



Cortland County Legislature

Legislative Session

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

~ Minutes ~

Thursday, September 23, 2021

6:00 PM

Board Room

Salute to the Flag

Call to Order

The meeting was called to order at 6:03 PM by Chairman Paul Heider

Attendee Name	Organization	Title	Status	Arrived
Douglas Bentley	Cortland County, NY	Legislator	Remote	
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	Excused	
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	
Savannah Hempstead	Cortland County, NY	Clerk of the Legislature	Present	
Rob Corpora	Cortland County, NY	County Administrator	Present	
Patricia Dawson	Cortland County, NY	Deputy Clerk of the Legislature	Remote	
Lisa Perfetti	Cortland County, NY	Public Health Director	Remote	
Trisha Jesset	Cortland County, NY	Planning Director	Remote	
Nicole Anjeski	Cortland County, NY	Deputy Director of Public Health	Remote	
Andrea Herzog	Cortland County, NY	Director of Finance	Remote	
Charles Miller	Cortland County, NY	Buildings and Grounds Supervisor	Remote	
Elizabeth Haskins	Cortland County, NY	Director of Area Agency on Aging	Present	
Wendy Franklin	Cortland County, NY	Chief Assistant County Attorney	Present	
Charles Sudbrink	Cortland County, NY	Superintendent of Highways	Present	
Kristen Monroe	Cortland County, NY	Commissioner of Social Services	Present	
Mark Helms	Cortland County, NY	Sheriff	Present	
Pamela Jenkins	Cortland County, NY	Resident	Present	

Tom Gobel	Cortland County, NY	Resident	Present	
Amy Buggs	Cortland County, NY	Grants Administrator	Present	
Laurie Leonard	Cortland County, NY	Personnel Officer	Present	
Alexandra Mikowski	Family Counseling Services	Counselor	Present	
Mecke Methchild	Cortland County, NY	Resident	Present	

Roll Call

Approval of Minutes

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

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

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

AGENDA ITEM NO. 1 – Create Positions - Per Diem Contact Investigators - Health Department

Ms. Homer MADE A MOTION to AMEND the RESOLUTION to include "with no benefits" in the final RESOLVED clause; Ms. Bischoff SECONDED that MOTION; and it was unanimously APPROVED by VOICE VOTE of members present.

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

ON MOTION OF HEIDER

RESOLUTION NO. 239-21

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), with no benefits, be created effective September 24, 2021 through March 23, 2022, with approval to fill.

Referred from Building & Grounds Committee

AGENDA ITEM NO. 2 – Authorize Contract Direct Energy for Natural Gas - Buildings and Grounds

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

ON MOTION OF HARBIN

RESOLUTION NO. 240-21

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

AGENDA ITEM NO. 3 – Allocate Funds to Dwyer Park - Highway Department
Mr. Nauseef asked that the record show that he is against pulling this item.

RESULT: WITHDRAWN - NO FUTURE ACTION
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ON MOTION OF NEWELL

RESOLUTION NO.

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

AGENDA ITEM NO. 4 – Reallocate Salary Grade for Various Positions in the Highway Department - Highway Department

Ms. Homer MADE A MOTION to AMEND the RESOLUTION to add a final resolved clause reading "RESOLVED, other identified hotspots will be evaluated and additional proposals will be coming."; Ms. Wilson SECONDED that MOTION; and was APPROVED, with NO VOTES from Mr. Waldbauer, Mr Eccleston, Mr. Nauseef and Mr. Heider.

After approval of the amendment and discussion, a ROLL CALL VOTE was taken as follows:

	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	0
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	0
Wilson (LD5)	2744	1		2744
Heider (16)	3192	1		3192
Total	49336	14	3	40499

Majority 24669
2/3rd 32892

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

ON MOTION OF WILSON

RESOLUTION NO. 241-21

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

, AND BE IT FURTHER

RESOLVED, that other identified hot spots will be evaluated and additional proposals will be coming.

AGENDA ITEM NO. 5 – Authorize County Administrator to Create Temporary Positions - Personnel Department

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

ON MOTION OF WILSON

RESOLUTION NO. 242-21

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 and the Chair of the appropriate Statutory Committee whenever a temporary positions is created.

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

RESULT: REFER TO COMMITTEE - NO VOTE

Next: 10/14/2021 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.

Referred from Agriculture/Planning/Environment Committee

AGENDA ITEM NO. 7 – Appoint Members to Transportation Advisory Committee - Planning Department

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Fitch, Legislator

SECONDER: Ann Homer, Legislator

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

EXCUSED: Linda Jones, Kelly L. Fairchild-Preston

ON MOTION OF FITCH

RESOLUTION NO. 243-21

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

AGENDA ITEM NO. 8 – Adopt Cortland County Public Transportation System Title VI Plan - Planning Department

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

ON MOTION OF FITCH

RESOLUTION NO. 244-21

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.

AGENDA ITEM NO. 9 – Establish the Appointment of a Transportation Title VI Officer - Planning Department

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

ON MOTION OF FITCH

RESOLUTION NO. 245-21

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

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.

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

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

ON MOTION OF FITCH

RESOLUTION NO. 246-21

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

AGENDA ITEM NO. 11 – Authorize Agreement/Accept Funds Health Research, Inc. Emergency Preparedness - Health Department

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 247-21

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	\$30,947	\$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.

AGENDA ITEM NO. 12 – Authorize Agreement/Accept Funds Health Research, Inc. Emergency Preparedness - Health Department

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 248-21

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.

AGENDA ITEM NO. 13 – 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, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Linda Jones, Kelly L. Fairchild-Preston

ON MOTION OF BISCHOFF

RESOLUTION NO. 249-21

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 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

AGENDA ITEM NO. 14 – Authorizing the Chairman of the Cortland County Legislature to Sign Local Plan for Program Year 2021

RESULT:	ADOPTED [UNANIMOUS]
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
EXCUSED:	Linda Jones, Kelly L. Fairchild-Preston

ON MOTION OF BISCHOFF

RESOLUTION NO. 250-21

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.

AGENDA ITEM NO. 15 – Accept Bids/Authorize Purchase - Milk and Dairy Products - Area Agency on Aging

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 251-21

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

AGENDA ITEM NO. 16 – Accept Bids/Authorize Purchase-Paper Goods & Maintenance Supplies - Area Agency on Aging

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 252-21

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.

AGENDA ITEM NO. 17 – Accept Bids/Authorize Purchase - Miscellaneous Groceries and Frozen Foods - Area Agency on Aging

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 253-21

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
Smith Packing Co., PO Box 520, Utica, NY 13503-0520
Renzi Food Service, 901 Rail Drive, Watertown, NY 13601

, 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.

AGENDA ITEM NO. 18 – Authorize Agreement Esther Greenhouse M.S. CAPS, Built Environment Strategist Silver to Gold - Area Agency on Aging

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

ON MOTION OF BISCHOFF

RESOLUTION NO. 254-21

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.

AGENDA ITEM NO. 19 – Authorize Agreement Qualified Individual Assessment Services - 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, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Linda Jones, Kelly L. Fairchild-Preston

ON MOTION OF BISCHOFF

RESOLUTION NO. 255-21

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.

AGENDA ITEM NO. 20 – Authorize Agreement with Cayuga Addiction Recovery Services - 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, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Linda Jones, Kelly L. Fairchild-Preston

ON MOTION OF BISCHOFF

RESOLUTION NO. 256-21

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.

AGENDA ITEM NO. 21 – Write Off Uncollectible Account Balances - 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, Newell, Nauseef, Waldbauer, Price, Wagner, Heider, Eccleston
EXCUSED:	Linda Jones, Kelly L. Fairchild-Preston

ON MOTION OF BISCHOFF

RESOLUTION NO. 257-21

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

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

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

ON MOTION OF PRICE

RESOLUTION NO. 258-21

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.

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"

RESULT:	REFER TO COMMITTEE - NO VOTE
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Next: 10/14/2021 9:00 AM

ON MOTION OF PRICE

RESOLUTION NO.

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

Municipal Home Rule Law, §§ 10 (2), (4) (b), and (4) (c); and Op Atty Gen 85-23,

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-[trifluoromethyl]phenyl) 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

AGENDA ITEM NO. 24 – Accept Funds - COVID-19 FEMA Funds - County Treasurer

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

ON MOTION OF WAGNER

RESOLUTION NO. 259-21

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



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	

Minutes Acceptance: Minutes of Aug 26, 2021 6:00 PM (Approval of Minutes)

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

Minutes Acceptance: Minutes of Aug 26, 2021 6:00 PM (Approval of Minutes)

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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Minutes Acceptance: Minutes of Aug 26, 2021 6:00 PM (Approval of Minutes)

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

Minutes Acceptance: Minutes of Aug 26, 2021 6:00 PM (Approval of Minutes)

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

Minutes Acceptance: Minutes of Aug 26, 2021 6:00 PM (Approval of Minutes)

, 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

Minutes Acceptance: Minutes of Aug 26, 2021 6:00 PM (Approval of Minutes)

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

Minutes Acceptance: Minutes of Aug 26, 2021 6:00 PM (Approval of Minutes)

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

Minutes Acceptance: Minutes of Aug 26, 2021 6:00 PM (Approval of Minutes)

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

Minutes Acceptance: Minutes of Aug 26, 2021 6:00 PM (Approval of Minutes)

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

Minutes Acceptance: Minutes of Aug 26, 2021 6:00 PM (Approval of Minutes)

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

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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

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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

Minutes Acceptance: Minutes of Aug 26, 2021 6:00 PM (Approval of Minutes)

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

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

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

Increase:			
Expense	Legal Fees	A14305.54063	\$50,000

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

Increase:		
Professional Services	CH90605.54055	\$350,000

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

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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

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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

Minutes Acceptance: Minutes of Aug 26, 2021 6:00 PM (Approval of Minutes)

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

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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

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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

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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

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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

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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:

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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

Minutes Acceptance: Minutes of Aug 26, 2021 6:00 PM (Approval of Minutes)

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 Gutchess 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 Gutchess Lumber Sports Complex & Town Park from the 2021 Federal American Rescue Plan funds and that \$250,000 be allocated to the Gutchess Lumber Sports Complex & Town Park from the 2022 Federal American Rescue Plan funds.

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

Minutes Acceptance: Minutes of Aug 26, 2021 6:00 PM (Approval of Minutes)

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.

Minutes Acceptance: Minutes of Aug 26, 2021 6:00 PM (Approval of Minutes)

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

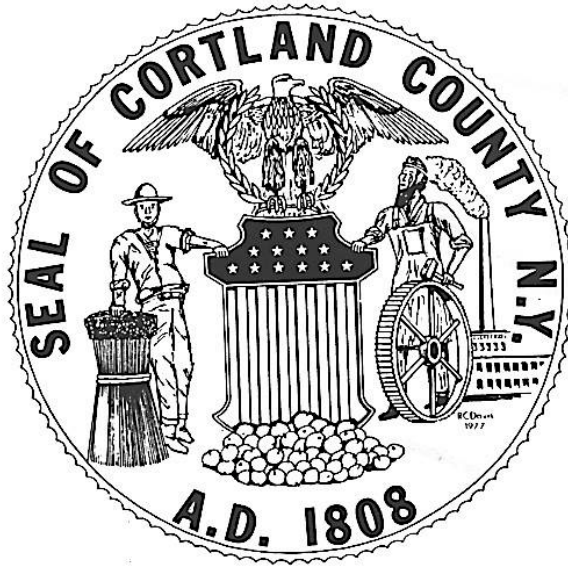
ON MOTION OF HEIDER**RESOLUTION NO. 238-21****Approve Settlement of Ongoing Litigation**

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

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 may be 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

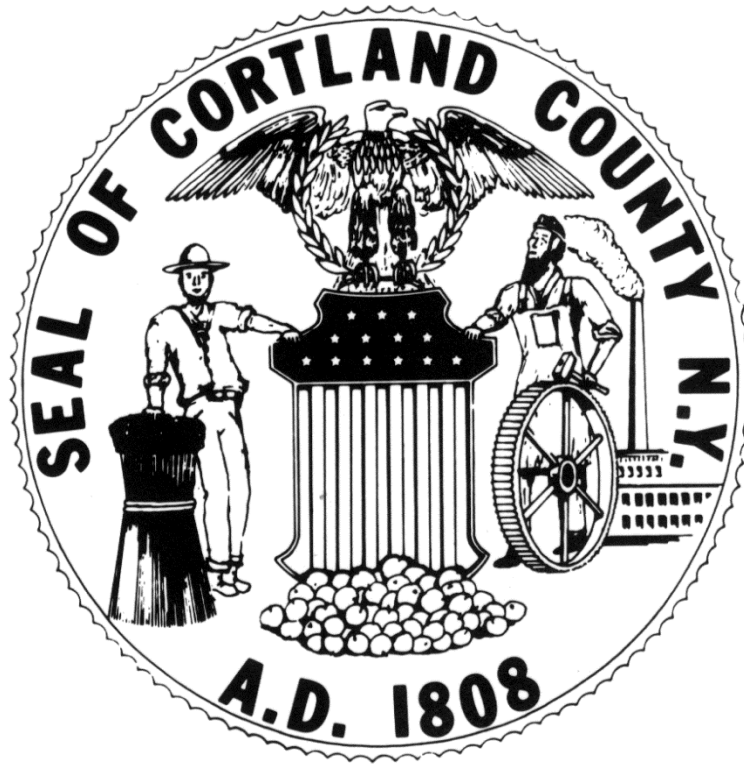
Deputy Director of Information Technology
Public Defender
Chief Assistant Public Defender
County Coroners
District Attorney
Chief Assistant District Attorney
Supervisor, Solid Waste Management
Grant Administrator
Administrative Services Manager
Employment and Training Director
Plan Administrator (Assigned 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

Public Transportation System



TITLE VI PLAN

Cortland County Public Transportation System Title VI Plan

I. Plan Statement

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that “no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be rejected to discrimination under any program or activity receiving Federal financial assistance” (42 U.S.C. Section 2000d).

Cortland County Planning Department is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services on the basis of race, color or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1A.

This plan was developed to guide Cortland County and its private transit operator in its administration and management of the Title VI as related to Cortland County’s public transit services.

II. Title VI Information Dissemination

Cortland County and its private transportation provider provide information to the public regarding the Public Transportation Title VI Policy and Procedures.

A notice (a copy is attached) with the Title VI information has:

- A statement that no person, on the grounds of race, color, or national origin, shall be excluded from participation in, be denied the benefits of, or be subject to discrimination in utilizing its public transportation system.
- A description of the procedure to request additional information on the County’s non discrimination obligations. The notice contains the contact information of the County Title VI Officer.
- The contact information for filing a direct complaint with the Federal Transportation Administration.

The Notice and Complaint Procedures are attached which describe the process of filing a complaint and the County’s responsibilities to the handling of that complaint.

- The Cortland County Transportation system operates its programs and services without regard to color, race, or national origin in all accordance with Title VI of the Civil Rights Act of 1964. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the Cortland County Planning Department.
- For more information on the Cortland County Transportation Systems Civil Rights program, and the procedures to file a complaint, contact the Cortland County Planning Department's website at www.cortland-co.org, or email tjesset@cortland-co.org, or call (607) 753-5043 or mail to Cortland County Planning Department, Title VI Officer, 60 Central Ave., Cortland, NY 13045.
- A complaint may be filed directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE Washington, DC, 20590.
- If information is needed in another language, contact (607)-753-5043

III. Subcontracts and Vendors

All subcontractors and vendors who receive payments from Cortland County through the Cortland County Planning Department where funding originates from any Federal Transportation assistance are subject to the provisions of the Title VI or the Civil Rights Act of 1964 as amended.

Written contracts shall contain non-discrimination language, either directly or through the bid specification package which becomes an associated component of the contract.

IV. Record Keeping

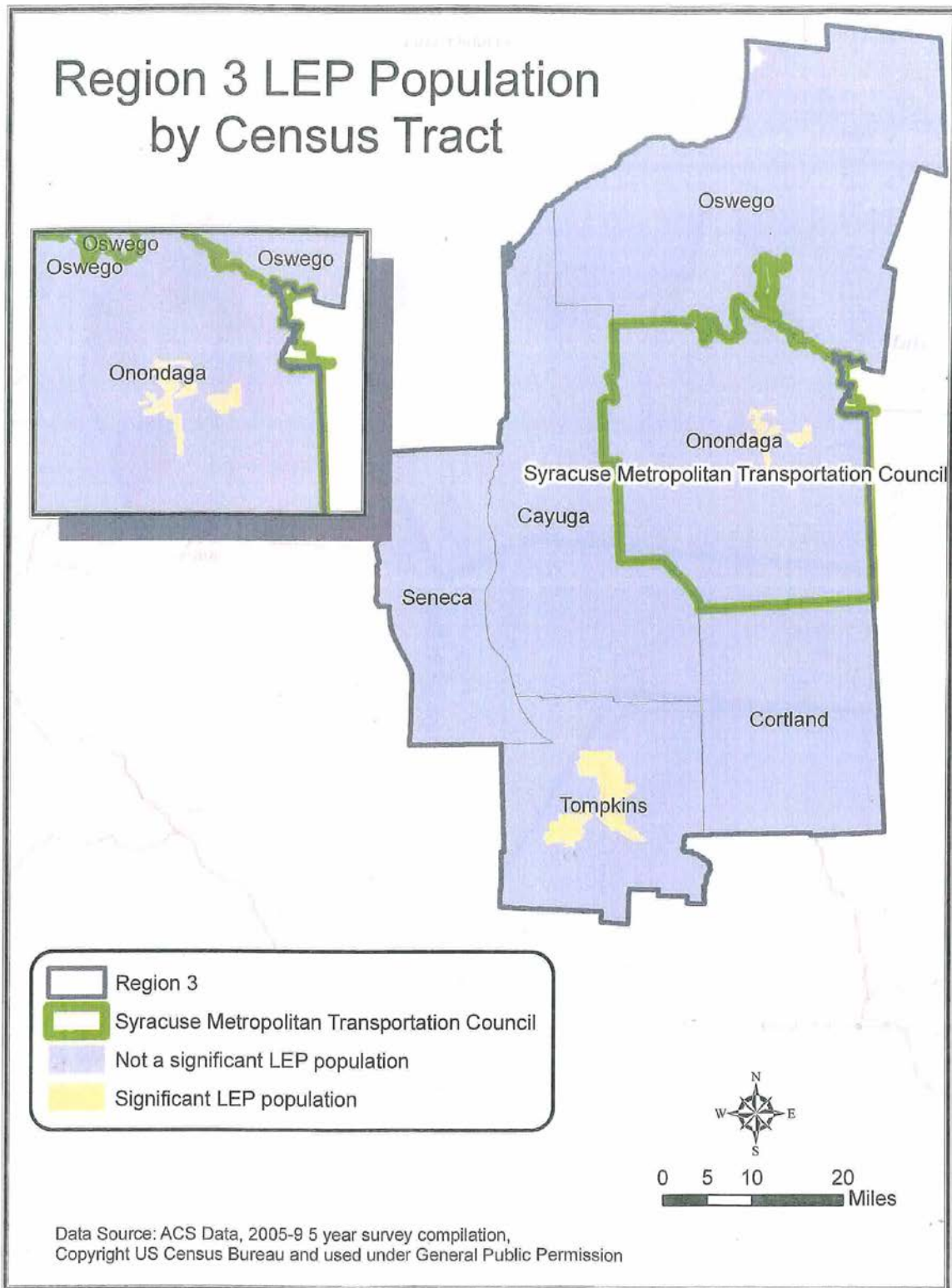
The Public Transportation Title VI Officer will maintain permanent records, which include, copies of the Title VI complaints or lawsuits and related documentation, and records of correspondence to and from complainants, and Title VI investigations.

V. Limited English Proficiency (LEP) Plan

A limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write or understand English. This plan details procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, training staff, how to notify LEP persons that assistance is available, and information for future plan updates. In developing the plan while determining private transit operator's extent of obligation to provide LEP services, the Cortland County Planning Department undertook a U.S. Department of Transportation four factor LEP analysis which considers the following:

- The number or proportion of LEP persons eligible in the private transit operator's service area and those who may be served or likely to encounter the private transit operator's service.
- The frequency with which LEP individuals come in contact with a private transit operator's service
- The nature and importance of the service provided by the private transit operator to the LEP population
- The resources available to the private transit operator and overall cost to provide LEP assistance.

According to the Census data Cortland County has no significant LEP population at this time. (See attached Region 3 LEP Population by Census Map)



VI. Environmental Justice Program

Responsible Person: Trisha R. Jesset, Director of Planning, Cortland County Planning Department

If it is pertinent at the time to any public transportation federal funding, Cortland County shall integrate the goals of the U.S. Order of Environmental Justice into any transit construction projects that require a documented Categorical Exclusion (CE), and Environmental Assessment (EA), or an Environmental Impact Statement (EIS). The County will integrate an environmental justice analysis into the NEPA documentation of construction projects for any documented CE, any EA, and any EIS. The analytical information will include:

- A description of the low-income and minority population within the area affected by the project, and a discussion of the method used to identify these populations.
- A discussion of all adverse effects of the project both during and after construction that would affect the identified minority and low-income populations.
- A discussion of all positive effects that would affect the identified minority and low-income populations; a description of all mitigation and environmental enhancement actions incorporated into the project to address the adverse effects.
- A discussion of the remaining effects, if any, and why further mitigation is not proposed.
- A comparison of mitigation and environmental enhancement actions that affect predominately low-income and minority areas with mitigation implemented in predominately non-minority and non-low income areas.

VII. Community Outreach

Cortland County receives federal assistance in its efforts to commence studies to explore possible service expansion through possible coordination with other public transit agencies, review new funding options and sustainability of service. The public is invited to participate in the process whether through public meetings or surveys.

Cortland County has a Transportation Advisory Committee (TAC) which includes several agencies with the County, including but not limited to DSS, Veterans, Access to Independence, SUNY Cortland, Area of the Aging, TC3 Community College, Catholic Charities, CAPCO, OCM BOCES, JM Murray Center, Seven Valleys Heath Coalition, Cortland Career Works, and Finger Lakes Independence Center.

When a new service is proposed it is taken before the Transportation Advisory Committee (TAC) to discuss the feasibility of extending the service. Meetings are scheduled every other month, unless otherwise needed.

VIII. Disadvantaged Business Enterprise/Equal Employment Opportunity

Cortland County is responsible for ensuring that Disadvantage Business Enterprises are provided the maximum opportunity to compete for and perform contracts and subcontracts financed in whole or in part with federal funds. In addition, Cortland County will not discriminate on the basis of race, color, national origin, or sex in the award and performance of FTA-assisted contracts.

In compliance with US Department of Transportation (DOT) 49 CFR Part 26, where Cortland County Transportation receives more than \$250,000 in FTA funds, excluding bus procurements, Cortland County includes New York State and US Government clauses in all contracts with contractors and/or subcontractors which include the DBE and EEO clauses. All contracts with contractors and/or subcontractors are filed with NYSDOT.

When submission of a DBE Plan is not required the following steps are taken to assure opportunity to compete for and perform contracts and subcontracts financed in whole or in part with federal funds to Disadvantage Business Enterprises.

1. Good faith efforts are made to ensure participation – As required good faith efforts will be performed to ensure a level playing field is provided. Upon request all recent good faith effort activity will be provided in a format similar to that described in Appendix 2;
2. Current listing of DBE firms – The grantee will maintain and produce, upon request, a current listing of qualified DBE firms and locations (websites, etc) it utilizes to find and reach out to DBE firms;
3. A procedure in place to ensure work is performed - Once contracts are engaged the grantee, in cooperation with the prime or subprime contractors, will work with DBE firms to ensure success towards meeting their commitments. This includes regular oversight and review of work performed by the prime, subprime and DBE subcontractors. Additionally, prime contractors are required to submit invoices with documentation confirming the level of participation and payments to subcontractors and DBE's.
4. Complaint procedures – The complaint procedures found in this document serves as the process for filing a complaint.
5. Listing of any complaints received, current status and resolution if applicable – All complaints are documented and filed for future reference and available upon request.
6. The grantee will continue to work to obtain the participation of DBEs by developing solicitations that meet requirements. For more information regarding the DBE program please contact: Trisha R. Jesset, P.E., Cortland County Planning Department, 60 Central Avenue, Cortland, New York 13045.

IX. Equal Employment Opportunity

When applicable, Cortland County will comply with all Equal Employment Opportunity requirements which include receiving capital assistance in excess of 1 million or planning assistance in excess of \$250,000 and having more than 50 transit employees. If Cortland County Transportation meets any of these requirements Cortland County will need to ensure that an EEO program is implemented and provide updates every three years to NYSDOT to ensure compliance. Cortland County will not discriminate against any employee or applicant for employment because of race, color, creed, national origin, sex, age, or handicap. Cortland County assures to take affirmative action to ensure that applicants are employed and that employees are treated during employment without regards to race, color, creed, national origin, sex or age and post in a conspicuous area and make available to employees and applicants for employment notices setting forth an EEO policy. Cortland County includes New York State and US Government clauses in all contracts with contractors and/or subcontractors which include the DBE and EEO clauses. All contracts with contractors and/or subcontractors are filed with NYSDOT.

X. Title VI Complaint Procedures

Title VI Complaint Procedures (Appendix 1) area attached.

XI. Service Standards

Vehicle Load: Cortland County establishes a vehicle load (ratio of passengers to the number of seats on a vehicle) of 1.0 for all vehicles and bus routes at all times.

Vehicle Headway: For the more densely populated areas in and around the City of Cortland, the maximum vehicle headway (amount of time between vehicles travelling in the same direction on a given line or combination of lines) shall be established at one half hour. For the more rural areas outside the City of Cortland, the maximum vehicle headway shall be established at nine hours.

On Time Performance (a measure of runs completed as scheduled): Cortland County considers “on time” to be any run that is completed within zero and five minutes late in comparison to the established schedule. Cortland County establishes a rate of 90% of all runs system-wide be completed within the on-time window. The most likely reason for a late run is expected to be runs that involve deployment of the wheelchair lift to aid a disabled passenger.

Service availability (a general measure of distribution of routes within a transit provider’s service area): In the City of Cortland, Cortland County shall provide routes such that 100% of the population lives within approximately one third mile of an established route. In the rural areas of the County, Cortland County shall provide routes that service the most densely populated portions of the County, including all three Villages, with the maximum distance from routes to unserved areas being seven miles.

XI. Service Policies

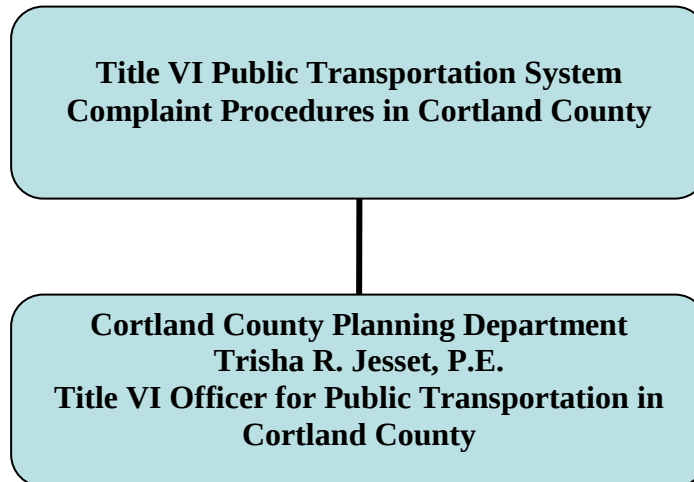
Distribution of transit amenities for each route: Cortland County deploys bus shelters at City bus stops that serve the greatest number of passengers, and strives to establish rural stops at locations where passengers have an opportunity to wait in areas covered from the elements.

Vehicle assignment (the process of which transit vehicles are placed into service in depots and on routes throughout the transit provider's system): Cortland County only has one depot, and strives to rotate vehicles among the routes unless a particular route demands a vehicle with a greater seating capacity.

Appendix 1

Cortland County Public Transportation System Title VI Compliant Procedures

Cortland County Planning Department and its private transit operator provide information to the public regarding their Title VI obligations, apprise the public of the protections against discrimination.



Cortland County Planning Department manages FTA grants provided to the Cortland County's private transit operator. The Cortland County Planning Department also manages FTA grant provided to third party contractors. All complaints are filed with the Cortland County Planning Department, Title VI Officer who investigates and resolves all complaints.

Any person may file a Title VI complaint with the Cortland County Planning Department in regards to the public transportation system within Cortland County. Contact information is Cortland County Planning Department, Title VI Officer, 60 Central Avenue, Cortland, NY 13045.

Public Transportation Title VI Notice and Complaint Procedures Cortland County Planning Department

A. Policy

The Cortland County Public Transportation System does not discriminate against individuals based on race, color, religion, national origin, age, sex, disability (physical or mental impairment), genetic pre-disposition or carrier status, creed, arrest/convictions, marital status, sexual orientation, military status, and/or retaliation, in its public transportation system and will provide reasonable accommodations to individuals with a disability or Limited English Proficiency (LEP) who require such to benefit from our services.

B. Additional Information about Nondiscrimination

Title VI Public Transportation Officer will provide additional information about its obligations to not discriminate in providing public transportation services within Cortland County, under Federal, New York State and County Law, to members of the public upon written request to:

Trisha R. Jesset, P.E.
Public Transportation Title VI Officer
Cortland County Planning Department
60 Central Avenue
Cortland, New York 13045
Phone: (607) 753-5043

C. Complaint Process – Filing a Complaint

1. Who may file a complaint: Anyone who believes that they have been subjected to discrimination may file a complaint. An authorized representative may be designated to file a complaint on the behalf of the complainant.
2. Where and who to file with: A complaint may be filed with Trisha R. Jesset, P.E., Public Transportation Title VI Officer.
3. Content of Complaint: The complaint must be in writing and signed by the complainant or their designated representative. The complaint must contain the following:
 - a) Your full name, address, and telephone number, and the name of the party discriminated against.
 - b) The name of the agency, organization, or institution that you believe has discriminated
 - c) A description of the act or acts of discrimination, the date or dates of the discriminatory acts, and the name or names of the individuals who you believe discriminated; and other information that you believe Sign and send the letter to:

Trisha R. Jesset, P.E.
 Public Transportation Title VI Officer
 Cortland County Planning Department
 37 Church Street
 Cortland, New York 13045
 Phone: (607) 753-5043

4. If complainant needs assistance to write the complaint and are unable to locate someone to assist them, Public Transportation Title VI Officer will, upon request, assist you in locating an advocate or representative who is not associated with Cortland County or the third party provider to assist you.
5. Within 10 working days of having received the complete complaint the Public Transportation Title VI Officer will meet with you personally or by telephone to TTY. The purpose of the meeting will be to resolve the complaint. If an auxiliary aid or service at the meeting (i.e, interpreter, reader, large print, Braille materials, or cassette tape) is needed, a complainant or their designated representative must let the Public Transportation Title VI Officer know in advance so he or she may effectively communicate with them.
6. Within 15 calendar days of the meeting, the Public Transportation Title VI Officer will respond in writing, and where appropriate, in format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the Public Transportation Title VI Officer and offer options for substantive resolution of the complaint.
7. If the response does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the Public Transportation Title VI Officer at the same address. Within 15 calendar days after the receipt of the appeal, the Public Transportation Title VI Officer will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Public Transportation Title VI Officer will respond in writing, and where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.
 All written complaints, appeals to the Public Transportation Title VI Officer, and responses will be retained by the Cortland County Planning Department for at least 5 years.
8. Federal Complaint Procedures for Public Transportation Services:
 The Cortland County Planning Department administers Federal Transit Administration funding for public transportation services operated within Cortland County by the public transit operator. Non-discrimination based on issues involving race, color, national origin, sex, age or disability in public transportation is protected under Title VI and related Federal statutes. Therefore, there is a Federal Title VI complaint procedure for public transportation services receiving Federal funding in Cortland County. Filing a complaint directly with the Federal Transit Administration is an alternative to using the Cortland County Public Transportation Title VI Officer process.

1. Applicability

The complaint procedures apply to the beneficiaries of the U.S. Department of Transportation's programs, activities, and services, including but not limited to the public, contractors, subcontractors, consultants and other sub-recipients of Federal funds.

2. Eligibility

Any person who believes that he/she has been excluded from participation in, denied benefits or services of any public transportation program or activity administered by the Public Transportation System within Cortland County or is sub recipients, consultants, and contractors on the basis of race, color, national origin, sex, age, or disability may file a complaint of discrimination under Title VI and related statutes.

3. Where to File and Time Limitation

Complainants may file their initial Title VI complaint, or appeal a Public Transportation Title VI Officer's decision of a Title VI complaint, directly with the:

Title VI Program Coordinator
FTA Office of Civil Rights
East Building, 5th Floor – TCR
1200 New Jersey Ave
S.E. Washington, D.C. 20590

Or via their website www.fta.dot.gov/civilrights/title6/civilrights5104.html

Complaints must be filed no later than 180 days after:

The date of the alleged act of discrimination; or

The date when the person(s) became aware of the alleged discrimination; or

Where there has been a continuing course of conduct; the date on which the conduct was discontinued.

How to file Complaints

All Title VI and related statute complaints are considered formal as there is no informal process. Complaints must be in writing and signed by the complainant. Complaints must include the complainant's name, address and phone number and be detailed to specify all issues and circumstances of the alleged discrimination.

Complaint Basis

All Title VI allegations must be based on issues involving race, color, national origin, sex, age or disability.

9. Reasonable Accommodations

The Cortland County Planning Department in regards to the Cortland County Public Transportation System provides reasonable accommodations for person with Limited English Proficiency (LEP) and persons with disabilities (physical or mental illness).

The Cortland County Planning Department in regards to the Cortland County Public Transportation System may deny accommodations, when a person, after being given reasonable opportunity fails or refuses to comply with the request to provide appropriate documentation where the disability is not readily apparent.

The Cortland County Public Transportation System provides its transit services to ensure equal opportunities for individuals with disabilities or LEP. The Public Transit system in Cortland County provides special benefits to people with disabilities but people with disabilities cannot be compelled to participate in those programs in accordance with the requirements of the Title II of the American Disabilities Act of 1990 (“ADA”).

Appendix 2

Guidance Concerning Good Faith Efforts

Good Faith Efforts procedures must be documented on contracts utilizing federal funds that have an established DBE goal. Award requires a bidder/offeror be able to show good faith efforts were performed to meet the goal. A good faith effort is defined as one where the bidder:

1. *Documents that it has obtained enough DBE participation to meet the goal; or*
2. *Documents adequate good faith efforts, even though it did not meet the goal.*

This appendix “Guidance Concerning Good Faith Efforts” provides grantees with suggested types of actions they should perform/document to demonstrate good faith efforts.

These efforts must be active steps, which could reasonably be expected to lead to sufficient DBE participation to meet the contract DBE participation goal. Good Faith Efforts require that the bidder consider all qualified DBEs, who express an interest in performing work under the contract. This means that the bidder cannot reject a DBE as unqualified unless the bidder has sound reasons based on a thorough investigation of the DBE’s capabilities. Further, the DBE’s standing within its industry, membership in specific groups, organizations or associations and political or social affiliation (for example, union vs. non-union employee status) is not legitimate causes for the rejection or non-solicitation of bids in the Contractor’s efforts to meet the contract DBE participation goal.

The following, which is not all inclusive, list types of actions which indicate good faith efforts on the part of a bidder to meet the DBE goal. The extent and type of actions required will vary depending on such things as industry practice; the time available for submitting a bid and the type of contract.

1. *Attendance at a pre-bid meeting, if any, scheduled to inform DBEs of subcontracting opportunities under a given solicitation.*
2. *Advertisement in general circulation media, trade association publications, and minority-focus media.*
3. *Written notification to capable DBEs that their interest in the contract is solicited.*
4. *Documentation of efforts to negotiate with DBEs for specific sub-contracts including at a minimum:*
 - a. *The names, addresses, and telephone numbers of DBEs contacted and the date.*
 - b. *A description of the information provided to DBEs.*
 - c. *A statement explaining why additional agreements with DBEs were not reached.*
5. *For DBE bidders contacted but rejected as unqualified, the reason for that conclusion.*

6. *Documentation of efforts made to assist the DBEs contacted that needed assistance in obtaining bonding or insurance required by the bidder.*
7. *Documentation of efforts to utilize the services of small business organizations, community and contractor groups to locate qualified DBEs.*
8. *Documentation that the bidder has broken out contract work items into economically feasible units in fields where there are available DBE firms to perform the work.*
9. *Evidence that adequate information was provided to DBEs about the plans, specifications and requirements of the contract, and that information was communicated in a timely manner.*

Documentation of any efforts made to assist interested DBEs in obtaining necessary equipment, supplies, materials or related assistance or services.