



Cortland County Legislature

Legislative Session

Legislative Chambers
Cortland, NY 13045
<https://www.cortlandcountyny.gov>

~ Minutes ~

Thursday, September 25, 2025

6:00 PM

Board Room

Public Hearings

1. Local Law "H" of 2025 - A Local Law Amending the Occupancy Tax Local Law to include Short-Term Rental Units

RESULT:	CLOSED [UNANIMOUS]
MOVER:	Joseph Nauseef, Legislator
SECONDER:	Jason Prentice, Legislator
AYES:	Bentley, Bischoff, Cleland, Eccleston, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Price, Van Dee, VanGorder, Fitch
EXCUSED:	Beau Harbin, Eugene Waldbauer

Call to Order

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

Salute to the Flag

Roll Call

Attendee Name	Organization	Title	Status	Arrived
Douglas Bentley	Cortland County	Legislator	Present	
Cathy Bischoff	Cortland County	Legislator	Present	
Reed Cleland	Cortland County	Legislator	Present	
Mitchel Eccleston	Cortland County	Legislator	Present	
Beau Harbin	Cortland County	Minority Leader	Excused	
Paul Heider	Cortland County	Majority Leader	Present	
Linda Jones	Cortland County	Legislator	Present	
Dominick Mantella	Cortland County	Legislator	Present	
William McGovern	Cortland County	Legislator	Present	
Joseph Nauseef	Cortland County	Legislator	Present	
Christopher Newell	Cortland County	Legislator	Present	
Jason Prentice	Cortland County	Legislator	Present	
Sandra Price	Cortland County	Legislator	Present	
Ronald J. Van Dee	Cortland County	Legislator	Present	
Keith VanGorder	Cortland County	Legislator	Present	
Eugene Waldbauer	Cortland County	Legislator	Excused	
Kevin Fitch	Cortland County	Chair of the Legislature	Present	

Approval of Minutes

1. Cortland County Legislature - Special Meeting - Aug 14, 2025 4:00 PM

RESULT: APPROVED

2. Cortland County Legislature - Legislative Session - Aug 28, 2025 6:00 PM

RESULT: APPROVED

Privilege of the Floor

Proclamations & Recognitions

1. Suicide Prevention Month Proclamation

RESULT: COMPLETED

2. Proclamation Honoring Francis Riter

RESULT: COMPLETED

Presentation of Petitions, Communications, Presentations and Notices

1. 111 Port Watson Street Update - Commissioner of Public Works, Charles Sudbrink

RESULT: COMPLETED

Reports of Standing, Special and Ad Hoc Committees

Receive and File

Articles Postponed to Day Certain

Unfinished Business

New Business

Resolutions

Resolutions from the Chair

Referred from Public Works Committee

AGENDA ITEM NO. 1 – Authorize Temporary Lease Modification for 49 Grant Street - Code Blue
Mr. Heider MADE A MOTION TO AMEND the resolution to add the following language:

- In the eight WHEREAS clause: "as follows:

- Beginning on or about October 1, 2025 and continuing until on or about November 1, 2025, at such times when Catholic Charities is adequately staffed, as agreed upon by both parties in the Lease Modification Agreement, expand upon the use of the premises to permit drop-in services for homeless and/or unhoused; and"

- Before the RESOLVED clause: " RESOLVED, that the County Administrator upon review and approval by the County Attorney or designee, is hereby authorized to sign an agreement to modify the Lease Agreement dated April 30, 2024 to temporarily expand upon the use of the premises located at 49 Grant Street, Cortland, New York 13045, bearing Tax Map No.: 86.43-02-14.200 to include the expanded use of the premises to permit drop-in services for homeless and/or unhoused from on or about October 1, 2025 through on or about November 1, 2025; AND BE IT FURTHER"

Ms. Bischoff SECONDED THE MOTION, and upon unanimous voice vote of members present, MOTION CARRIED.

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Paul Heider, Majority Leader
SECONDER:	Joseph Nauseef, Legislator
AYES:	Bentley, Bischoff, Cleland, Eccleston, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Price, Van Dee, VanGorder, Fitch
EXCUSED:	Beau Harbin, Eugene Waldbauer

ON MOTION OF HEIDER

RESOLUTION NO. 194-25

Authorize Temporary Lease Modification for 49 Grant Street - Code Blue

WHEREAS, the New York State Office of Temporary and Disability Assistance mandates counties to implement regulations in Title 18NYCRR Section 304.1 titled Protection of Vulnerable Homeless Persons, otherwise referred to as "Code Blue" to provide shelter during inclement weather when air temperatures are at or below 32 degrees Fahrenheit; AND

WHEREAS, the New York State (NYS) Code Blue policy was established as an emergency Executive Order on December 16, 2016, with a commitment of reimbursement for additional costs to counties that are directly related to the requirements of the Code Blue regulation; AND

WHEREAS, Cortland County has entered into a contract with the Salvation Army for the provision of Warming Center services for the 2025 - 2026 season; AND

WHEREAS, Resolution No. 123-25 authorizes the County Administrator, upon review and approval by the County Attorney or designee, to sign an agreement with a landlord of a location to be determined for hours the Salvation Army is not open in an amount not to exceed \$25,000; AND

WHEREAS, Cortland County (Landlord) and Catholic Charities of Cortland County (Tenant) entered into a Lease Agreement dated April 30, 2024 for premises located at 49 Grant Street, Cortland, New York 13045, bearing Tax Map No.: 86.43-02-14.200; AND

WHEREAS, Cortland County and Catholic Charities of Cortland County desire to temporarily expand upon the use of the premises contained in said Lease Agreement to include operation of a temporary warming center to be operated under specific circumstances, in accordance with New York State Code Blue regulations, when the County Office Building is closed until such time as the Salvation Army Warming Center officially opens on November 1, 2025; AND

WHEREAS, such expanded use shall only be limited up to 16 hours each night the Department of Social Services declares the need to open based on qualifying temperatures prior to November 1, 2025; AND

WHEREAS, Cortland County and Catholic Charities of Cortland County desire to temporarily further expand upon the use of the premises contained in the aforementioned Lease Agreement as

follows:

- Beginning on or about October 1, 2025 and continuing until on or about November 1, 2025, at such times when Catholic Charities is adequately staffed, as agreed upon by both parties in the Lease Modification Agreement, expand upon the use of the premises to permit drop-in services for homeless and/or unhoused; and
- Beginning November 1, 2025 until the termination of the lease agreement on March 31, 2026, to include operation of a temporary warming center to be operated from 4:30 p.m. to 7:30 p.m. on Tuesdays and Sunday mornings from 8:30 a.m. until noon

; AND

WHEREAS, all other terms and conditions of the Lease Agreement dated April 30, 2024 shall remain in full force and effect; NOW THEREFORE BE IT

RESOLVED, that the County Administrator upon review and approval by the County Attorney or designee, is hereby authorized to sign an agreement to modify the Lease Agreement dated April 30, 2024 to temporarily expand upon the use of the premises located at 49 Grant Street, Cortland, New York 13045, bearing Tax Map No.: 86.43-02-14.200 to include the expanded use of the premises to permit drop-in services for homeless and/or unhoused from on or about October 1, 2025 through on or about November 1, 2025; AND BE IT FURTHER

RESOLVED, that the County Administrator upon review and approval by the County Attorney or designee, is hereby authorized to sign an agreement to modify the Lease Agreement dated April 30, 2024 to temporarily expand upon the use of the premises located at 49 Grant Street, Cortland, New York 13045, bearing Tax Map No.: 86.43-02-14.200 to include operation of a temporary warming center to be operated under specific circumstances, in accordance with New York State Code Blue regulations, when the County Office Building is closed, until such time as the Salvation Army Warming Center officially opens on November 1, 2025, and after November 1, 2025 on Tuesdays from 4:30 p.m. to 7:30 p.m. on Tuesdays and Sunday mornings from 8:30 a.m. until noon until the end of the lease term on March 31, 2026.

AGENDA ITEM NO. 2 – Amend 2025 Budget - Increase Revenue from NYS Unified Court System

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul Heider, Majority Leader
SECONDER:	Reed Cleland, Legislator
AYES:	Bentley, Bischoff, Cleland, Eccleston, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Price, Van Dee, VanGorder, Fitch
EXCUSED:	Beau Harbin, Eugene Waldbauer

ON MOTION OF HEIDER

RESOLUTION NO. 195-25

Amend 2025 Budget - Increase Revenue from NYS Unified Court System

WHEREAS, the County of Cortland shall have higher than estimated revenues for projects completed at the Cortland County Courthouse; AND

WHEREAS, the County of Cortland received \$68,132 in reimbursement over the budgeted amount for 2025 for projects completed at the County Courthouse; AND

WHEREAS, the County of Cortland anticipates an additional reimbursement in the amount of \$70,000 for projects completed at the County Courthouse; AND

WHEREAS, the additional revenue to be received from the NYS Unified Court System has been recommended to be appropriated to fund additional costs associated with projects at the Cortland County Courthouse; NOW THEREFORE BE IT

RESOLVED, that with the recommendation of the Cortland County Department of Public Works that the following accounts be modified; AND BE IT FURTHER

RESOLVED, that the 2025 County Budget be amended as follows:

Increase:

Revenue

A162043.43021	Court Facilities Incentive	\$138,132.00
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Expense

A16205.54076	Building Repairs & Maintenance	\$138,132.00
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AGENDA ITEM NO. 3 – Authorize Continued Funding of Building and Grounds Capital Project Reserve

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul Heider, Majority Leader
SECONDER:	Ronald J. Van Dee, Legislator
AYES:	Bentley, Bischoff, Cleland, Eccleston, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Price, Van Dee, VanGorder, Fitch
EXCUSED:	Beau Harbin, Eugene Waldbauer

ON MOTION OF HEIDER

RESOLUTION NO. 196-25

Authorize Continued Funding of Building and Grounds Capital Project Reserve

WHEREAS, the Cortland County Legislature adopted Resolution No. 221-18; AND

WHEREAS, under the terms of the Sales Tax Sharing Agreement adopted by Resolution No. 221-18 there shall be deducted from the annual gross distribution of sales tax received from the State of New York a fixed sum in the annual amount of \$1.5 Million for County purposes; AND

WHEREAS, the Cortland County Legislature adopted Resolution No. 226-18, as amended by 294-20 and 283-21, which formalized the use and commitment of "Off the Top" sales tax revenue; AND

WHEREAS, the Cortland County Legislature adopted Resolution No. 190-25, Authorize Sales Tax Sharing Agreement by and Between the County of Cortland and the City of Cortland, which removed the "Off the Top" sales tax commitment to the County; AND

WHEREAS, there are multiple County facilities that are in need of substantial repair and renovations, AND

WHEREAS, it is the recommendation of the Public Works Committee to more adequately fund the Buildings and Grounds Capital Project reserve to begin addressing facility repairs and renovations; NOW THEREFORE BE IT

RESOLVED, the Cortland County Legislature authorize \$300,000 annually be deposited to the Building and Grounds Capital Project Reserve, A.386300.B&G

Referred from Judiciary & Public Safety Committee

Referred from Agriculture/Planning/Environment Committee

Referred from Health & Human Services Committee

AGENDA ITEM NO. 4 – Authorize Purchase of OQ Analyst FFT Software and Entering into a BAA with OQ Measures, LLC - Mental Health Department

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ronald J. Van Dee, Legislator
SECONDER:	William McGovern, Legislator
AYES:	Bentley, Bischoff, Cleland, Eccleston, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Price, Van Dee, VanGorder, Fitch
EXCUSED:	Beau Harbin, Eugene Waldbauer

ON MOTION OF VAN DEE

RESOLUTION NO. 197-25

Authorize Purchase of OQ Analyst FFT Software and Entering into a BAA with OQ Measures, LLC - Mental Health Department

WHEREAS, the Cortland County Mental Health Department has an approved contract with FFT, LLC (Contract No. 169-25, authorized by Resolution No. 189-24), to provide Functional Family Therapy intensive training for three (3) staff members, funded through the SAMHSA Grant; AND

WHEREAS, the expectation of the training and the program is to use specific electronically-based assessments based on real time contact with clients requiring special treatment and protection of HIPAA; AND

WHEREAS, FFT, LLC partner's with OQ Measures, LLC to provide these specific electronic assessments; AND

WHEREAS, Cortland County Mental Health is requesting approval to purchase this unique software and enter into a specific BAA with OQ Measures, LLC; AND

WHEREAS, funding for the software will be paid through the SAMHSA Grant; NOW THEREFORE BE IT

RESOLVED, that the County Administrator or Chairman of the Legislature, upon review and approval by the County Attorney or designee, approve entering into the BAA with OQ Measures, LLC and the purchase of the software for a cost not to exceed \$675 from Account No. A43105-54005-ISCEI.

AGENDA ITEM NO. 5 – Amend Budget Unmet Need Program - Office for Aging

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ronald J. Van Dee, Legislator
SECONDER:	Reed Cleland, Legislator
AYES:	Bentley, Bischoff, Cleland, Eccleston, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Price, Van Dee, VanGorder, Fitch
EXCUSED:	Beau Harbin, Eugene Waldbauer

ON MOTION OF VAN DEE

RESOLUTION NO. 198-25

Amend Budget Unmet Need Program - Office for Aging

WHEREAS, the New York State Office for the Aging has made available the sum of \$404,830 under the Unmet Need Program, for the period of April 01, 2025 through March 31, 2026, through Cortland County Office for Aging Revenue Account No. A677243-43772-UNAS; AND

WHEREAS, these funds reflect an increase of \$183,284 over what was originally anticipated; AND

WHEREAS, these funds are to be used for additional home care, meals, transportation, case management, home modifications and/or any need for the aging community that absent the funding could not be provided otherwise; NOW THEREFORE BE IT

RESOLVED, that the 2025 County Budget be and hereby is amended as follows; AND BE IT FURTHER

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

		Current	Change	Revised
Revenue:				
A677243-43772-UNAS	Aging Services - State Aid	\$221,546	183,284	\$404,830
Expense:				
A67725-51005-UNAS	Personal Services Full-Time	126,594	39,006	165,600
A67725-51010-UNAS	Personal Services Part-Time	8,826	39,278	48,104
A67725-54055-UNAS	Professional Services	7,566	5,000	12,566
A67725-54800-UNAS	Program Expense	16,933	50,000	66,933
A67725-54400-UNAS	Food Supplies	0	50,000	50,000
A67725-58020-UNAS	Retirement	17,032	0	17,032
A67725-58030-UNAS	FICA	10,360	0	10,360
A67725-58040-UNAS	Workers' Compensation	4,715	0	4,715
A67725-58060-UNAS	Health Insurance	34,140	0	34,140
A67725-58062-UNAS	Dental Insurance	202	0	202
A67725-58065-UNAS	Vision Insurance	41	0	41

Referred from Finance & Administration Committee

AGENDA ITEM NO. 6 – Reappoint Director of Real Property Tax Services

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Cathy Bischoff, Legislator
SECONDER:	Sandra Price, Legislator
AYES:	Bentley, Bischoff, Cleland, Eccleston, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Price, Van Dee, VanGorder, Fitch
EXCUSED:	Beau Harbin, Eugene Waldbauer

ON MOTION OF BISCHOFF

RESOLUTION NO. 199-25

Reappoint Director of Real Property Tax Services

WHEREAS, the Cortland County Legislature, through Resolution No. 394-20, appointed Laura Fox as the Cortland County Director of Real Property Tax Services effective December 17, 2020 through September 30, 2025; AND

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

WHEREAS, the County Administrator recommends the reappointment of Laura Fox as the Director of Real Property Tax Services; AND

WHEREAS, the Finance and Administration Committee, after reviewing the recommendation of the County Administrator, concurs with the County Administrator's recommendation of reappointment; NOW THEREFORE BE IT

RESOLVED, that Laura Fox, Cortland NY, be and is hereby appointed effective October 1, 2025 for a six (6) year term through September 30, 2031, and shall be compensated in accordance with the Management and Management Confidential Compensation Policy as may be amended from time to time.

AGENDA ITEM NO. 7 – Authorize Budget Amendment/Accept Funds Kiwanis Club of Cortland County - Dwyer Park

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Cathy Bischoff, Legislator
SECONDER:	Ronald J. Van Dee, Legislator
AYES:	Bentley, Bischoff, Cleland, Eccleston, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Price, Van Dee, VanGorder, Fitch
EXCUSED:	Beau Harbin, Eugene Waldbauer

ON MOTION OF BISCHOFF

RESOLUTION NO. 200-25

Authorize Budget Amendment/Accept Funds Kiwanis Club of Cortland County - Dwyer Park

WHEREAS, Resolution No. 183-25 accepted the donation of a playground from the Kiwanis Club of Cortland County to be installed at Dwyer Memorial County Park; AND

WHEREAS, it is the desire of the Kiwanis Club of Cortland County for the County to purchase all equipment and oversee its installation and reimburse the County for all expenditures; AND

WHEREAS, funding for this is currently not in the 2025 budget: NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee, is hereby authorized and directed to sign an agreement with Kiwanis Club of Cortland County to accept these funds; AND BE IT FURTHER

RESOLVED, the 2025 County Budget be amended as follows:

Increase Revenue:

A71105.42705	Gifts & Donations	\$61,000
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Increase Expenditures:

A71105.52015	Department Specific Equipment	\$61,000
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AGENDA ITEM NO. 8 – Resolution Authorizing the Signing of a Memorandum of Agreement with Tompkins Cortland Community College

RESULT:	ADOPTED [14 TO 1]
MOVER:	Cathy Bischoff, Legislator
SECONDER:	Christopher Newell, Legislator
AYES:	Bentley, Bischoff, Cleland, Eccleston, Heider, Mantella, McGovern, Nauseef, Newell, Prentice, Price, Van Dee, VanGorder, Fitch
NAYS:	Linda Jones
EXCUSED:	Beau Harbin, Eugene Waldbauer

ON MOTION OF BISCHOFF

RESOLUTION NO. 201-25

Resolution Authorizing the Signing of a Memorandum of Agreement with Tompkins Cortland Community College

WHEREAS, the Cortland County Legislature adopted Resolution No. 493-01 - Endorsing the Tompkins Cortland Community College Master Plan and Approving Expansion and Renovation of Tompkins Cortland Community College Facilities Subject to State Approval and Funding; AND

WHEREAS, the Cortland County Legislature adopted Resolution No. 351-02 which authorized the expenditure of \$540,000 for the design of the athletic facility, with the understanding that one-half would be paid by the State and the other half paid from the College's out-of-county capital charge back account; AND

WHEREAS, the Cortland County Legislature adopted Resolution No. 352-03 which authorized the Tompkins Cortland Community College Campus Master Plan Amendment which included an understanding that matching funds were to come from the College's out-of-county capital charge back account; AND

WHEREAS, the Cortland County Legislature adopted Resolution No. 228-12 endorsing the Tompkins Cortland Community College Master Plan in the amount of \$7,050,000 subject to State Approval and Funding with the understanding that matching funds were to come from the College's out-of-county capital charge back account; AND

WHEREAS, the Cortland County Legislature adopted Resolution No. 355-18 approving the college's request for modification of the debt service repayment schedule for the above-noted Master Plan agreements to provide the flexibility necessary for Tompkins Cortland Community College to continue operations due to reduced enrollment of out of County and out of State students significantly reducing the college's cash flow; AND

WHEREAS, Cortland County is a sponsor of Tompkins Cortland Community College and, therefore, is responsible for a portion of both deferred maintenance and capital costs of the college in partnership with Tompkins County; AND

WHEREAS, both Cortland County and Tompkins Cortland Community College have historically met their respective obligations as outlined above by transferring funds to the other through issuance of written checks or wiring of funds; AND

WHEREAS, it is the desire of Cortland County and Tompkins Cortland Community College to improve efficiencies and streamline the process by which their respective obligations are met; AND

WHEREAS, it is more efficient for Tompkins Cortland Community College to retain the out-of-county capital charge back funds proportioned to Cortland County, which shall be considered fulfillment of Cortland County's annual statutory obligation to provide funding for deferred maintenance and capital costs of the college, and for Cortland County to apply a credit equal to such amount towards the college's debt service repayment until such time as the debt service for the above-noted Master Plan agreements have been repaid; AND

WHEREAS, to effectuate the same, Tompkins Cortland Community College shall provide to Cortland County by no later than October 15th of each year, an accurate certified accounting of out-of-county capital charge back funds received for the college's prior fiscal year (September 1st - August 31st) and Cortland County's proportionate share thereof; AND

WHEREAS, said amount shall be credited towards Cortland County's statutory obligation for the fiscal year following receipt of the certification (January 1st - December 31st); AND

WHEREAS, within 30 days of Cortland County's receipt of the aforementioned certification from the college, Cortland County shall provide a certified accounting of the capital debt reflecting a reduction of an amount equal to Cortland County's proportionate share of the out-of-county capital charge back received by Tompkins Cortland Community College; AND

WHEREAS, it is the desire of Cortland County and Tompkins Cortland Community College to memorialize their agreement in writing; NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature authorizes the Chair of the Legislature, upon review and approval by the County Attorney or designee, to execute a Memorandum of Agreement with Tompkins Cortland Community College consistent with the terms set forth in this Resolution.

AGENDA ITEM NO. 9 – Local Law 10 of 2025 - A Local Law Amending the Occupancy Tax Local Law to include Short-Term Rental Units

RESULT:	ADOPTED [14 TO 1]
MOVER:	Cathy Bischoff, Legislator
SECONDER:	Reed Cleland, Legislator
AYES:	Bentley, Bischoff, Cleland, Eccleston, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Price, Van Dee, VanGorder, Fitch
NAYS:	Paul Heider
EXCUSED:	Beau Harbin, Eugene Waldbauer

ON MOTION OF BISCHOFF

RESOLUTION NO. 202-25

Local Law 10 of 2025 - A Local Law Amending the Occupancy Tax Local Law to include Short-Term Rental Units

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

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

RESOLVED, that Local Law 10 of 2025 is hereby adopted and shall take effect upon the filing thereof in the Office of the Secretary of State as provided by Municipal Home Rule Law; AND

WHEREAS, this Cortland County Legislature adopted Local Law No. 1 of 2002, entitled "Imposing a Tax on the Occupancy of Hotel and Motel Rooms in Cortland County Pursuant to Article 29, Section 1202-g of the Tax Law of the State of New York;" AND

WHEREAS, Local Law No. 1 of 2002 was amended by Local Law No. 1 of 2009; Local Law No. 4 of 2013; and Local Law 4 of 2014; AND

WHEREAS, on December 21, 2024, Governor Kathy Hochul signed into law legislation to regulate and govern the short-term rental industry; AND

WHEREAS, on February 28, 2025, Governor Kathy Hochul signed the chapter amendment to the short-term rental legislation, which provides further details to help counties implement the statewide short-term rental registry law; AND

WHEREAS, inclusion of short-term rentals under the occupancy tax will create parity among lodging providers, include revenue collection, and ensure broader support for county services and initiatives; AND

WHEREAS, the Cortland County Legislature wishes to amend Local Law No. 1 of 2002 to:

1. Opt-in to the State-authorized inclusion of short-term rental units under the definition of taxable occupancy for the purposes of collecting occupancy tax

; NOW THEREFORE

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

Local Law 10 of 2025 - A Local Law Amending the Occupancy Tax Local Law to include Short-Term Rental Units

SECTION 1. TITLE

This Local Law shall be known as the “Cortland County Occupancy Tax Law.”

SECTION 2. LEGISLATIVE INTENT

The County Legislature hereby finds that the intent of this Local Law shall be to enhance funding for tourism and cultural activities for the benefit of Cortland County and its residents, and to further support economic development.

SECTION 3. AUTHORITY

- a. Notwithstanding any other provision of law to the contrary, the County of Cortland is hereby authorized and empowered to adopt and amend local laws imposing in such county a tax, in addition to any other tax authorized and imposed pursuant to Article 29 Section 1202-g of the New York State Tax Law (as amended by Chapter 118, part W, of the Laws of 2001), as the State Legislature has or would have the power and authority to impose upon persons occupying hotel or motel rooms within Cortland County. For the purposes of this local law, the term “hotel” or “motel” shall mean and include any facility providing lodging on an overnight basis and shall include those facilities designated and commonly known as “bed and breakfast” and “tourist” facilities.
- b. The rate of such tax shall not exceed five percent of the per diem rental rate for each room, provided however, that such tax shall not be applicable to a permanent resident. For the purposes of this Local Law, the term “permanent resident” shall mean a person occupying any room or rooms in a hotel or motel for at least thirty (30) consecutive days.

SECTION 4. TEXT

1. Definitions
2. Imposition of Tax
3. Transitional Provisions
4. Exempt Organizations
5. Territorial Limitations
6. Registration
7. Administration and Collection

8. Records to be Kept
9. Returns
10. Payment of Tax
11. Determination of Tax
12. Disposition of Revenues
13. Refunds
14. Remedies Exclusive
15. Proceedings to Recover Tax
16. General Power of Chairman of County Legislature
17. Administration of Oaths
18. Reference of Tax
19. Penalties and Interest
20. Returns to be Secret
21. Notices and Limitations of Time
22. Separability

1. DEFINITIONS:

- a. Booking Service shall mean a person or entity who, directly or indirectly:
 1. Provides one or more online, computer or application based platforms that individually or collectively can be used to:
 - i. List or advertise offers for short-term rentals or short-term rental units; and,
 - ii. Either accept such offers, or reserve or pay for such rentals; and,
 2. Charges, collects or receives a fee for the use of such platform or for provision of any service in connection with a short-term rental or short-term rental unit.
- b. Person shall mean an individual, partnership, society, association, joint stock company, corporation, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination of the foregoing.
- c. Operator shall mean any person operating a hotel, motel, or short-term rental unit in Cortland County, including but not limited to, the owner or proprietor of such premises, lessee, sublessee, mortgagee in possession, licensee, or any other person otherwise operating such hotel, motel, or short-term rental unit.
- d. Hotel or Motel shall mean a facility which is regularly used and kept open as such for the lodging of guests. The terms “hotel” and “motel” include an apartment hotel, a motel, guest house, or facilities designated and commonly known as “bed and breakfast” and “tourist” facilities, whether or not meals are served.
- e. Occupancy shall mean the use or possession, or the right to use or possession of any room in a hotel, motel, or short-term rental unit or any room, rooms, dwellings, structures, properties for which a fee is imposed by the operator for an overnight stay.
- f. Occupant shall mean a person who, for a consideration, uses, possesses, or has the right to use or possess any room in a hotel, motel, or short-term rental under any lease, concession, permit, right of access, license to use or other agreement, or otherwise. This shall also include any room, rooms, dwellings, structures, properties for which a fee is imposed by the operator for an overnight stay.
- g. Permanent Resident shall mean any occupant of any room or rooms in a hotel, motel, or

short-term rental unit for at least thirty (30) consecutive days shall be considered a permanent resident with regard to the period of such occupancy.

- h. Rent shall mean the consideration received for occupancy valued in money, whether received in money or otherwise.
- i. Room shall mean any room or rooms of any kind in any part or portion of a hotel, motel, or short-term rental unit, including, but not limited to, any room, rooms, dwellings, structures, properties for which a fee is imposed by the operator for an overnight stay, which is available for or let out for any purpose other than a place of assembly.
- j. Return shall mean any return filed or required to be filed as herein provided.
- k. Short-Term Rental Host shall mean a person or entity in lawful possession of a short-term rental unit who rents such unit to guests in accordance with the article.
- l. Short-Term Rental Unit shall mean an entire dwelling, or a room, group of rooms, other living or sleeping space, or any other space within a dwelling, made available for rent by guests for less than thirty (30) consecutive days, where the unit is offered for tourist or transient use by the short-term rental host of the residential unit and where such unit is located in a covered jurisdiction.

2. IMPOSITION OF TAX:

On or after the ___ day of ___, 20___, there is hereby imposed and there shall be paid a tax of five (5) percent of the rent for every occupancy of a room or rooms in a hotelmotel, or short-term rental unit within Cortland County, to include any room, rooms, dwelling, structures, properties for which a fee is imposed by the operator for an overnight stay; except that the tax shall not be imposed upon a permanent resident of the hotel, motel, or short-term rental unit.

3. TRANSITIONAL PROVISIONS:

The tax imposed by this Local Law shall be paid upon any occupancy on or after the ___ day of ___, 20___, although such occupancy is pursuant to a prior contract, lease, or other arrangement. Where rent is paid or payable on a weekly, monthly, or other term, the rent shall be subject to the tax imposed by this Local Law to the extent that it covers any period on and after the ___ day of ___, 20___.

4. EXEMPT ORGANIZATIONS:

- a. This Local Law shall not authorize the imposition of such tax upon any transaction by or with any of the following in accordance with Section 1230 of the New York State Tax Law:
 - 1. The State of New York, or any public corporation (including a public corporation created pursuant to agreement or compact with another state or Canada), improvement districts or political subdivisions of the State;
 - 2. The United States of America, insofar as it is immune from taxations;
 - 3. Any corporation, or association, or trust, or community chest, fund or foundation, organized and operated exclusively for religious, charitable, or educational purposes, or for the prevention of cruelty to children or animals, and no part of the net earnings of which inures to the benefit of any private shareholder or individual, and no substantial part of the activities of which is carrying out

propaganda, or otherwise attempting to influence legislation; provided, however, that nothing in this subdivision shall include an organization operated for the primary purpose of carrying on a trade or business for profit, whether or not all of its profits are payable to one or more organizations described in this paragraph.

- b. Where any organization described in sub paragraph (iii) of part (a) of this subdivision carries on its activities in the furtherance of the purposes for which it was organized, in premises in which, as part of said activities, it operates a hotel, motel, or short-term rental unit, occupancy of rooms in the premises and rents therefrom received by such corporation or association shall not be subject to tax hereunder.
- c. The hotel, motel, or short-term rental unit operator shall submit such written proof as may be required to show that the use or occupancy falls within the aforescribed exempt categories. In the absence of such documentation, the tax must be collected by the operator.

5. TERRITORIAL LIMITATIONS:

The tax imposed by this Local Law shall apply only to the occupancies within the territorial limits of the County of Cortland.

6. REGISTRATION:

Within ten (10) days after the effective date of this local law, or in the case of operators commencing hotel or motel business in Cortland County after such effective date, within three (3) days after such commencement, every operator shall file with the Office of the Chairman of the Cortland County Legislature a certificate of registration in a form prescribed by the County Chairman. Within five (5) days after such registration, the County Chairman shall issue, without charge to each operator, a certificate of authority empowering such operator to collect the tax from the occupant and duplicate thereof for each additional hotel or motel of such operator. Each certificate of duplicate shall state the hotel or motel to which it is applicable. Such certificate of authority shall be prominently displayed by the operator in a manner that it may be seen and come to notice of all occupants and persons seeking occupancy in the hotel to which it applies. Such certificates shall be nonassignable and nontransferable, and shall be surrendered immediately to the County Chairman upon the cessation of business at the hotel or motel named or upon its sale or transfer.

7. ADMINISTRATION AND COLLECTION:

- a. The tax imposed by this Local Law shall be administered and collected by the Chairman of the Cortland County Legislature, or other designated fiscal officers of the County by such means and in such manner as are other taxes which are now administered and collected by such, or as otherwise provided by this Local Law.
- b. The tax imposed by this Local Law shall be paid by the person liable therefore to the owner of the hotel, motel, or short-term rental unit room occupied or to the person entitled to be paid the rent or charge for the hotel, motel, or short-term rental unit room occupied, including any room, rooms, dwellings, structures, properties for which a fee is imposed by the operator for an overnight stay.
- c. The tax to be collected shall be stated and charged separately from the rent shown on any record thereof at the time when the occupancy is arranged, contracted, or charged for, and upon every evidence of occupancy of any bill, statement, or charge made for said occupancy issued or delivered by the operator. The tax shall be paid by the occupant to the operator as trustee for, and on account of, Cortland County, and that such owner or person entitled to be paid the rent or charge shall be liable for the collection and payment

of the tax.

- d. The operator and any officer of any corporate operator shall be personally liable for the tax collected or required to be collected under this Local Law. The operator shall have the same right in collecting the tax from the person occupying the hotel, motel, or short-term rental unit room, in respect to non-payment of the tax by the occupant, as if the tax were a part of the rent or charge and payable at the same time as the rent or charge. This includes all rights of eviction, dispossession, repossession, and enforcement of any innkeeper's lien that he or she may have in the event of nonpayment of rent by the occupant; provided, however, that the County Chairman or other fiscal officer(s), employees or agents duly designated by him or her shall be joined as a part in any action or proceeding brought by the operator to collect or enforce collection of the tax.
- e. The County Chairman may, whenever he or she deems it necessary for the proper enforcement of this Local Law, provide by regulation that the occupant shall file returns and pay directly to the Cortland County Treasurer the tax herein imposed, at such times as returns are required to be filed and payment made by the operator.
- f. The tax imposed by this local law shall be paid upon any occupancy on and after the day of , 20 , although such occupancy is had pursuant to a contract, lease, or other arrangement made prior to such date. Where rent is paid, charged, billed, or falls due on either a weekly, monthly, or other term basis, the rent so paid, charged, billed, or falling due shall be subject to the tax herein imposed to the extent that it covers any portion of the period on and after the day of , 20 . Where any tax has been paid hereunder upon any rent which has been ascertained to be worthless, the County Chairman may, by regulation, provide for the credit and/or refund of the amount of such tax upon application therefor as provided in subdivision (13) of this Local Law.
- g. For the purpose of the proper administration of this Local Law, and to prevent evasion of the tax hereby imposed, it shall be presumed that all rents are subject to tax until the contrary is established. The burden of providing that a rent for occupancy is not taxable hereunder shall be upon the operator, except that, where by regulation pursuant to subdivision (7)(c) of Section 4 of this Local Law, an occupant is required to file returns and pay directly to the County Chairman the tax herein imposed, the burden of proving that a rent for occupancy is not taxable shall be upon the occupant. Where an occupant claims exemption from the tax under the provisions of subdivision (4) of Section 4 of this Local Law, the rent shall be deemed taxable hereunder unless the operator shall receive from the occupant claiming such exemption a certificate duly executed by an exempt corporation or association certifying that the occupant is its agent, representative, or employee, together with a certificate executed by the occupant that his occupancy is paid or to be paid by such exempt corporation or association, and is necessary or required in the course of or in connection with the occupant's duties as a representative of such corporation or association. Where deemed necessary by the operator, he or she may further require that any occupant claiming exemption from the tax furnish a copy of a certificate issued by the County Chairman certifying that the corporation or association therein named is exempt from the tax under subdivision (4) of this Section 4 of this Local Law.

8. RECORDS TO BE KEPT:

Every operator shall keep records of every occupancy, of all rent paid, charged, or due, and of all tax payable thereon, in such form as the County Chairman may require by regulation. Such records shall be available for inspection and examination at any time upon demand by the County Chairman or his duly authorized employee or agent, and shall be preserved for a period of three (3) years, except that the County Chairman may consent to their destruction within that period or may require that they be kept longer.

9. RETURNS:

- a. Every operator shall file with the County Chairman a return of occupancy, of rents, and of taxes payable thereon for the periods ending February 28th, May 31st, August 31st, and November 30th of each year, on and after the ____ day of _____, 20___. Such returns shall be filed within twenty (20) days from the expiration of the period covered thereby. If the twentieth day falls on a Saturday, Sunday, or legal holiday, the return and tax will be said to be due on the next County working day. The County Chairman may permit or require returns to be made by other periods and upon such dates as he may specify. If the County Chairman deems it necessary in order to ensure the payment of the tax imposed by this law, he or she may require returns to be made for shorter periods than those prescribed pursuant to the foregoing provisions of this sections and upon such dates as he may specify.
- b. The form of returns shall be prescribed by the County Chairman and shall contain such information as he may deem necessary for the proper administration of this local law. The County Chairman may require amended returns to be filed within twenty (20) days after notice and to contain the information specified in the notice.
- c. If a return required by this local law is not filed, or a return when filed is incorrect or insufficient on its face, the County Chairman shall take the necessary steps to enforce the filing of such return or of a corrected return.

10. PAYMENT OF TAX:

At the time of filing a return of occupancy and of rents, each operator shall pay to the County Chairman the taxes imposed by this local law upon rents required to be included in such return, as well as all other monies collected by the operator acting or purporting to act under the provisions of this local law. Where the County Chairman deems it necessary to protect revenues to be obtained under this local law, he may require any operator required to collect the tax imposed by this local law to file with him a bond, issued by a surety company authorized to transact business in this state and approved by the superintendent of insurance of this state as to solvency and responsibility, in such an amount as the County Chairman may fix to secure the payment of any tax and/or penalties and interest due or which may become due from such operator. In the event that the County Chairman determines that an operator is to file such a bond, he shall give notice to the operator to that effect, specifying within five (5) days after the giving of notice unless within those five (5) days the operator requests in writing a hearing before the County Chairman, at which the necessity, propriety, and the amount of the bond shall be determined by the County Chairman. This determination shall be final and shall be complied with within fifteen (15) days after the giving the notice thereof. In lieu of a bond, security approved by the County Chairman or cash in the amount he may prescribe, may, at any time, without notice to the depositor, be applied to any tax and/or interest or penalties due, and for the purpose the securities may be sold by him at public or private sale without notice to the depositor thereof.

11. DETERMINATION OF TAX:

- a. Any final determination of the amount of any tax payable hereunder shall be reviewable for error, illegality, or unconstitutionality or any other reason whatsoever by a proceeding under Article 78 of the Civil Practice Law and Rules if application therefore is made to the Supreme Court within thirty (30) days after the giving of the notice of such final determination; provided, however, that any such proceeding under Article 78 of the Civil Practice Law and Rules shall not be instituted unless:
 - i. The amount of any tax sought to be reviewed, with interest and penalties thereon as may be provided for by local law or regulation shall be first deposited and

there is an undertaking filed, issued by a surety company authorized to transact business in this state and approved by the superintendent of insurance of this state as to solvency and responsibility, in such an amount as a Justice of the Supreme Court shall approve to the effect that if such proceeding be dismissed or the tax confirmed, the petitioner will pay all costs and charge which may accrue in the prosecution of such proceeding; or

ii. At the option of the petitioner such undertaking may be in a sum sufficient to cover the taxes, interests and penalties stated in such determination plus the costs and charges which may accrue against it in the prosecution of the proceeding, in which event the petitioner shall not be required to pay such taxes, interest, or penalties as a condition precedent to the application.

- b. If a return required by this Local Law is not filed, or if a return when filed is incorrect or insufficient, the amount of tax due shall be determined by the County Chairman or his designate, the proper fiscal officer, from obtainable information. If necessary, the tax may be estimated on the basis of external indices, such as the number of rooms, location, scale of rents, comparable rents, types of accommodations and service, number of employees and/or other factors. Notice of such determination shall be given to the person liable for the collection and/or payment of the tax. Such determination shall finally and irrevocably fix the tax unless the person against whom it is assessed, within thirty (30) days after notice of such determination, applies to the County Chairman for a hearing, or unless the County Chairman makes a new determination on his or her own motion. After such a hearing, the County Chairman shall give notice of his or her determination to the person against whom the tax is assessed. The determination of the County Chairman shall be reviewable for error, illegality, unconstitutionality, or any other reason whatsoever by proceeding under Article 78 of the Civil Practice Law and Rules as outlined in part (a) of this subdivision.

12. DISPOSITION OF REVENUES:

All revenues resulting from the imposition of the tax under this local law shall be paid into the treasury of Cortland County, and shall be credited to and deposited into the general fund of the County, thereafter to be allocated for tourist and convention development. Provided, however, that the County shall be authorized to retain up to a maximum of ten percent (10%) of such revenue to defer the necessary expenses of the County in administering such tax. The revenue derived from the tax, after deducting the amount provided for administering such tax, shall be allocated to enhance the general economy of Cortland County, its cities, towns and villages, through promotion of tourist activities, conventions, trade shows, special events, and other directly related supporting activities.

13. REFUND, REVISION OR CREDITS:

- a. In the manner provided in this section, the County Chairman shall refund or credit, without interest, any tax, penalty, or interest erroneously, illegally, or unconstitutionally collected or paid if application to the County Chairman for such refund is made within one year from the payment thereof. Whenever a refund is made by the County Chairman, he or she shall state his reasons therefore in writing. Such application may be made by the occupant, operator, or other person who has actually paid the tax. Such application may also be made by an operator who has collected and paid over such tax to the County Chairman, provided that the application is made within one year of the payment by the occupant to the operator. However, no actual refund of monies shall be made to such operator until he first establishes to the satisfaction of the County Chairman under such regulations as the County Chairman by authority has repaid to the occupant the amount for which the application for refund is made. In lieu of any refund required to be made, the County Chairman may allow credit thereof on payments due from the applicant.

- b. An application for a refund or credit made as herein provided shall be deemed an application for a revision of any tax, penalty, or interest complained of and the County Chairman may receive evidence with respect thereto. After making his determination, the County Chairman shall give notice thereof to the applicant, who shall be entitled to review said determination by a proceeding under Article 78 of the Civil Practice Law and Rules; provided the proceeding is instituted within thirty (30) days after the giving of the notice of determination and provided a final determination of tax due was not previously made. Such a proceeding shall not be instituted unless an undertaking is filed with the County Chairman in an amount and with sureties approved by a justice of the Supreme Court to the effect that if such proceedings are dismissed or the tax confirmed, the petitioner will pay all costs and charges that may accrue in the prosecution of said proceeding.
- c. A person shall not be entitled under this section to a revision, refund, or credit of a tax, interest, or penalty that had been determined to be due pursuant to the provisions of subdivision thirteen (13) of this local law where said person has had a hearing or an opportunity for a hearing or an opportunity for a hearing as provided in this section, or who has failed to avail himself of the remedies provided therein. No refund or credit of a tax, interest, or penalty paid after a determination by the County Chairman pursuant to subdivision eleven (11) of this local law shall be paid unless it is found that the determination was erroneous, illegal, unconstitutional, or otherwise improper by the County Chairman after a hearing of his own motion, or in a proceeding under Article 78 of the Civil Practice Law and Rules pursuant to the provisions of said section. In that event, refund or credit without interest shall be made of the tax, interest, or penalty found to have overpaid.

14. REMEDIES EXCLUSIVE:

The remedies provided by subdivisions eleven (11) and thirteen (13) of this local law shall be exclusive remedies available to any person for the review of tax liability imposed by this Local Law. No determination, proposed determination of tax, nor determination on any application for refund shall be enjoined or reviewed except as hereinafter provided, by an action for declaratory judgment, an action for money had and received, or by an action proceeding other than a proceeding in the nature of a certiorari proceeding under Article 78 of the Civil Practice Law and Rules. A taxpayer may, however, proceed by declaratory judgment if he or she institutes suit thirty (30) days after a deficiency assessment if made and pays the amount of the deficiency assessment to the County Chairman prior to the institution of such suit and posts a bond for costs as provided in subdivision eleven (11) of this local law.

15. PROCEEDING TO RECOVER TAX:

- a. Whenever any operator, any officer of a corporate operator, any occupant, or other person fails to collect and pay over any tax and/or penalty or interest as imposed by this local law, the County Attorney shall, at the request of the County Chairman, bring or cause to be brought an action to enforce the payment of same on behalf of the County in any court of the State of New York or of any other state or of the United States. If, however, the County Chairman in his discretion believes that any such operator, officer, occupant, or other person is about to cease business, leave the state, or remove or dissipate the assets out of which the tax or penalties might be satisfied, and that any such tax or penalty will not be paid when due, he or she may declare such tax or penalty to be immediately due and payable, and may issue a warrant immediately.
- b. As an additional or alternate remedy, the County Chairman may issue a warrant, directed to the Sheriff, commanding him to levy upon and sell the real and personal property of the operator, officer of a corporate operator, or other person liable for the tax, which may

be found within the County for the payment of the amount thereof, with any penalties and interest, and the cost of executing the warrant, and to return such warrant to the County Chairman and to pay him the money collected by virtue thereof within sixty (60) days after the receipt of said warrant. Within five (5) days after the receipt of the warrant, the Sheriff shall file a copy of the same with the County Clerk. Thereupon the Clerk shall enter in the judgment docket the name of the person stated in the warrant, the amount of tax, penalties, and interest for which the warrant is issued, and the date when such copy is filed. Thereupon the amount of such warrant so docketed shall become a lien upon the interest in real and personal property of the person against whom the warrant is issued. The Sheriff shall then proceed upon the warrant in the same manner and with like effect as that provided by law in respect to executions issued against property upon judgments of a court of court. For services in executing the warrant he or she shall be entitled to the same fees, which he may collect in the same manner. In the discretion of the County Chairman, a warrant of like terms, force, and effect may be issued and directed to any officer or employee of the County Chairman. In the execution thereof, such officer or employee shall have all the powers conferred by law upon sheriffs, but shall be entitled to no fee or compensation in excess of the actual expenses paid in the performance of such duty. If a warrant is returned not fully satisfied, the County Chairman may, from time to time, issue new warrants and shall also have the same remedies to enforce the amount due thereunder as if the County has recovered judgment thereof and execution thereon has been returned unsatisfied.

- c. Whenever an operator makes a sale, transfer, or assignment of any part or the whole of his or her hotel; or his or her lease, license, or other agreement or right to possess or operate such hotel or the equipment, furnishings, fixtures, supplies, or stock of merchandise, pertaining to the conduct or operation of said hotel or motel; other than ordinary and regular prosecution of business, the purchaser, transferee or assignee shall, at least ten (10) days before taking possession of the subject of said sale, transfer or assignment, or before receiving payment, notify the County Chairman by registered mail of the proposed sale and the price terms, and conditions thereof, whether or not the seller, transferor, or assignee has represented to or informed the purchaser, transferee, or assignee that it owes any tax pursuant to this local law, whether or not the purchaser, transferee, or assignee has knowledge that such taxes are owing, and whether any such taxes are in fact owing.
- d. Whenever the seller, transferor, or assignor fails to give notice to the County Chairman as required above, or whenever the County Chairman or other fiscal officer informs the purchaser, transferee, or assignee that a possible claim for such taxes exists, any sums of money, property, choses in action, or other consideration which the purchaser, transferee or assignee is required to transfer over to the seller, transferor, or assignor shall be subject to a first priority right and lien for any such taxes theretofore and thereafter determined to be due from the seller, transferor, or assignor to the County. The purchaser, transferee, or assignee is then forbidden to transfer to the seller, transferor, or assignor any such sums of money, property, or choses in action to the extent of the amount of the County's claim. For failure to comply with the provisions of this subdivision, the purchaser, transferee, or assignee, in addition to being subject to the liabilities and remedies imposed under the provisions of Article 6 of the Uniform Commercial Code, shall, as well as the seller, transferor, or assignor, be personally liable for the payment to the County of any such taxes theretofore or thereafter determined to be due to the County from the seller, transferor, or assignor. Such liability may be assessed and enforced in the same manner as the liability for tax under this local law.

16. GENERAL POWERS OF THE COUNTY CHAIRMAN:

- a. In addition to the powers granted to him or her in this local law, the County Chairman is, subject to the approval of the Cortland County Legislature, hereby authorized and

empowered to:

1. Make, adopt, and amend rules and regulations appropriate to the carrying out of this local law and the purposes thereof;
2. Extend, for cause shown, the time of filing any return for a period not exceeding thirty (30) days; and for cause shown, to remit penalties but not interest; and to compromise disputed claims in connection with the taxes hereby imposed;
3. Request information from the Tax Commission of the State of New York or the Treasury Department of the United States relative to any person; and to afford information to such Tax Commission or Treasury Department relative to any person, notwithstanding any other provision of this local law to the contrary;
4. Delegate functions hereunder to any employee(s) of County Administration;
5. Prescribe methods for confirming the rents for occupancy and to confirm the accuracy of information on the taxable and nontaxable rents;
6. Require any operator within the County, if it is determined that adequate records are not being maintained, to keep detailed records of the nature and type of hotel or motel maintained; nature and type of service rendered; number of rooms available and occupied; daily leases; occupancy contracts or arrangements; rents received; charged and accrued; the names and addresses of the occupants; whether or not any occupancy is claimed to be subject to the tax imposed by this local law; and to furnish such information at the request of the County Chairman.

17. ADMINISTRATION OF OATHS AND COMPELLING TESTIMONY;

- a. The Cortland County Chairman or his employee(s) or agent(s) duly designated and authorized by him or her shall have the power to administer oaths and take affidavits in relation to any matter or proceeding in the exercise of their powers and duties under this local law. The County Chairman shall have power to subpoena and require the attendance of witnesses and the production of books, papers, and documents to secure information pertinent to the performance of his or her duties hereunder, in the enforcement of this local law, and to examine them in relation thereto. The County Chairman shall also have the power to issue commissions for the examination of witnesses who are out of the state, unable to attend before him, or who are excused from attendance.
- b. A Supreme Court Justice, either in court or in chambers, shall have the power to summarily enforce by proper proceedings the attendance and testimony of witnesses and the production and examination of books, papers, and documents called for by the subpoena of the County Chairman under this local law.
- c. Any subpoenaed person who refuses to testify or produce books or records, or who testifies falsely in any material matter pending before the County Chairman under this local law shall be guilty of a misdemeanor, punishment for which shall be a fine of not more than one thousand dollars (\$1,000) or imprisonment for not more than one (1) year, or both such fine and imprisonment.
- d. The officers who serve the summons or subpoena of the County Chairman and witness attending in response thereto shall be entitled to the same fees as are allowed to officers and witnesses in civil cases in courts of records, except as herein provided otherwise. Such officers shall be the County Sheriff and his or her duly appointed deputies, or any officers or employees of the County Chairman's officer designated by him to serve such

process.

18. REFERENCE TO TAX:

Whenever reference is made to this tax in placards or advertisements, or in any other publications, such reference shall be substantially in the following form: "Tax on occupancy of hotel, motel, or short-term rental unit rooms" or "occupancy tax," except that in any bill, receipt, statement, or other evidence or memorandum of occupancy or rent charge issued or employed by the operator, the word "tax" will suffice.

19. PENALTIES AND INTEREST:

- a. Any person failing to file a return or to pay over any tax to the County Chairman within the time required by this local law shall be subject to a penalty of ten percent (10%) of the amount of tax due, plus interest at the rate of one and one-half (1 ½ %) percent of such tax for each month after such return was required to be filed or such tax became due. Such penalties and interest shall be paid and disposed of in the same manner as other revenues from this local law.
- b. The following persons shall, in addition to the penalties herein or elsewhere prescribed, be guilty of a misdemeanor, punishment for which shall be a fine of not more than one thousand dollars (\$1,000) or imprisonment not exceeding one year or both such fine and imprisonment:
 1. Any operator, occupant, or any officer of a corporate operator or occupant failing to file a return required by this local law, or filing or causing to be filed, making or causing to be made, giving or causing to be given any return, certificate, affidavit, representation, information, testimony or statement authorized or required by this local law, which is willfully false;
 2. Any operator or officer of a corporate operator willfully failing to file a bond required to be filed pursuant to subdivision eleven (11) of this local law, failing to file a registration certificate and such data in connection therewith as the County Chairman may require, failing to display or surrender the certificate of authority as required by this local law, or assigning or transferring such certificate of authority;
 3. Any operator or officer of a corporate operator willfully failing to charge separately from the rent the tax herein imposed, willfully failing to state such tax separately on any evidence of occupancy and on any bill, statement or receipt of rent issued or employed by the operator, or willfully failing or refusing to collect such tax from the occupant;
 4. Any operator or officer of a corporate operator who refers or causes reference to be made to this tax in a form or manner other than that required by this local law; and,
 5. Any operator failing to keep records required by subdivision eight (8) of Section 4 of this local law.
- c. Any operator or officer of a corporate operator who fails to file a certificate of registration as provided under this local law shall be subject to a penalty of \$250 for each month of delinquency in filing such certificate. Officers of a corporate operator shall be personally liable for the tax collected or required to be collected by such corporation under this local law, and subject to the penalties herein above imposed.
- d. The certificate of the County Chairman to the effect that a tax has not been paid, that a

return, bond, or registration certificate has not been filed, or that information has not been supplied pursuant to the provisions of this local law, shall be presumptive evidence thereof.

20. RETURNS TO BE SECRET:

- a. Except in accordance with the proper judicial order, or as otherwise provided by law, it shall be unlawful for the County Chairman or any officer or employee of the County Chairman's officer to disclose in any manner the rents or other information relating to the business of a taxpayer contained in any return required under this local law, except to such persons and at such times as necessary to carry out this local law, except to such persons and at such times as necessary to carry out this local law. The officers charged with the custody of such returns shall not be required to produce any of them or evidence of anything contained in them in any action or proceeding in any court, except on behalf of the County Chairman in an action or proceeding under the provisions of this local law, or on behalf of any party to any action or proceeding under the provisions of this local law when the returns or facts shown thereby are directly involved in such action or proceeding. In any of these events the Court may require the production of any may admit into evidence as much of said returns or the facts shown thereby as are pertinent to the action or proceeding, and no more. Nothing herein shall be construed to prohibit the delivery to the taxpayer or his duly authorized representative of a certified copy of any return filed in connection with his or her tax, nor to prohibit the publication of statistics classified so as to prevent the identification of particular returns and the items thereof. In addition, nothing herein shall be construed to prohibit the inspection by the County Attorney or other legal representatives of the County of the return of the taxpayer who shall bring action to set aside or review the tax based thereon, or against who an action or proceeding has been instituted for the collection of a tax or penalty. Returns shall be preserved for three years and thereafter until the County Chairman permits them to be destroyed.
- b. Any violation of part (a) of this subdivision shall be punishable by a fine not exceeding one thousand dollars (\$1000), or by imprisonment not exceeding one (1) year, or both such fine and imprisonment in the discretion of the Court. If the offender is an officer or employee of the County, he or she shall be dismissed from office and be incapable of holding any public officer for a period of five years thereafter.

21. NOTICES AND LIMITATIONS OF TIME:

- a. Any notice authorized or required under the provisions of this local law may be given by mailing the same to the person for whom it is intended in a postpaid envelope addressed to such person at the address given in the last return filed by him pursuant to the provisions of this local law, or in any application made by him or her. If no return has been filed nor application made, then notice may be given by mailing same to such address as may be obtainable. Mailing of such notice shall be presumptive evidence of the receipt of same by the person to whom it is addressed. Any period of time which is determined according to the provisions of this local law by the giving of notice shall commence to run from the date of mailing of such notice.
- b. The provisions of the Civil Practice Law and Rules or any other law relative to the limitations of time for the enforcement of a civil remedy shall not apply to any action or proceeding taken by the County to levy, appraise, assess, determine, or enforce the collection of any tax or penalty provided by this local law. However, except in the case of a willfully false or fraudulent return with the intent to evade the tax, no assessment of additional tax shall be made after the expiration of more than three (3) years from the date of filing of a return; provided, however, that where no return has been filed as provided by law, the tax may be assessed and collected at any time.

- c. Where a taxpayer has consented in writing, before the expiration of the period prescribed herein for the assessment of an additional tax, that such period be extended, the amount of such additional tax due be determined at any time within the extended period. The period so extended may be further extended by subsequent consents in writing made before the expiration of the extended period.

22. SEPARABILITY:

If any provision of this local law, or the application thereof to any person or circumstances, is held to be invalid the remainder of this local law and the application of its provision to other persons or circumstances shall not be affected thereby.

SECTION 5. EFFECTIVE DATE:

This local law shall take effect upon filing in the Office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

AGENDA ITEM NO. 10 – Requesting Special Legislation to Amend New York State Tax Law, in Relation to Expanding the Use of Occupancy Tax Dollars

This item was not approved at the Finance and Administration Committee (postponed to the October 14, 2025 meeting), and therefore could not be entertained by the full legislature.

RESULT:	NO ACTION
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ON MOTION OF BISCHOFF

RESOLUTION NO.

Requesting Special Legislation to Amend New York State Tax Law, in Relation to Expanding the Use of Occupancy Tax Dollars

WHEREAS, New York State Tax Law, §1202-g (9) presently authorizes Cortland County to adopt and amend local laws directing all revenues be allocated for tourist and convention development; provided, however, the County shall be authorized to retain up to a maximum of ten percent of such revenue to defer the necessary expenses of the county in administering such tax. The revenue derived from such tax, after deducting the amount provided for administering such tax, as so authorized by local law, shall be allocated to enhance the general economy of Cortland County, its cities, towns, and villages, through promotion of tourist activities, conventions, trade shows, special events, and other directly related and supporting activities; AND

WHEREAS, the current use of occupancy tax revenue is limited to the above stated uses referenced in the preceding paragraph; AND

WHEREAS, economic development is closely intertwined with tourism and vital to the long-term sustainability and growth of the County's economy; AND

WHEREAS, expanding the authorized use of occupancy tax funds to include economic development will allow the County greater flexibility to support projects that enhance local workforce development, business attractions, and related initiatives that directly or indirectly benefit tourism and the County's economy as a whole; NOW THEREFORE BE IT

RESOLVED, that the Legislature of the County of Cortland does hereby request special legislation be enacted to amend New York State Tax Law, §1202 (9), as follows:

1. Expand the permissible uses of occupancy tax revenues to include funding of economic

development initiatives, including but not limited to: economic development, to include tourism and recreation related activities, the development, operation, and maintenance of tourist activities that occur at county-owned parks, and such other programs for the benefit of the County's economic development as determined by the majority of the County Legislature;

; AND IT BE FURTHER

RESOLVED, that the Clerk of the Legislature is hereby directed to provide certified copies of this Resolution to New York State Senator Lea Webb, New York State Assemblymember Anna Kelles, and Assemblymember Jeff Gallahan in order to request the introduction of Home Rule Legislation regarding this matter.

Referred from Government Operations Committee

AGENDA ITEM NO. 11 – Amend the Cortland County Legislature Rules of Order

Ms. Bischoff MADE A MOTION TO SUSPEND THE RULES OF ORDER to entertain a resolution to amend the Cortland County Legislature Rules of Order, Mr. VanDee SECONDED THE MOTION, and upon unanimous voice vote of members present, MOTION CARRIED.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joseph Nauseef, Legislator
SECONDER:	Linda Jones, Legislator
AYES:	Bentley, Bischoff, Cleland, Eccleston, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Price, Van Dee, VanGorder, Fitch
EXCUSED:	Beau Harbin, Eugene Waldbauer

ON MOTION OF NAUSEEF

RESOLUTION NO. 203-25

Amend the Cortland County Legislature Rules of Order

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

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

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

RESOLVED, that the "Rules of Order for the Cortland County Legislature" are hereby amended as attached; AND BE IT FURTHER

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

RESOLVED, that these amendments to the Cortland County Legislature's Rules of Order shall take effect September 26, 2025.

Announcements

Adjournment

The meeting was closed at 6:31 PM



Cortland County Legislature

Special Meeting

Legislative Chambers
Cortland, NY 13045
<https://www.cortlandcountyny.gov>

~ Minutes ~

Thursday, August 14, 2025

4:00 PM

Board Room

Salute to the Flag

Roll Call

Attendee Name	Organization	Title	Status	Arrived
Douglas Bentley	Cortland County	Legislator	Present	
Cathy Bischoff	Cortland County	Legislator	Late	4:02 PM
Reed Cleland	Cortland County	Legislator	Excused	
Mitchel Eccleston	Cortland County	Legislator	Present	
Beau Harbin	Cortland County	Minority Leader	Excused	
Paul Heider	Cortland County	Majority Leader	Present	
Linda Jones	Cortland County	Legislator	Excused	
Dominick Mantella	Cortland County	Legislator	Present	
William McGovern	Cortland County	Legislator	Present	
Joseph Nauseef	Cortland County	Legislator	Present	
Christopher Newell	Cortland County	Legislator	Excused	
Jason Prentice	Cortland County	Legislator	Present	
Sandra Price	Cortland County	Legislator	Present	
Ronald J. Van Dee	Cortland County	Legislator	Present	
Keith VanGorder	Cortland County	Legislator	Present	
Eugene Waldbauer	Cortland County	Legislator	Present	
Kevin Fitch	Cortland County	Chair of the Legislature	Present	

Discussion Items

1. County Administrator Search – Update and Discussion

It was MOVED by Mr. Heider, seconded by Mr. Nauseef, and unanimously approved by voice vote of members present, to enter into an executive session to discuss the matters leading to the appointment of a particular person. MOTION CARRIED.

An executive session was held from 4:02 p.m. to 5:43 p.m., at which time on motion of Mr. Nauseef, seconded by Mr. Prentice, it was unanimously approved by voice vote to exit executive session.

RESULT:	COMPLETED
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Adjournment

The meeting was closed at 5:44 PM

Minutes Acceptance: Minutes of Aug 14, 2025 4:00 PM (Approval of Minutes)



Cortland County Legislature

Legislative Session

Legislative Chambers
Cortland, NY 13045
<https://www.cortlandcountyny.gov>

~ Minutes ~

Thursday, August 28, 2025

6:00 PM

Board Room

Public Hearings

1. Local Law "F" of 2025 - A Local Law Providing for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code in the County of Cortland

RESULT:	CLOSED [UNANIMOUS]
MOVER:	Joseph Nauseef, Legislator
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Van Dee, VanGorder, Waldbauer, Fitch
EXCUSED:	Sandra Price

2. Local Law "G" of 2025 - A Local Law Creating an Exception to the Residency Requirement for County Administrator of the County of Cortland

RESULT:	CLOSED [UNANIMOUS]
MOVER:	Beau Harbin, Minority Leader
SECONDER:	Paul Heider, Majority Leader
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Van Dee, VanGorder, Waldbauer, Fitch
EXCUSED:	Sandra Price

Call to Order

The meeting was called to order at 6:03 PM by Chair of the Legislature Kevin Fitch

Salute to the Flag

Roll Call

Attendee Name	Organization	Title	Status	Arrived
Douglas Bentley	Cortland County	Legislator	Present	
Cathy Bischoff	Cortland County	Legislator	Present	
Reed Cleland	Cortland County	Legislator	Present	
Mitchel Eccleston	Cortland County	Legislator	Present	
Beau Harbin	Cortland County	Minority Leader	Present	
Paul Heider	Cortland County	Majority Leader	Present	
Linda Jones	Cortland County	Legislator	Present	
Dominick Mantella	Cortland County	Legislator	Present	
William McGovern	Cortland County	Legislator	Present	
Joseph Nauseef	Cortland County	Legislator	Present	
Christopher Newell	Cortland County	Legislator	Present	
Jason Prentice	Cortland County	Legislator	Present	
Sandra Price	Cortland County	Legislator	Excused	
Ronald J. Van Dee	Cortland County	Legislator	Present	

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Keith VanGorder	Cortland County	Legislator	Present	
Eugene Waldbauer	Cortland County	Legislator	Present	
Kevin Fitch	Cortland County	Chair of the Legislature	Present	

Approval of Minutes

1. Cortland County Legislature - Legislative Session - Jun 26, 2025 6:00 PM

RESULT: APPROVED

2. Cortland County Legislature - Special Meeting - Jul 17, 2025 6:00 PM

RESULT: APPROVED

3. Cortland County Legislature - Special Meeting - Jul 24, 2025 6:00 PM

RESULT: APPROVED

Privilege of the Floor

1. Privilege of the Floor

RESULT: COMPLETED

Proclamations & Recognitions

1. Proclamation Honoring the Retirement of DMV Clerk, Alice Moore

RESULT: COMPLETED

2. Proclamation Honoring the Retirement of Sergeant Amber Morsch

RESULT: COMPLETED

Presentation of Petitions, Communications, Presentations and Notices

1. Grant Administration Update - Morgan Spaulding, Grant Administrator

RESULT: COMPLETED

2. Assured Partners - Presentation of Medicare Advantage Plan and Pharmacy Benefit Management RFP

RESULT: COMPLETED

Reports of Standing, Special and Ad Hoc Committees

Receive and File

Articles Postponed to Day Certain

Unfinished Business

New Business

Resolutions

Referred from the Finance & Administration Committee

AGENDA ITEM NO. 1 – Local Law 8 of 2025 - A Local Law Creating an Exception to the Residency Requirement for County Administrator of the County of Cortland

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Cathy Bischoff, Legislator
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Van Dee, VanGorder, Waldbauer, Fitch
EXCUSED:	Sandra Price

ON MOTION OF BISCHOFF**RESOLUTION NO. 157-25**

**Local Law 8 of 2025 - A Local Law Creating an Exception to the Residency Requirement for
County Administrator of the County of Cortland**

WHEREAS, the position of County Administrator requires a combination of specialized education and experience; AND

WHEREAS, it is becoming increasingly difficult to find qualified candidates who also reside in Cortland County; AND

WHEREAS, it is the desire of the Legislature to have the ability to consider all qualified applicants regardless of residency; AND

WHEREAS, the Finance and Administration Committee of the Cortland County Legislature has recommended changes to the residency requirement for the position of County Administrator; AND

WHEREAS, a public hearing was held on August 28, 2025 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 enacted by the Cortland County Legislature as follows:

**Local Law 8 of 2025 - A Local Law Creating an Exception to the Residency Requirement for
County Administrator of the County of Cortland**

SECTION 1.

Preface: It is a strong desire of the Cortland County community to install Cortland County residents in the position of County Administrator for the County of Cortland (hereafter, "County Administrator"). It is a strong belief of Cortland County that Cortland County residents are knowledgeable about and concerned with the affairs of Cortland County. As has been recognized by the Courts, we believe that a resident of our County has a stake in the life of this community that is not necessarily shared by a non-resident. A resident is more likely to be familiar with local problems, conditions and needs, and is better qualified to perform the duties of the relevant office in question. *DeHond v. Nyquest*; (65 Misc. 2d 526, 529-530, 318 NYS2d (1971)). At the same time, however, the complexity and breadth of Cortland County Government present a challenge with respect to staffing and recruitment. We recognize that the pool of candidates from which we draw in our County is responsible and caring; however, it is sometimes difficult to staff an office from the pool in Cortland County. This law is being passed based upon the existence of the residency requirement in Public Officer's Law §3.

SECTION 2.

Local Law No. 7 of 2002, as amended by Local Law No. 5 of the Year 2018, established the Office of

County Administrator for the County of Cortland.

SECTION 3.

Purpose: It is the purpose of this Local Law to confirm the commitment of Cortland County to hire residents who have the necessary qualifications and skills to meet the requirements of the position for County Administrator. This Law will permit Cortland County to alleviate the problem of staffing and recruitment by permitting Cortland County to solicit candidates for the office of County Administrator from the Counties contiguous to Cortland County in the event of an inability to recruit a sufficient number of qualified candidates from within Cortland County for the position.

SECTION 4.

Authority: Under the Municipal Home Rule Law, Section 10, the County of Cortland has the authority to authorize a non-resident to hold the position of County Administrator.

SECTION 5.

Authority of Cortland County to Hire Applicants for the Position of County Administrator of Cortland County: Upon a finding by the Legislature that all recruitment efforts have been adequately pursued, the Legislature shall be authorized to consider and hire applicants who are residents from any contiguous Counties to Cortland County to the positions of County Administrator.

SECTION 6.

Severability: If any section of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof that can be given effect without the invalid provision, but shall be confined in its operation to the section thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 7.

Effect: This local law shall take effect upon filing in the Office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

AGENDA ITEM NO. 2 – Appoint Cortland County Administrator

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Cathy Bischoff, Legislator
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Van Dee, VanGorder, Waldbauer, Fitch
EXCUSED:	Sandra Price

ON MOTION OF BISCHOFF

RESOLUTION NO. 158-25

Appoint Cortland County Administrator

WHEREAS, on August 28, 2025, the Cortland County Legislature adopted Local Law No. 8 of 2025, A Local Law Creating an Exception to the Residency Requirement for County Administrator of the County of Cortland, which permits the County Legislature to consider qualified candidates for the position of County Administrator from contiguous counties when recruitment efforts within Cortland

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County have been exhausted; AND

WHEREAS, pursuant to Local Law No. 7 of 2002, as amended by Local Law No. 5 of 2018 and Local Law No. 8 of 2025, the Cortland County Legislature shall appoint a County Administrator for a fixed term; AND

WHEREAS, the position of County Administrator requires a combination of specialized education and experience and the Legislature desires to consider all qualified applicants regardless of residency; AND

WHEREAS, the Finance and Administration Committee of the Cortland County Legislature has recommended the appointment of a County Administrator to fill the vacancy effective October 6, 2025; NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature does hereby appoint Michael Ponticiello to serve as County Administrator for a term not to exceed four (4) years effective October 6, 2025, contingent upon the filing of Local Law No. 8 of 2025 with the New York State Department of State; AND BE IT FURTHER

RESOLVED, that this appointment shall also be contingent upon execution of an employment agreement between the County of Cortland and the appointed County Administrator; AND BE IT FURTHER

RESOLVED, that the Chair of the Cortland County Legislature is hereby authorized to execute said employment agreement consistent with the terms approved by the Legislature; AND BE IT FURTHER

RESOLVED, that Michael Ponticiello shall receive a starting annual salary of \$170,500 as County Administrator (off-scale, management/management confidential, 40 hrs/week, unclassified class), and shall be entitled to all terms, conditions, and benefits in accordance with the Employment Policy Manual for Employment Policy Manual for Department Heads, Management Employees, Management /Confidential Employees, unless otherwise agreed upon in the employment agreement.

Consent Agenda

Mr. Harbin MADE A MOTION to consider agenda item numbers 2, 3, 6, 7, 8, 10, 12, 13, 16, 17, 18, 19, 20, 23, 24, 27, 28, 29, 30, 31, and 32 as a consent agenda; Mr. Heider SECONDED THE MOTION, and upon unanimous voice vote of members present; MOTION CARRIED.

AGENDA ITEM NO. 3 – Authorize an Amendment to the Memorandum of Agreement with the City of Cortland and the Town of Cortlandville for the Shared Services Mobile Stage

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kevin Fitch, Chair of the Legislature
SECONDER:	Paul Heider, Majority Leader
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Van Dee, VanGorder, Waldbauer, Fitch
EXCUSED:	Sandra Price

ON MOTION OF FITCH

RESOLUTION NO. 159-25

Authorize an Amendment to the Memorandum of Agreement with the City of Cortland and the Town of Cortlandville for the Shared Services Mobile Stage

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WHEREAS, Cortland County, the City of Cortland, and the Town of Cortlandville applied for a grant to acquire a Shared Services Mobile Stage, with the Town of Cortlandville serving as lead agency; AND

WHEREAS, the Cortland County Legislature previously authorized execution of a Memorandum of Agreement through Resolution No. 193-24; AND

WHEREAS, it is necessary to amend the agreement to reflect updated terms agreed upon by the parties; NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature authorizes the County Administrator and/or Chair of the Legislature, upon review and approval by the County Attorney or designee, to execute an amendment to the Memorandum of Agreement with the City of Cortland and the Town of Cortlandville for the Shared Services Mobile Stage, with all other provisions of the original agreement remaining in effect.

AGENDA ITEM NO. 4 – Create One Per Diem Network Technician - Personnel

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul Heider, Majority Leader
SECONDER:	Joseph Nauseef, Legislator
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Van Dee, VanGorder, Waldbauer, Fitch
EXCUSED:	Sandra Price

ON MOTION OF HEIDER

RESOLUTION NO. 160-25

Create One Per Diem Network Technician - Personnel

WHEREAS, the needs of the agency will be better served by creating one per diem position of Network Technician; AND

WHEREAS, the Public Works Committee recommends the creation of this position; NOW THEREFORE BE IT

RESOLVED, that one position of Network Technician (Grade 18, \$26.3374-33.3363/hr, CSEA, competitive class, per diem, up to 17 hrs/week, no benefits), be created with approval to fill on August 29, 2025.

AGENDA ITEM NO. 5 – Accept New York State Department of Transportation Aviation Grant for Chase Field - County Airport

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul Heider, Majority Leader
SECONDER:	Joseph Nauseef, Legislator
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Van Dee, VanGorder, Waldbauer, Fitch
EXCUSED:	Sandra Price

ON MOTION OF HEIDER

RESOLUTION NO. 161-25

Accept New York State Department of Transportation Aviation Grant for Chase Field - County Airport

WHEREAS, the County has been awarded a grant from the New York State Department of Transportation in the amount of \$289,500 to support the acquisition of snow removal equipment and other airport-related improvements at Chase Field, the Cortland County Airport; AND

WHEREAS, acceptance of this grant will help ensure safe and efficient airport operations; NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature accepts the grant; AND BE IT FURTHER

RESOLVED, that the Chair of the Legislature and/or County Administrator is authorized to execute any necessary agreements and take all actions required to implement the award, upon approval of the County Attorney or designee; AND BE IT FURTHER

RESOLVED, that the Director of Finance is authorized to make any budgetary or account adjustments necessary to accept and manage the grant funds.

AGENDA ITEM NO. 6 – Authorize Agreement for Installation of Building Access Control System at 111 Port Watson Street - IT

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul Heider, Majority Leader
SECONDER:	Joseph Nauseef, Legislator
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Van Dee, VanGorder, Waldbauer, Fitch
EXCUSED:	Sandra Price

ON MOTION OF HEIDER

RESOLUTION NO. 162-25

Authorize Agreement for Installation of Building Access Control System at 111 Port Watson Street - IT

WHEREAS, Cortland County is in the process of completing the new Mental Health Building at 111 Port Watson Street, Cortland, NY; AND

WHEREAS, an access control system is required for the safety and security of the building, its occupants, and visitors; AND

WHEREAS, the County solicited multiple quotes for the purchase and installation of access control systems for the Mental Health Building security system; AND

WHEREAS, the quotes received are as follows:

Vendor Name	Address	Amount
Linstar Security	430 Lawrence Bell Drive, Suite 1 Buffalo, New York 14221-7085	\$29,491.25
Day Automation	7931 Rae Boulevard Victor, NY 14564	\$80,971.39
IK Systems	7625 County Rd. 42 Victor, NY 14564	\$57,206.26

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WHEREAS, after a careful review and consideration of all quotes, it is in the best interest of Cortland County to enter into an agreement with Linstar Security, of 430 Lawrence Bell Drive, Suite 1, Buffalo, NY 14221-7085, the lowest responsible bidder, for the purchase and installation of the access control system; NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby authorizes the County Administrator and/or Chair of the Legislature to enter into an agreement with Linstar Security, of 430 Lawrence Bell Drive, Suite 1, Buffalo, NY 14221-7085 for the purchase and installation of cameras and cabling for the Mental Health Building at a cost not to exceed \$29,491.25; AND BE IT FURTHER

RESOLVED, that sufficient funds for this purchase are available and have been appropriated in the project budget.

AGENDA ITEM NO. 7 – Designate Official Newspaper

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joseph Nauseef, Legislator
SECONDER:	Paul Heider, Majority Leader
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Van Dee, VanGorder, Waldbauer, Fitch
EXCUSED:	Sandra Price

ON MOTION OF NAUSEEF

RESOLUTION NO. 163-25

Designate Official Newspaper

WHEREAS, Section 214 of New York State County Law requires each County Legislature to annually designate a newspaper or newspapers published within the County for the publication of all local laws, notices and other matters required by law to be published; AND

WHEREAS, due to the temporary closure and suspension of publication of *The Cortland Standard*, the Cortland County Legislature had previously designated *The Post Standard*, a newspaper published outside of Cortland County, as the official newspaper in order to comply with notice requirements during the interim period; AND

WHEREAS, *The Cortland Standard*, located at 50 Main Street, PO Box 150, Cortland, NY 13045, has resumed operations and is once again publishing within Cortland County; AND

WHEREAS, the Cortland County Legislature finds it appropriate and necessary to redesignate a newspaper that is published within the County as the official newspaper in compliance with the requirements of County Law Section 214; NOW THEREFORE BE IT

RESOLVED, that *The Cortland Standard*, of 50 Main Street, PO Box 150, Cortland, NY 13045, be and hereby is designated as the official newspaper of Cortland County for the publication of local laws, notices, and other matters required by law to be published for the period beginning August 29, 2025 through December 31, 2025; AND BE IT FURTHER

RESOLVED, that this designation supersedes and replaces any prior designation of *The Post Standard* as the official newspaper, effective August 29, 2025; AND BE IT FURTHER

RESOLVED, that the Clerk of the Legislature, in conformance with County Law Section 214, shall cause this designation to be filed with the New York State Secretary of State.

AGENDA ITEM NO. 8 – Increase Mortgage Tax Expense - County Clerk

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joseph Nauseef, Legislator
SECONDER:	Paul Heider, Majority Leader
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Van Dee, VanGorder, Waldbauer, Fitch
EXCUSED:	Sandra Price

ON MOTION OF NAUSEEF

RESOLUTION NO. 164-25

Increase Mortgage Tax Expense - County Clerk

WHEREAS, Article 11, Section 250 through Section 262 of the Tax Law, indicates the Recording Officer (County Clerk) is charged with the collection and administration of mortgage tax monies; AND

WHEREAS, by Section 262 of the Tax Law, Recording Officers are entitled to receive their necessary expenses associated with the collection and administration of mortgage tax monies; AND

WHEREAS, the current allowable allowance of \$107,155.44 per year, payable monthly, was passed by Resolution No. 155-24; AND

WHEREAS, the Recording Officer has estimated, effective January 1, 2026, the cost associated with the collection and administration of mortgage tax amounts to be \$117,591.58 per year; NOW THEREFORE BE IT

RESOLVED, that Resolution No. 155-24 be and hereby is rescinded effective January 1, 2026; AND BE IT FURTHER

RESOLVED, the Cortland County Legislature does hereby authorize the County Clerk's Mortgage Tax Expense to be increased to the sum of \$117,591.58 per year effective January 1, 2026; AND BE IT FURTHER

RESOLVED, the County Clerk withhold from her disbursements in twelve (12) equal monthly installments at a total annum amount of \$117,591.58; AND BE IT FURTHER

RESOLVED, that the County Clerk forward a certified copy of this resolution to the New York State Department of Taxation and Finance for approval.

AGENDA ITEM NO. 9 – Amend 2025 Budget for Legal Fees - Personnel Department

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joseph Nauseef, Legislator
SECONDER:	Paul Heider, Majority Leader
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Van Dee, VanGorder, Waldbauer, Fitch
EXCUSED:	Sandra Price

ON MOTION OF NAUSEEF

RESOLUTION NO. 165-25

Amend 2025 Budget for Legal Fees - Personnel Department

WHEREAS, the billing for legal fees has increased beyond the projected budgeted amount due in

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the Personnel Department; AND

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

RESOLVED, that the 2025 County Budget be and hereby is amended as follows:

Increase:

Appropriated Fund Balance

Appropriated Fund Balance	A.359900	\$50,000
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Increase:

Expense

Legal Fees	A14305.54063	\$50,000
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AGENDA ITEM NO. 10 – Adopt Revisions to Employee ID Badge Policy

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joseph Nauseef, Legislator
SECONDER:	Paul Heider, Majority Leader
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Van Dee, VanGorder, Waldbauer, Fitch
EXCUSED:	Sandra Price

ON MOTION OF NAUSEEF

RESOLUTION NO. 166-25

Adopt Revisions to Employee ID Badge Policy

WHEREAS, there is a need to amend the Cortland County Employee ID Badge Policy to remove the requirement that employees must wear the ID badge and add the requirement that employees must carry the ID badge on their person; AND

WHEREAS, the Government Operations Committee approves this amendment; NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby authorizes the amendment to the Employee ID Badge Policy effective August 29, 2025.

AGENDA ITEM NO. 11 – Authorize Agreement with United Radio Service for 911 Paging System - Department of Emergency Response & Communication

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul Heider, Majority Leader
SECONDER:	Joseph Nauseef, Legislator
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Van Dee, VanGorder, Waldbauer, Fitch
EXCUSED:	Sandra Price

ON MOTION OF PRICE

RESOLUTION NO. 167-25

**Authorize Agreement with United Radio Service for 911 Paging System - Department of
Emergency Response & Communication**

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WHEREAS, the Cortland County 911 center operates an emergency paging system that is used to notify first responders in times of fire and medical emergencies; AND

WHEREAS, this emergency paging system is required to have a high degree of reliability and operability, with service needs of 24 hours a day, 7 days a week, 365 days of the year, the previous County Attorney had agreed that United Radio Service of East Syracuse, NY, is the sole source preferred vendor of choice based on their knowledge, expertise, location and service record; AND

WHEREAS, this emergency paging system is currently serviced and maintained under 24 hours a day, 7 days a week, 365 days of the year preventative maintenance contract by United Radio Service, which expires 12/31/2025 per Resolution 126-22 and Contract 012-23; AND

WHEREAS, this preventative maintenance contract for the emergency paging system is in the best interests of Cortland County and it is a budgeted expense under the Department of Emergency Response and Communications using account A30205.54015; NOW THEREFORE BE IT

RESOLVED, that the County of Cortland enter into an agreement with United Radio Service for another three years to expire on 12/31/2028 to provide preventative maintenance of all emergency paging system equipment specified on the attached quote; AND BE IT FURTHER

RESOLVED, that the Chairman of the County Legislature, upon review and approval by the County Attorney or designee, is hereby authorized to execute an agreement for 2026-2028 with United Radio Service for emergency paging system maintenance, the term of which will be begin January 1, 2026 and end December 31, 2028, the sum of payments for the agreement is not to exceed \$5,370.40 monthly, \$64,444.80 annually or \$193,334.34 over the term of the agreement.

AGENDA ITEM NO. 12 – Authorize Contract with Axon Enterprises - District Attorney

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul Heider, Majority Leader
SECONDER:	Joseph Nauseef, Legislator
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Van Dee, VanGorder, Waldbauer, Fitch
EXCUSED:	Sandra Price

ON MOTION OF PRICE

RESOLUTION NO. 168-25

Authorize Contract with Axon Enterprises - District Attorney

WHEREAS, the Cortland County's District Attorney's Office has identified a need for services provided by Axon Enterprises, Inc. to support ongoing operations and compliance with discovery reform requirements; AND

WHEREAS, Axon Enterprises, Inc. has submitted a proposal totaling \$90,561.02 for a sixty-four (64) month agreement beginning in August 2025, with annual costs of \$20,796.88 for the first year; AND

WHEREAS, the Department has grant funding available in the Discovery Reform Compensation Grant for the 2025 budget year and all remaining years under this contract term; NOW THEREFORE BE IT

Minutes Acceptance: Minutes of Aug 28, 2025 6:00 PM (Approval of Minutes)

RESOLVED, that the Cortland County Legislature hereby authorizes the County Administrator and/or Chair of the Legislature, upon approval of the County Attorney or designee, and subject to funding by the legislature, to enter into a contract with Axon Enterprises, Inc., of 17800 North 85th Street, Scottsdale, Arizona 85255, in an amount not to exceed \$90,561.02 for a term of sixty-four (64) months.

AGENDA ITEM NO. 13 – Authorize 5-Year Agreement with Syracuse University to Accept Interns - Mental Health Department

RESULT:	ADOPTED [15 TO 1]
MOVER:	Ronald J. Van Dee, Legislator
SECONDER:	Paul Heider, Majority Leader
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Mantella, McGovern, Nauseef, Newell, Prentice, Van Dee, VanGorder, Waldbauer, Fitch
NAYS:	Linda Jones
EXCUSED:	Sandra Price

ON MOTION OF VAN DEE

RESOLUTION NO. 169-25

Authorize 5-Year Agreement with Syracuse University to Accept Interns - Mental Health Department

WHEREAS, the Cortland County Mental Health Department authorizes agreements with several schools and universities to provide internship opportunities to students; AND

WHEREAS, there are no costs to Cortland County associated with these internships; AND

WHEREAS, the current 5-year contract with Syracuse University expires in 2025; NOW THEREFORE BE IT

RESOLVED, that the Chair of the Cortland County Legislature and/or County Administrator, upon review and approval by the County Attorney or designee, is hereby authorized to execute a 5-year agreement with the following:

Syracuse University, 900 South Crouse Ave., Syracuse, NY 13244

AGENDA ITEM NO. 14 – Authorize Increase in Hours Medical Director/Psychiatrist - Mental Health Department

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ronald J. Van Dee, Legislator
SECONDER:	Paul Heider, Majority Leader
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Van Dee, VanGorder, Waldbauer, Fitch
EXCUSED:	Sandra Price

ON MOTION OF VAN DEE

RESOLUTION NO. 170-25

Authorize Increase in Hours Medical Director/Psychiatrist - Mental Health Department

WHEREAS, the Cortland County Legislature adopted Resolution No. 40-25 which created one (1) Medical Director/Psychiatrist (4 hrs/week) and one (1) Medical Director/Psychiatrist (10 hrs/week); AND

Minutes Acceptance: Minutes of Aug 28, 2025 6:00 PM (Approval of Minutes)

WHEREAS, the needs of the Mental Health Department would be better served by allowing both Medical Director/Psychiatrist positions to work up to fourteen hours per week, with the aggregate number of hours worked between the two positions not to exceed fourteen hours in one (1) week; NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby authorizes the two Medical Director/Psychiatrist positions to work up to 14 hours per week effective September 1, 2025.

AGENDA ITEM NO. 15 – Write Off Uncollectible Account Balances - Mental Health Department

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ronald J. Van Dee, Legislator
SECONDER:	Paul Heider, Majority Leader
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Van Dee, VanGorder, Waldbauer, Fitch
EXCUSED:	Sandra Price

ON MOTION OF VAN DEE

RESOLUTION NO. 171-25

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 \$2,636,906.57, received a total of \$2,392,058.87, and recorded insurance adjustments of \$185,142.85 for the fiscal year 2022; AND

WHEREAS, \$59,704.85 in unpaid balances that were invoiced between Jan. 1, 2022 and Dec. 31, 2022 are still listed in Mental Health's records as accounts receivable; AND

WHEREAS, Cortland County Mental Health Department will serve county residents regardless of their ability to pay; AND

WHEREAS, the Mental Health Department has a "Write-Off" policy to write off any balance over two years old and does not want to carry forward these uncollectible balances; AND

WHEREAS, the Cortland County Mental Health Department realizes that unpaid account balances will continue due to changes in availability of health insurance and 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 \$59,704.85 be written off as uncollectible by year end December 31, 2025; AND BE IT FURTHER

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

AGENDA ITEM NO. 16 – Agreement with YWCA for Non-Residential Enhanced Services - Department of Social Services

Minutes Acceptance: Minutes of Aug 28, 2025 6:00 PM (Approval of Minutes)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ronald J. Van Dee, Legislator
SECONDER:	Paul Heider, Majority Leader
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Van Dee, VanGorder, Waldbauer, Fitch
EXCUSED:	Sandra Price

ON MOTION OF VAN DEE**RESOLUTION NO. 172-25****Agreement with YWCA for Non-Residential Enhanced Services - Department of Social Services**

WHEREAS, the NYS Office of Children and Family Services has allocated Temporary Assistance for Needy Families (TANF) funds for Non-Residential Domestic Violence Services; AND

WHEREAS, the Young Women's Christian Association (YWCA) Aid to Victims of Violence (AVV) program is an authorized provider of such services; AND

WHEREAS, the funding needed for this Agreement is provided through a State allocation of Federal TANF money and will be paid from Account A60105.54800.4693 titled Enhanced Non-Residential Domestic Violence and the revenue will be posted in Account A601044.44689.4693; NOW THEREFORE BE IT

RESOLVED, the County Administrator and/or Chair of the Legislature, 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 an agreement for the time period of October 1, 2025, through September 30, 2026, in an amount not to exceed \$25,000 of said funding with the YWCA of Cortland.

AGENDA ITEM NO. 17 – Abolish Safe Harbour Coordinator Position/Create Child Advocacy Center Assistant Director Position

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ronald J. Van Dee, Legislator
SECONDER:	Paul Heider, Majority Leader
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Van Dee, VanGorder, Waldbauer, Fitch
EXCUSED:	Sandra Price

ON MOTION OF VAN DEE**RESOLUTION NO. 173-25****Abolish Safe Harbour Coordinator Position/Create Child Advocacy Center Assistant Director Position**

WHEREAS, the needs of the Child Advocacy Center will be better served by abolishing one (1) part-time position of Safe Harbour Coordinator and creating one (1) full-time position of Child Advocacy Center Assistant Director; AND

WHEREAS, the Child Advocacy Center Assistant Director position will be fully grant funded; AND

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

RESOLVED, that one (1) position of Safe Harbour Coordinator (CSEA, Grade 13, \$22.2053-

28.1062/hr., competitive class, part-time, 17 hours per week, no benefits) be abolished effective September 30, 2025; AND BE IT FURTHER

RESOLVED, that one (1) position of Child Advocacy Center Assistant Director (Grade 12, Management Compensation Plan, \$51,274-\$68,246/yr., competitive class, full time, 35 hours per week, with benefits) be created with approval to fill on October 1, 2025; AND BE IT FURTHER

RESOLVED, that the newly created position is contingent upon continued grant funding and will be abolished once said grant funding is exhausted.

AGENDA ITEM NO. 18 – Amend 2025 Budget - Tompkins Cortland Community College Contributions

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Cathy Bischoff, Legislator
SECONDER:	Paul Heider, Majority Leader
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Van Dee, VanGorder, Waldbauer, Fitch
EXCUSED:	Sandra Price

ON MOTION OF BISCHOFF

RESOLUTION NO. 174-25

Amend 2025 Budget - Tompkins Cortland Community College Contributions

WHEREAS, Resolution No. 228-24 authorized the payment to Tompkins Cortland Community College (TC3) of \$47,500 for Access and Egress work and \$95,000 for Deferred Maintenance in 2025; AND

WHEREAS, these payments were not part of the 2025 Cortland County budget; NOW THEREFORE BE IT

RESOLVED, the Cortland County Legislature hereby approves the following amendment to the 2025 County budget:

Increase:

A24955.54780	Sponsor Contributions	\$142,500
A359900	Appropriated Fund Balance	\$142,500

AGENDA ITEM NO. 19 – Amend Resolution No. 122-25 to Approve the 2025-2026 Tompkins Cortland Community College Operating Budget

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Cathy Bischoff, Legislator
SECONDER:	Paul Heider, Majority Leader
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Van Dee, VanGorder, Waldbauer, Fitch
EXCUSED:	Sandra Price

ON MOTION OF BISCHOFF

RESOLUTION NO. 175-25

Amend Resolution No. 122-25 to Approve the 2025-2026 Tompkins Cortland Community College Operating Budget

Minutes Acceptance: Minutes of Aug 28, 2025 6:00 PM (Approval of Minutes)

WHEREAS, Resolution No. 122-25, adopted by the Cortland County Legislature, approved the Tompkins Cortland Community College (TC3) Operating Budget for the fiscal year beginning September 1, 2025, and ending August 31, 2026, in the amount of \$35,185,275; AND

WHEREAS, it has been determined that the TC3 Operating Budget for said fiscal year shall be in the amount of \$34,134,942; NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby amends Resolution No. 122-25 to approve the Tompkins Cortland Community College Operating Budget for the fiscal year September 1, 2025, through August 31, 2026, in the amount of \$34,134,942; AND BE IT FURTHER

RESOLVED, that the Clerk of the Legislature shall transmit a certified copy of this resolution to Tompkins Cortland Community College and the Tompkins County Legislature.

AGENDA ITEM NO. 20 – Rescind Resolution No. 93-25- Microenterprise Assistance Program Grant Award - Frog Hollow Home and Property Services, LLC

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Cathy Bischoff, Legislator
SECONDER:	Paul Heider, Majority Leader
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Van Dee, VanGorder, Waldbauer, Fitch
EXCUSED:	Sandra Price

ON MOTION OF BISCHOFF

RESOLUTION NO. 176-25

Rescind Resolution No. 93-25- Microenterprise Assistance Program Grant Award - Frog Hollow Home and Property Services, LLC

WHEREAS, the Cortland County Legislature adopted Resolution No. 93-25 which approved the allocation and awarded the sum of \$35,000 of Microenterprise Assistance funding to Frog Hollow Home and Property Services, LLC; AND

WHEREAS, it has been determined that Frog Hollow Home and Property Services, LLC has moved out of Cortland County for personal reasons and there is a need to rescind the resolution; NOW THEREFORE BE IT

RESOLVED, that Resolution No. 93-25 be and hereby is rescinded effective immediately.

AGENDA ITEM NO. 21 – Amend Resolution No. 146-25 to Correct Legal Name of Entity for Microenterprise Assistance Program Award Recipient (Groove Supply, Inc.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Cathy Bischoff, Legislator
SECONDER:	Paul Heider, Majority Leader
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Van Dee, VanGorder, Waldbauer, Fitch
EXCUSED:	Sandra Price

ON MOTION OF BISCHOFF

RESOLUTION NO. 177-25

Minutes Acceptance: Minutes of Aug 28, 2025 6:00 PM (Approval of Minutes)

**Amend Resolution No. 146-25 to Correct Legal Name of Entity for Microenterprise Assistance
Program Award Recipient (Groove Supply, Inc.)**

WHEREAS, Resolution No. 146-25, adopted by the Cortland County Legislature, referenced an entity by an incorrect legal name; AND

WHEREAS, it is necessary to amend said resolution to reflect the correct legal name of the entity; NOW THEREFORE BE IT

RESOLVED, that Resolution No. 146-25 is hereby amended to replace the incorrect name with the correct legal name of Groove Supply, Inc.; AND BE IT FURTHER

RESOLVED, that except as specifically amended herein, all other provisions of Resolution No. 146-25 shall remain in full force and effect.

AGENDA ITEM NO. 22 – Microenterprise Assistance Program Grant Award - Fruit Da La Soul

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Cathy Bischoff, Legislator
SECONDER:	Paul Heider, Majority Leader
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Van Dee, VanGorder, Waldbauer, Fitch
EXCUSED:	Sandra Price

ON MOTION OF BISCHOFF

RESOLUTION NO. 178-25

Microenterprise Assistance Program Grant Award - Fruit Da La Soul

WHEREAS, the Cortland County Legislature's Finance and Administration Committee was empaneled as the Cortland County Microenterprise Assistance Program Review Committee on August 19, 2025 for the purpose of reviewing applications received for the Microenterprise Grant Program; AND

WHEREAS, following said review the Committee recommended that Fruit Da La Soul, of 50 Main Street, Cortland, NY 13045, be awarded \$35,000 from the Microenterprise program for the purchase of equipment, furniture & fixtures, inventory & supplies and used as working capital that would help cover expenses towards marketing and compliance cost.; NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby accepts and approves the recommendation of the Cortland County Microenterprise Assistance Program Review Committee and hereby awards the sum \$35,000 to Fruit Da La Soul from the Cortland County Microenterprise Assistance Program funding for the purchase of equipment, furniture & fixtures, inventory & supplies and used as working capital that would help cover expenses towards marketing and compliance cost; AND BE IT FURTHER

RESOLVED, that the County Administrator and/or Chair of the Cortland County Legislature, upon review by the County Attorney or designee, is hereby authorized to prepare and execute any and all agreements and sub-recipient agreements necessary and incident to this award.

AGENDA ITEM NO. 23 – Designate Cortland County Convention and Visitors Bureau as Cortland County's Tourism Promotion Agency

Minutes Acceptance: Minutes of Aug 28, 2025 6:00 PM (Approval of Minutes)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Cathy Bischoff, Legislator
SECONDER:	Paul Heider, Majority Leader
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Van Dee, VanGorder, Waldbauer, Fitch
EXCUSED:	Sandra Price

ON MOTION OF BISCHOFF**RESOLUTION NO. 179-25**

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 2026; NOW THEREFORE BE IT

RESOLVED, that the Cortland County Convention and Visitors Bureau Inc., is hereby designated for 2026 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.

Resolutions from the Chair

AGENDA ITEM NO. 24 – Appoint Cortland County Representative Members to CNYNET, Inc.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kevin Fitch, Chair of the Legislature
SECONDER:	Ronald J. Van Dee, Legislator
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Van Dee, VanGorder, Waldbauer, Fitch
EXCUSED:	Sandra Price

ON MOTION OF FITCH**RESOLUTION NO. 180-25**

Appoint Cortland County Representative Members to CNYNET, Inc.

WHEREAS, CNYNET, Inc. is a not-for-profit local development corporation formed under Article 14 of the New York Not-for-Profit Corporation Law focused on advancing broadband infrastructure and related technology initiatives within Central New York; AND

WHEREAS, Cortland County, as a participant in CNYNET, Inc., is entitled to appoint representatives to serve on its governing body to ensure the County's interests are represented; AND

WHEREAS, the Cortland County Legislature has identified two individuals to serve as the County's representatives to CNYNET, Inc.; NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby appoints Eugene Waldbauer and Beau Harbin as the official Cortland County representatives to CNYNET, Inc., effective immediately, for a

term of one (1) year or until their successors are duly appointed by the Cortland County Legislature; AND BE IT FURTHER

RESOLVED, that in the event a vacancy arises before the expiration of a term, the Cortland County Legislature shall appoint a successor to serve for the remainder of the unexpired term; AND BE IT FURTHER

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this resolution to CNYNET, Inc. and the appointees.

Referred from Public Works Committee

AGENDA ITEM NO. 25 – Rescind Resolution No. 106-25 and Award Courthouse Dome Repair and Painting to Larrabee Painting, LLC

RESULT:	ADOPTED [14 TO 2]
MOVER:	Paul Heider, Majority Leader
SECONDER:	Eugene Waldbauer, Legislator
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, VanGorder, Waldbauer, Fitch
NAYS:	Paul Heider, Ronald J. Van Dee
EXCUSED:	Sandra Price

ON MOTION OF HEIDER

RESOLUTION NO. 181-25

Rescind Resolution No. 106-25 and Award Courthouse Dome Repair and Painting to Larrabee Painting, LLC

WHEREAS, the Cortland County Highway Department advertised for proposals for the repair and painting of the Cortland County Courthouse Dome; AND

WHEREAS, sealed proposals were opened on April 17, 2025, at 2:00 p.m. at the Highway Administration Building; AND

WHEREAS, the bids received were as follows:

BIDDERS	BID AMOUNT
Larrabee Painting, LLC 4450 Kiwanis Road, Cincinnatus, NY 13040	\$307,500.00
Valley Restoration, LLC 254 South Lake Street, Litchfield, CT 06759	\$309,000.00

WHEREAS, Resolution No. 106-25, adopted on May 22, 2025, awarded the project to Valley Restoration, LLC; AND

WHEREAS, the Cortland County Legislature now finds it in the best interest of the County to rescind Resolution No. 106-25; NOW THEREFORE BE IT

RESOLVED, that Resolution No. 106-25 is hereby rescinded in its entirety; AND BE IT FURTHER

Minutes Acceptance: Minutes of Aug 28, 2025 6:00 PM (Approval of Minutes)

RESOLVED, that in accordance with the recommendations of the Public Works Committee, the Cortland County Legislature hereby awards the repair and painting of the Courthouse Dome Project to Larrabee Painting, LLC, 4450 Kiwanis Road, Cincinnatus, NY 13040, for an amount not to exceed \$307,500.00; AND BE IT FURTHER

RESOLVED, that the County Administrator and/or the Chair of the Legislature, upon review and approval by the County Attorney or designee and subject to appropriation of funding by the Legislature, is hereby authorized to execute an agreement with Larrabee Painting, LLC for the amount stated above; AND BE IT FURTHER

RESOLVED, that the Cortland County Finance Director is hereby authorized and directed to make payment from account HH16205.52320.CHEXT for the repair and painting of the courthouse dome as designated above.

Referred from Government Operations Committee

AGENDA ITEM NO. 26 – Amend 2025 Budget - Increase Education and Training for NYSAC Fall Conference - Legislature

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joseph Nauseef, Legislator
SECONDER:	Jason Prentice, Legislator
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Van Dee, VanGorder, Waldbauer, Fitch
EXCUSED:	Sandra Price

ON MOTION OF NAUSEEF

RESOLUTION NO. 182-25

Amend 2025 Budget - Increase Education and Training for NYSAC Fall Conference - Legislature

WHEREAS, the Cortland County Legislature recognizes the value of professional development, networking, and continuing education for its members through participation in events such as the New York State Association of Counties (NYSAC) conferences; AND

WHEREAS, the Fall NYSAC Conference provides County legislators with opportunities to engage in policy discussions, receive training on emerging issues, and exchange best practices with counterparts from across New York State; AND

WHEREAS, the current 2025 Education and Training budget line in the Legislature's budget is insufficient to cover the anticipated costs for legislator attendance at the 2025 Fall NYSAC Conference; AND

WHEREAS, it is necessary to increase the Education and Training budget line to allow for full participation of interested legislators; NOW THEREFORE BE IT

RESOLVED, that the 2025 Budget for the Cortland County Legislature be amended as follows:

Increase:

A10105.54035	Education and Training	\$2,000
A.359900	Appropriated Fund Balance	\$2,000

Minutes Acceptance: Minutes of Aug 28, 2025 6:00 PM (Approval of Minutes)

Referred from Public Works Committee Cont.

AGENDA ITEM NO. 27 – Resolution Accepting the Donation of a Playground from the Kiwanis Club of Cortland County to be Installed at Dwyer Memorial County Park and Authorizing the Naming of the Playground in Honor of the Kiwanis Club

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paul Heider, Majority Leader
SECONDER:	Ronald J. Van Dee, Legislator
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Van Dee, VanGorder, Waldbauer, Fitch
EXCUSED:	Sandra Price

ON MOTION OF HEIDER

RESOLUTION NO. 183-25

Resolution Accepting the Donation of a Playground from the Kiwanis Club of Cortland County to be Installed at Dwyer Memorial County Park and Authorizing the Naming of the Playground in Honor of the Kiwanis Club

WHEREAS, the Kiwanis Club of Cortland County, a long-standing civic organization dedicated to serving the children and families of our community, has generously undertaken a project to fund and donate a new playground to be installed at Dwyer Memorial County Park; AND

WHEREAS, the Kiwanis Club of Cortland County was awarded grant funding from the Kiwanis Children's Fund to support a portion of the playground project, and successfully raised the additional necessary funds; AND

WHEREAS, this donation will provide a safe, inclusive, and recreational space for children and families in Cortland County and will enhance the overall amenities and public use of Dwyer Memorial County Park; AND

WHEREAS, the Public Works Committee of the Cortland County Legislature has reviewed and recommends acceptance of this generous donation, as well as the formal naming of the playground in honor of the Kiwanis Club of Cortland County in recognition of their commitment to the community; AND

WHEREAS, the Cortland County Legislature wishes to express its deep appreciation for the Kiwanis Club's commitment to public service and support for community recreation; NOW, THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby accepts the donation of a playground from the Kiwanis Club of Cortland County to be installed at Dwyer Memorial County Park; AND BE IT FURTHER

RESOLVED, that the Cortland County Legislature authorizes the naming of the new playground in honor of the Kiwanis Club of Cortland County, in recognition of their generous contribution to the community and dedication to the children of Cortland County; AND BE IT FURTHER

RESOLVED, that the Public Works Commissioner, or their designee, is authorized to coordinate the installation of the playground in accordance with County policies and applicable safety standards; AND BE IT FURTHER

RESOLVED, that a suitable sign or marker recognizing the Kiwanis Club of Cortland County shall be installed at or near the playground, with the design and wording to be approved by the County; AND BE IT FURTHER

Minutes Acceptance: Minutes of Aug 28, 2025 6:00 PM (Approval of Minutes)

RESOLVED, that the Clerk of the Legislature shall forward a certified copy of this resolution to the Kiwanis Club of Cortland County and all others deemed necessary and proper.

Referred from Government Operations Committee Cont.

AGENDA ITEM NO. 28 – Adopt Local Law 9 of 2025 - A Local Law Providing for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code in the County of Cortland

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joseph Nauseef, Legislator
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Van Dee, VanGorder, Waldbauer, Fitch
EXCUSED:	Sandra Price

ON MOTION OF NAUSEEF

RESOLUTION NO. 184-25

Adopt Local Law 9 of 2025 - A Local Law Providing for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code in the County of Cortland

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

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

RESOLVED, that Local Law 9 of 2025 is hereby adopted and shall take effect upon the filing thereof in the Office of the Secretary of State as provided by Municipal Home Rule Law; NOW THEREFORE

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

LOCAL LAW 9 OF 2025 - A LOCAL LAW PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE NEW YORK STATE UNIFORM FIRE PREVENTION AND BUILDING CODE IN THE COUNTY OF CORTLAND

Section 1. PURPOSE AND INTENT

This local law provides for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (hereinafter referred to as the “Uniform Code”) and the State Energy Conservation Construction Code (hereinafter referred to as the “Energy Code”) within all buildings, structures and premises in the “custody of the County of Cortland” as that phrase is defined herein. This local law is adopted pursuant to section 10 of the Municipal Home Rule Law. Except as otherwise provided in the Uniform Code, the Energy Code, other state law, or other section of this local law, all buildings, structures, and premises, regardless of use or occupancy, which are in the custody of the County of Cortland, are subject to the provisions this local law. This local law shall not apply to properties and buildings acquired by the County under Article 11 of the Real Property Tax Law of the State of New York.

Section 2. DEFINITIONS

Minutes Acceptance: Minutes of Aug 28, 2025 6:00 PM (Approval of Minutes)

The following words shall have the meanings herein assigned to them for the purposes of this local law:

- A. Areas of Public Assembly: All buildings or portions of buildings used for gathering together fifty or more persons for uses including but not limited to amusement, athletic, civic, dining, educational, entertainment, patriotic, political, recreational, religious, social, or similar purposes, the entire fire area of which they are a part, and the means of egress therefrom.
- B. Building: A combination of any materials, whether portable or fixed, having a roof, to form a structure affording shelter for persons, animals or property. The word "building" shall be construed when used herein as though followed by the words "or part or parts thereof" unless the context clearly requires a different meaning. The word "building" shall be construed when used herein as though it included the words "structure", "equipment", and "premises" as used herein, unless the context clearly requires a different meaning.
- C. Code Enforcement Officer: The Code Enforcement Officer appointed pursuant to Section 3 of this local law. Throughout this document, the abbreviation "CEO" may be used for the term "Code Enforcement Officer."
- D. Codes: The Uniform Code and Energy Code.
- E. County: The County of Cortland, a municipal corporation organized and existing under the laws of the State of New York.
- F. Energy Code: The New York State Energy Conservation Construction Code, adopted pursuant to Article 11 of the Energy Law.
- G. Equipment: All materials related to plumbing, heating, electrical, ventilating, air conditioning, refrigerating, elevators, dumbwaiters, escalators, and other mechanical additions or installations.
- H. FCNYS: The 2020 Fire Code of New York State as currently incorporated by reference in 19 NYCRR Part 1225.
- I. Fire Safety and Property Maintenance Inspection: An inspection performed to determine compliance with the applicable provisions of 19 NYCRR Part 1225 and the publications incorporated therein by reference and the applicable provisions of 19 NYCRR Part 1226 (as those currently exist and may subsequently be amended by New York State) and the publications incorporated therein by reference.
- J. Hazardous Production Materials: A solid, liquid, or gas associated with semiconductor manufacturing that has a degree-of-hazard rating in health, flammability, or instability of Class 3 or 4, as ranked by NFPA 704 (Standard Systems for Identification of the Hazards of Materials for Emergency Response), and which is used directly in research, laboratory or production processes which have, as their end product, materials that are not hazardous.
- K. Inspector: An inspector appointed pursuant to Section 3(D) of this local law.
- L. In the Custody of the County:
1. Any building, structure, or premises owned by the County of Cortland; and/or
 2. Any building, structure, or premises rented or leased by the County of Cortland as lessee and occupied by the County of Cortland during the normal course of its business and located within the physical confines of Cortland County.

Such definition shall expressly not include:

1. County roads and bridges owned and maintained by the County of Cortland; and/or
2. Any property or buildings acquired by the County under Article 11 of the Real Property Tax Law of the State of New York, for the sole purpose of sale under tax foreclosure; and/or

3. Any dwelling unit, including room or suites in a hotel, motel, or other short term rental accommodation that is rented by the County, including by the County Commissioner of Social Services, to provide emergency or other housing.

M. Owner: For projects under the direction of, initiated by, or in the custody of the County of Cortland, the Owner, for the purpose of this local law shall be the Director or Department Head of the department whose personnel are proposing to perform, are performing, or are overseeing contractors who are performing any renovation, repair, or construction work. For all other projects the Owner for the purpose of this local law shall be the owner of the premises upon which the renovation, repair, or construction project is proposed to be or is actually being constructed or performed.

N. Order to Remedy: an order issued by the Code Enforcement Officer pursuant to Section 11 of this local law.

O. Permit Holder: the person to whom a building permit has been issued.

P. Person: an individual, corporation, limited liability company, partnership, limited partnership, business trust, estate, trust, association, or any other legal or commercial entity of any kind or description.

Q. PMCNY: The 2020 Property Maintenance Code of New York State as currently incorporated by reference in 19 NYCRR Part 1226, and as may subsequently be amended by the State of New York.

R. Premises: For any projects under the direction of, initiated by, or in the custody of the County of Ontario, the Premises shall be any property owned by the County of Ontario, except property obtained or acquired by the County of Ontario under Article 11 of the Real Property Tax Law of the State of New York. For all other projects the Premises shall be the owner's property upon which the renovation, repair, or construction project is proposed to be or is actually being constructed or performed.

S. RCNY: the 2020 Residential Code of New York State as currently incorporated by reference in 19 NYCRR Part 1220, and as may subsequently be amended by the State of New York.

T. Repair: The reconstruction, replacement, or renewal of any part of an existing building for the purpose of its maintenance or to correct damage.

U. Stop Work Order: An order issued pursuant to Section 6 of this local law.

V. Structure: An assembly of materials, forming a construction framed of component structural parts for occupancy or use.

W. Uniform Code: The New York State Uniform Fire Prevention and Building Code, Subchapter A of Chapter XXXIII of Title 19 of the NYCRR, adopted pursuant to Article 18 of the Executive Law, as it currently exists and as it may subsequently be amended by the State of New York.

Section 3. ESTABLISHMENT OF CODE ENFORCEMENT OFFICER DUTIES AND RESPONSIBILITIES

The Cortland County Safety Director is hereby designated as the Cortland County Code Enforcement Officer (hereinafter referred to as "CEO"), and is hereby vested with such authority as is necessary to fulfill the duties of this position. The Safety Director shall be the primary County official charged with performance of the CEO's duties and responsibilities as contained in this local law. The CEO shall administer and enforce all the provisions of the Uniform Code, the Energy Code, and this local law. The CEO shall:

- A. Maintain records of building inspection activities including, but not limited to Building Permits, Construction Inspection, Certificates of Occupancy, Certificates of Compliance, Notice of Violations, Stop Work Orders, and Annual Inspections as required by the Uniform Code.
- B. Perform Uniform Code review including review of plans, Building Permits, Certificates of

Occupancy or Certificates of Compliance for all new construction or any renovation projects requiring such review pursuant to applicable state or local law.

C. Coordinate the performance of periodic inspections during construction of new buildings or renovation of existing buildings in the custody of the County with the appropriate County personnel, consultants, or contractors, and shall have authority to participate in or perform any or all such periodic inspections as are necessary to ensure full compliance with the Uniform Code and this local law.

D. Be and hereby is authorized and empowered to contract with independent certified electrical inspectors as deemed necessary and prudent as part of construction or renovation project inspection. Such contracting of electrical inspectors shall be from a list of inspectors previously approved by the County Legislature for this purpose, shall be subject to the availability of funds within the County Budget, and shall not exceed the sum of \$250.00 per inspection. The electrical inspector shall furnish proof of insurance in compliance with standard County insurance requirements prior to performance of any inspection work.

E. Conduct random field inspections of at least 5% of all renovation, remodeling, or construction work not otherwise required to be inspected under this local law for compliance with the Uniform Code. Said 5% shall be measured from all work orders concerning construction, repair, and remodeling of buildings in the custody of the County of Cortland.

F. Conduct annual fire prevention inspections of all buildings in the custody of the County of Cortland which contain or constitute areas of public assembly.

G. Once every three (3) years conduct a fire prevention inspection of all buildings in the custody of the County of Cortland which are not included within subparagraph F above.

H. Consult monthly, or more frequently as determined by the CEO to be necessary to comply with the requirements of this local law, with the Commissioner of Public Works or designee, to review all renovation, construction, repair, and remodeling work requests and orders received and processed by the Department of Public Works for the purpose of determining which projects require review under the Uniform Code and this local law.

I. Be and hereby is authorized and empowered to review and investigate complaints, issue Stop Work Orders, issue orders pursuant to section (Violations) of this local law, pursue administrative enforcement actions and proceedings, and, in consultation with the County's Attorney, pursue such legal actions as may be necessary to enforce the Uniform Code, the Energy Code and this local law or abate or correct conditions not in compliance with the Uniform Code, the Energy Code, or this local law.

J. Be and hereby is authorized and empowered to exercise all other powers and fulfill all other duties conferred upon the Code Enforcement Officer by this local law.

Section 4. APPOINTMENT OF ACTING CODE ENFORCEMENT OFFICER

In the event that the Safety Director is unable to serve as the CEO for any reason (including but not limited to a vacancy in the position of Safety Director), an Acting Code Enforcement Officer shall be appointed by the County Legislature. The Acting CEO shall, during the term of their appointment, exercise all powers and fulfill all duties conferred upon the CEO by this local law. Said Acting CEO shall possess background experience related to building construction or fire prevention and shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training, and other training as the State of New York shall require for code enforcement personnel, and the Code Enforcement Officer shall obtain certification from the Department of State pursuant to the Executive Law and the regulations promulgated thereunder. The compensation for the Acting CEO shall be fixed by the County Legislature at the time of appointment.

Section 5. CONSTRUCTION INSPECTIONS

A. Work shall remain accessible and exposed until inspected and accepted by the Code Enforcement Officer or by an Inspector authorized by the Code Enforcement Officer. The Owner shall notify the Code Enforcement Officer when any element of work described in subdivision (b) of this

section is ready for inspection.

B. The following elements of the construction process shall be inspected, where applicable:

1. Work site prior to the issuance of a Building Permit;
2. Footing and foundation;
3. Preparation for concrete slab;
4. Framing;
5. Structural, electrical, plumbing, mechanical, fire-protection, and other similar servicesystems of the building;
6. Fire resistant construction;
7. Fire resistant penetrations;
8. Solid fuel burning heating appliances, chimneys, flues, or gas vents;
9. inspections required to demonstrate Energy Code compliance, including but not limited to insulation, fenestration, air leakage, system controls, mechanical equipment size, and, where required, minimum fan efficiencies, programmable thermostats, energy recovery, whole-house ventilation, plumbing heat traps, and high-performance lighting and controls;
10. Installation, connection, and assembly of factor manufactured buildings and manufactured homes; and
11. A final inspection after all work authorized by the Building Permit has been completed.

C. After inspection, the work or a portion thereof shall be noted as satisfactory as completed, or the Owner shall be notified as to the manner in which the work fails to comply with the Uniform Code or Energy Code, including a citation to the specific code provision or provisions that have not been met. Work not in compliance with any applicable provision of the Uniform Code or Energy Code shall remain exposed until such work shall have been brought into compliance with all applicable provisions of the Uniform Code and the Energy Code, reinspected, and found satisfactory as completed.

SECTION 6. STOP WORK ORDERS.

A. The Code Enforcement Officer is authorized to issue Stop Work Orders pursuant to this section. The Code Enforcement Officer shall issue a Stop Work Order to halt:

1. Any work that is determined by the Code Enforcement Officer to be contrary to any applicable provision of the Uniform Code or Energy Code, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work; or
2. Any work that is being conducted in a dangerous or unsafe manner in the opinion of the Code Enforcement Officer, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work; or
3. Any work for which a Building Permit is required which is being performed without the required Building Permit, or under a Building Permit that has become invalid, has expired, or has been suspended or revoked.

B. Stop Work Orders shall (1) be in writing, (2) be dated and signed by the Code Enforcement Officer, (3) state the reason or reasons for issuance, and (4) if applicable, state the conditions which must be satisfied before work will be permitted to resume.

C. The Code Enforcement Officer shall cause the Stop Work Order, or a copy thereof, to be served on the owner of the affected property (and, if the owner is not the Permit Holder, on the Permit Holder) personally or by certified mail. The Code Enforcement Officer shall be permitted, but not required, to cause the Stop Work Order, or a copy thereof, to be served on anybuilder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work affected by the Stop Work Order, personally or by certified mail; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Stop Work Order.

D. Upon the issuance of a Stop Work Order, the owner of the affected property, the Permit Holder, and any other Person performing, taking part in, or assisting in the work shall immediately cease all work which is the subject of the Stop Work Order, other than work expressly authorized by the Code Enforcement Officer to correct the reason for issuing the Stop Work Order.

E. The issuance of a Stop Work Order shall not be the exclusive remedy available to address any event described in subdivision A of this section, and the authority to issue a Stop Work Order shall be in addition to, and not in substitution for or limitation of, the right and authority to pursue any other remedy or impose any other penalty under section 11 (Violations) of this local law or under any other applicable local law or State law. Any such other remedy or penalty may be pursued at any time, whether prior to, at the time of, or after the issuance of a Stop Work Order.

SECTION 7. CERTIFICATES OF OCCUPANCY AND CERTIFICATES OF COMPLIANCE

A. A Certificate of Occupancy or Certificate of Compliance shall be required for any work which is the subject of a Building Permit and for all structures, buildings, or portions thereof, which are converted from one use or occupancy classification or subclassification to another. Permission to use or occupy a building or structure, or portion thereof, for which a Building Permit was previously issued shall be granted only by issuance of a Certificate of Occupancy or Certificate of Compliance.

B. The Code Enforcement Officer shall issue a Certificate of Occupancy or Certificate of Compliance if the work which was the subject of the Building Permit was completed in accordance with all applicable provisions of the Uniform Code and Energy Code and, if applicable, that the structure, building or portion thereof that was converted from one use or occupancy classification or subclassification to another complies with all applicable provisions of the Uniform Code and Energy Code. The Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer shall inspect the building, structure, or work prior to the issuance of a Certificate of Occupancy or Certificate of Compliance. In addition, where applicable, the following documents, prepared in accordance with the provisions of the Uniform Code by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant for the Certificate of Occupancy or Certificate of Compliance, shall be provided to the Code Enforcement Officer prior to the issuance of the Certificate of Occupancy or Certificate of Compliance:

1. A written statement of structural observations and/or a final report of special inspections,
2. Flood hazard certifications,

3. A written statement of the results of tests performed to show compliance with the Energy Code, and

4. Where applicable, the affixation of the appropriate seals, insignias, and manufacturer's data plates as required for factory manufactured buildings and/or manufactured homes.

C. Contents of Certificates of Occupancy and Certificates of Compliance. A Certificate of Occupancy or Certificate of Compliance shall contain the following information:

1. The Building Permit number, if any;
2. The date of issuance of the Building Permit, if any;
3. The name (if any), address and tax map number of the property;
4. If the Certificate of Occupancy or Certificate of Compliance is not applicable to an entire structure, a description of that portion of the structure for which the Certificate of Occupancy or Certificate of Compliance is issued;
5. The use and occupancy classification of the structure;
6. The type of construction of the structure;
7. The occupant load of the assembly areas in the structure, if any;
8. Any special conditions imposed in connection with the issuance of the Building Permit; and
9. The signature of the Code Enforcement Officer issuing the Certificate of Occupancy or Certificate of Compliance and the date of issuance.

D. Temporary Certificate of Occupancy. The Code Enforcement Officer shall be permitted to issue a Temporary Certificate of Occupancy allowing the temporary occupancy of a building or structure, or a portion thereof, prior to completion of the work which is the subject of a Building Permit. However, in no event shall the Code Enforcement Officer issue a Temporary Certificate of Occupancy unless the Code Enforcement Officer determines (1) that the building or structure, or the portion thereof covered by the Temporary Certificate of Occupancy, may be occupied safely, (2) that any required fire and life safety components, such as fire protection equipment and fire, smoke, carbon monoxide, and heat detectors and alarms are installed and operational, and (3) that all required means of egress from the structure have been provided. The Code Enforcement Officer may include in a Temporary Certificate of Occupancy such terms and conditions as he or she deems necessary or appropriate to ensure the health and safety of the persons occupying and using the building or structure and/or performing further construction work in the building or structure. A Temporary Certificate of Occupancy shall be effective for a period of time, not to exceed six (6) months, which shall be determined by the Code Enforcement Officer and specified in the Temporary Certificate of Occupancy. During the specified period of effectiveness of the Temporary Certificate of Occupancy, the Permit Holder shall undertake to bring the building or structure into full compliance with all applicable provisions of the Uniform Code and the Energy Code.

E. Revocation or suspension of certificates. If the Code Enforcement Officer determines that a Certificate of Occupancy, Certification of Compliance, or a Temporary Certificate of Occupancy was issued in error or on the basis of incorrect information, and if the relevant deficiencies are not corrected to the satisfaction of the Code Enforcement Officer within such period of time as shall be specified by the Code Enforcement Officer, the Code Enforcement Officer shall revoke or suspend such certificate.

SECTION 8. UNSAFE BUILDINGS, STRUCTURES, AND EQUIPMENT

AND CONDITIONS OF IMMINENT DANGER

Unsafe buildings, structures, and equipment and conditions of imminent danger and in the custody of Cortland County shall be identified and addressed in accordance with all applicable laws.

SECTION 9. COMPLAINTS

The Code Enforcement Officer shall review and investigate complaints which allege or assert the existence of conditions or activities that fail to comply with the Uniform Code, the Energy Code, this local law, or any other local law or regulation adopted for administration and enforcement of the Uniform Code or the Energy Code. The process for responding to a complaint shall include such of the following steps as the Code Enforcement Officer may deem to be appropriate:

- A. performing an inspection of the conditions and/or activities alleged to be in violation, and documenting the results of such inspection;
- B. if a violation is found to exist, providing the owner of the affected property and any other Person who may be responsible for the violation with notice of the violation and opportunity to abate, correct or cure the violation, or otherwise proceeding in the manner described in section 17 (Violations) of this local law;
- C. if appropriate, issuing a Stop Work Order; and/or
- D. if a violation which was found to exist is abated or corrected, performing an inspection to ensure that the violation has been abated or corrected, preparing a final written report reflecting such abatement or correction, and filing such report with the complaint.

SECTION 10. RECORD KEEPING

- A. The CEO shall keep permanent official records of all transactions and activities conducted in relation to this local law, including records of:
 - 1. All applications received, reviewed and approved or denied;
 - 2. All plans, specifications and construction documents approved;
 - 3. All Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates, Stop Work Orders, and Operating Permits issued;
 - 4. All inspections and tests performed;
 - 5. All statements and reports issued;
 - 6. All complaints received;
 - 7. All investigations conducted;
 - 8. All condition assessment reports received;
 - 9. All fees charged and collected; and

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10. All other features and activities specified in or contemplated by this local law.

- B. All such records shall be public records open for public inspection during normal business hours. All plans and records pertaining to buildings or structures, or appurtenances thereto, shall be retained for at least the minimum time period so required by State law and regulation.

SECTION 11. VIOLATIONS

A. The Code Enforcement Officer is authorized to order in writing the remedying of any condition or activity found to exist in, on or about any building, structure, or premises in violation of the Uniform Code, the Energy Code, or this local law. An Order to Remedy shall be in writing; shall be dated and signed by the Code Enforcement Officer; shall specify the condition or activity that violates the Uniform Code, the Energy Code, or this local law; shall specify the provision or provisions of the Uniform Code, the Energy Code, or this local law which is/are violated by the specified condition or activity; and shall include a statement substantially similar to the following:

“The person or entity served with this Order to Remedy must completely remedy each violation described in this Order to Remedy by _____ [specify date], which is thirty (30) days after the date of this Order to Remedy.”

The Order to Remedy may include provisions ordering the person or entity served with such Order to Remedy (1) to begin to remedy the violations described in the Order to Remedy immediately, or within some other specified period of time which may be less than thirty (30) days; to continue diligently to remedy such violations until each such violation is fully remedied; and, in any event, to complete the remedying of all such violations within thirty (30) days of the date of such Order to Remedy; and/or (2) to take such other protective actions (such as vacating the building or barricading the area where the violations exist) which are authorized by this local law or by any other applicable statute, regulation, rule, local law or ordinance, and which the Code Enforcement Officer may deem appropriate, during the period while such violations are being remedied. The Code Enforcement Officer shall cause the Order to Remedy, or a copy thereof, to be served on the owner of the affected property personally or by registered mail or certified mail within five (5) days after the date of the Order to Remedy. The Code Enforcement Officer shall be permitted, but not required, to cause the Order to Remedy, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work being performed at the affected property personally or by registered mail or certified mail within five (5) days after the date of the Order to Remedy; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Compliance Order.

B. Injunctive Relief. An action or proceeding may be instituted in the name of the County of Cortland, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of the Uniform Code, the Energy Code, this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit, Order to Remedy, or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law. In particular, but not by way of limitation, where the construction or use of a building or structure is in violation of any provision of the Uniform Code, the Energy Code, this local law, or any Stop Work Order, Order to Remedy or other order obtained under the Uniform Code, the Energy Code or this local law, an action or proceeding may

be commenced in the name of Cortland County, in the Supreme Court or in any other court having the requisite jurisdiction, to obtain an order directing the removal of the building or structure or an abatement of the condition in violation of such provisions. No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the Cortland County Legislature.

C. No remedy or penalty specified in this section shall be the exclusive remedy or remedy available to address any violation described in this section, and each remedy or penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. Any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. In particular, but not by way of limitation, each remedy and penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the penalties specified in subdivision (2) of section 382 of the Executive Law, and any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any penalty specified in subdivision (2) of section 382 of the Executive Law.

SECTION 12. PARTIAL INVALIDITY

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

SECTION 13. EFFECTIVE DATE

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

AGENDA ITEM NO. 29 – Authorize Agreement with Keenan (Express Scripts, Inc.) for Pharmacy Benefit Management - Personnel Department

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joseph Nauseef, Legislator
SECONDER:	Cathy Bischoff, Legislator
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Van Dee, VanGorder, Waldbauer, Fitch
EXCUSED:	Sandra Price

ON MOTION OF NAUSEEF

RESOLUTION NO. 185-25

Authorize Agreement with Keenan (Express Scripts, Inc.) for Pharmacy Benefit Management - Personnel Department

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

WHEREAS, four (4) Pharmacy Benefit Manager proposals were received and analyzed; AND

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

RESOLVED, that the Cortland County Legislature hereby accepts and awards the administration of the Cortland County Health Insurance Plan Pharmacy Benefit Manager to Keenan (Express Scripts, Inc.) and hereby authorizes and directs the County Administrator and/or Chair of the Legislature, upon review and approval by the County Attorney or designee, to execute a contract for pharmacy benefit management from January 1, 2026 through December 31, 2027.

AGENDA ITEM NO. 30 – Authorize Medicare Advantage Plan - Personnel Department

RESULT:	ADOPTED [14 TO 2]
MOVER:	Joseph Nauseef, Legislator
SECONDER:	William McGovern, Legislator
AYES:	Bentley, Bischoff, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, VanGorder, Waldbauer, Fitch
NAYS:	Reed Cleland, Ronald J. Van Dee
EXCUSED:	Sandra Price

ON MOTION OF NAUSEEF

RESOLUTION NO. 186-25

Authorize Medicare Advantage Plan - Personnel Department

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

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

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

WHEREAS, Cortland County received one Medicare Advantage Plan proposal from the BCPA MAPD Program that was analyzed by the County health insurance consultants; AND

WHEREAS, Cortland County wishes to participate in the BCPA MAPD Program effective January 1, 2026; AND

WHEREAS, this Medicare Advantage Plan will be offered to existing Medicare eligible retirees and their Medicare eligible dependents on a voluntary basis; AND

WHEREAS, this Medicare Advantage Plan will be mandatory for those employees whose collective bargaining agreements/management compensation plan contains language mandating enrollment in the County's Medicare Advantage Plan upon obtaining Medicare eligibility, who retire January 1, 2026 or after; NOW THEREFORE BE IT

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

RESOLVED, that the Cortland County Legislature hereby authorizes and directs the County Administrator, upon review and approval by the County Attorney or designee, to execute a contract for Medicare Advantage Plan Option 4 through the Broome County Purchasing Alliance with Excellus from January 1, 2026 through December 31, 2026.

Referred from Judiciary & Public Safety Committee

Referred from Agriculture/Planning/Environment Committee

Referred from Health & Human Services Committee

AGENDA ITEM NO. 31 – Amend Resolution No. 189-24 - Authorize Agreements for Substance Abuse & Mental Health Services Administration (SAMHSA) 2024-2028 Youth Grant - Mental Health Department

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ronald J. Van Dee, Legislator
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Van Dee, VanGorder, Waldbauer, Fitch
EXCUSED:	Sandra Price

ON MOTION OF VAN DEE

RESOLUTION NO. 187-25

Amend Resolution No. 189-24 - Authorize Agreements for Substance Abuse & Mental Health Services Administration (SAMHSA) 2024-2028 Youth Grant - Mental Health Department

WHEREAS, the Cortland County Mental Health Department has been awarded a grant from Substance Abuse & Mental Health Services Administration (SAMHSA) for expansion and sustainability of comprehensive community mental health services for children with Serious Emotional Disturbances (SED); AND

WHEREAS, the grant award period is from October 2024 through September 2028 and award amount total is \$3,526,362.00; AND

WHEREAS, the grant has designated the funds to be used to fund specific positions and provider contracts matching the approved SAMHSA budget and action plans; AND

WHEREAS, the Cortland County Legislature adopted Resolution No. 189-24 which authorized contracts with some agencies for only the first year of the grant; AND

WHEREAS, an amendment is required to complete the contracts for the remaining three (3) years of the grant; AND

WHEREAS, it is the recommendation of the Health and Human Services Committee to authorize the Chair of the Cortland County Legislature and/or the County Administrator to approve the designation of funds to the following Cortland County contracted agencies for the next three (3) years of the grant to work under the Grant leadership oversight of the Mental Health Department; within the budget requirements in the grant; NOW THEREFORE BE IT

RESOLVED, that the Chair of the Legislature and/or the County Administrator, upon review by the County Attorney or designee, is hereby authorized to execute contracts with the following agencies for an amount not to exceed the amount listed:

2024-2028 SAMHSA Approved Contacted Providers	Authorized Funds Four (4) Year Totals
FFT, LLC Functional Family Therapy	\$85,460
Family & Children's Counseling Services of Cortland	\$38,000
CAPCO	\$367,258

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CACTC / RHI	\$634,000
SUNY Upstate Medical University	\$17,680
RHI (Web Design and Development)	\$38,500
RHI (Marketing)	\$313,000
Functional Family Therapy, LLC	\$71,750

; AND BE IT FURTHER

RESOLVED, that funding to RHI for marketing, in an amount of up to \$313,000, shall be determined and authorized in accordance with SAMHSA's approval, and the funding level may be adjusted accordingly; AND BE IT FURTHER

RESOLVED, the Director of Finance is authorized to pay the approved county contracted agencies from the appropriate expense account for this SAMHSA Grant.

AGENDA ITEM NO. 32 – Award Bid/Authorize Agreements for Use of Opioid Reserve Funding
Mr. Harbin MADE A MOTION TO AMEND the resolution to add a fourth WHEREAS clause stating, "pursuant to the RFP, the review committee reserved the right to shift funds/allocations between percentage areas as needed to best serve the interest of the Cortland community", to remove the percentages from the first RESOLVED clause, and to strike "Methadone Clinic" and add the following to the first RESOLVED clause, section II, after Family & Children's Counseling Services in parentheses "Expand Medicated Assisted Treatment to include Methadone, and provide additional funds to the Outreach and Engagement Program"; Mr. Bentley SECONDED THE MOTION TO AMEND; and upon unanimous voice vote of members present; MOTION CARRIED.

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Ronald J. Van Dee, Legislator
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Van Dee, VanGorder, Waldbauer, Fitch
EXCUSED:	Sandra Price

ON MOTION OF VAN DEE

RESOLUTION NO. 188-25

Award Bid/Authorize Agreements for Use of Opioid Reserve Funding

WHEREAS, Cortland County has received opioid settlement funds from both the New York State Attorney General allocation ("Attorney General Funds") in the amount of \$184,000 and the Local Governmental Unit (LGU) Regional Abatement Funds in the amount of \$369,955, for a combined total of \$553,955, to be used for approved opioid prevention, treatment, recovery, and harm reduction programs; AND

WHEREAS, the County issued a Request for Proposals (RFP) for qualified agencies to submit funding requests consistent with the opioid settlement spending categories; AND

WHEREAS, proposals were reviewed and funding recommendations were made in accordance with the percentage allocations established for each category: Prevention (10%), Treatment (35%), Recovery (35%), and Harm Reduction (20%); AND

WHEREAS, pursuant to the RFP, the review committee reserved the right to shift funds/allocations between percentage areas as needed to best serve the interest of the Cortland community; NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby awards the opioid settlement funds as follows:

I. Prevention - (\$55,395.50)

- Rural Health Institute (RHI) - \$25,000
- Access to Independence (ATI) - \$30,395.50 (CANDLE program)

II. Treatment - (\$196,676.25)

- Access to Independence (ATI) - \$6,001.25 (CANDLE program), \$4,000 Recovery Community Organization (RCO support groups) - Total: \$10,001.25
- Family & Children's Counseling Services (FCCS) - \$183,883 (Expand Medicated Assisted Treatment to include Methadone, and provide additional funds to the Outreach and Engagement Program) plus \$2,792 transferred from Recovery category for a total of \$186,675

III. Recovery - (\$191,092.25)

- Access to Independence (ATI) - \$110,300 (TC3 program), \$66,792.25 (ATI programming), \$14,000 Recovery Community Organization (RCO) - Total: \$191,092.25
- Note: \$2,792 of Recovery funds reallocated to Treatment category (FCCS)

IV. Harm Reduction - (\$110,791)

- Rural Health Institute (RHI) - \$45,000
- Family & Children's Counseling Services (FCCS) - \$65,791

; AND BE IT FURTHER

RESOLVED, that the Chair of the Legislature and/or County Administrator, upon review and approval of the County Attorney or designee, is hereby authorized to execute agreements with Rural Health Institute, Access to Independence, and Family & Children's Counseling Services, in accordance with the funding allocations above; AND BE IT FURTHER

RESOLVED, that any unspent funds shall be returned to the opioid settlement account to be reallocated by future legislative action.

Referred from Finance & Administration Committee

AGENDA ITEM NO. 33 – Authorize Agreement - GovOS - Occupancy Tax Online Platform - Finance & Administration

RESULT:	NO ACTION
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ON MOTION OF BISCHOFF

RESOLUTION NO.

Authorize Agreement - GovOS - Occupancy Tax Online Platform - Finance & Administration

WHEREAS, Cortland County desires to create a more efficient process for compliance with County and State short-term rental laws; AND

WHEREAS, GovOS provides an online platform for compliance with registration requirements and quarterly occupancy tax payments by providing registration & recording, licensing and tax filing services; AND

WHEREAS, GovOS has provided a contract with a cost of \$28,000 for one (1) year; AND

WHEREAS, funds are budgeted in A64105.54055; NOW THEREFORE BE IT

RESOLVED, that the County Administrator or Chair of the Legislature, upon approval of the County Attorney or designee, is hereby authorized and directed to enter into an agreement with GovOS, 8310 N. Capital of Texas Hwy., Bldg 2, Ste. 250, Austin, TX 78731 for the above services and cost for a period of September 1, 2025 through August 31, 2026.

AGENDA ITEM NO. 34 – Authorizing the Continuation of an Additional One Percent (1%) Sales and Compensating Use Tax in Cortland County

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Cathy Bischoff, Legislator
SECONDER:	Ronald J. Van Dee, Legislator
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Van Dee, VanGorder, Waldbauer, Fitch
EXCUSED:	Sandra Price

ON MOTION OF BISCHOFF

RESOLUTION NO. 189-25

Authorizing the Continuation of an Additional One Percent (1%) Sales and Compensating Use Tax in Cortland County

WHEREAS, Cortland County previously adopted Resolution No. 45-25 and Resolution No. 96-25 requesting the State Legislature to enact legislation authorizing the County to impose an additional one percent (1%) sales and compensating use tax; AND

WHEREAS, such legislation was enacted and signed into law by the Governor of the State of New York as Chapter 234 of the Laws of 2025, authorizing the County of Cortland to impose such additional tax; AND

WHEREAS, the authorization to impose this additional one percent (1%) sales and compensating use tax is set to expire on November 30, 2027, unless further extended by the State Legislature and Governor; AND

WHEREAS, it is necessary for the County of Cortland to formally authorize and continue the imposition of the additional one percent (1%) sales and compensating use tax as permitted under Chapter 234 of the Laws of 2025; NOW THEREFORE BE IT

RESOLVED, that pursuant to the authority of Section 1210 of the New York Tax Law, as amended by Chapter 234 of the Laws of 2025, and in addition to the three percent (3%) rate of sales and compensating use taxes authorized by Resolution No. 76-1968, as amended, and imposed by Resolution No. 216-67, as amended, there is hereby imposed and continued an additional one percent (1%) rate of such taxes for the period commencing December 1, 2025, and ending November 30, 2027; AND BE IT FURTHER

RESOLVED, that the provisions of Article 29 of the New York Tax Law and the amendments thereto, and all the provisions of the resolutions of the Cortland County Legislature imposing the three percent (3%) sales and compensating use tax, shall apply to the taxes imposed pursuant to this resolution with the same force and effect as if set forth herein; AND BE IT FURTHER

RESOLVED, that all revenues resulting from the imposition of such additional one percent (1%) rate of sales and compensating use taxes shall be paid into the treasury of Cortland County and shall be credited to and deposited in the general fund of the County, except as otherwise required by law; AND BE IT FURTHER

Minutes Acceptance: Minutes of Aug 28, 2025 6:00 PM (Approval of Minutes)

RESOLVED, that this resolution shall take effect December 1, 2025, and shall remain in effect through November 30, 2027, unless further extended by the State of New York; AND BE IT FURTHER

RESOLVED, that the Clerk of the Legislature shall forward a certified copy of this resolution to the New York State Department of Taxation and Finance.

AGENDA ITEM NO. 35 – Authorize Sales Tax Sharing Agreement by and Between the County of Cortland and the City of Cortland

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Cathy Bischoff, Legislator
SECONDER:	Christopher Newell, Legislator
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Van Dee, VanGorder, Waldbauer, Fitch
EXCUSED:	Sandra Price

ON MOTION OF BISCHOFF

RESOLUTION NO. 190-25

Authorize Sales Tax Sharing Agreement by and Between the County of Cortland and the City of Cortland

WHEREAS, the County currently imposes a sales tax on retail sales and other similar transactions and compensatory use taxes in Cortland County, all as authorized by Section 1202 of the Tax Law of the State of New York; AND

WHEREAS, the existing Sales Tax Agreement between Cortland County and the City of Cortland, entered into on August 9, 2018, commenced on January 1, 2019 and was set to continue through December 31, 2028, with an allowance for either party to terminate the agreement after June 1, 2023, upon providing six (6) months' notice and obtaining a two-thirds (2/3) majority vote of its governing board, as stated in the agreement; AND

WHEREAS, the City of Cortland Common Council previously adopted Resolution No. 62 on May 21, 2024, issuing notice of intent to terminate the existing sales tax agreement effective November 21, 2024, for the purpose of renegotiating a new agreement with the County of Cortland, but later rescinded that notice through Resolution No. 125 of 2024, adopted on October 15, 2024; AND

WHEREAS, the County of Cortland adopted Resolution No. 69-25 on March 27, 2025, effective March 28, 2025, authorizing the formal six-month notice of termination of the existing Sales Tax Agreement between Cortland County and the City of Cortland, as permitted under the contract, in order to facilitate meaningful negotiations with the City of Cortland regarding a new agreement; AND

WHEREAS, the County and City have engaged in meaningful negotiations and have reached an agreement; AND

WHEREAS, it is the decision of the County to continue to impose all of the sales tax as described in Articles 28 and 29 of the Tax Law of the State of New York and pursuant to the provisions of section 1210(a) of said law; AND

WHEREAS, it is the desire of the City not to exercise its right of preemption pursuant to Section 1224(b) of the Tax Law of the State of New York; NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby authorizes the Chair of the Legislature, upon review and approval by the County Attorney or designee, to execute an agreement with the City of

Minutes Acceptance: Minutes of Aug 28, 2025 6:00 PM (Approval of Minutes)

Cortland, subject to the approval of the Comptroller of the State of New York, with the following provisions:

- (1) Term: This agreement shall commence on January 1, 2026 and shall continue until December 31, 2035. On or after December 1, 2029, either party, if authorized by a two-thirds majority of its total governing board, may give notice of not less than one (1) calendar year (defined as January 1st through December 31st), of its intention to terminate the agreement; AND
- (2) Sales Tax shall be distributed as follows:

January 1, 2026 - December 31, 2026:

For County Purposes- 57.50%

For City Purposes - 18.00%

For Towns and Village Purposes - 24.50%

January 1, 2027 - December 31, 2027:

For County Purposes- 59.50%

For City Purposes - 18.00%

For Towns and Village Purposes - 22.50%

January 1, 2028 - December 31, 2028

For County Purposes- 63.50%

For City Purposes - 18.00%

For Towns and Village Purposes - 18.50%

January 1, 2029 - December 31, 2035

For County Purposes- 65.75%

For City Purposes - 18.00%

For Towns and Village Purposes - 16.25%

AGENDA ITEM NO. 36 – Authorize Second Quarter 2025 Sales Tax Distribution - Finance Department

RESULT:	ADOPTED [15 TO 1]
MOVER:	Cathy Bischoff, Legislator
SECONDER:	Linda Jones, Legislator
AYES:	Bentley, Bischoff, Cleland, Eccleston, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Van Dee, VanGorder, Waldbauer, Fitch
NAYS:	Beau Harbin
EXCUSED:	Sandra Price

Minutes Acceptance: Minutes of Aug 28, 2025 6:00 PM (Approval of Minutes)

Authorize Second Quarter 2025 Sales Tax Distribution - Finance Department

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 2025 second quarter sales tax information has been provided by the New York State Comptroller's Office showing a total collection for second quarter 2025 to be \$11,269,487.03; AND

WHEREAS, the total amount available for distribution is \$10,894,487.03, 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 (\$635,000.00) is to be withheld from the quarterly distribution; AND

WHEREAS, Cortland County receives (55%), or \$5,991,967.87 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 Director of Finance or designee to release sales tax payments for the second quarter of 2025 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	\$1,893,461.85	\$-0-	\$1,893,461.85	\$-0-
Cincinnatus, Town of	\$80,094.56	\$-0-	\$80,094.56	\$-0-
Cortlandville, Town of	\$936,028.25	\$-0-	\$936,028.25	\$-0-
Cuyler, Town of	\$78,217.10	\$(28,750.00)	\$49,467.10	\$-0-
Freetown, Town of	\$64,354.89	\$-0-	\$64,354.89	\$-0-
Harford, Town of	\$91,787.73	\$-0-	\$91,787.73	\$-0-
Homer, Town of	\$314,740.13	\$-0-	\$314,740.13	\$-0-
Homer, Village of	\$220,277.27	\$-0-	\$220,277.27	\$-0-
Lapeer, Town of	\$121,184.36	\$(121,184.36)	\$-0-	\$(102,854.47)
Marathon, Town of	\$93,443.22	\$-0-	\$93,443.22	\$-0-
Marathon, Village of	\$47,493.35	\$-0-	\$47,493.35	\$-0-
McGraw, Village of	\$41,090.53	\$-0-	\$41,090.53	\$-0-
Preble, Town of	\$176,565.80	\$-0-	\$176,565.80	\$-0-
Scott, Town of	\$100,974.87	\$-0-	\$100,974.87	\$-0-

Solon, Town of	\$94,680.41	\$-0-	\$94,680.41	\$-0-
Taylor, Town of	\$47,331.47	\$-0-	\$47,331.47	\$-0-
Truxton, Town of	\$125,417.78	\$-0-	\$125,417.78	\$-0-
Virgil, Town of	\$293,330.79	(\$25,000.00)	\$268,330.79	\$-0-
Willet, Town of	\$82,044.80	\$-0-	\$82,044.80	\$-0-
Total	\$4,902,519.16	(\$174,934.36)	\$4,727,584.80	(\$102,854.47)

; AND BE IT FURTHER

RESOLVED, that the Cortland County Finance Director 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. 283-21.

AGENDA ITEM NO. 37 – Authorize Extension of Tax Agreement with the City of Cortland through December 31, 2025

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Cathy Bischoff, Legislator
SECONDER:	Jason Prentice, Legislator
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Van Dee, VanGorder, Waldbauer, Fitch
EXCUSED:	Sandra Price

ON MOTION OF BISCHOFF

RESOLUTION NO. 192-25

Authorize Extension of Tax Agreement with the City of Cortland through December 31, 2025

WHEREAS, the County of Cortland and the City of Cortland are parties to a Sales Tax Agreement that governs the distribution of sales tax revenues; AND

WHEREAS, the current Sales Tax Agreement is set to terminate on September 27, 2025, pursuant to Cortland County Resolution No. 69-25; AND

WHEREAS, the County and the City have negotiated a new Sales Tax Agreement to take effect January 1, 2026; AND

WHEREAS, the County and the City wish to extend by mutual agreement the current Sales Tax Agreement to maintain the same terms and conditions as the current agreement from September 28, 2025 through December 31, 2025, to ensure continuity until the new agreement becomes effective; NOW THEREFORE BE IT

RESOLVED, that the Chair of the Cortland County Legislature, upon review and approval of the County Attorney, is hereby authorized to execute an extension of the Sales Tax Agreement with the City of Cortland for the time period from September 28, 2025 through December 31, 2025, under the same terms and conditions as the current agreement in effect; AND BE IT FURTHER

RESOLVED, that this resolution shall take effect immediately.

Minutes Acceptance: Minutes of Aug 28, 2025 6:00 PM (Approval of Minutes)

Resolutions following Suspension of the Rules

Mr. Harbin MADE A MOTION TO SUSPEND THE RULES OF ORDER to entertain a resolution to appoint members to the Cayuga/Cortland Workforce Development Board, Mr. Nauseef SECONDED THE MOTION, and upon unanimous voice vote of members present; MOTION CARRIED.

AGENDA ITEM NO. 38 – Appoint Members - Cayuga/Cortland Workforce Development Board

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kevin Fitch, Chair of the Legislature
SECONDER:	Beau Harbin, Minority Leader
AYES:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Jones, Mantella, McGovern, Nauseef, Newell, Prentice, Van Dee, VanGorder, Waldbauer, Fitch
EXCUSED:	Sandra Price

ON MOTION OF FITCH

RESOLUTION NO. 193-25

Appoint Members - Cayuga/Cortland Workforce Development Board

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 are appointed effective immediately to serve on the Cayuga/Cortland Workforce Development Board for a three year term and from the sector as listed below:

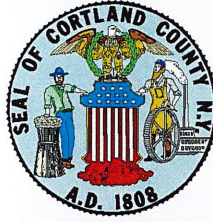
Name	Address	Sector	Term Ending
Marie Wiess	6920 Princeton Ct. Syracuse NY	Carpenters Union Local 277	6/30/2028
Michele Gravel	29 Central Ave. Cortland, NY	ACCES/VR	6/30/2028

Announcements

Adjournment

The meeting was closed at 7:35 PM

Cortland County Proclamation



Proclaiming September 2025 as Suicide Prevention Month in Cortland County

WHEREAS, Suicide is a complex public health issue with many risk and protective factors, and when it occurs, surviving families and friends often face grief, mental health challenges, and increased suicide risk; AND

WHEREAS, in the United States, suicide was eleventh leading cause of death throughout all age groups in 2020; AND

WHEREAS, 94% of adults surveyed in the United States think suicide can be prevented; AND

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

WHEREAS, most Americans would reach out if experiencing suicidal thoughts, turning to sources such as a mental health provider, family, friends, clergy, a doctor, a hotline like 988, social media, or coworkers; making suicide prevention vital for all; AND

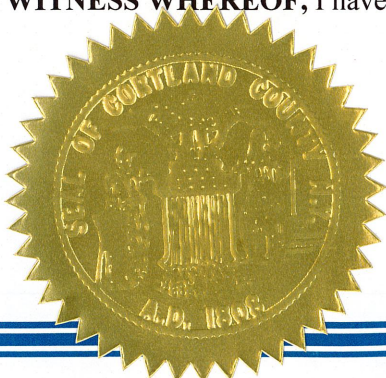
WHEREAS, in Cortland County the SPEAK UP Cortland Suicide Prevention Coalition is promoting Suicide Prevention Education programs throughout the month and “Chalk the Walk”, which is a community effort to use chalk on the sidewalks by writing and drawing inspirational messages of hope and promoting suicide awareness and prevention; AND

WHEREAS, local community members and businesses are supporting the effort by spreading awareness and participating alongside the coalition; AND

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

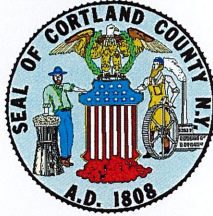
RESOLVED, that the Cortland County Legislature hereby proclaims the month of September as “Suicide Prevention Month” in Cortland County and urges all county residents to learn how they can help prevent suicides.

IN WITNESS WHEREOF, I have hereunto set my hand this 25th day of September, 2025.



Kevin Fitch, Chair
Cortland County Legislature

Cortland County Proclamation



HONORING FRANCIS RITER LEGIONNAIRE OF THE YEAR 2025

WHEREAS, the Cortland County Legislature proudly recognizes the outstanding achievements and service of individuals who dedicate themselves to the betterment of their communities and the advancement of veteran affairs; AND

WHEREAS, Francis Riter, a distinguished member of American Legion Post 465 in Homer, New York, has exemplified the highest ideals of service, leadership, and patriotism through his ongoing commitment to veterans, their families, and the greater community; AND

WHEREAS, in recognition of his exceptional dedication, Francis Riter was presented with the prestigious Legionnaire of the Year 2025 award by the American Legion Department of New York during their annual convention held in Syracuse, New York, on July 17, 2025; AND

WHEREAS, this honor reflects not only Mr. Riter's individual achievements but also the strength, integrity, and values of American Legion Post 465 and its vital role in supporting veterans and fostering civic responsibility in our region; AND

WHEREAS, the Cortland County Legislature extends its sincere gratitude and admiration to Francis Riter for his unwavering service and exemplary representation of Cortland County and the American Legion; NOW THEREFORE BE IT

PROCLAIMED, that the Cortland County Legislature does hereby congratulate Francis Riter on being named Legionnaire of the Year 2025, and thanks him for his enduring contributions to the veterans and communities of Cortland County and the State of New York.

IN WITNESS WHEREOF, I have hereunto set my hand this 25th day of September, 2025.




Kevin Fitch, Chair
Cortland County Legislature

Date: September 25, 2025

Re: Proclamation Honoring Francis Riter

From: County Legislator Reed Cleland (LD10)

Good evening,

Some of you in this room may have personal memories of General Douglas MacArthur, one of our country's top commanders in the mid-twentieth century. General MacArthur once said that "No man is entitled to the blessings of freedom unless he be vigilant in its preservation."

If you want a living example of someone whose life so clearly embodies General MacArthur's words, I would offer you the man who stands before us this evening. This past July, following a nomination from his brothers and dear friends at Post 465, Homer and Cortland County's own Francis Riter became the 2025 recipient of the American Legion Department of New York Legionnaire of the Year Award. To be clear, this is the highest statewide recognition that a New York Legionnaire can receive. It is bestowed on an individual who, following from consideration their fellow Post and District members, has given selflessly in living out the values of freedom and service to others. When I heard of Fran's accomplishment shortly after it was bestowed, I believed very strongly that, as our county's highest elected body, we should dedicate a moment to further lift up this local hero for all that he has given to our community and to all of our warriors in uniform and their families. I want to thank Chairman Fitch, my colleagues, and the Clerk's Office for providing us with that space tonight.

Fran - when I reviewed your record of accomplishments, deeds, and undertakings, I was more and more humbled. In perfect truth, I can hardly do you adequate justice tonight by perfectly encapsulating to everyone here all that is in your record of service - a record that spans over 60 years. You first enlisted in the United States Naval Reserve on April 14, 1964, only three days after turning seventeen years old. You completed your boot camp assignment at NT Great Lakes before graduating high school and then trained at Naval Schools Construction in California for Construction Mechanic "A" School, where you graduated number one in your class. You served our nation in DaNang, Vietnam, in the first Seabee contingent there, and then served out the rest of your time at Amphibious Construction Battalion 1 at Coronado, California. You have been decorated with the Republic of Vietnam Meritorious Unit Citation, Navy Unit Commendation with Bronze Stars, Vietnam Campaign Medal, Vietnam Service Medal with 2 Bronze Stars, and the National Defense Service Medal.

Ever since your discharge, you have not only remained an active member of your Post - you have gone above and beyond in the eyes of your fellow members and their families. You have served in several Post offices and committees, including Commander from 2004 to 2011, and you currently serve as the Finance Officer. You have dedicated hundreds of hours of service with guiding improvements to the Post building, not just to make it look nice, but to make sure that all Legionnaires would receive the best possible experience. You have served for 51 years with the Homer Fire Department and assumed leadership as Lieutenant, Captain, President of the Board of Directors, training officer, and Bylaws Committee Chairman. You have ensured that our

village continues to mount dozens of American flags every year on Main Street, and you have led efforts to place flags at the headstones of the fallen.

I could keep going. Truly, it is a record which inspires myself (and, I would think, many others) to reflect on our own ways that we serve our community - how we give of our time to make it a more inclusive place for everybody and how we remember those who have given everything so that we can live in a free society. And here, I would also like to recognize Post 465 Commander, Paul Powers, and your fellow Legionnaires who are here tonight and who have pointed to your life as a model for others to follow. We are who we are in no small part because of our dearest friends and family, and it is an honor for us at Cortland County to join them tonight in their pride for you.

Fran, it is a privilege for me to stand here and, on behalf of District 10 and the County Legislature, express the profoundest gratitude to you for your service to all of our residents - whether in plain sight or not - and for setting a high bar that all of us admire. Our community is a better one because it has you in it. Semper fortis. Congratulations.



Office of the President

Fall 2025 Progress Update

- The 2025-26 Academic Year began on Monday, August 25, 2025. Core enrollment (non-high school/concurrent enrollment) for the fall 2025 semester is currently up by 11% in full-time equivalent (FTE) students and 10.3% in headcount. This is the highest enrollment increase in more than a decade.
- Of the incoming (new) students for fall 2025, the majority (52%) are from Cortland and Tompkins Counties. The second largest group is the “donut” (contiguous) counties accounting for 25% of students in the incoming class.
- TC3 has re-engineered its new student onboarding and enrollment process to fully integrate technology, prioritize staff time and track data to provide just-in-time, personalized checklists and information to students, easing the enrollment and financial aid processes.
- The SUNY Reconnect program, which provides free community college tuition for a first degree for adults ages 25-55 enrolled in one of 12 high-demand, high-needs programs at TC3, has resulted in more than 400 applications and 200 adult students enrolled this fall.
- The College is actively rightsizing its physical footprint to be commensurate with institutional needs by divesting assets held by the TC3 Foundation. This includes the listing in August 2025 of three residence halls with commercial real estate broker CBRE, the closure of Coltivare restaurant in Ithaca in January 2025 and the pending sale of the Cortland Extension Center to SUNY Cortland (expected to be complete by 12/31/25).
- TC3’s successor 2025-28 Strategic Plan: *Sustaining a Vibrant Community*, was approved by the College Board of Trustees in June 2025. The three-year Strategic Plan was developed over a year-long process that included students, staff, employers, school districts and the broader community.
- The College commissioned its first Facilities Master Plan in more than a decade this year. The plan, which will be considered by the College Board of Trustees in October, prioritizes spaces for teaching and learning, including the necessary infrastructure and technology for new and growing programs to meet employer needs and drive the local workforce.
- TC3’s Academic Primary Plan prioritizes the development of new programs that meet local workforce needs. A new Health Sciences AS transfer degree was developed this year in partnership with SUNY Upstate Medical University and SUNY Cortland (currently pending SUNY and NYS Education Department review and approval).
- TC3 was accepted this year into Achieving the Dream (ATD), a national network of 300+ community colleges focused on transformative practices that advance student success, close opportunity gaps and embed best practices that result in strong outcomes for students in jobs and transfer.
- The College is preparing for its Middle States Commission accreditation visit in fall 2026. This process, which encompasses a 3-year preparation period, occurs every seven years.

NY Counties Occupancy Tax Law: Economic Development and Tourism Language

X Denotes counties with in-house tourism function or unit

County	NY Law	Notes
Broome	Three-Fifths of revenues resulting from the imposition of the tax under this article is to be paid into the treasury of the county and is credited to and deposited in the general fund of the county and is thereafter to be allocated at the discretion of the Broome County Legislature for any county purpose in order to increase conventions, trade shows and tourist business. Two-Fifths of revenues resulting from the imposition of said tax is to be deposited in a special account known as the county economic development initiative fund and is to be marked separate and apart from any other funds and accounts of the county. The Broome County Legislature shall designate the specific purpose for which these funds may be used.	X Overseen by the County's Planning Department and use in part an RFP process. Distributed through a dedicated "Hotel/Motel" fund. 3% portion of tax goes to contract agencies to promote tourism and tourist activities. 2% portion of tax is directed towards economic development and marketing such as the small community fund which provides grants for community improvement projects.
Cattaraugus	All revenues resulting from the imposition of tax under the local laws shall be paid into the treasury of Cattaraugus County and shall be credited to and deposited into the general fund of the county, thereafter to be allocated at the discretion of the county legislature of the county of Cattaraugus for the purposes of tourism and economic development	X Administered by the County's Economic Development, Planning and Tourism Office. Provides funding to several Chambers of Commerce, a competitive grant program for business associations, non-profit organizations, events, festivals. Department of Economic Development, Planning and Tourism (EDPT) also directly receives funding to support county economic development initiatives as well as county's tourism website, EnchantedMountains.com,
Chenango	All revenues resulting from the imposition of the tax under the local laws shall be paid into the treasury of the county of Chenango and shall be credited to and deposited in the general fund of the county, thereafter to be allocated for the promotion of tourism development, economic development, and other directly related and supporting activities.	Board of Supervisor directed, tourism promotion monies primarily channeled through Chamber of Commerce
Franklin	All revenues resulting from the imposition of the tax under the local laws shall be paid into the treasury of the county of Franklin and shall be credited to and deposited in the general fund of the county, thereafter to be allocated for the promotion of tourism development, economic development, and other directly related and supporting activities;	X In county government, Economic Development and Tourism. County uses tax mostly for tourism promotion, visitor experience enhancement, and developing tourism amenities, with funds allocated according to a strategic marketing plan approved by the County Legislature. A Tourism Advisory Committee develops this plan, and the funds are distributed to the County's Tourism Promotion Agent for implementation.
Fulton	All revenues resulting from the imposition of the tax under this local law shall be paid into the Treasury of the County of Fulton and shall be credited to and deposited in the general fund of the County, thereafter to be allocated only for tourism development, economic development and other directly related and supporting activities, however, that a portion of such revenue may be specifically allocated to the expense of the County in administering such tax.	X In-county government Planning Department's Tourism Coordinator oversees and coordinates disposition of funds designated for tourism promotion with outside agency.
Nassau	Seventy-five percent thereof shall be distributed as appropriated by the legislative body under the following formula: (i) twenty-five percent of such seventy-five percent of revenues shall be paid into the treasury of the county of Nassau and shall be dedicated to the fulfillment of the general obligations of such county and (ii) seventy-five percent of such seventy-five percent of revenues shall be utilized by the county of Nassau, acting through its county department of parks, recreation and museums, to improve and advance the marketability of cultural and historic attractions located throughout the county of Nassau.	X in-county government distributed over several functions. In addition to law description, 25 % is allocated to tourism promotion, preservation and maintenance of cultural sites and cultural programs

Oneida Revenues resulting from the imposition of tax authorized by this section shall be paid into the treasury of the county of Oneida and shall be credited to and deposited in the Oneida County trust and agency fund; the net collections therefrom shall thereafter be allocated by the county legislature of Oneida and shall be used for the promotion of tourism development, economic development, and other directly related and supporting activities by a not-for-profit and/or public benefit corporation under contract with the county.

Otsego All revenues resulting from the imposition of the tax under the local laws shall be paid into the treasury of Otsego county and shall be credited to and deposited in the general fund of the county; the net collections therefrom shall thereafter be allocated by the board of representatives of Otsego county in an amount not to exceed two hundred thousand dollars for the promotion, planning and development of tourism in Otsego County and the remaining net collections therefrom may be allocated by the board of representatives of Otsego county for any county purpose.

Saratoga Revenues resulting from the imposition of tax authorized by this section shall be paid into the treasury of the county of Saratoga and shall be credited to and deposited in the general fund of the county; the net collections therefrom shall thereafter be allocated by the board of supervisors of Saratoga County fifty percent for the promotion of tourism and conventions and fifty percent to the Saratoga County Prosperity Partnership, Inc. for the promotion of tourism and other economic development-related purposes

Schoharie All revenues resulting from the imposition of the tax under the local laws shall be paid into the treasury of Schoharie county and shall be credited to and deposited in the general fund of the county; provided, however, that such local laws shall provide that: (a) the county shall be authorized to dedicate a portion of such revenue to promote tourism and other forms of business in the county;

Seneca All revenues resulting from the imposition of the tax under the local laws shall be paid into the treasury of Seneca county and shall be credited to and deposited in the general fund of the county and shall be made available thereafter for the promotion of tourism and tourist attractions in Seneca county and any other directly related or supporting activities as related to tourism including, but not limited to, programs to improve public infrastructures; to develop, operate and maintain public parks and recreational facilities; to maintain and enhance the water resources of Seneca county, including lakes and tributary streams; and for environmental conservation

Suffolk Six million dollars per fiscal year, shall be delivered to a not-for-profit tourism promotion agency that has experience with tourism promotion in the Long Island region...two hundred fifty thousand dollars per fiscal year shall be utilized ...for the promotion of the county of Suffolk as a film friendly location through the county department of economic development and planning; three million two hundred fifty thousand dollars per fiscal year shall be deposited into the general fund of the county of Suffolk to be utilized for general park purposes;

X Contract out with a not-for-profit or public benefit corporation, under contract with the county, carries out the actual promotion and development activities. In addition, a portion of occupancy tax monies used separately for economic development with a focus on the Nexus Center.

A portion of the revenue, up to a \$200,000 annual cap, is specifically earmarked for tourism promotion, planning, and development. The county contracts with the DMC, a non-profit organization, to act as its Tourism Promotion Agency. The DMC receives funding from the occupancy tax to promote tourism in the region, including marketing efforts, cooperative investments, and leveraging state grants. The remaining net collections from the tax can be allocated for any general county purpose. This may include covering the increased costs of infrastructure repair and maintenance that come with heavy tourism.

General capital campaign to expand and renovate the City Center and surplus used for the operational running of City Center. Occupancy tax tourist promotion monies contracted out to various non-for-profits, primarily with Saratoga Convention & Tourism Bureau.

X In-county government Economic Development Coordinator (which oversees tourism)Contract out advertising campaigns to attract visitors to the county and its attractions, funding local festivals, fairs, and other events.
Enhancements to roads, parks, and other public facilities that appeal to tourists.
Economic development: Initiatives that assist local businesses that cater to tourists.

County uses occupancy tax to support tourism promotion and development, including conventions, trade shows, special events, and related activities which include infrastructure, parks, and recreational facilities, and environmental conservation to further boost the local economy. Contracts with Chamber of Commerce for tourism promotion portion.

X Overseen by the Economic Development and Planning Department. In addition to tourism promotion dollars portion of revenue is deposited into a special fund called the "Suffolk County Infrastructure Fund," representing the economic development portion of their law. The law is quite extensive. Contract out tourism portion to a not-for-profit organization

Yates

All revenues resulting from the imposition of the tax under this local aw shall be paid into the treasury of Yates County and shall be credited to, and deposited in, the General Fund of the County... shall be equally divided for the purpose of i) promoting tourism in the County (Yates County Tourism) and ii) the enhancement of the general economy in the County, its towns and villages (Yates County General Fund).

- X Overseen by Planning and Development Department; Tourism Advisory Committee (TAC): Half of the revenue is managed by the TAC, which awards grants to local businesses and organizations. These grants fund projects that enhance visitor experiences, promote tourism, and increase visitation to the county. A portion of the revenue is allocated to a natural resources grant. This supports improvements to parks, trails, playgrounds, and other outdoor activities to enhance the experience for both tourists and residents. The remaining funds are used to enhance the general economy of the county, its towns, and its villages.

NY Counties Occupancy Tax Law - General fund language or no language

X Denotes counties with an in-house tourism function or unit

County	NY Law	Notes
Allegany	All revenues resulting from the imposition of the tax under the local laws shall be paid into the treasury of Allegany county and shall be credited to and deposited in the general fund of the county; The revenue derived from the tax, after deducting the amount provided for administering such tax, as so authorized by local law, shall be allocated to enhance the general economy of Allegany County, its cities, towns, and villages.	X Located in county government in Economic and Community Development. Director of Tourism. The funds are allocated to support cultural and recreational facilities, maintain infrastructure, and improve services.
Columbia	All revenues resulting from the imposition of the tax under the local laws shall be paid into the treasury of the county of Columbia and shall be credited to and deposited in the general fund of the county thereafter to be used for any lawful purpose.	X Located in county government; in-house tourism department Budget about \$366,000
Delaware	All revenues from the imposition of the tax under the local laws shall be paid into the treasury of the county of Delaware and shall be credited to and deposited in the general fund of the county.	X In 2022 county brought in-house to Department of Economic Development. Roughly 50% for promotion and 50% for initiatives to grow industries. Provided funds previously through contract with the Chamber.
Lewis	All revenues resulting from the imposition of the tax under the local laws shall be paid into the treasury of the county of Lewis and shall be credited to and deposited into the general fund of the county.	Used a portion of \$150000 in occupancy tax for a match with I Love NY with Chamber of Commerce and uses a portion for infrastructure activities like trail maintenance
Onondaga	All revenues resulting from the imposition of the tax under this local law shall be paid into the treasury of the county and shall be credited to and deposited in the general fund of the county;	Contracts with the Visit Syracuse to assist in the promotion of the County. It is housed within the Centerstate Corporation for Economic Opportunity (CEO). County uses funds to leverage related development such as convention sites, attractions such as proposed Aquarium, capacity building such as hotels/motels
Orange	All revenue resulting from the imposition of the tax under this local law shall be paid into the Treasury of Orange County and shall be credited to and deposited in the general fund of the County.	X In county government Tourism and Film Office
Orleans	All revenues resulting from the imposition of the tax under the local law shall be paid into the treasury of Orleans County and shall be credited to and deposited in the general fund of the county.	X In-county government. Tourism Director and part-time sportfishing coordinator
Rensselaer	All revenues resulting from the imposition of the tax under the local laws shall be paid into the treasury of Rensselaer County and shall be credited to and deposited in the general fund of such county and shall be available thereafter for any county purpose.	X In-county government Tourism Office

Attachment: NY Counties Occupancy Tax Law - General Fund Language or no language (13277 :

Rockland	Revenues resulting from the imposition of tax authorized by this section shall be paid into the treasury of the county of Rockland and shall be credited to and deposited in the general fund of the county; and may thereafter be allocated at the discretion of the board of legislators of the county of Rockland for any county purpose.	X in-county government Economic Development & Tourism office. The occupancy tax provides a direct funding stream for the county's tourism promotion agency; can be used to support local businesses, cultural attractions, and special events; can be used to maintain and improve the public infrastructure, such as roads and parks; can be used to fund important county services and reduce the burden on property taxpayers
St. Lawrence	Revenues resulting from the imposition of tax authorized by this section shall be paid into the treasury of the county of St. Lawrence and shall be credited to and deposited in the general fund of the county; and may thereafter be allocated at the discretion of the board of legislators of the county of St. Lawrence for any county purpose.	Contracts with Chamber of Commerce promotion; spends a portion on infrastructure projects
Ulster	All revenues resulting from the imposition of the tax under this article shall be paid into the treasury of the County and shall be credited to and deposited in the general fund of the County, and thereafter such amount as may be hereafter required to defer necessary expenses of the County in administering such tax shall be applied annually for such purpose	X In-county government Tourism Department, Director of Tourism, Integrated workforce development, economic development and tourism approach
Westchester	Revenues resulting from the imposition of tax authorized by this section shall be paid into the treasury of the county of Westchester and shall be credited to and deposited into the general fund of the county; and may thereafter be allocated at the discretion of the board of legislators of the county of Westchester for any county purpose.	X In-county government Tourism & Film Office
Wyoming	All revenues resulting from the imposition of the tax under the local laws shall be paid into the treasury of Wyoming County and shall be credited to and deposited in the general fund of the county; The revenue derived from the tax, after deducting the amount provided for administering such tax, as so authorized by local law, shall be allocated to enhance the general economy of Wyoming County, its cities, towns, and villages	Contract with the Wyoming County Chamber of Commerce for tourism promotion
No Occupancy Tax		
Herkimer		Tourism principally conducted by Chamber of Commerce and other tourist attractions in the county
Greene		X In-county government Economic Development , Director of Tourism. Budget \$1.6 million doesn't include revenue matches for I Love NY
Putnam		In-county government Director of Tourism. Budget \$270,000 plus I Love NY Match; one town
Hamilton		X imposed tax goes to general fund Contract with the Regional Office of Sustainable Tourism

Attachment: NY Counties Occupancy Tax Law - General Fund Language or no language (13277 :

NY County Impact of Tourism Report for FY 24*

NY County Impact of Tourism Report for FY 24*

Tax Language: General Fund & Economic
Development and Tourism Counties

27 Counties

County	Annual Financial Impact for FY 24	Growth over FY 23
Allegany	\$84.8 million	2.30%
Columbia	\$253.3 million	0.30%
Delaware	\$155 million	5.40%
Dutchess	\$811 million	7.30%
Lewis	\$64.9 million	3.60%
Onondaga*	\$1.29 billion	3.00%
Orange	\$1.32 billion	3.90%
Orleans	\$43.3 million	3.20%
Rensselaer	\$188 million	6.00%
Rockland	\$596 million	7.20%
St. Lawrence	\$186.60 million	9.90%
Ulster	\$1.12 billion	8.80%
Westchester	\$2.37 billion	7.80%
Wyoming	\$68.7 million	-3.60%
Broome	\$428.1 million	5.20%
Cattaraugus	\$431.3 million	9.30%
Chenango	\$48.4 million	8.90%
Franklin	\$222 million	0.00%
Fulton	\$83.8 million	4.50%
Nassau	\$3.2 billion	-0.40%
Oneida	\$2 billion	6.40%
Otsego	\$421.2 million	8.40%
Saratoga	\$902 million	3.00%
Schoharie	\$105.7 million	0.20%
Seneca	\$186 million	7.90%
Suffolk	\$4.6 billion	7.00%
Yates	\$102 million	-1.20%
Total Percent		124.30%

Average Percent
Growth for FY 24

4.60%

No Countywide Occupancy Tax

Herkimer	\$155.2 million	2.30%
Greene	\$318 million	4.40%
Putnam County	\$88.3 million	3.10%
Hamilton County	\$108.9 million	-1.08%

Tax Language: Tourism and Other Related Activities &
Activities limited to Tourism Counties

26 Counties

County	Annual Financial Impact for FY 24	Growth over FY 23
Albany	\$1.04 billion	-2.02%
Chautauqua	\$312.7 million	-0.40%
Chemung	\$116.6 million	3.10%
Cortland	\$104.8 million	0.60%
Genesee	\$144.5 million	3.00%
Monroe	\$1.45 billion	-2.20%
Montgomery	\$82.4 million	4.90%
Oswego	\$235 million	3.00%
Schuyler	\$80.6 million	5.30%
Steuben	\$208.4 million	10.60%
Tioga	\$42.8 million	0.70%
Tompkins**	\$320.2 million	6.40%
Wayne	\$44.7 million	-0.40%
Cayuga	\$168.6 million	7.60%
Clinton	\$205 million	6.50%
Erie	\$2.65 billion	7.20%
Essex	\$963.5 million	5.90%
Jefferson	\$348.3 million	5.30%
Livingston	\$81.1 million	4.90%
Madison	\$146.4 million	6.30%
Niagara	\$1.16 billion	6.40%
Ontario	\$377.7 million	3.70%
Schenectady	\$582.5 million	5.70%
Sullivan	\$1.03 billion	6.40%
Warren	\$928.2 million	4.50%
Washington	\$44.4 million	12.80%
Average Percent		115.78%

Average Percent
Growth for FY 24

4.45%

57 NY counties represented out of a total 57 non-NYC counties.

* Source: 2024 Economic Impact of Visitors to New York : Statewide Report; Tourism Economics, An Oxford Economic Company

** 60% on Marketing and Advertising and 40% on Product Development

Attachment: NY County Impact of Tourism Report - FY 24 (13277 : Requesting Special Legislation to Amend NYS Tax Law, to Expanding the



CORTLAND COUNTY LEGISLATURE RULES OF ORDER
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ARTICLE I
DEFINITIONS

1. **Agenda** – is a summary of the order of business expected to come before a particular meeting of the Legislature. All bid openings, communications, petitions, notices, committee reports, annual reports, audits, resolutions, proclamations, recognitions, as well as any other business to appropriately come before the Legislature shall be listed.
2. **Amendment** – is a proposal to change the wording of a motion or a resolution. Upon request of any legislator in attendance, an amendment may be submitted in writing and distributed to all members when possible.
3. **Amend Something Previously Adopted** – is a motion to change the Legislature’s action on a portion of a resolution that has been adopted. This motion is in order as long as the portion to be amended is not something that has already been done that cannot be undone. A motion to amend something previously adopted requires a two-thirds vote without notice, or a majority vote of the entire membership with notice.
4. **Article** – is any resolution, petition, communication, notice, or report.
5. **Article postponed indefinitely** – is any article which is terminated for the particular Legislative session at which it is postponed indefinitely.
6. **Article postponed to time certain** – is any article postponed to a specific time (time c e r t a i n) to be taken up on a specific day.
7. **Chair** – is the Chair of the Cortland County Legislature, elected in accordance with Article II, Section 2-B of these Rules, Local Law No. 2 of 1972, and County Law §151.
8. **Citizen’s Advisory Committee** – the County Legislature, by resolution, may appoint a committee of citizens of the County to act in an advisory capacity to any committee, department or office on any subject relating to the County government, pursuant to provisions in County Law §154. Term of said Committee shall not exceed the term of the appointing Legislature.
9. **Claim** – is any claim, bill, or account submitted to the Legislature pursuant to County Law (see County Law, § 369).
10. **Clerk** – is the Clerk of the Cortland County Legislature appointed in accordance with Article II of these Rules, Local Law No. 2 of 1972, and County Law §400-4(a) and County Law §475 or any amendments.
11. **Committee of the Whole** – is a committee composed of all of the members of the Legislature, but acts under the rules of other Standing Committees. The legislature cannot formally vote in Committee of the Whole. Committee of the Whole is NOT an executive session, and a Chair Pro



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Tem must be appointed after entering into Committee of the Whole

12. **Communication** – is any written instrument advising the Legislature of facts, situations, or problems (past, present, or future) having to do with the operation of Cortland County Government or the Legislature's powers under County Law. For informational purposes, official communications may be distributed to and received and filed by the Legislature.
13. **Conflict of Interest** – no municipal officer or employee shall have an interest, as defined in these rules, direct or indirect, in any contract with the County of Cortland, or engage in any other activity prohibited by the Cortland County Code of Ethics (Local Law No. 2 of 2008), when such officer or employee, individually or as a member of a board, has the power or duty to:
 - A. Negotiate, prepare, authorize or approve a contract or authorize or approve payment thereunder;
 - B. Audit bills or claims under the contract; or
 - C. Appoint an officer or employee who has any of the powers or duties set forth above.
14. **Day** – a period from a certain day within which, or after, or before which, an act is authorized or required to be done, meaning the number of calendar days exclusive of the calendar day from which the reckoning is made. If such period is a period of two days, Saturday, Sunday, or a public holiday must be excluded from the reckoning if it is an intervening day between the day from which the reckoning is made and the last day of the period. In computing any specified period of time from a specified event, the day upon which the event happens is deemed the day from which the reckoning is made. The day from which any specified period of time is reckoned shall be excluded in making the reckoning (see General Construction Law §20).
15. **Department Head** – is the County employee or employees elected, or appointed by the Legislature, chiefly responsible for the operation of any County Department.
16. **Ex-officio** – a member of the committee or board by virtue of an office held. Ex-officio members of committees have the same rights and privileges as all other members of the committee or board, including the right to vote. If an ex-officio member is NOT under the authority of the organization (Legislature), he/she has all rights and privileges, but not the obligations of a regular member, and does not count toward a quorum. An ex-officio member who IS under the authority of the Legislature (Chair) IS counted in the quorum, but does not add to the total number of members of any committee/board.
17. **Excused Absence** – Prior notification of an absence to a Committee Chair, Clerk or Chair of the Legislature.
18. **Executive Session** – that portion of a meeting not open to the public. **Proceedings in Executive Session shall be confidential** unless the Legislature votes otherwise, or is required to be made public in accordance with NYS Public Officer's Law. The Legislature may conduct an executive session upon a majority vote of the Legislature taken in an open meeting, after a motion to enter



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into executive session, for one of the purposes enumerated in Public Officer's Law §105 (1) (a) through (h) as follows:

- A. matters which will imperil the public safety if disclosed;
- B. any matter which may disclose the identity of a law enforcement agent or informer;
- C. information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
- D. discussions regarding proposed, pending or current litigation;
- E. collective negotiations pursuant to article fourteen of the civil service law;
- F. the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;
- G. the preparation, grading or administration of examinations; and
- H. the proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof.

19. **Interest** – a direct or indirect pecuniary or material benefit accruing to a County officer, employee or appointed official, spouse or child, whether the result of a contract with the County or otherwise. For the purpose of this chapter, a County officer, employee or appointed official shall be deemed to have an interest in the contract if (i) a spouse and/or children, except a contract of employment with the County; (ii) a firm, partnership or association of which such officer, employee or appointed official or spouse or child is a member or employee; (iii) a corporation of which such officer, employee or appointed official, or child is an officer or director; and (iv) the outstanding capital stock of a corporation which is owned by, or controlled directly or indirectly by an officer, employee or appointed official, or his/her spouse or child.
20. **Journal** – is the copy of the record of proceedings, with an index, of the Cortland County Legislature for a calendar year in printed bound volume, or recorded by electronic means in a single volume, or both, certified by the Clerk of the Legislature as a true copy. The Clerk of the Legislature shall ensure that a printed copy is published annually pursuant to County Law (see County Law, § 211), and will make copies available upon request to current legislators.
21. **Legislature** – is the Cortland County Legislature, the elected county governing body, by whatsoever name designated. Whenever the term "County Board," "Board of Supervisors," "County Governing Board," "Elective governing body of the county" is referred to in any law, contract, or document pertaining to any of the functions, powers, obligations, and duties of such governing body, it shall be deemed to mean and refer to the County Legislature (see County Law §150-a).



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22. **Majority Leader** – The members of the Legislature belonging to the recognized political party having the greatest number of total votes on said Legislature shall elect from its members a Majority Leader. In the event of a tie for the greatest numbers of members in the recognized political parties, the majority leader will be selected from the party with the greatest number of total weighted votes. The name of the Majority Leader shall be submitted to the Clerk of the Legislature in writing on the prescribed form signed by a majority of members of the respective party within five (5) calendar days of the biennial organizational meeting.
23. **Majority Vote of County Legislature** – the majority number of weighted votes of the total membership of the Legislature.
24. **Meeting** – the official convening of a legislative body for the purpose of conducting public business. This includes any meeting of a committee and any special, organizational, or other meeting.
25. **Member** – is either a duly elected member of the Cortland County Legislature or a member appointed by authority of Local Law No. 2, Article II, § 204, VACANCIES, for year 1972.
26. **Minority Leader** – The members of the Legislature belonging to the recognized political party having the second greatest number of total votes on said Legislature shall elect from its members a Minority Leader. In the event of a tie for the second greatest numbers of members in the recognized political parties, the minority leader will be selected from the party with the greatest number of total weighted votes. The name of the Minority Leader shall be submitted to the Clerk of the Legislature in writing on the prescribed form signed by a majority of members of the respective party within five (5) calendar days of the biennial organizational meeting.
27. **Minority Report** – is the written report of a minority party or a minority of any standing or special or committee.
28. **Motion** – is a formal proposal for action by a member in a meeting.
29. **Motion to Discharge** – is a motion relieving a Standing or Special committee of its responsibility to consider a matter referred to it and placing the matter on the agenda of the following meeting of the Legislature.
30. **Motion to Reconsider** – is a motion, subject to time limits, to bring again before the Legislature a motion which has been adopted, defeated, or postponed indefinitely, as long as something has not already been done which cannot be undone. This motion may only be made by a member who voted on the prevailing side. Requires a majority vote of the Legislature.
31. **Motion to Rescind** – is a motion to revoke the Legislature's action on a motion which has been adopted, as long as something has not already been done which cannot be undone. Requires a two-thirds vote of the Legislature.
32. **Motion to Suspend the Rules** – is a motion suspending the Rules of Order which requires a two-thirds vote and may be made by any member of the Legislature.
33. **Notice to Incoming Members** – the notice referenced in Article II, Section B. 1 of these Rules shall be in writing and shall be served by United States mail addressed to each incoming member at his/her



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last known postal address at least 48 hours before the date and time of the meeting (see County Law, §151(1).)

34. **Petition** – is a written request for action by the Legislature on a matter having to do with the operation of Cortland County Government or the Legislature's power under County Law.
35. **Previous Question** – is a motion to immediately end debate and amendment and take a vote on the question(s) before the Legislature. It requires a second, and a two-thirds vote, which is taken separately from and before the vote on the motion(s) to which it is applied.
36. **Privilege of the Floor** – is an opportunity granted to a person who is not a member of the Legislature to address an issue that is on the current Legislative agenda (see Article III Section 1.A.vi for detail).
37. **Quorum** – is a majority of the total number of members of the Legislature, should no vacancy exist (see County Law §153(2) and General Construction Law §41).
38. **Recessed Meeting** – is a meeting called to complete unfinished business, or a meeting called because of failure to obtain a quorum at a meeting.
39. **Receive and File** – is a motion to receive a communication and have it placed on file with the Clerk of the Legislature.
40. **Refer (motion to)** – is a motion to refer a matter to a Standing or Special Committee as the Legislature deems appropriate.
41. **Regular Meeting** – is a meeting called for the purpose of transacting any and all business which the Legislature is authorized or permitted by law to transact.
42. **Resolution** – is a written instrument for consideration by the Legislature as recommended by a committee or the Chair in carrying out its power and duties pursuant to Statute or expressing the sense of the Legislature on a matter having to do with the operation of Cortland County Government.
43. **Resolutions of a Permanent Nature** – require a two-thirds vote of the total weighted vote and shall include those:
 - A. authorizing the purchase of property (See County Law, § 215);
 - B. authorizing the issuance of bonds (See General Municipal Law, § 99-g);
 - C. conveying property previously owned by the County, except property acquired by tax sale deed or for purposes of establishing a highway right of way (see County Law, § 215);
 - D. giving an easement or other substantial interest in property owned by the County (see County Law, § 215);
 - E. regarding membership of County employees in a State Retirement System;



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- F. authorizing a class of property tax exemptions;
 - G. creating departments, boards, or councils;
 - H. amendment of the Rules of Order of the Cortland County Legislature;
 - I. motions suspending the adopted parliamentary authority;
 - J. resolution with an unbudgeted financial impact, which was not approved by the Finance and Administration Committee;
 - K. any other action requiring a two-thirds vote as mandated by Federal, State or County law.
44. **Resolutions Not of a Permanent Nature** – require a majority vote of the total weighted vote and shall include those:
- A. transferring any funds within account numbers in excess of \$25,000;
 - B. authorizing contracts;
 - C. authorizing awarding of bids;
 - D. authorizing correction of an assessment roll if approved by the Director of Real Property Tax Services; or
 - E. other business which may appropriately come before the Legislature, which does not require a vote other than a majority vote.
45. **Roll Call Vote** – shall be taken as required by Statute or may be ordered on any pending motion at the request of a single member. The total number of weighted votes shall be entered in the record, along with the names of members voting for or against a matter considered by the County Legislature.
46. **Special Article** – is any resolution, petition, report, communication or motion which may appropriately come before the Legislature at a meeting without, however, being included on the agenda which has been distributed in accordance with the timeframe established in Article V of these Rules.
47. **Special Committee** – is a special committee established by resolution of the Legislature. Any resolution creating a special committee shall specify the powers and duties of the committee and the number of its members. Members are to be appointed by the Chair from the membership of the Legislature. Each member shall serve for the period specified in the resolution, but in no event longer than his or her term on the Legislature (County Law, § 154[2]).
48. **Special Meeting** – is a meeting called by the Clerk of the Legislature upon direction of the Chair or upon a written request signed by a majority of the members of the Legislature. Notice in writing stating the time, place and purpose of the special meeting shall be served personally or by mail or by electronic means upon each member (as he/she directs) by the Clerk of the Legislature at least forty-eight (48) hours before the date fixed for holding the meeting, or a member may waive the service of the notice for such meeting by a writing signed by him/her. Only business specified in the notice thereof may be transacted at a special meeting. (see County Law, §152).



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49. **Special Order** – is an order of the day that is made with the stipulation that any rules interfering with its consideration at the specified time shall be suspended except those relating: (a) to adjournment or recess, (b) to questions of privilege, (c) to special orders that were made before this special order was made, or (d) to a question that has been assigned priority over all other business at a meeting by being made *the* special order for the meeting.
50. **Sponsor** – is the member or members whose motion or resolution is appropriately brought before the Legislature.
51. **Standing Committee** – is a committee established in accordance with Article XII of these Rules (see Article XII of these rules, County Law §154(1), and Local Law No. 2 of 1972).
52. **Table** – is a motion to allow the Legislature to lay the pending question(s) aside temporarily when something of an urgent nature arises. Is subject to time limits and requires a majority vote of the Legislature.
53. **Take from the Table** – is to make pending again before the Legislature a motion or resolution that had been previously tabled. It requires a second, is not debatable and requires a majority vote for adoption.
54. **Total Vote** – is the total number of weighted votes of all members of the Legislature.
55. **Unbudgeted Financial Impact** – any expense or revenue change resulting from a proposed action or resolution that has not been accounted for in the County’s approved budget for the current fiscal year. This includes: increases in expenditures, decreases in anticipated revenues, or financial commitments that would require additional appropriations, reallocation of funds, or adjustments to the existing budget.
56. **Weighted Vote** – the number of votes each Legislator casts at a Legislative meeting in a roll call vote pursuant to the current duly adopted plan of apportionment.
57. **Whole Number of Members** – is the total number of members that the Legislature would have were there no vacancies and were none of the members disqualified from acting (see County Law, § 153(9) and General Construction Law §41).

**ARTICLE II
ORGANIZATION**

1. **Biennial Organizational Meeting**
A. **Scheduling**

In accordance with County Law §151 and Local Law No. 2 for year 1972, Article II, Section 202, the County Legislature shall meet on the first Wednesday of January at 10:00 a.m., except when the first Wednesday shall be January 1st, in which event it shall be the following day, and every even year thereafter for the purpose of organization and for the transaction of such other business as may come before it.



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B. Notification

- i. The Clerk of the Legislature last appointed, in accordance with Article I, # 34, shall serve upon each member of the Legislature entitled to vote at the organizational meeting a notice stating:
 - a. the date, time, and location of the organizational meeting;
 - b. that a Chair shall be elected; and
 - c. any other matter to come before the Board.
- ii. In the event of the inability or failure of the Clerk of the Legislature last appointed to serve notice as provided in Article II, Section B. 1 of these Rules, the County Clerk of Cortland County shall call the biennial organizational meeting on or before January 15th in even- numbered years.

C. Business

- i. The business to come before the biennial organizational meeting following the election of the Legislature shall be as follows:
 - a. election of a Chair (County Law §151, Local Law No. 2 of 1972);
 - b. appointment of a Clerk (County Law §400(4)(a), County Law §475, and Local Law No. 2 of 1972);
 - c. receive and file the designation of the Majority Leader and Minority Leader (if available);
 - d. appointment of a County Attorney (County Law §400(4)(a), §500);
 - e. appointment of a Public Defender (County Law §716);
 - f. appointment of a Veterans' Services Officer (County Law §800); and
 - g. any other business necessary and appropriate to come before the meeting.
- ii. The business to come before the biennial organizational meeting held in the even numbered year mid-term of the Legislature shall be as follows:
 - a. election of a Chair (County Law §151, Local Law No. 2 of 1972);
 - b. receive and file the designation of the Majority Leader and Minority Leader (if available);
 - c. any other business necessary and appropriate to come before the meeting.



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2. Elections and Appointments

A. Appointment Process Timeline

- i. By no later than August 31st of the year during which the term of appointment is set to end (no later than the last working day of the month), the current appointees shall indicate in writing whether or not they shall seek another term of appointment. The notice by the current appointee shall be delivered in writing to the Personnel Officer and the Committee Chair to whom they report, as follows:
 - a. Clerk of the Legislature – Government Operations Committee
 - b. County Attorney – Government Operations Committee
 - c. Public Defender – Judiciary & Public Safety Committee
 - d. Veterans' Services Officer – Health & Human Services Committee
- ii. By no later than October 31st, following the appointees' indication in September of a decision to seek another term, the Chair of the Committee shall:
 - a. In the event the appointee seeks reappointment, bring forward the current appointee's performance evaluation for committee review by the month of October; or
 - b. In the event the appointee does NOT seek reappointment, have the Personnel Officer post the position as vacant as of December 31st of that year, subject to appointment at the biennial Organizational Meeting of the Legislature as the Rules of Order provide.
- iii. By no later than November 30th, following the review of the current appointee's performance evaluation, if applicable, the Chair of the Committee to whom the appointee reports shall call for a vote to indicate the committee's intent to either:
 - a. Recommend to reappoint the current appointee; **or**
 - b. Request to determine the position as an anticipated vacancy as of December 31 of that year and to have the Personnel Officer post the position as such subject to appointment at the biennial Organizational Meeting of the Legislature as the Rules of Order provide.

Any person who meets the minimum qualifications for one of the appointed positions shall apply to the Personnel Officer to fill one of the anticipated vacancies. The current appointee who has not been recommended for reappointment may apply for the posted position.
- iv. At the next organizational meeting following the election of the current Legislature, the full Legislature shall appoint persons to fill each of the positions scheduled to be filled as follows:
 - a. **1st** The current appointee recommended by the last sitting committee shall be



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nominated and considered for the position by vote of the new sitting legislature; if not approved for appointment by a sufficient vote of the legislature; then

- b. 2nd The legislature shall then nominate and consider from the applicants who filed appropriate documentation with the Personnel Officer, any such successfully nominated applicant shall be subject to meeting other requirements as the County has established (i.e. drug test); if no such applicant is approved for appointment by a sufficient vote of the legislature; then
- c. 3rd The legislature shall accept from the floor nominations of persons who did not apply. These nominations shall be subject to providing valid and sufficient proof that they meet the minimum qualifications for the position and subject to all other requirements demanded of new employees of the County.

B. Procedure for Election of a Chair

- i. The Chair shall be elected by a majority vote of the whole number of weighted votes of the total membership of the Legislature. The Clerk of the County Legislature last elected shall act as Chair pro tem. If the Clerk of the Legislature last appointed is not available, the County Clerk shall preside over the election of the Chair. He/She shall call the County Legislature to order and call the roll, followed by a pledge of allegiance to the flag. Whereupon the Chair pro tem shall declare, "The first order of business is the election of the Chair." Nominations for the office of Chair shall then be taken from the floor and such nominations must be seconded. Before proceeding to an election, the Chair pro tem shall inquire if there are any further nominations. If there is no response, the Chair pro tem shall declare the nominations closed. Voting shall be by full roll call with each legislator, when the legislator's name is called, declaring the name of the candidate of the legislator's choice who has been duly nominated and seconded. Should there be no weighted majority of the Legislature after the initial roll is called, the two nominees receiving the highest number of votes shall then be the only candidates named for a second round of roll call voting. Voting will again be by full roll call with each legislator, when the legislator's name is called, declaring the name of one of the two candidates remaining. Upon voting of the County Legislature; whereupon the Chair pro tem shall declare the duly elected Chair. Upon election, the Chair shall immediately assume all duties and responsibilities of the office and shall continue to act in such capacity until the termination of his/her office.
- ii. The Chair's term will be through December 31 in the next odd-numbered year.
- iii. In the event a Chair is not elected at the biennial organizational meeting, a Chair shall be elected at a recessed meeting held no later than February 1 in the even-numbered year.
- iv. In the event of the failure of the Legislature to elect a Chair on or before February 1 in the even-numbered year, the County Clerk of Cortland County shall appoint a member of the Legislature as Chair, who shall serve through December 31 of the next odd-numbered year.



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C. Appointment of a Clerk

- i. At each organizational meeting following the election of the Legislature, the Legislature shall appoint a Clerk of the Legislature, in accordance with County Law §400 (4)(a) and County Law §475. The Clerk of the Legislature shall also serve as County Historian.
- ii. The Clerk of the Legislature shall be appointed by a majority vote of the weighted votes of the total of the Legislature.
- iii. The Clerk of the Legislature shall serve at the pleasure of the Legislature until replaced or removed by the Legislature (see County Law, § 475[1]).

D. Appointment of the County Attorney

- i. At each organizational meeting following the election of the Legislature, the Legislature shall appoint an attorney as County Attorney, in accordance with § 500 of County Law.
- ii. The term of office of the County Attorney shall run concurrent with the elected members of the Legislature, in accordance with County Law, § 500.
- iii. The County Attorney shall be appointed by a majority vote of the weighted votes of the total of the Legislature.

E. Appointment of a Public Defender

- i. At each organizational meeting following the election of the Legislature, the Legislature shall appoint a Public Defender, in accordance with Local Law 2 of 1966, as amended by Local Law No. 6 for year 2021 and Local Law 8 of 2023. (See County Law, § 716).
- ii. The term of the office of Public Defender shall be for the term for which the membership of the Legislature appointing him/her was elected or for a term as may be determined by local law not to exceed four years.
- iii. The Public Defender shall be appointed by a majority vote of the weighted votes of the total of the Legislature.

F. Appointment of a Veterans' Services Officer

- i. At each organizational meeting following the election of the Legislature, the Legislature shall appoint a County Veterans' Services officer, in accordance with County Law § 800.



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- ii. The term of office of the Veterans' Services shall be for the term for which the membership of the Legislature appointing him/her was elected or for a term as may be determined by local law not to exceed four years.
- iii. The Veteran's Services Officer shall be appointed by a majority vote of the weighted votes of the total of the Legislature.

ARTICLE III
AUTHORITY OF THE CHAIR

1. Legislative Meetings

A. At any meeting of the Legislature, the Chair shall:

- i. call the meeting to order, unless otherwise specified in these Rules;
- ii. proceed to the business in the manner prescribed by these Rules, unless there is no quorum;
- iii. preserve order and decorum in debate, preventing personal reflections and confining members' remarks to the question under debate; this ruling shall be subject to appeal from the ruling of the Chair;
- iv. recognize members entitled to speak in debate, ruling which member is first entitled to speak when two or more members seek recognition simultaneously; this ruling shall be subject to appeal from the ruling of the Chair;
- v. rule on the priority of business and all points of order, subject to appeal from the ruling of the Chair. On each appeal, the Chair shall have the right to speak first and last in debate, if the question is debatable, to explain the reason(s) for the ruling;
- vi. grant the privilege of the floor to individuals who have signed in before the beginning of the session and set the time limit, up to but not more than five (5) minutes per speaker, which, upon authority of the Chair, may be extended:

Privilege of the Floor (aka Public Comment): Privilege of the floor shall be granted to any individual in the manner prescribed as follows:

Any person or group may request permission to appear before the Legislature by signing on the provided sign-in sheet. The Legislature will provide a thirty (30) minute public comment period. At the discretion of the Chair, or upon majority vote of the Legislature, the public comment period may be extended, before resolutions are acted upon. Said thirty minutes will be divided evenly among the number of persons or groups that wish to appear before the Legislature, with no one person or group appearing for more than five (5) minutes. The five-minute time limit per speaker may be extended and/or limited at the discretion of the Chair or upon majority vote of the Legislature to accommodate the group. This rule shall not apply to the County Administrator, Department heads, or others invited to appear before the legislature. The



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Chair shall preserve order and decorum. He or she shall prevent any persons speaking, including members of the Legislature, from making personal or derogatory comments regarding individuals and he or she shall confine the speakers to subject matters pertaining to the agenda. The Chair shall have the authority to have disruptive individuals removed from the meeting.

B. At any meeting of the Legislature, the Chair may:

- i. vary the order of business from the defined order of business, subject to appeal from the ruling of the Chair by the legislative body;
- ii. call any qualified individual temporarily to the position of Clerk of the Legislature, in accordance with County Law §400;
- iii. allow a minority report (either minority party or minority of a committee) to be presented and heard; and
- iv. introduce a resolution to the Legislature when content or subject matter does not fall within the jurisdiction of a statutory committee.

C. The Chair may direct the Clerk of the Legislature to call a Special Meeting of the Legislature subject to limitation of these rules, and County law.

D. These actions shall be subject to appeal from the ruling of the Chair:

- i. in the absence of a quorum, take actions necessary to obtain a quorum;
- ii. on the request of any member, or at his/her own discretion, divide a resolution that contains two or more distinct propositions; and which can be considered separately;
- iii. vote on all questions, unless excused from voting on a particular question;
- iv. preserve order and decorum in debate, preventing personal reflections and confining members' remarks to the question under debate;
- v. recognize members entitled to speak in debate, ruling which member is first entitled to speak when two or more members seek recognition simultaneously;
- vi. appoint a Chair pro tem to preside over the Committee of the Whole;
- vii. excuse a member from any meeting in accordance with the definition of an excused absence;
- viii. declare any meeting recessed at which a quorum cannot be obtained.

2. Committee Responsibilities

The Chair shall:

- A. Within 15 days of his/her election to the position of Chair, appoint all Committee Chairs and members of Standing Committees, filing a list of same with the Clerk of the Legislature.



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When feasible, each political party shall be represented on each committee in its proportion to representation on the Legislature;

- B. Schedule committee meetings and cause committee members and the Clerk to have notice of all meetings. Public notice of the time and place of a meeting scheduled at least one week prior thereto shall be given to the news media and shall be conspicuously posted in one or more designated public locations at least 72 hours before such meeting. Public notice of the time and place of every other meeting shall be given, to the extent practicable, a reasonable time prior thereto (Public Officers Law §104.);
- C. Within 15 days of creation of a Special Committee, appoint its Chair and members, filing a list of same with the Clerk of the Legislature. When feasible, each political party shall be represented on each committee in its proportion to representation on the Legislature;
- D. Fill any vacancies in any Standing or Special Committee, in compliance with County Law § 154;
- E. Reassign or remove committee Chairs or members as necessary;
- F. When deemed necessary, call a meeting of a Standing or Special Committee subject to the limitations of these rules;
- G. Subject to the approval by resolution of the Legislature, assign additional duties to Special Committees;
- H. Sit on Standing or Special Committees as an ex-officio member in compliance with County Law § 450.

3. Communications

A. Resolutions

Upon receipt of any resolution, forward it to:

- i. the Clerk of the Legislature;
- ii. the Chair of the appropriate committee(s);
- iii. the Majority Leader;
- iv. the Minority Leader; and
- v. other appropriate individuals.

B. Communications from the Clerk of the Legislature

Upon receipt of any petition, communication, or notice from the Clerk of the Legislature, forward it,



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if applicable, to:

- i. the Chair of the appropriate committee(s);
- ii. the Majority Leader;
- iii. the Minority Leader; and
- iv. other appropriate individuals.

C. Communications from Others

Upon receipt of any petition, communication, or notice from any individual other than the Clerk of the Legislature, forward it, if applicable, to:

- i. the Clerk of the Legislature;
- ii. the Chair of the appropriate committee(s);
- iii. the Majority Leader;
- iv. the Minority Leader; and
- v. other appropriate individuals.

4. Oath of Office

Within 20 days of being elected Chair, execute and file in the office of the County Clerk of Cortland County an official Oath of Office, in compliance with County

Law, § 450. The Chair will also execute and file an official undertaking in such amount as required by the Legislature.

5. Administrative Responsibilities – The Chair

- A. shall supervise the Clerk of the Legislature;
- B. shall, no later than the last session in June of each year, give a State of the County address, at which time member reports may also be given;
- C. may represent the County in all proceedings before the Public Service Commission and at all other public hearings and conferences deemed necessary to attend;
- D. shall, in case of attack or public disaster, direct the performance by agencies and public offices of the County of specific duties and implement the provisions of Article Three of the New York State Emergency Defense Act and the County Emergency Plan;
- E. shall become familiar with the property, function, and fiscal affairs of the County;



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- F. shall ensure that the statutory and local laws and resolutions of the Legislature and directions of County officials empowered to make the same are faithfully executed. Any neglect of duty shall be reported to the Legislature;
- G. shall determine which official shall perform a particular power or duty not clearly defined by law;
- H. may attend meetings of all boards, commissions, or other bodies appointed by the Legislature; those exercising County functions; or those expending County funds, in compliance with County Law, § 450;
- I. may inspect all books, accounts, records, or documents pertaining to the property, money, or assets of the County over which the County has control, in compliance with County Law, § 450;
- J. may make recommendations to the Legislature on legislation, rules, and regulations, and such other matters deemed material and advisable;
- K. may transfer employees temporarily from one department or office to another, with the approval of the appropriate department head(s) or the Legislature, in compliance with County Law, § 450;
- L. shall recommend to the Legislature persons for appointment to the Industrial Development Agency, which shall be politically balanced;
- M. shall approve the agenda for Legislative sessions prior to distribution;
- N. shall, after his/her election as Chair, assign seating for the members of the Legislature, or delegate this authority to the Clerk of the Legislature;
- O. shall appoint the members of all management teams for the negotiating of labor contracts;
- P. shall perform an annual performance evaluation, by August of each year, with the appropriate Committee Chairs and other appropriate personnel for the Clerk of the Legislature, County Attorney, Manager of Audit and Financial Projects, Public Defender, and Veterans' Services Officer;
- Q. shall perform an annual performance evaluation, by August of each year, with the Finance and Administration Committee Chair and other appropriate personnel for the Manager of Audit and Financial Projects;
- R. shall, in consultation with the Committee Chairs, Department Heads, and other appropriate individuals, perform an annual performance evaluation, by August of each year, for the County Administrator in compliance with the Administrator's current contract.

6. Temporary Chair



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In the absence of the Chair for a meeting, the Majority Leader shall serve as temporary chair. In the absence of the Chair and the Majority Leader, the Minority Leader shall serve as the temporary chair. In the absence of the Chair, the Majority Leader, and the Minority Leader, a temporary chair shall be elected by a majority vote of those members present and voting. Said vote shall be overseen by the Clerk of the Legislature.

7. Permanent Vacancy

In the event of a vacancy in the office of Chair as defined by Public Officers' Law, § 30, the Clerk of the Legislature shall, within ten calendar days of such vacancy, call a meeting of the Legislature with notice provided in accordance with these Rules. At such meeting, a member shall be elected Chair, who shall serve as Chair for the unexpired term.

In the event of the failure of the Legislature to elect a new Chair within 30 days after the vacancy, the County Clerk shall appoint a member of the Legislature to serve as Chair for the unexpired term.

ARTICLE IV
AUTHORITY OF COMMITTEE CHAIR

1. Each committee Chair shall:

- A. appoint a Vice-Chair to preside in his/her absence;
- B. schedule a special committee meeting upon receipt of a request signed by at least a majority of the committee members. Public notice of the meeting shall be given in compliance with Public Officers Law § 104. Said notice shall state the date, time, place, and subject for said meeting;
- C. prepare, or cause to be prepared by the Clerk of the Legislature an agenda for each committee meeting;
- D. upon receipt of any resolution, petition, communication, or notice, consult with each member of the committee in the manner he/she deems appropriate. Action can only be taken in an appropriately called and conducted meeting;
- E. invite appropriate individuals to a committee meeting when their resolutions are being considered;
- F. when reporting any resolution to the Legislature, provide all appropriate relative material to the Clerk of the Legislature;
- G. delegate two members of the committee, one of whom may be the committee chair, who shall participate in the selection of a Department Head in a department assigned to it in these Rules, for appointment by the Legislature.



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2. Each committee Chair may:

- A. appoint a person(s) from the standing committee membership to study any issue deemed appropriate, accountable to the full committee;
- B. add additional items not included on the agenda;
- C. schedule a special committee meeting. Public notice of the meeting shall be given in compliance with Public Officers Law § 104. Said notice shall state the date, time, place, and subject for said meeting;
- D. schedule meetings with Department Heads or heads of authorized agencies to discuss mutual objectives and problems;
- E. explain the purpose and provisions of resolutions reported from the committee before the debate begins in a Legislative session; and
- F. present a resolution not already on the agenda to the Legislature by a motion suspending the rules.

ARTICLE V
RESPONSIBILITIES AND DUTIES OF THE CLERK OF THE LEGISLATURE

The Clerk shall:

- 1. keep a record of all acts and proceedings of the Legislature and be the custodian of records and papers having to do with the Legislature's actions (See County Law, § 475);
- 2. record in the minutes whenever the Privilege of the Floor is granted, specifying the full name of the speaker;
- 3. record in the minutes the sponsor and the seconder of all resolutions and motions;
- 4. call the roll in alphabetical order by the members' surnames, with the Chair being called last, and enter it in the minutes, specifying which members were present, absent, excused, and how each member voted;
- 5. certify local laws and resolutions in the order in which they are adopted and consecutively number local laws and resolutions in separate series as they are certified, each series continuing through one calendar year;
- 6. forward copies of local laws and resolutions adopted by the Legislature to the appropriate parties;
- 7. publish all roll call votes in the Journal and maintain a record of roll calls, which shall be available for public inspection prior to publication in the Journal;



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8. maintain a general index of all local laws and resolutions of a permanent nature;
9. file all adopted Local Laws with the Secretary of State and the Cortland County Clerk and publish notice of adoption in the Newspaper of record as required;
10. file with the Cortland County Clerk all documents as directed by a majority vote of the Cortland County Legislature;
11. distribute to each member and others as deemed appropriate, or as directed by the Legislature or Chair, copies of the minutes of a Legislative session prior to and with the agenda of the next Legislative meeting;
12. upon direction of the Chair, or upon written request signed by a majority of the whole number of members of the Legislature, call a Special Legislative Meeting and serve personally, by mail, or by electronic means upon each member at least 48 hours before the date fixed for the meeting, a written notice stating the date, time, location, and purpose of the Special Meeting in the case of an emergency, the 48 hour requirement may be waived by a majority vote of the Legislators present and voting, a quorum being present and all members having been notified (see County Law, § 152);
13. in the absence of a quorum, notify all members that a recessed meeting will be held giving the date, time, and location of the recessed meeting;
14. in the absence of the Chair, the Majority Leader, and the Minority Leader for a meeting, call the Legislature to order and preside over the election of a Chair Pro tem from the membership of the Legislature, who shall exercise the powers and duties of the Chair for the duration of the Chair's absence;
15. upon receipt of any petition, communication, or notice from anyone other than the Chair, forward a copy to the Chair, the Majority Leader, the Minority Leader, and other appropriate individuals;
16. on the fourth business day prior to a regular Legislative meeting, prepare and distribute an agenda which shall include, among other things, a listing of articles received in his/her office; items not included on this agenda may be considered as Special Articles at the Legislative Session, but shall not be added to the agenda;
17. make copies of the agenda available to the public in his/her office after distributing it to the members and be responsible for posting said agenda to the Legislature's website;
18. make copies of all roll call votes available to the public one day after the conclusion of the meeting at which they were taken;
19. by noon on the business day prior to a meeting, place a copy of each resolution to be considered at the meeting on the desk of each member, or send an electronic copy and have a paper copy on the desk of each member on the day of the meeting;
20. send notices of committee meetings to all Legislators, the County Attorney, and other appropriate



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- individuals at least 72 hours in advance of a committee meeting;
21. record all notices of committee meetings;
 22. receive reports as requested by the Legislature;
 23. receive annual reports from Department Heads, as directed by the Legislature or required by law;
 24. upon receipt of a tentative budget from the Budget Officer, distribute a copy to each member;
 25. prepare a list of committees and their members, and distribute to all Legislators and Department Heads and have available for the general public within 30 days of the committee appointments;
 26. within 50 days after election or appointment of new members, distribute to them the last Legislative Journal, the current County budget, and if available, the tentative County budget for the next fiscal year;
 27. ensure each member has a copy of the current edition of *Robert's Rules of Order Newly Revised* and the Rules of Order of the Cortland County Legislature;
 28. prepare an annual budget for the Legislature;
 29. report to the Legislature through the Chair;
 30. within seven business days following a Committee meeting but in no event no later than the day two days prior to the next Legislative Session, have prepared and forward draft minutes of the meeting to all Legislators that shall specify, among other items, the time, date, and place of the meeting, the persons in attendance, the resolutions voted on and the vote on each;
 31. shall serve as the County Historian;
 32. shall serve as the Public Information Officer;
 33. shall serve as the (Freedom of Information Law) FOIL Officer for Cortland County;
 34. ensure that minutes of all Legislative and committee meetings are posted to the County's website in accordance with the time frames identified in Public Officers' Law §106, including video recordings of the meetings.
 35. perform such additional duties as the Legislature or the Chair may direct (See County Law, § 475);
 36. shall oversee the use of the Legislative Chambers and offices or shall designate an individual to oversee the use of the Legislative Chambers and offices.

ARTICLE VI
POWERS AND DUTIES OF THE COUNTY ATTORNEY, AND THE COUNTY
ADMINISTRATOR



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1. The County Attorney shall:

- A. act as the legal advisor to the Legislature and other County officials in all matters involving an official act of a civil nature (See County Law, § 501);
- B. prosecute and defend all civil actions and proceedings brought by or against the Legislature, other County officials, or Cortland County (see County Law § 501);
- C. be present at all Legislative meetings unless excused by the Chair, and committee meetings, if requested by the Committee Chair. In cases where the County Attorney cannot be present, ensure that an Assistant County Attorney shall be present; and
- D. by 10:00 a.m. on the business day prior to a meeting, approve all resolutions included on the agenda for form and legal content, indicating his/her approval on the original copy, consulting with the sponsor if necessary, before approving said resolution.
- E. Perform such additional and related duties as may be prescribed by law, or as directed by the Legislature (see County Law § 501).

2. The County Administrator shall:

- A. be directly responsible to the County Legislature, and, on behalf of the County Legislature shall perform the functions of chief administrative officer, with the County Legislature retaining the final administrative authority (see Local Law No. 7 for the of 2002, Local Law No. 3 for the year 2003;
- B. be the Budget Officer of the County, responsible for preparing the tentative budget and presenting it to the Finance and Administration Committee for approval and then to the County Legislature for final adoption (see Local Law No. 5 of 2018 and County Law §353 and §354); and
- C. any other duties as assigned by the Legislature which do not curtail, diminish, transfer or divest the Cortland County Legislature (or any elected official) of any functions, powers or duties (see Local Law No. 7 of 2002, Local Law No. 3 of 2003, Local Law 5 of 2018 and Municipal Home Rule Law §23, County Law §154(6)).

ARTICLE VII
PRESENTATION OF RESOLUTIONS

- 1. All resolutions shall be in writing and shall include a brief title summarizing the purpose of the resolution (see County Law, § 153).



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2. All resolutions shall be filed with the Clerk of the Legislature, and whenever possible shall be written in the affirmative.
3. Resolutions to be included on the agenda shall have the majority vote of those present (a quorum being present) of the appropriate Statutory Committee and shall be filed on or before the fourth calendar day before a regular meeting, and at least 48 hours before a Special Meeting.
4. Resolutions creating a Special Committee shall specify the powers and duties of the committee, the number of members and the term of the committee. (See County Law, § 154)
5. Resolutions pertaining to bills pending before the Congress or the State Legislature shall specify the bill number and the name of the sponsor(s).
6. An amended version of a resolution on the agenda may be filed by the sponsor for consideration at any time before the Legislature convenes.
7. Upon the request of any member, an amendment to a resolution shall be in writing. Copies of the amendment shall be distributed to all members.
8. A sponsor, upon approval of a majority of the committee, may request permission to withdraw a resolution any time before a final vote is taken. The same resolution with the same intent may not be withdrawn by the sponsor more than three (3) times per calendar year.
9. A sponsor shall be given an opportunity to explain a resolution, its purpose, and his/her reason for introducing the resolution prior to the opening of debate in the Legislature.
10. The same resolution with the same intent offered by the same sponsor may be introduced as a new agenda item only three (3) times per calendar year.
11. Any resolution withdrawn from the Legislative agenda shall begin the committee approval process again and shall not be reintroduced unless the committee approval process is completed.

ARTICLE VIII
MEETINGS

1. All meetings of the Legislature shall be held in the Legislative Chambers, Cortland County Office Building, 60 Central Avenue, Cortland, New York. The Legislature may, at any meeting, by resolution, change the time and place of the next regularly scheduled meeting, except that no meeting shall be held outside the City of Cortland without an affirmative vote of three-fourths of the total membership of the Legislature (see County Law, § 152).
2. All meetings of the Legislature shall be public (see County Law § 152 and Public Officers Law §103).
3. The Legislature shall, in addition to the organizational meeting, hold regular meetings at 6:00 p.m. on the fourth Thursday of each month January through June and August through October. No regular

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meeting shall be held in the month of July. November and December meeting dates will be scheduled by the Clerk.

4. Special meetings shall be held in accordance with County Law §152(2) and these Rules. Only articles included in the written notice may come before the Legislature at the special meeting.
5. When the day specified for any meeting falls on a County holiday, such meeting shall be held at the time specified on the next business day.
6. If the Legislature is inquorate (without a quorum) for any meeting, a recessed meeting shall be declared.

ARTICLE IX
ORDER OF BUSINESS

1. The order of business at each meeting of the Legislature shall be as follows, unless modified by the Chair in accordance with Authority of the Chair:
 - A. Salute to the Flag
 - B. Roll call of members
 - C. Approval of minutes of the previous meeting
 - D. Privilege of the Floor, including Public Comment Period as authorized by these rules
 - E. Proclamations and Recognitions
 - F. Presentation of petitions, communications, presentations and notices
 - G. Reports of Standing and Special Committees
 - H. Special Orders
 - I. Articles Postponed to Day Certain
 - J. Unfinished Business
 - K. New Business/Presentation of Resolutions
 - L. Announcements
 - M. Adjournment
2. When necessary, the minutes of the previous meeting may be read if the members have not received them, or upon the request of any member. In the absence of corrections, the minutes shall stand approved without formal motion.
3. Articles Laid on the Table, except Articles Postponed to Day Certain, shall be considered Unfinished Business and shall be taken from the table upon approval of a majority vote of the total vote of the members present via the motion to Take from the Table.



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4. No more than one amendment to an amendment may be pending at any given time on any resolution.
5. The Legislature shall set aside any other business at the time stated for consideration of a Special Order.
6. The time for consideration of a Special Order shall be advanced, postponed, or rescinded only with the approval of a two-thirds vote of the total vote of the members present.

ARTICLE X
MOTIONS AND THEIR PRECEDENCE

1. When the Legislature is considering a question, motions shall have precedence over another in the order stated below:
 - A. To adjourn
 - B. To recess
 - C. To raise a question of privilege
 - D. To lay on the table
 - E. Previous question
 - F. To postpone to day certain
 - G. To commit (refer to a committee)
 - H. To go into Committee of the Whole
 - I. To go into Executive Session
 - J. To amend
 - K. To postpone indefinitely
 - L. Main motion
2. The privileged motion to adjourn, and the motion to lay on the table are not amendable. The privileged motion to recess may be amended only as to the length or time of the recess. A motion to postpone to day certain may be amended only as to the day to which the question is postponed.
3. The privileged motions to adjourn and to recess, and the motions for the previous question, and to lay on the table are not debatable.
4. A motion to adjourn shall not be made while the Chair is putting a question, while a member has the floor, while the Clerk is taking a roll call vote, or while the Legislature is in the Committee of the



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Whole.

5. A question of privilege may be raised while another member has the floor.
6. Any question shall be laid on the table or postponed to day certain only once.
7. The Legislature, while in Committee of the Whole, shall not exercise Legislative powers and shall be presided over by a temporary Chair. The only motions that are in order under Committee of the Whole are to amend and adopt the report to be given and to “rise and report.” Any formal action must be taken in the regular Legislative body. Committee of the Whole cannot refer the issue under consideration to another committee.
8. When in Executive Session, the Legislature shall operate under these rules insofar as they are applicable. Proceedings in Executive Session shall be confidential unless the Legislature votes otherwise.
9. Any Committee may be discharged from further consideration of any matter entrusted to it by these Rules upon a majority vote of the whole number of members. The matter shall automatically be placed by the Clerk on the agenda for the next regular Legislative meeting.
10. A motion to reconsider any vote must be made on the day the vote proposed to be reconsidered was taken or at the next regular meeting of the Legislature. Such motion may be made only by a member voting on the prevailing side. Such motion may be made under any order.
11. A motion to rescind any resolution or motion shall be made only when no motion is on the floor. It shall require the affirmative vote of two-thirds of the Legislature, or a majority of the Legislature with previous notice.

ARTICLE XI
RULES OF VOTING

1. A majority of the total vote (weighted vote) of the whole number of members of the Legislature (17) shall be necessary to adopt any question, proposition, resolution, motion, or any other matter, except where it is otherwise provided herein or by statute that another form of approval is required.
2. Every member present when a vote is taken on any matter shall vote unless he/she has a direct interest in the matter or is excused by a majority weighted vote of the members present.
3. Members must be in their designated seat when voting.
4. A roll call vote shall be called by the Clerk on any question where it is required by statute or these Rules, or on the request of any member (see County Law, § 153).
5. If a roll call vote is commenced on any question, it must be completed.
6. Members shall be called in alphabetical order according to their surnames, except that the Chair



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(permanent, temporary or Chair Pro tem) shall always be called last.

7. Any member shall have the right to have his/her vote on any question recorded and entered in the minutes upon his/her request, without explanation and without requesting a roll call vote.
8. An absent legislator cannot vote on a motion. However, mathematically, the Legislature cannot reduce the total number of weighted votes. A member recorded as absent or excused shall not have a vote. The total number of weighted votes cannot be reduced by an absence or excuse of a member, so the total vote required to adopt any motion shall be based on the total vote of the full Legislature.

ARTICLE XII
COMMITTEES

1. Members of all Standing Committees shall be appointed for terms of two years, or until reassigned or removed by the Chair, commencing January 1 of the even-numbered year, but nothing herein contained shall be construed to allow any person to continue to serve on any Committee after ceasing to be a member of the Legislature.
2. In accordance with these Rules, the Chair shall have the authority to reassign or remove committee members.
3. Committees shall operate under these Rules as far as they are applicable, except that the previous question shall not be in order.
4. Each Standing Committee may examine the bills, accounts, and claims of the departments, boards, and councils assigned to it in these Rules.
5. Each Standing Committee may review and receive recommendations from Legislators and make recommendations to the Budget Officer and/or Finance and Administration Committee regarding department proposed budgets under the jurisdiction of that committee.
6. Each Standing Committee shall have general supervision of and receive articles relating to the departments, boards and councils assigned to it in these Rules.
7. Each Standing Committee shall initiate, sponsor, and/or review all resolutions affecting the departments, boards, and councils assigned to in it these Rules.
8. For any item to be moved from the Standing Committee to the Legislature requires a majority vote of the committee members present (a quorum being present).
9. Any item having an unbudgeted financial impact on Cortland County shall be presented to the Finance and Administration Committee before being presented to the full Legislature. Resolutions, referred to the Finance and Administration Committee from another Statutory Committee, not approved by the Finance and Administration Committee shall require a 2/3rds vote of the full legislature for adoption. The Finance and Administration Committee shall provide a report to the



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Legislature stating the reason for not approving the resolution.

10. Each Standing Committee shall fulfill the responsibilities assigned to it.
11. Special Committees shall be created by resolution for a period not to exceed the term of the Legislature adopting the resolution.
12. The following are the Standing Committees, their responsibilities, and their composition:
 - A. **Agriculture/Planning/Environmental** – Not less than five (5) nor more than seven (7) members who shall oversee:

County Planning Department, Soil and Water Conservation District, Cooperative Extension, and public transportation.
 - B. **Finance and Administration** – A seven (7) member Committee shall review the tentative budget filed by the Budget Officer and shall consider and recommend appropriations required for all purposes and prepare and report the annual estimates for the tax levy.

The Committee shall oversee:

The Finance Department, ~~Administration Office~~, Office of the Manager of Audit and Financial Projects, the Department of Real Property Tax Services, the Grants Administrator, occupancy tax, Tompkins Cortland Community College (TC3), Industrial Development Agency and Business Development Corporation, and the agency that provides promotional and tourism service. The Finance and Administration Committee shall serve as the Audit Committee.
 - C. **Government Operations** – Not less than five (5) nor more than seven (7) members who shall oversee:

Personnel/Civil Service Office, County Attorney, Board of Elections, County Clerk/Department of Motor Vehicles and the Clerk of the Legislature/Historian.

All matters concerning operation and revision of these Rules shall be referred to the Committee.
 - D. **Health & Human Services** – Shall consist of no less than five (5) and no more than seven (7) members who shall oversee:

The Health Department, Mental Health Department, Department of Social Services, Employment and Training Office and Grant Administration, Office for Aging and Veterans' Services.
 - E. **Judiciary and Public Safety** – Not less than five (5) nor more than seven (7) members who shall oversee:

The District Attorney's Office, Coroners, Assigned Counsel, Public Defender, Sheriff's Department, Probation Department, Department of Emergency Response and Communications.



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- F. **Public Works** – Not less than five (5) nor more than seven (7) members who shall oversee:

Public Works Department and the Information and Technology Department.

The use of County Buildings or properties by external groups or entities shall be approved by majority vote of the Public Works Committee.

ARTICLE XIII
SUSPENSION OR AMENDMENT OF RULES

1. Any Rule may be amended or rescinded by a two-thirds vote of the full Legislature.
2. Any Rule may be suspended by a two-thirds vote of the members present and voting and any suspension shall be effective only while the matter before the Legislature at the time of the suspension remains under discussion.

ARTICLE XIV
INTENT OF THESE RULES AND PARLIAMENTARY QUESTIONS

1. It is the intent of this Legislature to determine the rules of its own proceedings pursuant to County Law §153 and Local Law No. 2 for year 1972 establishing the County Legislature with the power to enact local laws or rules governing the conduct of the members at such sessions and the manner of transaction business thereat.
2. Except as otherwise provided herein, the current edition of *Robert's Rules of Order Newly Revised* shall govern parliamentary procedure at all meetings.

ARTICLE XV
EFFECTIVE DATE

These Rules shall take effect immediately upon adoption and shall remain in effect until amended, revised, or rescinded.

Adopted January 2010 – Revised July 28, 2011

Adopted January 4, 2012 – Revised April 26, 2012 & June 27, 2013

Adopted January 2, 2014 – Revised June 26, 2014 & September 24, 2015

Adopted October 26, 2017 – Revised December 8, 2020

Adopted December 18, 2020 – Revised August 12, 2021

Adopted August 26, 2021 – Revised November 4, 2021

Adopted November 18, 2021 – Revised October 17, 2023

Adopted October 26, 2023 – Revised August 6, 2024

Adopted August 22, 2024 – Revised February 11, 2025

Adopted February 27, 2025 – Revised April 8, 2025

Adopted April 24, 2025 – Revised June 10, 2025

Adopted June 26, 2025

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ARTICLE I
DEFINITIONS

1. **Agenda** – is a summary of the order of business expected to come before a particular meeting of the Legislature. All bid openings, communications, petitions, notices, committee reports, annual reports, audits, resolutions, proclamations, recognitions, as well as any other business to appropriately come before the Legislature shall be listed.
2. **Amendment** – is a proposal to change the wording of a motion or a resolution. Upon request of any legislator in attendance, an amendment may be submitted in writing and distributed to all members when possible.
3. **Amend Something Previously Adopted** – is a motion to change the Legislature’s action on a portion of a resolution that has been adopted. This motion is in order as long as the portion to be amended is not something that has already been done that cannot be undone. A motion to amend something previously adopted requires a two-thirds vote without notice, or a majority vote of the entire membership with notice.
4. **Article** – is any resolution, petition, communication, notice, or report.
5. **Article postponed indefinitely** – is any article which is terminated for the particular Legislative session at which it is postponed indefinitely.
6. **Article postponed to time certain** – is any article postponed to a specific time (time c e r t a i n) to be taken up on a specific day.
7. **Chair** – is the Chair of the Cortland County Legislature, elected in accordance with Article II, Section 2-B of these Rules, Local Law No. 2 of 1972, and County Law §151.
8. **Citizen’s Advisory Committee** – the County Legislature, by resolution, may appoint a committee of citizens of the County to act in an advisory capacity to any committee, department or office on any subject relating to the County government, pursuant to provisions in County Law §154. Term of said Committee shall not exceed the term of the appointing Legislature.
9. **Claim** – is any claim, bill, or account submitted to the Legislature pursuant to County Law (see County Law, § 369).
10. **Clerk** – is the Clerk of the Cortland County Legislature appointed in accordance with Article II of these Rules, Local Law No. 2 of 1972, and County Law §400-4(a) and County Law §475 or any amendments.
11. **Committee of the Whole** – is a committee composed of all of the members of the Legislature, but acts under the rules of other Standing Committees. The legislature cannot formally vote in Committee of the Whole. Committee of the Whole is NOT an executive session, and a Chair Pro



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Tem must be appointed after entering into Committee of the Whole

12. **Communication** – is any written instrument advising the Legislature of facts, situations, or problems (past, present, or future) having to do with the operation of Cortland County Government or the Legislature's powers under County Law. For informational purposes, official communications may be distributed to and received and filed by the Legislature.
13. **Conflict of Interest** – no municipal officer or employee shall have an interest, as defined in these rules, direct or indirect, in any contract with the County of Cortland, or engage in any other activity prohibited by the Cortland County Code of Ethics (Local Law No. 2 of 2008), when such officer or employee, individually or as a member of a board, has the power or duty to:
 - A. Negotiate, prepare, authorize or approve a contract or authorize or approve payment thereunder;
 - B. Audit bills or claims under the contract; or
 - C. Appoint an officer or employee who has any of the powers or duties set forth above.
14. **Day** – a period from a certain day within which, or after, or before which, an act is authorized or required to be done, meaning the number of calendar days exclusive of the calendar day from which the reckoning is made. If such period is a period of two days, Saturday, Sunday, or a public holiday must be excluded from the reckoning if it is an intervening day between the day from which the reckoning is made and the last day of the period. In computing any specified period of time from a specified event, the day upon which the event happens is deemed the day from which the reckoning is made. The day from which any specified period of time is reckoned shall be excluded in making the reckoning (see General Construction Law §20).
15. **Department Head** – is the County employee or employees elected, or appointed by the Legislature, chiefly responsible for the operation of any County Department.
16. **Ex-officio** – a member of the committee or board by virtue of an office held. Ex-officio members of committees have the same rights and privileges as all other members of the committee or board, including the right to vote. If an ex-officio member is NOT under the authority of the organization (Legislature), he/she has all rights and privileges, but not the obligations of a regular member, and does not count toward a quorum. An ex-officio member who IS under the authority of the Legislature (Chair) IS counted in the quorum, but does not add to the total number of members of any committee/board.
17. **Excused Absence** – Prior notification of an absence to a Committee Chair, Clerk or Chair of the Legislature.
18. **Executive Session** – that portion of a meeting not open to the public. **Proceedings in Executive Session shall be confidential** unless the Legislature votes otherwise, or is required to be made public in accordance with NYS Public Officer's Law. The Legislature may conduct an executive session upon a majority vote of the Legislature taken in an open meeting, after a motion to enter



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into executive session, for one of the purposes enumerated in Public Officer's Law §105 (1) (a) through (h) as follows:

- A. matters which will imperil the public safety if disclosed;
- B. any matter which may disclose the identity of a law enforcement agent or informer;
- C. information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
- D. discussions regarding proposed, pending or current litigation;
- E. collective negotiations pursuant to article fourteen of the civil service law;
- F. the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;
- G. the preparation, grading or administration of examinations; and
- H. the proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof.

19. **Interest** – a direct or indirect pecuniary or material benefit accruing to a County officer, employee or appointed official, spouse or child, whether the result of a contract with the County or otherwise. For the purpose of this chapter, a County officer, employee or appointed official shall be deemed to have an interest in the contract if (i) a spouse and/or children, except a contract of employment with the County; (ii) a firm, partnership or association of which such officer, employee or appointed official or spouse or child is a member or employee; (iii) a corporation of which such officer, employee or appointed official, or child is an officer or director; and (iv) the outstanding capital stock of a corporation which is owned by, or controlled directly or indirectly by an officer, employee or appointed official, or his/her spouse or child.
20. **Journal** – is the copy of the record of proceedings, with an index, of the Cortland County Legislature for a calendar year in printed bound volume, or recorded by electronic means in a single volume, or both, certified by the Clerk of the Legislature as a true copy. The Clerk of the Legislature shall ensure that a printed copy is published annually pursuant to County Law (see County Law, § 211), and will make copies available upon request to current legislators.
21. **Legislature** – is the Cortland County Legislature, the elected county governing body, by whatsoever name designated. Whenever the term "County Board," "Board of Supervisors," "County Governing Board," "Elective governing body of the county" is referred to in any law, contract, or document pertaining to any of the functions, powers, obligations, and duties of such governing body, it shall be deemed to mean and refer to the County Legislature (see County Law §150-a).



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22. **Majority Leader** – The members of the Legislature belonging to the recognized political party having the greatest number of total votes on said Legislature shall elect from its members a Majority Leader. In the event of a tie for the greatest numbers of members in the recognized political parties, the majority leader will be selected from the party with the greatest number of total weighted votes. The name of the Majority Leader shall be submitted to the Clerk of the Legislature in writing on the prescribed form signed by a majority of members of the respective party within five (5) calendar days of the biennial organizational meeting.
23. **Majority Vote of County Legislature** – the majority number of weighted votes of the total membership of the Legislature.
24. **Meeting** – the official convening of a legislative body for the purpose of conducting public business. This includes any meeting of a committee and any special, organizational, or other meeting.
25. **Member** – is either a duly elected member of the Cortland County Legislature or a member appointed by authority of Local Law No. 2, Article II, § 204, VACANCIES, for year 1972.
26. **Minority Leader** – The members of the Legislature belonging to the recognized political party having the second greatest number of total votes on said Legislature shall elect from its members a Minority Leader. In the event of a tie for the second greatest numbers of members in the recognized political parties, the minority leader will be selected from the party with the greatest number of total weighted votes. The name of the Minority Leader shall be submitted to the Clerk of the Legislature in writing on the prescribed form signed by a majority of members of the respective party within five (5) calendar days of the biennial organizational meeting.
27. **Minority Report** – is the written report of a minority party or a minority of any standing or special or committee.
28. **Motion** – is a formal proposal for action by a member in a meeting.
29. **Motion to Discharge** – is a motion relieving a Standing or Special committee of its responsibility to consider a matter referred to it and placing the matter on the agenda of the following meeting of the Legislature.
30. **Motion to Reconsider** – is a motion, subject to time limits, to bring again before the Legislature a motion which has been adopted, defeated, or postponed indefinitely, as long as something has not already been done which cannot be undone. This motion may only be made by a member who voted on the prevailing side. Requires a majority vote of the Legislature.
31. **Motion to Rescind** – is a motion to revoke the Legislature's action on a motion which has been adopted, as long as something has not already been done which cannot be undone. Requires a two-thirds vote of the Legislature.
32. **Motion to Suspend the Rules** – is a motion suspending the Rules of Order which requires a two-thirds vote and may be made by any member of the Legislature.
33. **Notice to Incoming Members** – the notice referenced in Article II, Section B. 1 of these Rules shall be in writing and shall be served by United States mail addressed to each incoming member at his/her



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last known postal address at least 48 hours before the date and time of the meeting (see County Law, §151(1).)

34. **Petition** – is a written request for action by the Legislature on a matter having to do with the operation of Cortland County Government or the Legislature's power under County Law.
35. **Previous Question** – is a motion to immediately end debate and amendment and take a vote on the question(s) before the Legislature. It requires a second, and a two-thirds vote, which is taken separately from and before the vote on the motion(s) to which it is applied.
36. **Privilege of the Floor** – is an opportunity granted to a person who is not a member of the Legislature to address an issue that is on the current Legislative agenda (see Article III Section 1.A.vi for detail).
37. **Quorum** – is a majority of the total number of members of the Legislature, should no vacancy exist (see County Law §153(2) and General Construction Law §41).
38. **Recessed Meeting** – is a meeting called to complete unfinished business, or a meeting called because of failure to obtain a quorum at a meeting.
39. **Receive and File** – is a motion to receive a communication and have it placed on file with the Clerk of the Legislature.
40. **Refer (motion to)** – is a motion to refer a matter to a Standing or Special Committee as the Legislature deems appropriate.
41. **Regular Meeting** – is a meeting called for the purpose of transacting any and all business which the Legislature is authorized or permitted by law to transact.
42. **Resolution** – is a written instrument for consideration by the Legislature as recommended by a committee or the Chair in carrying out its power and duties pursuant to Statute or expressing the sense of the Legislature on a matter having to do with the operation of Cortland County Government.
43. **Resolutions of a Permanent Nature** – require a two-thirds vote of the total weighted vote and shall include those:
 - A. authorizing the purchase of property (See County Law, § 215);
 - B. authorizing the issuance of bonds (See General Municipal Law, § 99-g);
 - C. conveying property previously owned by the County, except property acquired by tax sale deed or for purposes of establishing a highway right of way (see County Law, § 215);
 - D. giving an easement or other substantial interest in property owned by the County (see County Law, § 215);
 - E. regarding membership of County employees in a State Retirement System;



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- F. authorizing a class of property tax exemptions;
 - G. creating departments, boards, or councils;
 - H. amendment of the Rules of Order of the Cortland County Legislature;
 - I. motions suspending the adopted parliamentary authority;
 - J. resolution with an unbudgeted financial impact, which was not approved by the Finance and Administration Committee;
 - K. any other action requiring a two-thirds vote as mandated by Federal, State or County law.
44. **Resolutions Not of a Permanent Nature** – require a majority vote of the total weighted vote and shall include those:
- A. transferring any funds within account numbers in excess of \$25,000;
 - B. authorizing contracts;
 - C. authorizing awarding of bids;
 - D. authorizing correction of an assessment roll if approved by the Director of Real Property Tax Services; or
 - E. other business which may appropriately come before the Legislature, which does not require a vote other than a majority vote.
45. **Roll Call Vote** – shall be taken as required by Statute or may be ordered on any pending motion at the request of a single member. The total number of weighted votes shall be entered in the record, along with the names of members voting for or against a matter considered by the County Legislature.
46. **Special Article** – is any resolution, petition, report, communication or motion which may appropriately come before the Legislature at a meeting without, however, being included on the agenda which has been distributed in accordance with the timeframe established in Article V of these Rules.
47. **Special Committee** – is a special committee established by resolution of the Legislature. Any resolution creating a special committee shall specify the powers and duties of the committee and the number of its members. Members are to be appointed by the Chair from the membership of the Legislature. Each member shall serve for the period specified in the resolution, but in no event longer than his or her term on the Legislature (County Law, § 154[2]).
48. **Special Meeting** – is a meeting called by the Clerk of the Legislature upon direction of the Chair or upon a written request signed by a majority of the members of the Legislature. Notice in writing stating the time, place and purpose of the special meeting shall be served personally or by mail or by electronic means upon each member (as he/she directs) by the Clerk of the Legislature at least forty-eight (48) hours before the date fixed for holding the meeting, or a member may waive the service of the notice for such meeting by a writing signed by him/her. Only business specified in the notice thereof may be transacted at a special meeting. (see County Law, §152).



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49. **Special Order** – is an order of the day that is made with the stipulation that any rules interfering with its consideration at the specified time shall be suspended except those relating: (a) to adjournment or recess, (b) to questions of privilege, (c) to special orders that were made before this special order was made, or (d) to a question that has been assigned priority over all other business at a meeting by being made *the* special order for the meeting.
50. **Sponsor** – is the member or members whose motion or resolution is appropriately brought before the Legislature.
51. **Standing Committee** – is a committee established in accordance with Article XII of these Rules (see Article XII of these rules, County Law §154(1), and Local Law No. 2 of 1972).
52. **Table** – is a motion to allow the Legislature to lay the pending question(s) aside temporarily when something of an urgent nature arises. Is subject to time limits and requires a majority vote of the Legislature.
53. **Take from the Table** – is to make pending again before the Legislature a motion or resolution that had been previously tabled. It requires a second, is not debatable and requires a majority vote for adoption.
54. **Total Vote** – is the total number of weighted votes of all members of the Legislature.
55. **Unbudgeted Financial Impact** – any expense or revenue change resulting from a proposed action or resolution that has not been accounted for in the County's approved budget for the current fiscal year. This includes: increases in expenditures, decreases in anticipated revenues, or financial commitments that would require additional appropriations, reallocation of funds, or adjustments to the existing budget.
56. **Weighted Vote** – the number of votes each Legislator casts at a Legislative meeting in a roll call vote pursuant to the current duly adopted plan of apportionment.
57. **Whole Number of Members** – is the total number of members that the Legislature would have were there no vacancies and were none of the members disqualified from acting (see County Law, § 153(9) and General Construction Law §41).

**ARTICLE II
ORGANIZATION****1. Biennial Organizational Meeting****A. Scheduling**

In accordance with County Law §151 and Local Law No. 2 for year 1972, Article II, Section 202, the County Legislature shall meet on the first Wednesday of January at 10:00 a.m., except when the first Wednesday shall be January 1st, in which event it shall be the following day, and every even year thereafter for the purpose of organization and for the transaction of such other business as may come before it.



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B. Notification

- i. The Clerk of the Legislature last appointed, in accordance with Article I, # 34, shall serve upon each member of the Legislature entitled to vote at the organizational meeting a notice stating:
 - a. the date, time, and location of the organizational meeting;
 - b. that a Chair shall be elected; and
 - c. any other matter to come before the Board.
- ii. In the event of the inability or failure of the Clerk of the Legislature last appointed to serve notice as provided in Article II, Section B. 1 of these Rules, the County Clerk of Cortland County shall call the biennial organizational meeting on or before January 15th in even- numbered years.

C. Business

- i. The business to come before the biennial organizational meeting following the election of the Legislature shall be as follows:
 - a. election of a Chair (County Law §151, Local Law No. 2 of 1972);
 - b. appointment of a Clerk (County Law §400(4)(a), County Law §475, and Local Law No. 2 of 1972);
 - c. receive and file the designation of the Majority Leader and Minority Leader (if available);
 - d. appointment of a County Attorney (County Law §400(4)(a), §500);
 - e. appointment of a Public Defender (County Law §716);
 - f. appointment of a Veterans' Services Officer (County Law §800); and
 - g. any other business necessary and appropriate to come before the meeting.
- ii. The business to come before the biennial organizational meeting held in the even numbered year mid-term of the Legislature shall be as follows:
 - a. election of a Chair (County Law §151, Local Law No. 2 of 1972);
 - b. receive and file the designation of the Majority Leader and Minority Leader (if available);
 - c. any other business necessary and appropriate to come before the meeting.



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2. Elections and Appointments

A. Appointment Process Timeline

- i. By no later than August 31st of the year during which the term of appointment is set to end (no later than the last working day of the month), the current appointees shall indicate in writing whether or not they shall seek another term of appointment. The notice by the current appointee shall be delivered in writing to the Personnel Officer and the Committee Chair to whom they report, as follows:
 - a. Clerk of the Legislature – Government Operations Committee
 - b. County Attorney – Government Operations Committee
 - c. Public Defender – Judiciary & Public Safety Committee
 - d. Veterans' Services Officer – Health & Human Services Committee
- ii. By no later than October 31st, following the appointees' indication in September of a decision to seek another term, the Chair of the Committee shall:
 - a. In the event the appointee seeks reappointment, bring forward the current appointee's performance evaluation for committee review by the month of October; or
 - b. In the event the appointee does NOT seek reappointment, have the Personnel Officer post the position as vacant as of December 31st of that year, subject to appointment at the biennial Organizational Meeting of the Legislature as the Rules of Order provide.
- iii. By no later than November 30th, following the review of the current appointee's performance evaluation, if applicable, the Chair of the Committee to whom the appointee reports shall call for a vote to indicate the committee's intent to either:
 - a. Recommend to reappoint the current appointee; **or**
 - b. Request to determine the position as an anticipated vacancy as of December 31 of that year and to have the Personnel Officer post the position as such subject to appointment at the biennial Organizational Meeting of the Legislature as the Rules of Order provide.

Any person who meets the minimum qualifications for one of the appointed positions shall apply to the Personnel Officer to fill one of the anticipated vacancies. The current appointee who has not been recommended for reappointment may apply for the posted position.
- iv. At the next organizational meeting following the election of the current Legislature, the full Legislature shall appoint persons to fill each of the positions scheduled to be filled as follows:
 - a. 1st The current appointee recommended by the last sitting committee shall be



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nominated and considered for the position by vote of the new sitting legislature; if not approved for appointment by a sufficient vote of the legislature; then

- b. 2nd The legislature shall then nominate and consider from the applicants who filed appropriate documentation with the Personnel Officer, any such successfully nominated applicant shall be subject to meeting other requirements as the County has established (i.e. drug test); if no such applicant is approved for appointment by a sufficient vote of the legislature; then
- c. 3rd The legislature shall accept from the floor nominations of persons who did not apply. These nominations shall be subject to providing valid and sufficient proof that they meet the minimum qualifications for the position and subject to all other requirements demanded of new employees of the County.

B. Procedure for Election of a Chair

- i. The Chair shall be elected by a majority vote of the whole number of weighted votes of the total membership of the Legislature. The Clerk of the County Legislature last elected shall act as Chair pro tem. If the Clerk of the Legislature last appointed is not available, the County Clerk shall preside over the election of the Chair. He/She shall call the County Legislature to order and call the roll, followed by a pledge of allegiance to the flag. Whereupon the Chair pro tem shall declare, "The first order of business is the election of the Chair." Nominations for the office of Chair shall then be taken from the floor and such nominations must be seconded. Before proceeding to an election, the Chair pro tem shall inquire if there are any further nominations. If there is no response, the Chair pro tem shall declare the nominations closed. Voting shall be by full roll call with each legislator, when the legislator's name is called, declaring the name of the candidate of the legislator's choice who has been duly nominated and seconded. Should there be no weighted majority of the Legislature after the initial roll is called, the two nominees receiving the highest number of votes shall then be the only candidates named for a second round of roll call voting. Voting will again be by full roll call with each legislator, when the legislator's name is called, declaring the name of one of the two candidates remaining. Upon voting of the County Legislature; whereupon the Chair pro tem shall declare the duly elected Chair. Upon election, the Chair shall immediately assume all duties and responsibilities of the office and shall continue to act in such capacity until the termination of his/her office.
- ii. The Chair's term will be through December 31 in the next odd-numbered year.
- iii. In the event a Chair is not elected at the biennial organizational meeting, a Chair shall be elected at a recessed meeting held no later than February 1 in the even-numbered year.
- iv. In the event of the failure of the Legislature to elect a Chair on or before February 1 in the even-numbered year, the County Clerk of Cortland County shall appoint a member of the Legislature as Chair, who shall serve through December 31 of the next odd-numbered year.



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C. Appointment of a Clerk

- i. At each organizational meeting following the election of the Legislature, the Legislature shall appoint a Clerk of the Legislature, in accordance with County Law §400 (4)(a) and County Law §475. The Clerk of the Legislature shall also serve as County Historian.
- ii. The Clerk of the Legislature shall be appointed by a majority vote of the weighted votes of the total of the Legislature.
- iii. The Clerk of the Legislature shall serve at the pleasure of the Legislature until replaced or removed by the Legislature (see County Law, § 475[1]).

D. Appointment of the County Attorney

- i. At each organizational meeting following the election of the Legislature, the Legislature shall appoint an attorney as County Attorney, in accordance with § 500 of County Law.
- ii. The term of office of the County Attorney shall run concurrent with the elected members of the Legislature, in accordance with County Law, § 500.
- iii. The County Attorney shall be appointed by a majority vote of the weighted votes of the total of the Legislature.

E. Appointment of a Public Defender

- i. At each organizational meeting following the election of the Legislature, the Legislature shall appoint a Public Defender, in accordance with Local Law 2 of 1966, as amended by Local Law No. 6 for year 2021 and Local Law 8 of 2023. (See County Law, § 716).
- ii. The term of the office of Public Defender shall be for the term for which the membership of the Legislature appointing him/her was elected or for a term as may be determined by local law not to exceed four years.
- iii. The Public Defender shall be appointed by a majority vote of the weighted votes of the total of the Legislature.

F. Appointment of a Veterans' Services Officer

- i. At each organizational meeting following the election of the Legislature, the Legislature shall appoint a County Veterans' Services officer, in accordance with County Law § 800.



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- ii. The term of office of the Veterans' Services shall be for the term for which the membership of the Legislature appointing him/her was elected or for a term as may be determined by local law not to exceed four years.
- iii. The Veteran's Services Officer shall be appointed by a majority vote of the weighted votes of the total of the Legislature.

ARTICLE III
AUTHORITY OF THE CHAIR

1. Legislative Meetings

A. At any meeting of the Legislature, the Chair shall:

- i. call the meeting to order, unless otherwise specified in these Rules;
- ii. proceed to the business in the manner prescribed by these Rules, unless there is no quorum;
- iii. preserve order and decorum in debate, preventing personal reflections and confining members' remarks to the question under debate; this ruling shall be subject to appeal from the ruling of the Chair;
- iv. recognize members entitled to speak in debate, ruling which member is first entitled to speak when two or more members seek recognition simultaneously; this ruling shall be subject to appeal from the ruling of the Chair;
- v. rule on the priority of business and all points of order, subject to appeal from the ruling of the Chair. On each appeal, the Chair shall have the right to speak first and last in debate, if the question is debatable, to explain the reason(s) for the ruling;
- vi. grant the privilege of the floor to individuals who have signed in before the beginning of the session and set the time limit, up to but not more than five (5) minutes per speaker, which, upon authority of the Chair, may be extended:

Privilege of the Floor (aka Public Comment): Privilege of the floor shall be granted to any individual in the manner prescribed as follows:

Any person or group may request permission to appear before the Legislature by signing on the provided sign-in sheet. The Legislature will provide a thirty (30) minute public comment period. At the discretion of the Chair, or upon majority vote of the Legislature, the public comment period may be extended, before resolutions are acted upon. Said thirty minutes will be divided evenly among the number of persons or groups that wish to appear before the Legislature, with no one person or group appearing for more than five (5) minutes. The five-minute time limit per speaker may be extended and/or limited at the discretion of the Chair or upon majority vote of the Legislature to accommodate the group. This rule shall not apply to the County Administrator, Department heads, or others invited to appear before the legislature. The



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Chair shall preserve order and decorum. He or she shall prevent any persons speaking, including members of the Legislature, from making personal or derogatory comments regarding individuals and he or she shall confine the speakers to subject matters pertaining to the agenda. The Chair shall have the authority to have disruptive individuals removed from the meeting.

B. At any meeting of the Legislature, the Chair may:

- i. vary the order of business from the defined order of business, subject to appeal from the ruling of the Chair by the legislative body;
- ii. call any qualified individual temporarily to the position of Clerk of the Legislature, in accordance with County Law §400;
- iii. allow a minority report (either minority party or minority of a committee) to be presented and heard; and
- iv. introduce a resolution to the Legislature when content or subject matter does not fall within the jurisdiction of a statutory committee.

C. The Chair may direct the Clerk of the Legislature to call a Special Meeting of the Legislature subject to limitation of these rules, and County law.

D. These actions shall be subject to appeal from the ruling of the Chair:

- i. in the absence of a quorum, take actions necessary to obtain a quorum;
- ii. on the request of any member, or at his/her own discretion, divide a resolution that contains two or more distinct propositions; and which can be considered separately;
- iii. vote on all questions, unless excused from voting on a particular question;
- iv. preserve order and decorum in debate, preventing personal reflections and confining members' remarks to the question under debate;
- v. recognize members entitled to speak in debate, ruling which member is first entitled to speak when two or more members seek recognition simultaneously;
- vi. appoint a Chair pro tem to preside over the Committee of the Whole;
- vii. excuse a member from any meeting in accordance with the definition of an excused absence;
- viii. declare any meeting recessed at which a quorum cannot be obtained.

2. Committee Responsibilities

The Chair shall:

- A. Within 15 days of his/her election to the position of Chair, appoint all Committee Chairs and members of Standing Committees, filing a list of same with the Clerk of the Legislature.



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When feasible, each political party shall be represented on each committee in its proportion to representation on the Legislature;

- B. Schedule committee meetings and cause committee members and the Clerk to have notice of all meetings. Public notice of the time and place of a meeting scheduled at least one week prior thereto shall be given to the news media and shall be conspicuously posted in one or more designated public locations at least 72 hours before such meeting. Public notice of the time and place of every other meeting shall be given, to the extent practicable, a reasonable time prior thereto (Public Officers Law §104.);
- C. Within 15 days of creation of a Special Committee, appoint its Chair and members, filing a list of same with the Clerk of the Legislature. When feasible, each political party shall be represented on each committee in its proportion to representation on the Legislature;
- D. Fill any vacancies in any Standing or Special Committee, in compliance with County Law § 154;
- E. Reassign or remove committee Chairs or members as necessary;
- F. When deemed necessary, call a meeting of a Standing or Special Committee subject to the limitations of these rules;
- G. Subject to the approval by resolution of the Legislature, assign additional duties to Special Committees;
- H. Sit on Standing or Special Committees as an ex-officio member in compliance with County Law § 450.

3. Communications**A. Resolutions**

Upon receipt of any resolution, forward it to:

- i. the Clerk of the Legislature;
- ii. the Chair of the appropriate committee(s);
- iii. the Majority Leader;
- iv. the Minority Leader; and
- v. other appropriate individuals.

B. Communications from the Clerk of the Legislature

Upon receipt of any petition, communication, or notice from the Clerk of the Legislature, forward it,



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if applicable, to:

- i. the Chair of the appropriate committee(s);
- ii. the Majority Leader;
- iii. the Minority Leader; and
- iv. other appropriate individuals.

C. Communications from Others

Upon receipt of any petition, communication, or notice from any individual other than the Clerk of the Legislature, forward it, if applicable, to:

- i. the Clerk of the Legislature;
- ii. the Chair of the appropriate committee(s);
- iii. the Majority Leader;
- iv. the Minority Leader; and
- v. other appropriate individuals.

4. Oath of Office

Within 20 days of being elected Chair, execute and file in the office of the County Clerk of Cortland County an official Oath of Office, in compliance with County

Law, § 450. The Chair will also execute and file an official undertaking in such amount as required by the Legislature.

5. Administrative Responsibilities – The Chair

- A. shall supervise the Clerk of the Legislature;
- B. shall, no later than the last session in June of each year, give a State of the County address, at which time member reports may also be given;
- C. may represent the County in all proceedings before the Public Service Commission and at all other public hearings and conferences deemed necessary to attend;
- D. shall, in case of attack or public disaster, direct the performance by agencies and public offices of the County of specific duties and implement the provisions of Article Three of the New York State Emergency Defense Act and the County Emergency Plan;
- E. shall become familiar with the property, function, and fiscal affairs of the County;



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- F. shall ensure that the statutory and local laws and resolutions of the Legislature and directions of County officials empowered to make the same are faithfully executed. Any neglect of duty shall be reported to the Legislature;
- G. shall determine which official shall perform a particular power or duty not clearly defined by law;
- H. may attend meetings of all boards, commissions, or other bodies appointed by the Legislature; those exercising County functions; or those expending County funds, in compliance with County Law, § 450;
- I. may inspect all books, accounts, records, or documents pertaining to the property, money, or assets of the County over which the County has control, in compliance with County Law, § 450;
- J. may make recommendations to the Legislature on legislation, rules, and regulations, and such other matters deemed material and advisable;
- K. may transfer employees temporarily from one department or office to another, with the approval of the appropriate department head(s) or the Legislature, in compliance with County Law, § 450;
- L. shall recommend to the Legislature persons for appointment to the Industrial Development Agency, which shall be politically balanced;
- M. shall approve the agenda for Legislative sessions prior to distribution;
- N. shall, after his/her election as Chair, assign seating for the members of the Legislature, or delegate this authority to the Clerk of the Legislature;
- O. shall appoint the members of all management teams for the negotiating of labor contracts;
- P. shall perform an annual performance evaluation, by August of each year, with the appropriate Committee Chairs and other appropriate personnel for the Clerk of the Legislature, County Attorney, Manager of Audit and Financial Projects, Public Defender, and Veterans' Services Officer;
- Q. shall perform an annual performance evaluation, by August of each year, with the Finance and Administration Committee Chair and other appropriate personnel for the Manager of Audit and Financial Projects;
- R. shall, in consultation with the Committee Chairs, Department Heads, and other appropriate individuals, perform an annual performance evaluation, by August of each year, for the County Administrator in compliance with the Administrator's current contract.

6. Temporary Chair



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In the absence of the Chair for a meeting, the Majority Leader shall serve as temporary chair. In the absence of the Chair and the Majority Leader, the Minority Leader shall serve as the temporary chair. In the absence of the Chair, the Majority Leader, and the Minority Leader, a temporary chair shall be elected by a majority vote of those members present and voting. Said vote shall be overseen by the Clerk of the Legislature.

7. Permanent Vacancy

In the event of a vacancy in the office of Chair as defined by Public Officers' Law, § 30, the Clerk of the Legislature shall, within ten calendar days of such vacancy, call a meeting of the Legislature with notice provided in accordance with these Rules. At such meeting, a member shall be elected Chair, who shall serve as Chair for the unexpired term.

In the event of the failure of the Legislature to elect a new Chair within 30 days after the vacancy, the County Clerk shall appoint a member of the Legislature to serve as Chair for the unexpired term.

ARTICLE IV
AUTHORITY OF COMMITTEE CHAIR

1. Each committee Chair shall:

- A. appoint a Vice-Chair to preside in his/her absence;
- B. schedule a special committee meeting upon receipt of a request signed by at least a majority of the committee members. Public notice of the meeting shall be given in compliance with Public Officers Law § 104. Said notice shall state the date, time, place, and subject for said meeting;
- C. prepare, or cause to be prepared by the Clerk of the Legislature an agenda for each committee meeting;
- D. upon receipt of any resolution, petition, communication, or notice, consult with each member of the committee in the manner he/she deems appropriate. Action can only be taken in an appropriately called and conducted meeting;
- E. invite appropriate individuals to a committee meeting when their resolutions are being considered;
- F. when reporting any resolution to the Legislature, provide all appropriate relative material to the Clerk of the Legislature;
- G. delegate two members of the committee, one of whom may be the committee chair, who shall participate in the selection of a Department Head in a department assigned to it in these Rules, for appointment by the Legislature.



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2. Each committee Chair may:

- A. appoint a person(s) from the standing committee membership to study any issue deemed appropriate, accountable to the full committee;
- B. add additional items not included on the agenda;
- C. schedule a special committee meeting. Public notice of the meeting shall be given in compliance with Public Officers Law § 104. Said notice shall state the date, time, place, and subject for said meeting;
- D. schedule meetings with Department Heads or heads of authorized agencies to discuss mutual objectives and problems;
- E. explain the purpose and provisions of resolutions reported from the committee before the debate begins in a Legislative session; and
- F. present a resolution not already on the agenda to the Legislature by a motion suspending the rules.

ARTICLE V
RESPONSIBILITIES AND DUTIES OF THE CLERK OF THE LEGISLATURE

The Clerk shall:

- 1. keep a record of all acts and proceedings of the Legislature and be the custodian of records and papers having to do with the Legislature's actions (See County Law, § 475);
- 2. record in the minutes whenever the Privilege of the Floor is granted, specifying the full name of the speaker;
- 3. record in the minutes the sponsor and the seconder of all resolutions and motions;
- 4. call the roll in alphabetical order by the members' surnames, with the Chair being called last, and enter it in the minutes, specifying which members were present, absent, excused, and how each member voted;
- 5. certify local laws and resolutions in the order in which they are adopted and consecutively number local laws and resolutions in separate series as they are certified, each series continuing through one calendar year;
- 6. forward copies of local laws and resolutions adopted by the Legislature to the appropriate parties;
- 7. publish all roll call votes in the Journal and maintain a record of roll calls, which shall be available for public inspection prior to publication in the Journal;



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8. maintain a general index of all local laws and resolutions of a permanent nature;
9. file all adopted Local Laws with the Secretary of State and the Cortland County Clerk and publish notice of adoption in the Newspaper of record as required;
10. file with the Cortland County Clerk all documents as directed by a majority vote of the Cortland County Legislature;
11. distribute to each member and others as deemed appropriate, or as directed by the Legislature or Chair, copies of the minutes of a Legislative session prior to and with the agenda of the next Legislative meeting;
12. upon direction of the Chair, or upon written request signed by a majority of the whole number of members of the Legislature, call a Special Legislative Meeting and serve personally, by mail, or by electronic means upon each member at least 48 hours before the date fixed for the meeting, a written notice stating the date, time, location, and purpose of the Special Meeting in the case of an emergency, the 48 hour requirement may be waived by a majority vote of the Legislators present and voting, a quorum being present and all members having been notified (see County Law, § 152);
13. in the absence of a quorum, notify all members that a recessed meeting will be held giving the date, time, and location of the recessed meeting;
14. in the absence of the Chair, the Majority Leader, and the Minority Leader for a meeting, call the Legislature to order and preside over the election of a Chair Pro tem from the membership of the Legislature, who shall exercise the powers and duties of the Chair for the duration of the Chair's absence;
15. upon receipt of any petition, communication, or notice from anyone other than the Chair, forward a copy to the Chair, the Majority Leader, the Minority Leader, and other appropriate individuals;
16. on the fourth business day prior to a regular Legislative meeting, prepare and distribute an agenda which shall include, among other things, a listing of articles received in his/her office; items not included on this agenda may be considered as Special Articles at the Legislative Session, but shall not be added to the agenda;
17. make copies of the agenda available to the public in his/her office after distributing it to the members and be responsible for posting said agenda to the Legislature's website;
18. make copies of all roll call votes available to the public one day after the conclusion of the meeting at which they were taken;
19. by noon on the business day prior to a meeting, place a copy of each resolution to be considered at the meeting on the desk of each member, or send an electronic copy and have a paper copy on the desk of each member on the day of the meeting;
20. send notices of committee meetings to all Legislators, the County Attorney, and other appropriate



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- individuals at least 72 hours in advance of a committee meeting;
21. record all notices of committee meetings;
 22. receive reports as requested by the Legislature;
 23. receive annual reports from Department Heads, as directed by the Legislature or required by law;
 24. upon receipt of a tentative budget from the Budget Officer, distribute a copy to each member;
 25. prepare a list of committees and their members, and distribute to all Legislators and Department Heads and have available for the general public within 30 days of the committee appointments;
 26. within 50 days after election or appointment of new members, distribute to them the last Legislative Journal, the current County budget, and if available, the tentative County budget for the next fiscal year;
 27. ensure each member has a copy of the current edition of *Robert's Rules of Order Newly Revised* and the Rules of Order of the Cortland County Legislature;
 28. prepare an annual budget for the Legislature;
 29. report to the Legislature through the Chair;
 30. within seven business days following a Committee meeting but in no event no later than the day two days prior to the next Legislative Session, have prepared and forward draft minutes of the meeting to all Legislators that shall specify, among other items, the time, date, and place of the meeting, the persons in attendance, the resolutions voted on and the vote on each;
 31. shall serve as the County Historian;
 32. shall serve as the Public Information Officer;
 33. shall serve as the (Freedom of Information Law) FOIL Officer for Cortland County;
 34. ensure that minutes of all Legislative and committee meetings are posted to the County's website in accordance with the time frames identified in Public Officers' Law §106, including video recordings of the meetings.
 35. perform such additional duties as the Legislature or the Chair may direct (See County Law, § 475);
 36. shall oversee the use of the Legislative Chambers and offices or shall designate an individual to oversee the use of the Legislative Chambers and offices.

ARTICLE VI
POWERS AND DUTIES OF THE COUNTY ATTORNEY, AND THE COUNTY
ADMINISTRATOR



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1. The County Attorney shall:

- A. act as the legal advisor to the Legislature and other County officials in all matters involving an official act of a civil nature (See County Law, § 501);
- B. prosecute and defend all civil actions and proceedings brought by or against the Legislature, other County officials, or Cortland County (see County Law § 501);
- C. be present at all Legislative meetings unless excused by the Chair, and committee meetings, if requested by the Committee Chair. In cases where the County Attorney cannot be present, ensure that an Assistant County Attorney shall be present; and
- D. by 10:00 a.m. on the business day prior to a meeting, approve all resolutions included on the agenda for form and legal content, indicating his/her approval on the original copy, consulting with the sponsor if necessary, before approving said resolution.
- E. Perform such additional and related duties as may be prescribed by law, or as directed by the Legislature (see County Law § 501).

2. The County Administrator shall:

- A. be directly responsible to the County Legislature, and, on behalf of the County Legislature shall perform the functions of chief administrative officer, with the County Legislature retaining the final administrative authority (see Local Law No. 7 for the of 2002, Local Law No. 3 for the year 2003;
- B. be the Budget Officer of the County, responsible for preparing the tentative budget and presenting it to the Finance and Administration Committee for approval and then to the County Legislature for final adoption (see Local Law No. 5 of 2018 and County Law §353 and §354); and
- C. any other duties as assigned by the Legislature which do not curtail, diminish, transfer or divest the Cortland County Legislature (or any elected official) of any functions, powers or duties (see Local Law No. 7 of 2002, Local Law No. 3 of 2003, Local Law 5 of 2018 and Municipal Home Rule Law §23, County Law §154(6)).

ARTICLE VII
PRESENTATION OF RESOLUTIONS

- 1. All resolutions shall be in writing and shall include a brief title summarizing the purpose of the resolution (see County Law, § 153).

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2. All resolutions shall be filed with the Clerk of the Legislature, and whenever possible shall be written in the affirmative.
3. Resolutions to be included on the agenda shall have the majority vote of those present (a quorum being present) of the appropriate Statutory Committee and shall be filed on or before the fourth calendar day before a regular meeting, and at least 48 hours before a Special Meeting.
4. Resolutions creating a Special Committee shall specify the powers and duties of the committee, the number of members and the term of the committee. (See County Law, § 154)
5. Resolutions pertaining to bills pending before the Congress or the State Legislature shall specify the bill number and the name of the sponsor(s).
6. An amended version of a resolution on the agenda may be filed by the sponsor for consideration at any time before the Legislature convenes.
7. Upon the request of any member, an amendment to a resolution shall be in writing. Copies of the amendment shall be distributed to all members.
8. A sponsor, upon approval of a majority of the committee, may request permission to withdraw a resolution any time before a final vote is taken. The same resolution with the same intent may not be withdrawn by the sponsor more than three (3) times per calendar year.
9. A sponsor shall be given an opportunity to explain a resolution, its purpose, and his/her reason for introducing the resolution prior to the opening of debate in the Legislature.
10. The same resolution with the same intent offered by the same sponsor may be introduced as a new agenda item only three (3) times per calendar year.
11. Any resolution withdrawn from the Legislative agenda shall begin the committee approval process again and shall not be reintroduced unless the committee approval process is completed.

**ARTICLE VIII
MEETINGS**

1. All meetings of the Legislature shall be held in the Legislative Chambers, Cortland County Office Building, 60 Central Avenue, Cortland, New York. The Legislature may, at any meeting, by resolution, change the time and place of the next regularly scheduled meeting, except that no meeting shall be held outside the City of Cortland without an affirmative vote of three-fourths of the total membership of the Legislature (see County Law, § 152).
2. All meetings of the Legislature shall be public (see County Law § 152 and Public Officers Law §103).
3. The Legislature shall, in addition to the organizational meeting, hold regular meetings at 6:00 p.m. on the fourth Thursday of each month January through June and August through October. No regular

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meeting shall be held in the month of July. November and December meeting dates will be scheduled by the Clerk.

4. Special meetings shall be held in accordance with County Law §152(2) and these Rules. Only articles included in the written notice may come before the Legislature at the special meeting.
5. When the day specified for any meeting falls on a County holiday, such meeting shall be held at the time specified on the next business day.
6. If the Legislature is inquorate (without a quorum) for any meeting, a recessed meeting shall be declared.

ARTICLE IX
ORDER OF BUSINESS

1. The order of business at each meeting of the Legislature shall be as follows, unless modified by the Chair in accordance with Authority of the Chair:
 - A. Salute to the Flag
 - B. Roll call of members
 - C. Approval of minutes of the previous meeting
 - D. Privilege of the Floor, including Public Comment Period as authorized by these rules
 - E. Proclamations and Recognitions
 - F. Presentation of petitions, communications, presentations and notices
 - G. Reports of Standing and Special Committees
 - H. Special Orders
 - I. Articles Postponed to Day Certain
 - J. Unfinished Business
 - K. New Business/Presentation of Resolutions
 - L. Announcements
 - M. Adjournment
2. When necessary, the minutes of the previous meeting may be read if the members have not received them, or upon the request of any member. In the absence of corrections, the minutes shall stand approved without formal motion.
3. Articles Laid on the Table, except Articles Postponed to Day Certain, shall be considered Unfinished Business and shall be taken from the table upon approval of a majority vote of the total vote of the members present via the motion to Take from the Table.



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4. No more than one amendment to an amendment may be pending at any given time on any resolution.
5. The Legislature shall set aside any other business at the time stated for consideration of a Special Order.
6. The time for consideration of a Special Order shall be advanced, postponed, or rescinded only with the approval of a two-thirds vote of the total vote of the members present.

ARTICLE X
MOTIONS AND THEIR PRECEDENCE

1. When the Legislature is considering a question, motions shall have precedence over another in the order stated below:
 - A. To adjourn
 - B. To recess
 - C. To raise a question of privilege
 - D. To lay on the table
 - E. Previous question
 - F. To postpone to day certain
 - G. To commit (refer to a committee)
 - H. To go into Committee of the Whole
 - I. To go into Executive Session
 - J. To amend
 - K. To postpone indefinitely
 - L. Main motion
2. The privileged motion to adjourn, and the motion to lay on the table are not amendable. The privileged motion to recess may be amended only as to the length or time of the recess. A motion to postpone to day certain may be amended only as to the day to which the question is postponed.
3. The privileged motions to adjourn and to recess, and the motions for the previous question, and to lay on the table are not debatable.
4. A motion to adjourn shall not be made while the Chair is putting a question, while a member has the floor, while the Clerk is taking a roll call vote, or while the Legislature is in the Committee of the



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Whole.

5. A question of privilege may be raised while another member has the floor.
6. Any question shall be laid on the table or postponed to day certain only once.
7. The Legislature, while in Committee of the Whole, shall not exercise Legislative powers and shall be presided over by a temporary Chair. The only motions that are in order under Committee of the Whole are to amend and adopt the report to be given and to “rise and report.” Any formal action must be taken in the regular Legislative body. Committee of the Whole cannot refer the issue under consideration to another committee.
8. When in Executive Session, the Legislature shall operate under these rules insofar as they are applicable. Proceedings in Executive Session shall be confidential unless the Legislature votes otherwise.
9. Any Committee may be discharged from further consideration of any matter entrusted to it by these Rules upon a majority vote of the whole number of members. The matter shall automatically be placed by the Clerk on the agenda for the next regular Legislative meeting.
10. A motion to reconsider any vote must be made on the day the vote proposed to be reconsidered was taken or at the next regular meeting of the Legislature. Such motion may be made only by a member voting on the prevailing side. Such motion may be made under any order.
11. A motion to rescind any resolution or motion shall be made only when no motion is on the floor. It shall require the affirmative vote of two-thirds of the Legislature, or a majority of the Legislature with previous notice.

ARTICLE XI
RULES OF VOTING

1. A majority of the total vote (weighted vote) of the whole number of members of the Legislature (17) shall be necessary to adopt any question, proposition, resolution, motion, or any other matter, except where it is otherwise provided herein or by statute that another form of approval is required.
2. Every member present when a vote is taken on any matter shall vote unless he/she has a direct interest in the matter or is excused by a majority weighted vote of the members present.
3. Members must be in their designated seat when voting.
4. A roll call vote shall be called by the Clerk on any question where it is required by statute or these Rules, or on the request of any member (see County Law, § 153).
5. If a roll call vote is commenced on any question, it must be completed.
6. Members shall be called in alphabetical order according to their surnames, except that the Chair



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(permanent, temporary or Chair Pro tem) shall always be called last.

7. Any member shall have the right to have his/her vote on any question recorded and entered in the minutes upon his/her request, without explanation and without requesting a roll call vote.
8. An absent legislator cannot vote on a motion. However, mathematically, the Legislature cannot reduce the total number of weighted votes. A member recorded as absent or excused shall not have a vote. The total number of weighted votes cannot be reduced by an absence or excuse of a member, so the total vote required to adopt any motion shall be based on the total vote of the full Legislature.

ARTICLE XII
COMMITTEES

1. Members of all Standing Committees shall be appointed for terms of two years, or until reassigned or removed by the Chair, commencing January 1 of the even-numbered year, but nothing herein contained shall be construed to allow any person to continue to serve on any Committee after ceasing to be a member of the Legislature.
2. In accordance with these Rules, the Chair shall have the authority to reassign or remove committee members.
3. Committees shall operate under these Rules as far as they are applicable, except that the previous question shall not be in order.
4. Each Standing Committee may examine the bills, accounts, and claims of the departments, boards, and councils assigned to it in these Rules.
5. Each Standing Committee may review and receive recommendations from Legislators and make recommendations to the Budget Officer and/or Finance and Administration Committee regarding department proposed budgets under the jurisdiction of that committee.
6. Each Standing Committee shall have general supervision of and receive articles relating to the departments, boards and councils assigned to it in these Rules.
7. Each Standing Committee shall initiate, sponsor, and/or review all resolutions affecting the departments, boards, and councils assigned to in it these Rules.
8. For any item to be moved from the Standing Committee to the Legislature requires a majority vote of the committee members present (a quorum being present).
9. Any item having an unbudgeted financial impact on Cortland County shall be presented to the Finance and Administration Committee before being presented to the full Legislature. Resolutions, referred to the Finance and Administration Committee from another Statutory Committee, not approved by the Finance and Administration Committee shall require a 2/3rds vote of the full legislature for adoption. The Finance and Administration Committee shall provide a report to the



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Legislature stating the reason for not approving the resolution.

10. Each Standing Committee shall fulfill the responsibilities assigned to it.
11. Special Committees shall be created by resolution for a period not to exceed the term of the Legislature adopting the resolution.
12. The following are the Standing Committees, their responsibilities, and their composition:
 - A. **Agriculture/Planning/Environmental** – Not less than five (5) nor more than seven (7) members who shall oversee:

County Planning Department, Soil and Water Conservation District, Cooperative Extension, and public transportation.
 - B. **Finance and Administration** – A seven (7) member Committee shall review the tentative budget filed by the Budget Officer and shall consider and recommend appropriations required for all purposes and prepare and report the annual estimates for the tax levy.

The Committee shall oversee:

The Finance Department, Office of the Manager of Audit and Financial Projects, the Department of Real Property Tax Services, the Grants Administrator, occupancy tax, Tompkins Cortland Community College (TC3), Industrial Development Agency and Business Development Corporation, and the agency that provides promotional and tourism service. The Finance and Administration Committee shall serve as the Audit Committee.
 - C. **Government Operations** – Not less than five (5) nor more than seven (7) members who shall oversee:

Personnel/Civil Service Office, County Attorney, Board of Elections, County Clerk/Department of Motor Vehicles and the Clerk of the Legislature/Historian.

All matters concerning operation and revision of these Rules shall be referred to the Committee.
 - D. **Health & Human Services** – Shall consist of no less than five (5) and no more than seven (7) members who shall oversee:

The Health Department, Mental Health Department, Department of Social Services, Employment and Training Office and Grant Administration, Office for Aging and Veterans' Services.
 - E. **Judiciary and Public Safety** – Not less than five (5) nor more than seven (7) members who shall oversee:

The District Attorney's Office, Coroners, Assigned Counsel, Public Defender, Sheriff's Department, Probation Department, Department of Emergency Response and Communications.



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- F. **Public Works** – Not less than five (5) nor more than seven (7) members who shall oversee:

Public Works Department and the Information and Technology Department.

The use of County Buildings or properties by external groups or entities shall be approved by majority vote of the Public Works Committee.

ARTICLE XIII
SUSPENSION OR AMENDMENT OF RULES

1. Any Rule may be amended or rescinded by a two-thirds vote of the full Legislature.
2. Any Rule may be suspended by a two-thirds vote of the members present and voting and any suspension shall be effective only while the matter before the Legislature at the time of the suspension remains under discussion.

ARTICLE XIV
INTENT OF THESE RULES AND PARLIAMENTARY QUESTIONS

1. It is the intent of this Legislature to determine the rules of its own proceedings pursuant to County Law §153 and Local Law No. 2 for year 1972 establishing the County Legislature with the power to enact local laws or rules governing the conduct of the members at such sessions and the manner of transaction business thereat.
2. Except as otherwise provided herein, the current edition of *Robert's Rules of Order Newly Revised* shall govern parliamentary procedure at all meetings.

ARTICLE XV
EFFECTIVE DATE

These Rules shall take effect immediately upon adoption and shall remain in effect until amended, revised, or rescinded.

Adopted January 2010 – Revised July 28, 2011

Adopted January 4, 2012 – Revised April 26, 2012 & June 27, 2013

Adopted January 2, 2014 – Revised June 26, 2014 & September 24, 2015

Adopted October 26, 2017 – Revised December 8, 2020

Adopted December 18, 2020 – Revised August 12, 2021

Adopted August 26, 2021 – Revised November 4, 2021

Adopted November 18, 2021 – Revised October 17, 2023

Adopted October 26, 2023 – Revised August 6, 2024

Adopted August 22, 2024 – Revised February 11, 2025

Adopted February 27, 2025 – Revised April 8, 2025

Adopted April 24, 2025 – Revised June 10, 2025

Adopted June 26, 2025 – Revised September 25, 2025

Adopted September 25, 2025