



Cortland County Legislature

Legislative Session

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

~ Agenda ~

Tuesday, October 26, 2021

6:00 PM

Board Room

WebEx Meeting Information

<https://cortlandny.webex.com/cortlandny/j.php?MTID=m41f86a23e72d525b72fd8ad98a2a7d7f>

Tuesday, Oct 26, 2021 6:00 pm | 2 hours | (UTC-04:00) Eastern Time (US & Canada)

Meeting number: 2342 969 8488

Password: fcRx2HE67Js

Join by phone

+1-415-655-0001 US Toll

Access code: 234 296 98488

Salute to the Flag

Public Hearings

1. Creation of Little York Protection and Rehabilitation Taxing District
2. Local Law "H" of 2021 - to Proscribe as Unlawful the Sale and Possession Within the County of Cortland, New York, of Intoxicating Chemical Compounds or Dangerous Substances, that Are Mislabeled or Unlabeled, Whose Intended Purpose is to be Ingested, Inhaled or Injected, to Mimic the Effects of Controlled Substances or Marihuana and that Have No Other Legitimate Therapeutic Use or Purpose; "County of Cortland Synthetic Intoxicants and Dangerous Substances Law".
3. Local Law "I" of 2021 - a Local Law Overriding Tax Levy Limit for Fiscal Year 2022
4. Tentative 2022 Cortland County Budget

Call to Order

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

Chairman Paul Heider	☐	☐	☐	
Legislator Mitchel Eccleston	☐	☐	☐	

Roll Call

Approval of Minutes

1. Cortland County Legislature - Legislative Session - Sep 23, 2021 6:00 PM
2. Cortland County Legislature - Special Meeting - Oct 12, 2021 1:00 PM

Proclamations & Recognitions

Privilege of the Floor

Presentation of Petitions, Communications, and Notice

Receive and File

Reports of Standing, Special and Ad Hoc Committees

Articles Postponed to Day Certain

Unfinished Business

New Business

Resolutions

Resolutions from the Chair

Referred from Building & Grounds Committee

ON MOTION OF HARBIN

AGENDA ITEM NO. 1

Authorize Agreement with Sixth Judicial District for Court Cleaning & Maintenance Services - Buildings & Grounds Department

WHEREAS, 1995 New York State Legislation, Senate Bill # 4428-b, allowed for changes in Section 39-b of the Judiciary Law and amends Sections 54-j and 94920 of the State Finance Law, affecting the Maintenance & Operating procedure for the New York State Unified Court System's 6th Judicial Court District as it relates to Cortland County, AND

WHEREAS, the New York State Unified Court System 6th Judicial District has presented an agreement to the County covering the period of April 1, 2018 through May 31, 2023, AND

WHEREAS, the New York State Unified Court System 6th Judicial District has submitted an annual contract renewal letter dated 9/21/21, which reflects a 2021-2022 Budget amount of \$308,193.00, which is budgeted under account #A162043.43021, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby authorizes the County Administrator, upon review of the County Attorney or designee, to execute the proposed renewal agreement presented by the New York State Unified Court System, Sixth Jurisdiction.

Referred from Highway Committee

ON MOTION OF NEWELL

AGENDA ITEM NO. 2

Amend Fees for Landfill Closure Reserve - Highway Department - Division of Solid Waste

WHEREAS the Legislature adopted Resolution No. 460-16 to adequately fund the Landfill Closure Reserve Account EL.386300.LDCL, AND

WHEREAS, the Legislature adopted Resolution No. 389-18, which amended the fees for the Landfill Closure Reserve Account, AND

WHEREAS, the Cortland County Highway Committee has recognized the need to increase the amounts that are deposited into the landfill closure reserve to more accurately reflect the future needs of the landfill, NOW THEREFORE BE IT

RESOLVED, that \$10.00 of the per ton tipping fee at the Cortland County Landfill be deposited into the Solid Waste Landfill Closure Reserve Account EL.386300.LDCL, effective January 1, 2022, AND BE IT FURTHER

RESOLVED that the funds collected from said tipping fees from users of the landfill be deposited in the previously established account by the Cortland County Treasurer in accordance with established County policy.

ON MOTION OF NEWELL

AGENDA ITEM NO. 3

Amend Budget/Authorize Supplemental Agreement No. 1/Barton and Loguidice, D.P.C./McGraw Marathon Road Bridge (BIN 3312050) Replacement - Highway Department

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

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

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

WHEREAS, the Highway Department solicited and received proposals from firms interested in providing design services for said project, AND

WHEREAS, the Highway Committee appointed a selection committee to review said proposals, and make a recommendation to the Highway Committee of a firm that would best provide professional engineering services, AND

WHEREAS, the Highway Committee recommended that Barton and Loguidice Engineers, D.P.C. of 443 Electronics Parkway Liverpool, NY 13088 provide professional engineering services to the Cortland County Highway Department, AND

WHEREAS, the Cortland County Legislature approved said agreement with Barton and Loguidice, D.P.C by Resolution No. 8-19, AND

WHEREAS, the Cortland County Legislature approved Supplemental Agreement No. 2 with the New York State Department of Transportation (NYSDOT) for the acquisition of right of way property by Resolution No. 224-21, AND

WHEREAS, during the course of the design phase of said project, it was determined that the bridge carrying McGraw Marathon Road was eligible for the National Register of Historic Places, which requires the preparation of a finding document, an alternative analysis and a memorandum of agreement to meet section 106 a 4 (f) requirements, AND

WHEREAS, the additional scope of work for the design phase of the said project needs to be changed to include the ROW incidentals and acquisition, AND

WHEREAS, contingent upon funding by the NYSDOT, the Cortland County Highway Committee wishes to further said project by authorizing Supplemental Agreement No. 1 with Barton and Loguidice, D.P.C. which adds \$55,000.00 to the design agreement and also includes \$170,000.00 for construction inspection, AND

WHEREAS, the construction inspection amount of \$170,000.00 is already included in the 2021 Capital Budget, NOW THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature of Cortland County, upon review and approval by the County Attorney, or designee, is hereby authorized to execute Supplemental Agreement No. 1 with Barton and Loguidice, D.P.C. for the continued design and construction inspection of the McGraw Marathon Road bridge replacement, AND BE IT FURTHER

RESOLVED, that the 2021 Capital Project Budget be amended as follows:

Increase:

Expense:

HH51225.54055.MMBR	Professional Services	\$55,000.00
A99095.59950.MMBR	Interfund Transfer Out	\$ 2,750.00

Revenue:

HH512243.44597.MMBR	Federal Revenue	\$52,250.00
HH99015.45031.MMBR	Local Share	\$ 2,750.00
A359900	Fund Balance	\$ 2,750.00

Referred from Health & Human Services Committee

ON MOTION OF BISCHOFF

AGENDA ITEM NO. 4

Authorize Various 2022 Agreements - Area Agency on Aging

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee as to form and subject to any appropriation of funding by the Legislature, be and hereby is authorized to execute agreements through the end of 2022 for or with the following:

Aetna Better Health, Inc.
Access to Independence
Central New York Chapter Alzheimer's Association
Classen Home Health Association
Cortland County Department of Social Services
Cortland County Community Action Program Inc. (CAPCO)
Cortland Chenango Rural Services, Inc.

Cortland Transit
Center 4 Arts
Comfort Keepers
Cortland Housing Assistance Council, Inc.
Cortland Park Rehabilitation & Nursing Facility
Cortland Repertory Theatre
CNY Seniors (d/b/a Home Instead Senior Care)
Crescent Commons Master Tenant, LLC
Guthrie Cortland Nursing & Rehabilitation Facility
Critical Signal Technologies, Inc., GTL, Inc. (d/b/a Link to Life)
Crown Park Rehabilitation and Nursing
Elder Choice
Elizabeth Brewster House
Family Health Network
Fidelis Care
Homemakers of Western New York (d/b/a Caregivers Home Care)
Independent Living Systems (iCircle)
Integrity Home Care Services
J.M. Murray Center
KPH Healthcare Services/Kinney Drugs
Language Line
Language Services Associates
Liberty Resources, Inc.
Madison County Office for Aging
New York State Energy Research and Development Authority
New York State Office for the Aging
Philips Lifeline
Portzline Social Day Program
Resource Center For Independent Living
Rural Law Center of New York, Inc.
Scott United Methodist Church
Seniors at Home LLC (d/b/a Home Instead Senior Care)
SEPP Corporation
Seven Valley Health Coalition
Staffkings Healthcare Systems, Inc.
SUNY Cortland
Syracuse University
The Scott Club, Inc.
TLC Medical Transportation Services, Inc.
Visiting Nurse Service of New York Choice
VNA Home Care Options (Nascentia Health)
Town of Homer
Town of Preble
Town of Willet
Town of Truxton
Truxton United Methodist Church
Village of Marathon
Village of McGraw
Virgil United Methodist Church

Walden Place
Walgreens Co.
Walmart Stores, Inc.

ON MOTION OF BISCHOFF

AGENDA ITEM NO. 5

Authorize Agreement Expanded In-Home Services for the Elderly (EISEP) - Area Agency on Aging

WHEREAS, the Expanded In-Home Services for the Elderly (EISEP) and the National Family Caregiver Support (Title IIIIE) programs provide critical services to frail older adults, AND

WHEREAS, the Area Agency on Aging requires the services of outside service providers and private organizations to fulfill its charge, AND

WHEREAS, the Area Agency on Aging wishes to enter into a contract with Philips Lifeline medical alert services for the provision of Personal Emergency Response Systems (PERS), AND

WHEREAS, the total amount of all EISEP and Title IIIIE contracts shall not exceed the available funds allocated to each program:

Total Allocation for EISEP PERS units is \$13,000
Total Allocation for Title IIIIE PERS units is \$2,600

, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee, and subject to any appropriation of funding by the Legislature, be and hereby is authorized to execute said agreement.

ON MOTION OF BISCHOFF

AGENDA ITEM NO. 6

Amend 2021 Budget/Accept State Aid Funding 4Th Quarter - Mental Health Department

WHEREAS, the Cortland County Legislature and County Administrator approved Resolution No. 130-20 to contract with and accept funds from NYS Office of Mental Health and OASAS for various county community programs for the year 2021, AND

WHEREAS, Cortland County Mental Health Department has received confirmation from the NYS Office of Mental Health and OASAS that State Aid funding for some programs has been increased for the 4th Quarter of 2021, AND

WHEREAS, Guthrie Cortland Medical Center A43105.54815.4222 funding has been reduced by \$30 for budget year 2021, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee, is hereby authorized to execute an agreement to accept the funds amendments as listed, AND BE IT FURTHER

RESOLVED, that the 2021 County Mental Health budget be amended as follows:

Increase Revenue:

Agency	Account Number	Budget Amt	Total Alloc.	Inc/Dec
Catholic Charities of Cortland County	A43105.54815.4213	\$1,047,577.00	\$1,062,040.00	\$14,463.00

Contact Community Services	A43105.54815.4227	\$10,000.00	\$10,075.00	\$75.00
Family Counseling Services	A43105.54815.4208	\$936,425.00	\$943,449.00	\$7,024.00
Franziska Racker Center	A43105.54815.4219	\$40,053.00	\$40,353.00	\$300.00
JM Murray Center, Inc.	A43105.54815.4216	\$212,724.00	\$214,579.00	\$1,855.00
MHA of Cortland County	A43105.54815.4221	\$19,812.00	\$19,961.00	\$149.00
Seven Valleys Health Coalition	A43105.54815.427V	\$12,000.00	\$12,090.00	\$90.00
Cortland Enlarged City School District	A43105.54815.4211	\$97,265.00	\$97,994.00	\$729.00

Decrease Revenue:

Agency	Account Number	Budget Amt	Total Alloc.	Inc/Dec
Guthrie Cortland Medical Center	A43105.54815.4222	\$28,261.00	\$28,231.00	\$(30.00)

Revenue Accounts:

OASAS	A431043.43492.4200	\$13,032.00
OMH	A431043.43490.4200	<u>\$11,623.00</u>
TOTAL		\$24,655.00

ON MOTION OF BISCHOFF

AGENDA ITEM NO. 7

Authorize Agreement Hearing Officer Services Environmental Health - Health Department

WHEREAS, the Division of Environmental Health requires a Hearing Officer to preside in cases for enforcement of the NYS Public Health Law, NYS Sanitary Code and the Cortland County Sanitary Code, AND

WHEREAS, Robert Spitzer, of 23 West Court Street, Cortland, New York, will provide the services as necessary to meet the needs at a fee of \$150 per hour, AND

WHEREAS, monies for the above services are budgeted in Professional Services expenditure account A40125.54815.EH, AND

WHEREAS, the term for this agreement shall be from January 1, 2022 to December 31, 2024, AND

WHEREAS, this agreement shall include a ninety-day extension clause allowing the agreement to be extended until March 31, 2025 if a successor agreement is not executed by January 1, 2025, AND

WHEREAS, this agreement shall waive the requirement for Worker's Compensation/Unemployment/Liability insurance coverage which names "Cortland County" as an additional insured, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee and subject to appropriation of funding by the Legislature, are hereby authorized to execute the agreement for the provision of said services.

ON MOTION OF BISCHOFF

AGENDA ITEM NO. 8

Authorize Agreement with James McGuinness & Associates, Inc. for Software Used for Pre-K Services -Children with Special Needs Division - Health Department

WHEREAS, the Cortland County Health Department's Children with Special Needs Division

Pre-K program is required to enter student data to meet state regulations and to expedite billing and subsequent reimbursement from the State Education Department, AND

WHEREAS, Cortland County Health Department currently utilizes Pre-K software from James McGuinness & Associates, Inc. for this purpose, AND

WHEREAS, Cortland County Health Department desires to continue contracting with James McGuinness & Associates, Inc. for said software at a cost of \$792 per month, which includes 3 hours of support as well as electronic Medicaid claims submission, AND

WHEREAS, the agreement will be in effect from November 1, 2021 until October 31, 2023 with the right to renew by the parties for 2 year terms, up to 3 renewals total, AND

WHEREAS, funds have been budgeted for this expense in account number A40465.54015.PREK, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Administrator upon review and approval by the County Attorney or designee, and subject to appropriation of funding by the Legislature, are hereby authorized to enter into an agreement with James McGuinness & Associates, Inc., 1482 Erie Blvd., Schenectady, NY, 12305.

ON MOTION OF BISCHOFF

AGENDA ITEM NO. 9

Authorize Amendment/Amend Budget/Accept Funds Health Research, Inc. COVID-19 ELC - Health Department

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

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

WHEREAS, funding for this grant will increase from \$251,799 to \$581,922 and the contract end date will move from 6/30/22 to 3/31/23, AND

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

Increase Revenue:	<u>Current</u>	<u>Increase</u>	<u>Balance</u>
A40115.44401.22ELC ELC Grant	\$74,288	\$330,123	\$404,411
Increase Expenditures:	<u>Current</u>	<u>Increase</u>	<u>Balance</u>
A40115.51005.22ELC Personal Services	\$44,899	\$201,660	\$246,559
A40115.58020.22ELC Retirement	\$7,274	\$28,232	\$35,506
A40115.58030.22ELC FICA	\$3,435	\$15,427	\$18,862
A40115.58040.22ELC Workers Comp	\$3,740	\$14,000	\$17,740
A40115.58060.22ELC Health Insurance	\$14,928	\$70,804	\$85,732
A40115.58062.22ELC Dental Insurance	\$10	\$0	\$10
A40115.58065.22ELC Vision Insurance	\$2	<u>\$0</u>	\$2
		\$330,123	

, NOW THEREFORE BE IT

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

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

ON MOTION OF BISCHOFF

AGENDA ITEM NO. 10

Authorize Contracts for Services - Children with Special Needs Program - Health Department

WHEREAS, the Cortland County Health Department's Children with Special Needs Division Pre-K program is required to pay for services as approved in an Individual Education Plan (IEP), requiring contracts with providers, AND

WHEREAS, such services include but are not limited to special instruction, speech pathology, physical therapy, occupational therapy, social service work, nutrition, audiology, transportation, aide and day care services, AND

WHEREAS, the Cortland County Health Department would like to contract with Gorge Falls Therapy to provide educational evaluations and services at the State-approved rates that are set by the State Education Department, AND

WHEREAS, Cortland County is authorized to contract with other qualified service providers as needed, AND

WHEREAS, monies for above services are budgeted in expenditure account A40465.54445.PreK - Tuition, AND

WHEREAS, this contract shall be for the term November 1, 2021 through June 30, 2022 with a ninety day extension clause allowing the respective agreement to be extended until September 30, 2022 if a successor agreement is not executed by July 1, 2022, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Administrator and the Public Health Director or designee, upon review and approval by the County Attorney or designee, are authorized to execute an agreement for the provision of said services with Gorge Falls Therapy.

ON MOTION OF BISCHOFF

AGENDA ITEM NO. 11

Authorize 2022 Foster Care and Detention Agreements - Department of Social Services

WHEREAS, the Cortland County Department of Social Services must be able to purchase foster care, detention and adoption services for specialized care and placement of children, AND

WHEREAS, the payment rates for such services are established by New York State at Maximum State Aid Rates, AND

WHEREAS, the funds are expended once services are required and provided, AND

WHEREAS, payments for such services are made from one of the following accounts; A60105.56109, A60105.56119, or A60105.56123, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review by the County Attorney or designee, be and hereby is authorized and directed to execute contractual agreements in 2022 for foster care, detention and adoption services with licensed agencies and/or foster care parents licensed or otherwise authorized by the New York State Office of Children and Family Services, AND BE IT FURTHER

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

ON MOTION OF BISCHOFF

AGENDA ITEM NO. 12

Authorize Agreements 2022 Day Care Services - Department of Social Services

WHEREAS, the Cortland County Department of Social Services must be able to purchase day care services from day care centers to provide care for children eligible for the Low-Income Day Care and Temporary Assistance Day Care programs, AND

WHEREAS, the payment rates for such services are established by New York State at Child Care Market Rates, AND

WHEREAS funds are expended once services are authorized, required, and provided, AND

WHEREAS, payments for day care services are made from one of the following accounts; A60105.56055, A60105.56070, or A60105.56119, NOW THEREFORE BE IT

RESOLVED, that the County Administrator be and hereby is authorized and directed to execute contractual agreements in 2022 for Day Care Services with agencies/providers pursuant to criteria established by the New York State Office of Children and Family Services, AND BE IT FURTHER

RESOLVED, that said agreements shall be contingent upon the approval of the County Attorney or designee and subject to appropriation of funding by the Legislature.

ON MOTION OF BISCHOFF

AGENDA ITEM NO. 13

Authorize Agreements 2022 Work Experience Work Sites - Department of Social Services

WHEREAS, the Cortland County Department of Social Services is required to provide Work Experience activities as part of an Employment Plan required by the New York State Office of Temporary and Disability, AND

WHEREAS, there are no funds paid for such services, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review by the County Attorney or designee, be and hereby is authorized and directed to execute contractual agreements from 12/31/21 through 12/31/22 for work experience site placements with the following:

Cortland County Buildings and Grounds
Cortland County Agency on Aging
Cortland County Clerk
Cortland County Employment and Training
Cortland County Grants Administration
Cortland County Health Department
Cortland County Highway Department
Cortland County Legislature
Cortland County Mental Health Clinic
Cortland County Personnel Department

ON MOTION OF BISCHOFF

AGENDA ITEM NO. 14

Authorize Various 2022 Agreements - Department of Social Services

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

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

RESOLVED, that the County Administrator, upon review by the County Attorney or designee and subject to appropriation of funding by the Legislature, be and hereby is authorized to execute agreements between 12/31/21 and 12/31/22 for or with the following:

Access to Independence, Inc.
Catholic Charities
Cayuga Addictions Recovery Services
Cayuga Centers
Child Development Council
Community Action Program (CAPCO)
Cortland County Area Agency on Aging
Cortland County Central Services
Cortland County District Attorney's Office
Cortland County Employment and Training
Cortland County Mental Health Department
Cortland County Probation Department
Cortland County Sheriff's Department
Cortland County Veteran's Services Office
Elmcrest Children's Services
Family Counseling Services
Hillside Children's Center
Jennifer Genovese, ACSW, LCSW
J.M. Murray Center
LabCorp
Language Line
L. Woerner, Inc d/b/a Home Care of Rochester
Lifeline Systems, Inc.
Salvation Army
Staffing Healthcare Systems, Inc.
Upstate Services Group
YWCA

Referred from Agriculture/Planning/Environment Committee

ON MOTION OF FITCH

AGENDA ITEM NO. 15

Establish Little York Lake Special Taxing District

WHEREAS, the Little York Lake Preservation Society, Inc. recommends the creation of a Special Taxing District for the properties surrounding Little York Lake, AND

WHEREAS, the name of this district would be the "Little York Lake Protection and Rehabilitation District", hereinafter referred to as "District", AND

WHEREAS, the Cortland County Soil and Water Conservation District will be the administrative agent for the District at no cost except for the reimbursement for direct costs from the Little York Lake Preservation Society, Inc., AND

WHEREAS, after receiving the maps, plans, reports and recommendations from the Little York Lake Preservation Society, Inc., it is the recommendation of the Agricultural, Planning and Environmental Committee to create this District, AND

WHEREAS, the District will include the tax map parcels highlighted on the attached map, AND

WHEREAS, a public hearing was held on October 26, 2021 at 60 Central Avenue, Room 308, Cortland, New York 13045 for any and all persons wishing to speak regarding the creation of this District pursuant to County Law § 254, NOW THEREFORE BE IT

RESOVLED, that the Special Taxing District known as the “Little York Lake Protection and Rehabilitation District” be and hereby is created as of January 1, 2023, AND BE IT FURTHER

RESOLVED, that Cortland County Real Property Tax Services and the County Treasurer be and hereby are authorized to implement and collect this special tax.

ON MOTION OF FITCH

AGENDA ITEM NO. 16

Rescind Resolution No. 161-21/Authorize Agreement Bus Shelter - Cortland County Planning Department

WHEREAS, the Village of Homer is requesting a bus shelter to be installed at the Homer Recreation Building located at 53 Main Street, Homer, New York, AND

WHEREAS, monies awarded from the Federal 5311 Capital Grant will be used for the purchase of the bus shelter and are in the 2021 budget line A56305.52015, AND

WHEREAS, Resolution No. 161-21 approved a contract with Brasco International, Inc. for the purchase of the bus shelter, AND

WHEREAS, there are legal issues with the original contract with Brasco International, Inc., which required the County to obtain new quotes for the bus shelter, AND

WHEREAS, the Cortland County Planning Department has solicited and received three written quotes as follows:

Company	Address	Quote
Handi Hut	3 Grunwald St. Clifton, NJ 07013	\$11,880
Brasco International, Inc.	32400 Industrial Drive Madison Heights, MI 48071	\$13,450
Columbia Equipment Company	72 Albany Avenue Freeport, NY 11520	\$15,739

, AND

WHEREAS, the lowest overall responsible quote for a bus shelter was from Handi-Hut, 3 Grunwald St., Clifton, NJ 07013, AND

WHEREAS, Cortland County will be reimbursed up to \$9,999 for the purchase of this bus shelter, AND

WHEREAS, the Village of Homer will obtain their own contract with Handi-Hut and be responsible for any additional costs above \$9,999, AND

WHEREAS, the Village of Homer has agreed to assume responsibility for the maintenance and liability of the bus shelter, including the clearing of snow, providing clear walkways for passengers and keeping it free of trash and graffiti, NOW THEREFORE BE IT

RESOLVED, that Resolution No. 161-21 be and hereby is rescinded, AND BE IT FURTHER

RESOLVED, that the County Administrator, upon review and approval as to form by the County Attorney or designee, is hereby authorized to sign an agreement with Handi-Hut, 3 Grunwald St, Clifton, NJ 07013 for a bus shelter in the amount of \$9,999 to be delivered to the Village of Homer.

Referred from Judiciary & Public Safety Committee

ON MOTION OF PRICE

AGENDA ITEM NO. 17

A Local Law Implementing a Demonstration Program Imposing Owner Liability for Failure of an Operator to Stop for a School Bus Displaying a Red Visual Signal and Stop-Arm

BE IT ENACTED BY THE BOARD OF COUNTY LEGISLATORS OF THE COUNTY OF CORTLAND, STATE OF NEW YORK, AS FOLLOWS:

SECTION 1. PURPOSE AND INTENT.

The Cortland County Legislature hereby finds and determines that New York State has authorized counties to implement a demonstration program or monitoring program which will allow Cortland County to install cameras on the exterior of school buses in participating school districts, and impose monetary liability on vehicles that fail to stop behind or in front of a school bus while the school bus stop signs are extended, including traffic traveling in both directions on divided highways.

The Cortland County Legislature also finds and determines that cars that fail to stop when a school bus operator engages the bus stop signs pose a threat to the safety of the children entering and exiting the bus.

The Cortland County Legislature further finds and determines that it is difficult to ticket drivers who disregard school bus stop signs without video evidence of the violation, as there are usually no members of law enforcement witnessing the violation.

The Cortland County Legislature determines that this school bus photo violation monitoring program will not only help to keep children safe when entering and exiting the school bus, but will also act as a deterrent to those who debate passing a school bus while the stop signs are engaged.

Therefore, the purpose of this law is to implement a demonstration program to impose monetary liability on the owner of a vehicle for failure of the operator to stop when a school bus has its stop signs extended in Cortland County through the installation and monitoring of external school bus cameras.

SECTION 2. DEFINITIONS.

For the purposes of this Local Law, the following terms shall have the following meanings:

- A. "County" shall mean the County of Cortland.
- B. "Manual on Uniform Traffic Control Devices" or "MUTCD" shall mean the manual and specifications for a uniform system of traffic control devices maintained by the Commissioner of the Department of Transportation pursuant to Section 1680 of the New York Vehicle Traffic Law.
- C. "Owner" shall have the meaning provided in Section 239 of the New York Vehicle and Traffic Law.
- D. "School Bus Photo Violation Monitoring System" shall mean a device that is capable of operating independently of an enforcement officer which is installed to work in conjunction

with a school bus stop-arm and which automatically produces two or more photographs, two or more microphotographs, a videotape or other recorded images of a vehicle at the time it is used or operated in violation of subdivision (a) of Section 1174 of the New York Vehicle and Traffic Law.

SECTION 3. PROGRAM ESTABLISHED.

- A. There is hereby established, pursuant to Section 1174-a of the New York State Vehicle and Traffic Law, a demonstration program imposing monetary liability on Owners of vehicles for failure of the operators thereof to comply with Section 1174 of the New York State Vehicle and Traffic Law when meeting a school bus marked and equipped as provided in subdivisions 20 and 21-c of Section 375 of the New York State Vehicle and Traffic Law in Cortland County.
- B. Under such demonstration program the County is hereby authorized to install and operate School Bus Photo Violation Monitoring Systems which may be stationary or mobile, and which may be installed, pursuant to an agreement with a school district within the County on school buses owned and/or operated by such school district. Provided, however, that:
 - I. No stationary School Bus Photo Violation Monitoring System shall be installed or operated by the County, except on roadways under the jurisdiction of the County; and
 - II. No mobile School Bus Photo Violation Monitoring System shall be installed or operated on any such school buses unless the County and such school district enter into an agreement for such installation and operation.
- C. To carry out the demonstration program, the County, acting by and through the County Administrator, is authorized to enter into agreements with school districts for the installation, maintenance and use of School Bus Photo Violation Monitoring Systems, for the proper handling and custody of photographs, microphotographs, videotapes, other recorded images and data produced by such systems, and for the forwarding of such photographs, microphotographs, videotapes, other recorded images and data to the County, subject to the provisions of this section and Section 1174-a of the New York Vehicle and Traffic Law and approval of the Board of County Legislators.
- D. Nothing in this Local Law shall be construed to prevent the County or school district at any time from withdrawing from or terminating an agreement for the installation, maintenance and use of School Bus Photo Violation Monitoring Systems, provided however, that the County or the school district shall provide no less than thirty days' required notice to the other for such withdrawal, if any, prior to such withdrawal.
- E. Cost of Program and Reports Relating Thereto.
 - I. The total cost to the school district of the installation, maintenance and use of School Bus Photo Violation Monitoring Systems pursuant to an agreement authorized by this Local Law shall be borne entirely by the County.
 - II. Any participating school district, acting by and through the Superintendent of Schools of such district, or his or her designee shall provide any report required of the district, pursuant to Section 1174-a of the Vehicle and Traffic Law, to the State or any official thereof.
 - III. To the extent that the County shall be required to issue any report to the State or any official thereof as a result of the adoption of this Local Law and/or Section 1174-a of the Vehicle and Traffic Law, the Cortland County Sheriff's Office shall cause the same to be prepared pursuant to this Local or applicable State law.

- (a) Pursuant to Section 1174-a (a)(3)(i) of the Vehicle and Traffic Law, any school district participating in the demonstration program shall be prohibited from accessing any photographs, microphotographs, videotapes, other recorded images and data from School Bus Photo Violation Monitoring Systems but shall provide, pursuant to the agreement with the County, as provided in this Local Law, for the proper handling and custody of such photographs, microphotographs, videotapes, other recorded images and data produced by such systems, and for the forwarding of such photographs, microphotographs, videotapes, other recorded images and data to the County for the purpose of determining whether a motor vehicle was operated in violation of subdivision of Section 1174 of the New York Vehicle and Traffic Law and imposing monetary liability on the Owner of such motor vehicle therefor.
 - (b) The agreements between the County and the school district shall provide that photographs, microphotographs, videotapes other recorded images and data produced by School Bus Photo Violation Monitoring Systems shall be destroyed (i) ninety days after the date of the alleged imposition of liability if a notice of liability is not issued for such alleged imposition of liability pursuant to this Local Law; or (ii) upon final disposition of a notice of liability issued pursuant to this Local Law.
- F. The County shall adopt and enforce measures to protect the privacy of drivers, passengers, pedestrians and cyclists whose identity and identifying information may be captured by a school bus photo monitoring device. Such measures shall include:
- I. Utilization of necessary technologies to ensure, to the extent practicable, that photographs produced by such School Bus Photo Violation Monitoring Systems shall not include images that identify the driver, the passengers, the contents of the vehicle, pedestrians and cyclists, provided, however, that no notice of liability issued pursuant to this section shall be dismissed solely because a photograph or photographs allow for the identification of the contents of a vehicle, provided that the County has made a reasonable effort to comply with the provisions of this paragraph; and
 - II. A prohibition of the use or dissemination of vehicles' license plate information and other information and images captured by School Bus Photo Violation Monitoring Systems except: (a) as required to establish liability under this section or collect payment of penalties; (b) as required by court order; or (c) as otherwise required by law; and
 - III. Oversight procedures to ensure compliance with the privacy protection measures required herein.
- G. The County, acting by and through the Commissioner of the Department of Public Works (DPW) shall also undertake the installation of signage in conformance with standards established in the MUTCD. Such signage shall be installed at each roadway entrance of the jurisdictional boundaries of the County giving notice that School Bus Photo Violation Monitoring Systems are used to enforce restrictions on vehicles violating Section 1174 of the New York Vehicle and Traffic Law. For the purposes of this paragraph, the term "roadway" shall not include state expressway routes or state interstate routes but shall include controlled-access highway exit ramps that enter the boundaries of the County.

SECTION 4. PENALTIES.

An Owner liable for a violation of subdivision (a) of Section 1174 of the New York Vehicle and Traffic Law pursuant to this Local Law shall be liable for monetary penalties in accordance with the following schedule of fines and penalties:

- A. Two hundred fifty dollars (\$250.00) for a first violation;
- B. Two hundred seventy-five dollars (\$275.00) for a second violation committed within eighteen (18) months of the first violation;
- C. Three hundred dollars (\$300.00) for a third violation or subsequent violation all of which were committed within eighteen (18) months from the first violation; and
- D. An additional penalty of twenty-five dollars (\$25.00) for each violation for the failure to respond to a notice of liability within the prescribed time period.

SECTION 5. NOTICE OF LIABILITY.

- A. A notice of liability shall be sent as provided by New York State Law by first class mail to each person alleged to be liable as an Owner for a violation of subdivision (a) of Section 1174 of the New York Vehicle and Traffic Law. Personal delivery on the Owner shall not be required. A manual or automatic record of mailing prepared in the ordinary course of business shall be prima facie evidence of the facts contained therein. To the extent that New York State Law does not preclude the County from causing such mailing to be made, the County shall undertake or cause to be undertaken such mailing.
- B. A notice of liability shall contain the name and address of the person alleged to be liable as an Owner for a violation of subdivision (a) of Section 1174 of the New York Vehicle and Traffic Law, the registration number of the vehicle involved in such violation, the location where such violation took place, the date and time of such violation and the identification number of the camera which recorded the violation or other document locator number.
- C. A notice of liability shall contain information advising the person charged of the manner and the time in which he or she may contest the liability alleged in the notice. Such notice of liability shall also contain a warning to advise the persons charged that failure to contest in the manner and time provided shall be deemed an admission of liability and that a default judgment may be entered thereon.
- D. The notice of liability may contain such other information as the entity causing such notice of liability to be mailed deems appropriate to communicate the law, the adjudicatory process if the addressee of the notice wishes to contest the notice of liability.

SECTION 6. OWNER LIABILITY.

- A. The Owner of a vehicle shall be liable for a penalty imposed pursuant to this Local Law if such vehicle was used or operated with the permission of the Owner, express or implied, in violation of subdivision (a) of Section 1174 of the New York Vehicle and Traffic Law and such violation is evidenced by information obtained from a School Bus Photo Violation Monitoring System; provided however that no Owner of a vehicle shall be liable for a penalty imposed pursuant to this Local Law where the operator of such vehicle has been convicted of the underlying violation of subdivision (a) of Section 1174 of the New York State Vehicle and Traffic Law. For purpose of this Section and this Local Law, there shall be a presumption that such vehicle was used and operated with the consent of the Owner at the time it was used and operated in violation of subdivision (a) of Section 1174 of the New York Vehicle and Traffic Law.
- B. If the Owner receives a notice of liability pursuant to this Local Law for any time period during which the vehicle was reported to the police as having been stolen, it shall be a valid defense to an allegation of liability for a violation of subdivision (a) of Section 1174 of

the New York Vehicle and Traffic Law pursuant to this Local Law that the vehicle had been reported to the police as stolen prior to the time the violation occurred and had not been recovered by such time. For purposes of asserting the defense provided by this subdivision, it shall be sufficient that a certified copy of the police report on the stolen vehicle be sent or delivered to a court of competent jurisdiction or parking violations bureau having jurisdiction where any contested notice of liability would otherwise be determined.

- C. An Owner who is a lessor of a vehicle to which a notice of liability was issued pursuant to this Local Law shall not be liable for the violation of subdivision (a) of Section 1174 of the New York Vehicle and Traffic Law, provided that he or she complies with the provisions of Section 1174-a of the New York Vehicle and Traffic Law and otherwise sends to the Court of competent jurisdiction or other adjudicatory bureau or agency of competent jurisdiction, a copy of the rental, lease or other such contract document covering such vehicle on the date of the violation, with the name and address of the lessee clearly legible, within thirty-seven (37) days after receiving notice from the agency or entity which caused such notice of liability to be issued, together with the information contained in the original notice of liability. Failure to send such information within thirty seven (37) day time period shall render the Owner liable for the penalty prescribed by this Local Law. Where the lessor complies with the provisions of this paragraph, the lessee of such vehicle for purposes of this Section, shall be deemed to be the Owner of such vehicle on the date of such violation for the purposes of this Section, shall be subject to liability for the violation of subdivision (a) of Section 1174 of the New York Vehicle and Traffic Law pursuant to this Local Law and shall be sent a notice of liability pursuant to Section 4 of this Local Law.
- D. A certificate, sworn to or affirmed by a technician employed by the County, or a facsimile thereof, upon inspection of photographs, microphotographs, videotapes, other recorded images produced by a School Bus Photo Violation Monitoring System, shall be prima facie evidence of the facts contained therein. Any photographs, microphotographs, videotapes, or other recorded images evidencing such a violation shall be available for inspection in any proceeding to adjudicate the liability for such violation.
- E. It shall be a defense to any prosecution for or allegation of a violation of subdivision (a) of Section 1174 of the New York Vehicle and Traffic Law pursuant to this Local Law that such school bus stop-arms were malfunctioning at the time of the alleged violation.
- F. An imposition of liability under this Local Law shall not be deemed a conviction and shall not be made part of the operating record of the person upon whom such liability is imposed nor shall it be used for insurance purposes in the provision of motor vehicle insurance coverage.
- G. All fines and penalties collected pursuant to this law shall be deposited with the County Treasurer.
- H. For the purpose of informing and educating Owners for motor vehicles in this County during the first thirty-day (30) period in which a School Bus Photo Violation Monitoring System is in operation pursuant to the provisions of this Local Law, all Owners of motor vehicles who would otherwise be held liable for failure of operators thereof to comply with Section 1174 of the New York Vehicle and Traffic Law when meeting a school bus marked and equipped as provided in subdivisions 20-21-c of Section 375 of such Law, shall be issued a written warning in lieu of a notice of liability.

SECTION 7. ADJUDICATION OF LIABILITY.

Liability pursuant to the demonstration program established hereunder shall be imposed upon Owners by the Court of competent jurisdiction in Cortland County or in another other manner pursuant to the

SECTION 8. ACTION FOR INDEMNIFICATION.

If the Owner held liable for a violation of subdivision (a) of Section 1174 of the New York Vehicle and Traffic Law pursuant to this Local Law was not the operator of the vehicle at the time of the violation, the Owner may maintain an action for indemnification against the operator.

SECTION 9. REPORTING REQUIREMENTS.

- A. The County, acting by and through the Cortland County Sheriff's Office, shall develop and cause to be submitted an annual report on the results of the use of a School Bus Photo Violation Monitoring System to the Governor, the president of the Senate and the speaker of the Assembly on or before June 1 of each year in which the demonstration program is operable. Such report shall include any information required by Section 1174- a (m) of the New York Vehicle and Traffic Law to be included as a result of the enactment of this Local Law.
- B. Pursuant to the requirements of Section 1174-a of the New York State Vehicle and Traffic Law, courts, bureaus, and agencies conducting adjudications as a result of this Local Law shall report at least annually to the County on the quality of the adjudication process and its results including the total number of hearings scheduled, re-scheduled, and held; the total number of persons scheduled for such hearings; the total number of cases where fines were paid on or before the hearing date; and the total number of default judgments entered.
- C. The County, acting by and through the Cortland County Sheriff's Office, shall annually provide a copy of the annual report submitted pursuant to subsections A and B of this Section, to each Local Law enforcement agency having jurisdiction to enforce violations of the vehicle and traffic law or any ordinance, rule or regulation relating to traffic adopted pursuant to such law on roadways within the County.

SECTION 10. APPLICABILITY.

This Local Law shall apply to all actions in school districts that have agreements with the County for any school year commencing on or after September 1st, 2021.

SECTION 11. SEVERABILITY.

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

SECTION 12. EFFECTIVE DATE

This Local Law shall take effect on November 1, 2021.

ON MOTION OF PRICE

AGENDA ITEM NO. 18

Amend 2021 Budget/Authorize Agreement/Accept 2021 Statewide Interoperable Communications Grant - Department of Emergency Response and Communications

WHEREAS, the New York State Department of Homeland Security and Emergency Services (NYS DHSES) has awarded the Cortland County Department of Emergency Response and

Communications a Statewide Interoperable Communications Grant (SICG) in the amount of \$786,420, resulting in no new county costs, in support of interoperable communications, AND

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

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

RESOLVED, that the 2021 budget is amended as follows:

	Current	Change	Revised
INCREASE REVENUE BUDGET:			
A302043.43306.22IC DHSES Grant	\$0	\$786,420	\$786,420
INCREASE EXPENDITURE BUDGET:			
A30205.54048.22IC Program Specific materials	\$0	\$786,420	\$786,420

, AND BE IT FURTHER

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or her designee and subject to appropriation of funding, be and hereby is authorized to sign the grant contract with the New York State Department of Homeland Security and Emergency Services at an amount not to exceed \$786,420, AND BE IT FURTHER

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

ON MOTION OF PRICE

AGENDA ITEM NO. 19

Abolish/Create Community Services Coordinator/Alternatives to Incarceration Officer - Probation Department

WHEREAS, the needs of the office will be better served by abolishing one (1) full-time Community Services Coordinator position and creating one (1) full-time Alternatives to Incarceration Officer in the Probation Department, AND

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

RESOLVED, that one (1) position of Community Services Coordinator (Grade 12, \$18.4991-23.1828/hour, CSEA, competitive class, full-time 40 hours/week with benefits) be and hereby is abolished effective November 8, 2021 at midnight, AND BE IT FURTHER

RESOLVED, that one (1) position of Alternatives to Incarceration Officer (Grade 16, \$21.1408-26.4932/hour, CSEA, competitive class, full-time 40 hours/week with benefits) be created with permission to fill effective October 27, 2021 at 12:01 am.

ON MOTION OF PRICE

AGENDA ITEM NO. 20

Authorize Agreement with Josie's Journey, Inc. for Canine Comfort Care Services - Child Advocacy Center

WHEREAS, the Cortland County Child Advocacy Center believes there is a therapeutic value to providing clients with access to a trained canine to be utilized for comfort services, AND

WHEREAS, Josie's Journey, Inc. has agreed to contract with Cortland County to provide such services at a cost of \$50 per hour, AND

WHEREAS, the Judiciary and Public Safety Committee supports a contract with Josie's Journey, Inc. on a per diem basis, 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 with Josie's Journey Inc. for canine comfort services for the term October 1, 2021 - September 30, 2022.

Referred from Government Operations Committee

ON MOTION OF WILSON

AGENDA ITEM NO. 21

Adopt Cortland County Employee Social Media Policy

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

WHEREAS, the County Legislature wishes to adopt a policy to provide guidance for employee use of social media, NOW THEREFORE BE IT

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

ON MOTION OF WILSON

AGENDA ITEM NO. 22

Authorize Agreement Burke Group for CSEA Employees Salary Review and Analysis - Cortland County Legislature

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

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

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

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

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee, is hereby authorized to execute an agreement with the Burke Group to provide the above referenced services for an amount not to exceed \$20,000.

ON MOTION OF WILSON

AGENDA ITEM NO. 23

Increase Wage for New York State Nurse's Association and CSEA Employees - Personnel Department

WHEREAS, the Personnel/Civil Service Office and County Administrator has reviewed the salary grade for many positions in the New York State Nurse's Association (NYSNA) and the CSEA

Local 812, Unit 6550 labor contract, AND

WHEREAS, upon execution of a Memorandum of Agreement with the CSEA Local 812, Unit 6550, AND

WHEREAS, Resolution No. 241-21 reallocated various positions in the Cortland County Highway Department, AND

WHEREAS, the County Administrator and Personnel Officer recommend a 4% wage increase for the positions in the NYSNA and CSEA Local 812, Unit 6550 labor contract, not including those positions reallocated by Resolution No. 241-21, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby authorizes and directs a 4% wage increase for the positions in the NYSNA and CSEA Local 812, Unit 6550 labor contract, not including those positions reallocated by Resolution No. 241-21, effective October 31, 2021.

ON MOTION OF WILSON

AGENDA ITEM NO. 24

Amend Management/Management Confidential Compensation Policy Grade and Step Schedule for 2021 – Personnel Department

WHEREAS, the Cortland County Legislature adopted a local law on November 14, 2011 entitled “A Local Law to Adopt the County of Cortland Employment Policy Manual for Department Heads, Management Employees, Management/Confidential Employees and a Grade and Step plan for employees falling under the plan”, AND

WHEREAS, the County Administrator and Personnel Officer recommend a 2% wage increase for Department Heads, Management Employees and Management/Confidential Employees, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby authorizes and directs a 2% wage increase for those employees who in the “County of Cortland Employment Policy Manual for Department Heads, Management Employees, Management/Confidential Employees and a Grade and Step plan for employees falling under the plan” effective November 19, 2021 in accordance with the following schedule.

	2021 GRADE AND STEP FOR MANAGEMENT CONFIDENTIAL					
	BASED ON A 2% INCREASE					
Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
1	\$ 87,233	\$ 90,723	\$ 94,350	\$ 98,124	\$ 102,048	\$ 106,131
2	\$ 81,145	\$ 84,393	\$ 87,768	\$ 90,977	\$ 94,928	\$ 98,726
3	\$ 75,486	\$ 78,504	\$ 81,644	\$ 84,911	\$ 88,306	\$ 91,838
4	\$ 70,219	\$ 73,027	\$ 75,949	\$ 78,986	\$ 82,146	\$ 85,430
5	\$ 65,320	\$ 67,933	\$ 70,649	\$ 73,475	\$ 76,414	\$ 79,471
6	\$ 60,762	\$ 63,192	\$ 65,720	\$ 68,349	\$ 71,083	\$ 73,927
7	\$ 56,522	\$ 58,785	\$ 61,135	\$ 63,581	\$ 66,124	\$ 68,769
8	\$ 52,578	\$ 54,684	\$ 56,873	\$ 59,145	\$ 61,510	\$ 63,972
9	\$ 48,912	\$ 50,868	\$ 52,903	\$ 55,018	\$ 57,218	\$ 59,508
10	\$ 45,499	\$ 47,319	\$ 49,213	\$ 51,179	\$ 53,228	\$ 55,357
11	\$ 42,324	\$ 44,017	\$ 45,778	\$ 47,609	\$ 49,514	\$ 51,493

	Management Confidential					
5	22.2941	23.1859	24.1134	25.0778	26.0809	27.1243
4	20.6081	21.4323	22.2896	23.1813	24.1084	25.0729
3	19.8153	20.6081	21.4323	22.2896	23.1813	24.1084
2	19.0533	19.8153	20.6081	21.4323	22.2896	23.1813
1	18.3204	19.0533	19.8153	20.6081	21.4323	22.2896

<u>Grade 1</u> Public Defender County Attorney Commissioner of Social Services Director of Information Technology Public Health Director Director, Comm. Mental Health Services Superintendent of Highways Director of Finance	<u>Grade 2</u> Sheriff Undersheriff	<u>Grade 3</u> Personnel Officer Executive Deputy Personnel Officer Chief Assist. District Attorney Chief Social Services Attorney Chief Assist. Public Defender Chief County Attorney	<u>Grade 4</u> Probation Director (Group B) Deputy Highway Supt. Deputy Public Health Director Director of Planning County Clerk Asst. District Attorney County Auditor Asst. Public Defender Asst. County Attorney Assistant Director of Finance Social Services Attorney Director of Emergency Response & Communications Manager of Audit and Financial Projects Deputy Director of Information Technology Plan Administrator Planning Adviser Director, Area Agency on Aging
<u>Grade 5</u> Director, Real Property 1 Grant Administrator Director of Environmental Health Highway Engineering and Maintenance Supervisor Director of Community Health Services Deputy Commissioner of Social Services	<u>Grade 6</u> Director of Administrative Services Clinical Dir. of MH Deputy Personnel Officer Supervisor, Solid Waste Management Epidemiology Manager	<u>Grade 7</u> Bldg. & Grounds Superintendent Medical Director Medical Advisor Clerk of the Legislature Deputy Dir. of Real Property I Assistant Dir. Area Agency on Aging Director of Program Development	<u>Grade 8</u> Public Health Program Manager Assistant Director of Administrative Services Recycling Coordinator Assistant Director of Emergency Response & Communications
<u>Grade 9</u> Emp. & Training Director Family Support Services Director CAC Coordinator Fiscal Manager	<u>Grade 10</u> Dir. of Veterans' Services Agency Dir. of Weights and Measures Nutrition Program Manager Executive Assistant to the County Administrator	<u>Grade 11</u> Deputy County Clerk Motor Vehicle Director Safety Officer Coroner County Treasurer Fiscal Officer Trainee Deputy Clerk of the Legislature Mobility Manager	

<u>Grade 1</u> Election Clerk Secretary to the Plan Administrator	<u>Grade 2</u> Secretary II Secretary to Co. Administrator Investigator Secretary to County Administration Secretary to the Commissioner of Social Services Secretary to County Attorney	<u>Grade 3</u> Sr. Election Clerk Secretary to Sheriff Secretary to D. A. Personnel Assistant	<u>Grade 4</u> Paralegal Personnel Tech. Trainee Office Manager Data Officer	<u>Grade 5</u> Personnel Technician Legal Associate Payroll Coordinator
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Referred from Finance & Administration Committee

ON MOTION OF WAGNER

AGENDA ITEM NO. 25

Authorize Petty Cash and Departmental Cash Accounts - Finance Department

WHEREAS, it is necessary for certain departments to have cash on hand for daily expenses and emergency operations, AND

WHEREAS, Cortland County has an adopted a policy covering the Collection, Handling and Disbursement of Departmental Funds, NOW THEREFORE BE IT

RESOLVED, that the following departments be allocated the amounts below for petty cash accounts, and that said accounts be administered in accordance with the County's duly adopted Collection, Handling and Disbursement of Departmental Funds Policy:

PETTY CASH ACCOUNTS	
Department	Amount
County Clerk	\$1,125
Probation	300
Sheriff	100
Treasurer	300
Mental Health	75
Office of the Aging - Nutrition	500
Public Health - Nursing	50
Real Property Tax Services	25
Board of Elections	100
Weights & Measures	150
Department of Social Services	100
Public Health - Environmental Health	200
Clerk of the Legislature	50
Solid Waste - Landfill	500
Solid Waste - Recycling	50
Personnel	50

, AND BE IT FURTHER

RESOLVED, that the following departments be allocated the amounts below for departmental cash in the form of a checking account, and that said accounts be administered in accordance with the County's duly adopted Collection, Handling and Disbursement of Departmental Funds Policy:

DEPARTMENTAL CASH ACCOUNTS

Department	Amount
County Clerk	\$175
Sheriff	1,400

, AND BE IT FURTHER

RESOLVED, the above accounts and amounts are effective upon approval of the Legislature.

ON MOTION OF WAGNER

AGENDA ITEM NO. 26

Amend Resolution 294-20 Formalizing the Use and Commitment of "Off the Top" Sales Tax Revenue to Specific Reserves and Pre-Determined Uses - Finance Department

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

WHEREAS, under the terms of the Sales Tax Sharing Agreement adopted by resolution 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, which formalized the use and commitment of "Off the Top" sales tax revenue to specific reserves and pre-determined uses of those funds that are directly deducted from the gross sales tax distribution received from the State of New York fixed sums 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 Cortland County Legislature adopted Resolution No. 294-20, which amended Resolution No. 226-18, AND

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

WHEREAS, it is the recommendation of the Budget and Finance Committee to more adequately fund said reserve to begin addressing facility repairs and renovations, AND

WHEREAS, the sums will be deducted in quarterly amounts during the sales tax disbursement process, NOW THEREFORE BE IT

RESOLVED, the Cortland County Legislature hereby amends Resolution No. 294-20 and directs the following sums from said "off the top" deduction for the purposes as listed, with the funds being placed in the corresponding reserves and or accounts:

	<u>Account Number</u>
Cortland County Jail Reserve: \$1,000,000	A386300.JAIL
Emergency Communications Towers Bond: \$200,000	A386300.ECTB
B&G Capital Project Reserve: \$300,000	A386300.B&G

ON MOTION OF WAGNER

AGENDA ITEM NO. 27

Local Law "I" of 2021 - a Local Law Overriding Tax Levy Limit for Fiscal Year 2022

WHEREAS, the New York State Legislature enacted General Municipal Law §3-c which

establishes a limit upon real property tax levies by local governments, AND

WHEREAS, pursuant to General Municipal Law §3-c (5), a local government may adopt a budget in excess of the tax levy limit only if the governing body of such local government first enacts a local law to override the tax levy limit for the coming fiscal year only, AND

WHEREAS, the Cortland County Legislature has not yet finalized the fiscal year 2022 budget, and may need the flexibility to exceed the property tax cap if it is deemed necessary;

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

Section 1

Legislative Intent

The Cortland County Legislature has determined that it is important to maintain flexibility in the process of finalizing the fiscal year 2022 budget, and it may be necessary to override the limit on the amount of real property taxes that may be levied by the County of Cortland for the coming fiscal year 2022.

Section 2

Override of Tax Levy Limit

Upon the adoption of this local law, the Cortland County Legislature is hereby authorized to override the tax levy limit for the coming fiscal year 2022, if the Legislature deems it necessary for the County of Cortland to adopt a budget for the fiscal year 2022 which may require a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

Section 3

Legal Authority

The authority to override the tax levy limit is authorized by General Municipal Law §3-c (5), which expressly authorizes a local government to override the tax levy limit for the coming fiscal year 2022 by the adoption of a local law approved by a vote of sixty percent (60%) of the total voting power of its governing body, the Cortland County Legislature.

Section 4

Effective Date

This Local Law shall take effect immediately, in accordance with the provision of the Municipal Home Rule Law of the State of New York.

ON MOTION OF WAGNER

AGENDA ITEM NO. 28

Authorize In-Kind Services for Tompkins Cortland Community College Capital Improvement Plan - County Administration

WHEREAS, Tompkins Cortland Community College has proposed a Capital Improvement Plan to Tompkins County and Cortland County, AND

WHEREAS, the 2022 request for Cortland County’s contribution to the Capital Improvement Plan is \$190,000, AND

WHEREAS, the County Administrator recommends the use of in-kind services, provided by the Cortland County Highway Department in lieu of direct payment, AND

WHEREAS, SUNY allows for in-kind services to be provided in lieu of payment for Cortland County’s contribution, AND

WHEREAS, any services provided by the Cortland County Highway Department above the \$190,000 threshold will result in payment to Cortland County, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby authorizes the Cortland County Highway Department to provide in-kind services to Tompkins-Cortland Community College as follows:

\$152,000 for Access and Egress (water drainage, sidewalks and parking lots)
\$38,000 for Deferred Maintenance

, AND BE IT FURTHER

RESOLVED, that any in-kind services above the \$190,000 will result in payment to Cortland County.

ON MOTION OF WAGNER

AGENDA ITEM NO. 29

Distribution of Third Quarter 2021 Sales Tax

WHEREAS, the Cortland County Legislature adopted Resolution No. 221-18, which provides for the distribution of sales tax from the County to local municipalities, AND

WHEREAS, the sales tax sharing agreement provides for the deduction directly from the gross sales tax distribution received from the State of New York a fixed sum of \$1,500,000 for County purposes, with the remaining balance of the revenues to be distributed for use by the County, City of Cortland, and the various municipalities within Cortland County, AND

WHEREAS, the gross deduction for County purposes will be provide for quarterly, AND

WHEREAS, the 2021 third quarter sales tax information has been provided by the New York State Comptroller's Office showing a total collection for third quarter 2021 to be \$10,169,779.46, AND

WHEREAS, the total amount available for distribution is \$9,794,779.46, after the direct deduction for County purposes, AND

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

WHEREAS, Cortland County receives (54%), or \$5,289,180.91 of the total net quarterly distribution, AND

WHEREAS, respective payments are now ready for disbursement, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature authorizes the County Treasurer or designee to release sales tax payments for the third quarter of 2021 as so stated below from Account No. A19855.54101 in either the form of a county check or by direct bank transfer as per the request of the receiving municipality:

Municipality	Distribution Amount Pre-Tax Credit	Applied Tax Credits	Net Distribution After Tax Credit	Balance Owed Against Tax Credits
Cortland, City of	\$1,738,573.35	\$-0-	\$1,738,573.35	\$-0-

Cincinnati, Town of	\$83,661.80	\$-0-	\$83,661.80	\$-0-
Cortlandville, Town of	\$845,527.63	\$-0-	\$845,527.63	\$-0-
Cuyler, Town of	\$73,808.32	\$-0-	\$73,808.32	\$-0-
Freetown, Town of	\$57,548.68	\$-0-	\$57,548.68	\$-0-
Harford, Town of	\$91,791.69	\$-0-	\$91,791.69	\$-0-
Homer, Town of	\$294,741.74	\$-0-	\$294,741.74	\$-0-
Homer, Village of	\$208,795.85	\$-0-	\$208,795.85	\$-0-
Lapeer, Town of	\$119,763.84	\$(101,011.34)	\$18,752.50	\$-0-
Marathon, Town of	\$90,567.44	\$-0-	\$90,567.44	\$-0-
Marathon, Village of	\$46,502.88	\$-0-	\$46,502.88	\$-0-
McGraw, Village of	\$38,418.12	\$-0-	\$38,418.12	\$-0-
Preble, Town of	\$151,579.15	\$-0-	\$151,579.15	\$-0-
Scott, Town of	\$90,597.08	\$-0-	\$90,597.08	\$-0-
Solon, Town of	\$78,126.25	\$-0-	\$78,126.25	\$-0-
Taylor, Town of	\$50,257.84	\$-0-	\$50,257.84	\$-0-
Truxton, Town of	\$107,988.55	\$-0-	\$107,988.55	\$-0-
Virgil, Town of	\$265,468.45	\$-0-	\$265,468.45	\$-0-
Willet, Town of	\$71,879.89	\$-0-	\$71,879.89	\$-0-
Total	\$4,505,598.55	\$(101,011.34)	\$4,404,587.21	\$-0-

, AND BE IT FURTHER

RESOLVED, that the Cortland County Treasurer or designee is hereby directed to deposit the County's "off the top" sum of \$375,000 in the appropriate reserves and accounts as designated in Resolution No. 294-20.

Announcements

Adjourn