, 2021 through November 30, 2022 with CARS in an amount not to exceed \$50,000.

ON MOTION OF BISCHOFF

AGENDA ITEM NO. 21

Write Off Uncollectible Account Balances - Mental Health Department

WHEREAS, the Mental Health Department invoices clients and their health insurance companies for services provided, AND

WHEREAS, the department invoiced a total of \$5,547,520.12 and received a total of \$4,089,461.49 for the fiscal years 2016 through 2018;

WHEREAS, \$72,275.78 in unpaid balances that were invoiced between Jan. 1, 2016 and Dec. 31, 2018 are still listed in Mental Health's records as accounts receivable, AND

WHEREAS, the Mental Health Department does not want to carry forward these uncollectible balances, AND

WHEREAS, the Cortland County Mental Health Department anticipates that in the future unpaid account balances will increase due to managed care plans that offer health insurance coverage with deductibles as high as \$10,000, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature authorizes that these balances, totaling \$72,275.78, be written off as uncollectible as of yearend December 31, 2021, AND BE IT FURTHER

RESOLVED, Cortland County will continue collection efforts when and where possible.

Referred from Judiciary & Public Safety Committee

ON MOTION OF PRICE

AGENDA ITEM NO. 22

Authorize 2021-2022 Contract with New York State Office of Victim Services and Accept Grant Funds to Support - Child Advocacy Center and District Attorney

WHEREAS, a Child Advocacy Center (CAC) has been created in Cortland County to facilitate the most efficient and effective handling of cases involving child victims of sexual and physical abuse, which program is funded by New York State grants through the New York State Office of Victim Services (OVS), AND

WHEREAS, the grants will be received by Cortland County on behalf of the District Attorney of Cortland County (DA), by contract with OVS assigning the DA as the lead agency with authority and responsibility to administer grant funds, which OVS advises will total \$111,600.00 for the OVS fiscal year 2021-2022, to pay the expenses of running the CAC, 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 an agreement for the time period of October 1, 2021 through September 30, 2022 with OVS, and the DA be and hereby is authorized to administer funds received from OVS for the CAC, in an amount not to exceed \$111,600.00, AND BE IT FURTHER

RESOLVED, that the 2021-2022 budget be amended as follows:

INCREASE:
Revenue:

A40505.44489.VOCA	\$111,600.00
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Expenditures:

A40505.51005.VOCA	\$52,329.99
A40505.51010.VOCA	\$16,744.42

A40505.58020.VOCA	\$10,991.65
A40505.58030.VOCA	\$5,207.37
A40505.58040.VOCA	\$3,788.00
A40505.58060.VOCA	\$12,271.40
A40505.58062.VOCA	\$126.34
A40505.58065.VOCA	\$27.44
A40505.54800.VOCA	\$4,000.00
A40505.54213.VOCA	\$418.94
A40505.54070.VOCA	\$1,612.00
A40505.54035.VOCA	\$1,000.00
A40505.54045.VOCA	\$200.00
A40505.54000.VOCA	\$462.00
A40505.54005.VOCA	\$220.45
A40505.54020.VOCA	\$200.00
A40505.54060.VOCA	\$2,000.00

, 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.

ON MOTION OF PRICE

AGENDA ITEM NO. 23

Local Law "H" of 2021 - a Local Law to Proscribe as Unlawful the Sale and Possession Within the County of Cortland, New York, of Intoxicating Chemical Compounds or Dangerous Substances, that Are Mislabeled or Unlabeled, Whose Intended Purpose is to be Ingested, Inhaled or Injected, to Mimic the Effects of Controlled Substances or Marihuana and that Have No Other Legitimate Therapeutic Use or Purpose; "County of Cortland Synthetic Intoxicants and Dangerous Substances Law"

SECTION I: LEGISLATIVE INTENT

A. Findings

The County Legislature of the County of Cortland, New York, finds that the potential or actual harm to residents from certain intoxicating chemical compounds or dangerous substances to be such that these chemical compounds or dangerous substances should be proscribed as unlawful.

B. Statement of Purpose

1. It is the purpose of this local law to promote public health, safety, and general welfare, and to minimize public and private injury to the citizens for the County of Cortland due to the permissive availability of certain intoxicating chemical compounds or dangerous substances; thus, requiring the prohibition of such chemical compounds or dangerous substances;
2. to protect human life and health; and,
3. to aid in the interdiction of such chemical compounds or dangerous substances along with other narcotics and illicit intoxicants, and to aid in the prosecution of such related offenses.

SECTION II: AUTHORITY

SECTION III: LAW

- A. It shall be unlawful for any person, including a corporation or other entity, to manufacture, distribute, use, possess, purchase, attempt to purchase, sell, publicly display for sale, attempt to sell, give, trade, or barter any one or more of the following chemical compounds or substances, to include its salts, isomers, homologues, and salts of their isomers and homologues:

It shall be unlawful for any person to sell, possess, or use mislabeled or unlabeled dangerous substances whose intended purpose is to be ingested so as to mimic the effects of controlled substances and/or marijuana and that have no other legitimate, medical, or therapeutic purpose.

- (1) Salvia divinorum or salvinorum A; all parts of the plant presently classified botanically as salvia divinorum, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts derivative, mixture or preparation of such plant, its seeds or extracts,
- (2) (6aR, 10aR)-9-(hydroxymethyl)-6, 6dimethyl-3(2-methyloctan-2-yl)-6a, 7, 10, 10a-tetrahydrobenzo[c]chromen-1-ol, some trade or other name: HU- 210,
- (3) Naphthalen-1-yl-(1-pentylindol-3-yl) methanone (also known as 1 Pentyl- 3-(1-naphthoyl) indole, some trade or other name: JWH-018,
- (4) Naphthalen-1-yl-(1-butyldiol-3-yl) methanone (also known as 1-Butyl-3- (1-naphthoyl) indole, some trade or other name: JWH-073,
- (5) 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl) phenol, some trade or other name: CP 47,497 and its C6, C7, C8, and C9 homologues,
- (6) 1-(3-[trifluoromethylphenyl]) piperazine, some trade or other name: TFMPP,
- (7) (R)-(+)-[2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3- de]-1,4-benzoxazin-6-yl]-1-naphthalenylmethanone, some trade or other name: WIN 55,2-212,
- (8) 2-[(1R,2R,5R)-5-hydroxy-2-(3-hydroxypropyl) cyclohexyl]-5-(2-methyloctan-2-yl) phenol, some trade or other name: CP 55,940,
- (9) 6,6,9-trimethyl-3-(3-methyloctan-2-yl)-7,8,9,10-tetrahydrobenzo [c]chromen-1-ol, some trade or other name: Dimethylheptylpyran 1, 2- dimethylheptyl-[Δ]3THC, or DMHP, or A-40824, or EA-1476,
- (10) [(6S,6aR,9R,10aR)- 9-hydroxy- 6-methyl- 3-[(2R)-5-phenylpentan- 2- yl]oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin- 1-yl] acetate, some trade or other name: Levonantradol, or CP 50,556-1,
- (11) -1-(4-methylphenyl)-2-methylaminopropan-1-one, some trade or other name: Mephedrone, 4-methylmethcathinone, 4-MMC or 4- methylephedrone,
- (12) any similar structural analogs that are intended to mimic the effects of

intoxicating controlled substance.

B. Exceptions:

1. It is not an offense under subsection “A” of this section if the person was acting at the direction of an authorized agent of the County of Cortland to enforce or ensure compliance with this law prohibiting the sale or possession of the aforementioned chemical compounds or dangerous substances.
2. This section does not apply to any person who commits any act described in this section pursuant to the lawful direction or prescription of a licensed physician, dentist, or pharmacist authorized to direct or prescribe such act.
3. This section likewise does not apply to the inhalation of anesthesia for medical or dental purposes.

SECTION IV: PENALTIES

- A. Confiscation -- if any of the aforementioned intoxicating chemical compounds or dangerous substances are found in the possession of any person, such may be confiscated and destroyed by Law Enforcement Officials.
- B. Any person found to be in violation of this section will be guilty of a Class “B” misdemeanor and subject to a definite term of imprisonment not to exceed three (3) months, or a fine not to exceed five hundred (\$ 500), or both such definite term of imprisonment and fine. Each day during which violation of Section IV, subsection A of this act occurs shall constitute a separate offense.
- C. The County of Cortland shall have the authority to seek an injunction to compel the compliance by any business that fails or refuses to comply with this section.

SECTION V: CONSTRUCTION AND CONFLICT WITH OTHER LAWS

- A. This Local Law augments New York Penal Law, Articles 220 and 222 *et seq.*, and New York Public Health Law, §§ 3302 and 3306.
- B. In its interpretation and application, the provisions of this local law shall be held to be minimum requirements, adopted for the promotion of the public health, safety, and welfare. Whenever the requirements of this local law are at variance with the requirements of any other lawfully adopted rules, regulations, or ordinances, the most restrictive, or that imposing the higher standard, shall govern.

SECTION VI: SEVERABILITY

If any provision of this law is held invalid, such invalidity shall not affect the remaining provisions of this section, which shall remain effective less the invalid provision, and to this end, the provisions of this section are declared to be severable.

SECTION VII: EFFECTIVE DATE

This Local Law shall take effect upon filing in the Office of the New York State Secretary of State as provided by Municipal Home Rule Law, § 27.

Referred from Finance & Administration Committee

ON MOTION OF WAGNER

AGENDA ITEM NO. 24

Accept Funds - COVID-19 FEMA Funds - County Treasurer

WHEREAS, the Department of Homeland Security, Federal Emergency Management Agency has awarded Cortland County \$30,640.00 for reimbursement of costs of COVID-19 testing for the period January 1, 2021 through February 26, 2021, NOW THEREFORE BE IT

RESOLVED, that the County Treasurer, upon approval of the County Legislature, accept the funds received to cover the cost of COVID-19 testing for the period January 1, 2021 through February 26, 2021.

Announcements

Adjourn