



Cortland County Legislature

Legislative Session

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

~ Agenda ~

Thursday, October 26, 2023

6:00 PM

Board Room

WebEx Meeting Information

<https://cortlandny.webex.com/cortlandny/j.php?MTID=m3dd334bba16a816ef32634a595edb22e>

Thursday, October 26, 2023 6:00 PM | 2 hours | (UTC-04:00) Eastern Time (US & Canada)

Meeting number: 2341 321 3864

Password: Y796RmtP4cm

Join by phone

+1-415-655-0001 US Toll

Access code: 234 132 13864

Public Hearings

1. Local Law No. "H" of 2023 - a Local Law Amending Local Law 1 of 2007, as Last Amended by Local Law 3 of 2021, Extending the Imposition of a Mortgage Recording Tax in Cortland County
2. Local Law No. "I" of 2023 - a Local Law Overriding Tax Levy Limit for Fiscal Year 2024
3. Tentative 2024 Cortland County Budget

Salute to the Flag

Call to Order

Roll Call

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	☐	☐	☐	
Chair of the Legislature 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	☐	☐	☐	
Legislator Paul Heider	☐	☐	☐	

Approval of Minutes

1. Cortland County Legislature - Legislative Session - Sep 28, 2023 6:00 PM

Privilege of the Floor

Proclamations & Recognitions

Presentation of Petitions, Communications, and Notice

Receive and File

1. Notice of Intent - Riley Road Solar Energy System Project Development
2. ISpice, LLC PILOT - Notice of Public Hearing from Cortland County Industrial Development Agency

Reports of Standing, Special and Ad Hoc Committees

Articles Postponed to Day Certain

Unfinished Business

New Business

Resolutions

Resolutions from the Chair

ON MOTION OF FITCH

AGENDA ITEM NO. 1

Appoint Cortland County Public Defender

WHEREAS, the Cortland County Legislature has a vacant position of Public Defender, AND

WHEREAS, Legislators Cathy Bischoff, Eugene Waldbauer, and Kelly Preston, County Attorney Victoria Monty, County Administrator Robert Corpora and Personnel Officer Laurie Leonard conducted interviews and offered a recommendation for this appointment, AND

WHEREAS, the County Legislature has received the recommendation for appointment of _____ as Public Defender, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature does hereby appoint _____ as Public Defender at an annual salary of \$100,948 (Grade 3, Step 2, Management Compensation Plan, exempt class) effective upon the filing of the local law removing the residency requirement for this position through December 31, 2023.

Referred from Building & Grounds Committee

ON MOTION OF HEIDER

AGENDA ITEM NO. 2

Reject Bid for Panic Button Alerting System - Information Technology

WHEREAS, a Request for Proposals (RFP) was issued for a Panic Button Alerting System for

Cortland County, AND

WHEREAS, a bid was received from the following:

AT&T
5481 Bridge Street
East Syracuse, NY 13057

, AND

WHEREAS, the proposal received did not cover the scope of services required of Cortland County, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby formally rejects the bid proposal.

ON MOTION OF HEIDER

AGENDA ITEM NO. 3

Authorize Agreement for Replacement of Cooler/Freezer at Cortland County Jail - Buildings and Grounds Department

WHEREAS, Cortland County identified a need to replace the current walk in cooler and freezer in the Cortland County Jail, AND

WHEREAS, Cortland County did not receive any bids from two separate Requests for Proposals, AND

WHEREAS, Cortland County contacted contractors directly to get estimates, AND

WHEREAS, Rochester Store Fixture of 707 North St, Rochester NY 14605 was the only contractor to submit an estimate, AND

WHEREAS, Cortland County received the estimate on 8/21/2023 to do the identified work, NOW THEREFORE BE IT

RESOLVED, that the Cortland Legislature hereby authorizes the County Administrator upon review and approval of the County Attorney or designee to enter into an agreement with Rochester Store Fixture, 707 North St., Rochester NY for the replacement of the walk in cooler/freezer and equipment for a cost not to exceed \$54,800, AND BE IT FURTHER

RESOLVED, that the funds for this project are to come from the Jail Project Reserve Fund, account number A.386300.JAIL, AND BE IT FURTHER

RESOLVED, that the 2023 budget be amended as follows:

INCREASE:

A16205.52015	Dept Specific Equip	\$54,800
A.351100	Appropriated Reserves	\$54,800

Referred from Highway Committee

ON MOTION OF NEWELL

AGENDA ITEM NO. 4

Authorize Agreement with New York State for High Bridge Road Over E. Branch Tioughnioga River Bridge Replacement BIN 3312330 - Highway Department

WHEREAS, the Project for the High Bridge Rd over E Branch Tioughnioga River Bridge Replacement Project (BIN 3312330) was awarded funding under the BRIDGE-NY Program, that calls for the apportionment of the costs of such program to be borne with 95% Federal Funds, AND

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

WHEREAS, Cortland County is the Project Sponsor and is legally empowered to declare itself to act as Lead Agency under SEQRA as the County is a local agency pursuant to the New York State Environmental Quality Review Act (“SEQRA”), ECL Section 8-0101, *et seq.*, and implementing regulations 6 NYCRR Part 617 (the “Regulations”), AND

WHEREAS, the proposed project meets the criteria established for a SEQRA Type II Action, per NYCRR Section 617.5, Subdivision (c), Item 2, and does not meet or exceed any thresholds in Section 617.4, AND

WHEREAS, the project has been identified as a SEQRA Type II Action, NOW THEREFORE BE IT

RESOLVED, the County hereby concurs that the Project to replace the High Bridge Rd over E Branch Tioughnioga River Road Bridge can be classified as a Type II Action under SEQRA, and no further review under SEQRA is required, NOW THEREFORE BE IT

RESOLVED, that the County Legislature hereby approves the above-subject project, AND BE IT FURTHER

RESOLVED, that the Cortland County Legislature hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the project shall be completed within thirty (30) months, AND BE IT FURTHER

RESOLVED, that the Cortland County Legislature hereby authorizes the County of Cortland to pay in the first instance 100% of the Federal share of the cost of Scoping, Design, Construction and Construction Inspection for the Project or portions thereof, AND BE IT FURTHER

RESOLVED, that the Cortland County Treasurer is hereby authorized and directed to establish an appropriation account in the amount of \$2,618,658.00 and revenue accounts for the Federal and local shares and the 2023 Budget be modified as follows:

INCREASE:

HH512244.44597.HBRB	Federal Revenue	\$2,487,725.00
HH99015.45031.HBRB	Local Share	\$130,933.00
HH51225.54055.HBRB	PE/Design	\$375,250.00
HH51225.52800.HBRB	Construction	\$2,224,408.00
HH51225.52100.HBRB	ROW	\$19,000.00
A99095.59950.HBRB	Local Share	\$130,933.00
A.359900	Appropriated Fund Balance	\$130,933.00

, AND BE IT FURTHER

RESOLVED, that in the event the full Federal share costs of the project exceeds the amount appropriated, the Legislature of Cortland County shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDOT thereof, AND BE IT FURTHER

RESOLVED, that the Chairman of the County Legislature of Cortland County be and is hereby authorized and directed to execute all necessary Agreements, certifications or reimbursement as approved to form by the County Attorney or designee on behalf of the County of Cortland in connection with the advancement or approval of the Project, AND BE IT FURTHER

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, AND BE IT FURTHER

RESOLVED, this Resolution shall take effect immediately.

Referred from Health & Human Services Committee

ON MOTION OF PRICE

AGENDA ITEM NO. 5

Authorize Agreements - Work Experience Program - 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 Assistance, 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 for dates from 12/31/23 through 12/31/24 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 PRICE

AGENDA ITEM NO. 6

Authorize Agreement with Catholic Charities Emergency Housing - Department of Social Services

WHEREAS, the New York State Office of Temporary and Disability Assistance requires counties to provide for emergency temporary housing pursuant to 18 NYCRR Part 352, AND

WHEREAS, the Department of Social Services is authorized to enter into agreements for emergency shelter pursuant to 18 NYCRR Parts 491 and 900, AND

WHEREAS, Catholic Charities of Cortland County has the professional expertise in housing and supportive services to oversee a scattered emergency shelter program, AND

WHEREAS, the \$210,000.00 in funding needed for this Agreement is already appropriated in the Family Assistance Account A60105.56109 and the Safety Net Account A60105.56140, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee, be and hereby is authorized to sign an Agreement for the time period of January 1, 2024 through December 31, 2024 with Catholic Charities of Cortland County in an amount not to exceed \$210,000.

ON MOTION OF PRICE

AGENDA ITEM NO. 7

Authorize Day Care Agreements - 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 as 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 for Day Care Services to be provided in 2024 with agencies/providers pursuant to criteria established by the New York State Office of Children and Family Services, AND BE IT FURTHER

RESOLVED, that the 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 PRICE

AGENDA ITEM NO. 8

Authorize Qualified Individual Assessment Contract - Department of Social Services

WHEREAS, the Cortland County Department of Social Services must be able to purchase Qualified Independent Assessments from State authorized individuals or agencies to comply with Families First legislation requirements for children placed in qualifying residential foster care centers, AND

WHEREAS, the payment rates for such services are negotiated as needed with qualified entities available and able to perform such assessments within required timeframes, AND

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

WHEREAS, payments for such services are made from the A60105.54800 Program Expense account, 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 2024 for Qualified Independent Assessments with individuals or agencies authorized by the New York State Office of Children and Family Services, AND BE IT FURTHER

RESOLVED, that the 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 PRICE

AGENDA ITEM NO. 9

Authorize 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 as 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 2024 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 the 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 PRICE

AGENDA ITEM NO. 10

Authorize 2024 Contracts - 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 2024, 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 for or with the following for contract terms beginning on or after 12/31/23 and ending on or before 12/31/24:

Access to Independence, Inc.
Catholic Charities
Cayuga Addictions Recovery Services
Cayuga Centers
Child Development Council
Children's Home of Wyoming Conference
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
J.M. Murray Center
Jennifer Genovese, ACSW, LCSW
Josie's Journey

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

ON MOTION OF PRICE

AGENDA ITEM NO. 11

Authorize 2024 Agreements (Several Agencies, Departments, Etc.) - Area Agency on Aging

WHEREAS, Cortland County Area Agency on Aging and other departments must execute several contracts for various administrative and program services for the 2024 calendar year, NOW THEREFORE BE IT

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 2024 for or with the following:

Classen Home Health Association
Cortland Chenango Rural Services, Inc. (LASS)
Cortland Transit
Center 4 Arts
Comfort Keepers
Cortland Park Rehabilitation & Nursing Facility
Cortland Repertory Theatre
Crown Park Rehabilitation and Nursing
Guthrie Cortland Nursing & Rehabilitation Facility
Elizabeth Brewster House
Family Health Network
Homemakers of Western New York (d/b/a Caregivers Home Care)
Integrity Home Care Services
J.M. Murray Center
KPH Healthcare Services/Kinney Drugs
Language Line
Language Services Associates
Resource Center for Independent Living
Rural Roots Nutrition
Scott United Methodist Church
SEPP Corporation
Seven Valley Health Coalition
Syracuse University
The Scott Club, Inc. (LASS)
TLC Medical Transportation Services, Inc.
Visiting Nurse Service of New York Choice
Town of Preble (LASS)
Town of Willet (LASS)

Town of Truxton (LASS)
Truxton United Methodist Church
Virgil United Methodist Church (LASS)
Walden Place
Walgreens Co.
Walmart Stores, Inc.

Referred from Agriculture/Planning/Environment Committee

ON MOTION OF HARBIN

AGENDA ITEM NO. 12

Amend Tentative 2024 Budget - Cooperative Extension

WHEREAS, the County Administrator (Budget Officer) presented the 2024 Tentative County Budget to the Cortland County Legislature on September 28, 2023, AND

WHEREAS, a Public Hearing was held on October 26, 2023 at 6 p.m. in the Legislative Chambers, AND

WHEREAS, the Cortland County Legislature's Agriculture, Planning and Environment Committee approved an amendment to the 2024 Tentative County Budget in the amount of \$25,000 in Account A87505.54815 for Cooperative Extension from Account No. A19905.91000 - Appropriated Fund Balance, AND

WHEREAS, the Legislature's Finance and Administration Committee has reviewed said budget and has recommended the amendment, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby amends the 2024 Tentative County Budget to add \$25,000 in Account A87505.54815 for Cooperative Extension from Account No. A19905.91000 - Appropriated Fund Balance.

Referred from Judiciary & Public Safety Committee

Referred from Government Operations Committee

ON MOTION OF STOCK

AGENDA ITEM NO. 13

Appoint Republican Election Commissioner

WHEREAS, the term of duly appointed Cortland County Republican Election Commissioner Michelle Brown expires December 31, 2023, AND

WHEREAS, the Cortland County Republican Committee has submitted a certification endorsing the appointment of Michelle S. Brown as the Cortland County Republican Election Commissioner, NOW THEREFORE BE IT

RESOLVED, that Michelle S. Brown, 16 Frank Street, Cortland, New York 13045, is hereby appointed as the Cortland County Republican Election Commissioner for a term beginning January 1, 2024 through December 31, 2027.

ON MOTION OF STOCK

AGENDA ITEM NO. 14

Semi Annual Mortgage Tax Distribution - County Clerk

WHEREAS, in accordance with NYS Tax Law, Article 11, § 261, the Semi Annual Mortgage Tax Report for April 1, 2023-September 30, 2023, has been prepared and submitted by the Cortland County Clerk and has been approved by the New York State Department of Taxation and Finance, AND

WHEREAS, the Basic Mortgage Tax has been submitted with interest to the Cortland County Treasurer, AND

WHEREAS, the mortgage tax has been calculated to apportion the basic mortgage tax between the towns and villages, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature authorize the County Treasurer to make payments to each of the tax districts within the County of Cortland as shown below, either by check or by electronic bank deposit based on the request of the receiving municipality.

Cortland, City of		\$126,463.70
Cincinnatus, Town of		\$4,746.73
Cortlandville, Town of		\$65,300.31
	McGraw, Village of	\$1,838.21
	Homer, Village of	\$185.20
Cuyler, Town of		\$1,879.28
Freetown, Town of		\$5,080.24
Harford, Town of		\$6,325.80
	Homer, Town of	\$23,112.93
	Homer Village of	\$17,463.18
Lapeer, Town of		\$6,287.74
Marathon, Town of		\$9,658.28
Marathon, Village of		\$5,249.51
Preble, Town of		\$6,910.36
Scott, Town of		\$3,827.07
Solon, Town of		\$5,714.92
Taylor, Town of		\$2,546.78
Truxton, Town of		\$9,810.14
Virgil, Town of		\$17,729.46
Willet, Town of		\$931.08
	TOTAL	\$321,060.92

ON MOTION OF STOCK

AGENDA ITEM NO. 15

Authorize Changes to Management Plan

WHEREAS, the Management Compensation Review Committee has reviewed the Employment Policy Manual for Departments Heads, Management Employees and Management/Confidential Employees, AND

WHEREAS, the committee has identified many amendments which are necessary to provide Management employees with benefits that are at least equal to union employees' benefits, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby approves the amendments to the Employment Policy Manual for Department Heads, Management Employees and Management/Confidential Employees as attached effective January 1, 2024.

ON MOTION OF STOCK

AGENDA ITEM NO. 16

Adopt of Rules of Order - Cortland County Legislature

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

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

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

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

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

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

RESOLVED, that Article 7 (A) be and hereby is removed and replaced with the following:

“A. Finance and Administration - A seven (7) member Committee shall review the tentative budget filed by the Budget Officer and shall consider and recommend appropriations required for all purposes and prepare and report the annual estimates for the tax levy.

The Committee shall oversee:

The Finance Department, Administration Office, Office of the Manager of Audit and Financial Projects, the Department of Real Property Tax Services, occupancy tax, Tompkins Cortland Community College (TC3), Industrial Development Agency and Business Development Corporation, and the agency that provides promotional and tourism service. The Finance and Administration Committee shall serve as the Audit Committee.”

, AND BE IT FURTHER

RESOLVED, that this resolution and changes to the Cortland County Legislature’s Rules of Order shall take effect January 1, 2024.

ON MOTION OF STOCK

AGENDA ITEM NO. 17

Increase Annual Legislative Compensation - Cortland County Legislature

WHEREAS, the Cortland County Legislature is currently paid \$10,000 per year, per Legislator, with the Chairman receiving \$19,000 and the Majority and Minority Leaders receiving \$10,500, AND

WHEREAS, the above salary has remained the same for eight (8) years (2015 was raised from \$6,000 to \$10,000), AND

WHEREAS, the Cortland County Legislature's Government Operation Committee recommends an increase in salary for Legislators beginning in 2024, AND

WHEREAS, the County Administrator, as Budget Officer, included a Legislative salary of

\$12,000 per legislator, \$21,000 for the Chair of the Legislature and \$12,500 for Majority and Minority Leaders in the 2024 budget, AND

WHEREAS, a public hearing upon the 2024 Tentative Budget was held on October 26, 2023 at 6:00 p.m., AND

WHEREAS, the notice for said public hearing included a statement of the Legislative salaries contained in the 2024 budget, NOW THEREFORE BE IT

RESOLVED, that effective January 1, 2024 the annual Legislative salary be and hereby is \$12,000 per legislator, \$21,000 for the Chair of the Legislature and \$12,500 for the Majority and Minority Leaders.

Referred from Finance & Administration Committee

ON MOTION OF WAGNER

AGENDA ITEM NO. 18

Authorize the 2024 Cortland County Tourism Marketing Grants

WHEREAS, the Cortland County Legislature adopted Resolution No. 121-23 which authorized an agreement with the Cortland County Convention & Visitors Bureau for provision of public benefits services for promotion and publicity, AND

WHEREAS, the Convention & Visitors Bureau, per Resolution No. 121-23, shall be responsible for the distribution of occupancy funds as outlined in the Cortland County Tourism Marketing Grants Guidelines, AND

WHEREAS, the Cortland County Legislature adopted Resolution No. 122-23 designating the Cortland County Convention & Visitors Bureau as the Official Tourism Promotion Agency for Cortland County in accordance with New York State Tourism Promotion Act 5A, AND

WHEREAS, the Cortland County Convention and Visitor Bureau's Tourism Marketing Grant Review Group met in October 2023 to review applications for use of occupancy tax funding for tourism marketing which encourages overnight stays at Cortland County lodging properties, and has recommended that certain amounts of funding be made available to the agencies that sought funding, AND

WHEREAS, that recommendation has been presented to the Legislature's Finance and Administration Committee for review and consideration as follows:

1890 House Museum	\$12,000
Brockway Truck Preservation Society	\$10,000
Center for the Arts of Homer	\$75,000
Cortland Crush NYCBL Baseball	\$5,000
Cortland County Historical Society	\$16,000
Cortland Regional Sports Council	\$134,000
Cortland Repertory Theatre	\$45,000
Cortland Arts Connect (Cultural Council)	\$10,000
Holiday in Homer	\$3,000
Homer Cortland Community Agency	\$30,000
Homeville Museum	\$3,000
Lime Hollow Nature Center	\$25,000

, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Administrator or designee is hereby authorized to allocate funds in the 2024 adopted budget and make payment to the Cortland County Convention & Visitor's Bureau, which will distribute the funds to the listed agencies shown above upon these agencies securing a signed contract with the Convention & Visitor's Bureau and providing eligible invoices and supporting documentation.

ON MOTION OF WAGNER

AGENDA ITEM NO. 19

Amend Resolution No. 328-21 - Authorize Reallocation of American Rescue Plan Funding for Soil and Water Conservation District

WHEREAS, Resolution No. 328-21 allocated \$300,000 of the water, sewer and broadband infrastructure federal aid revenue to the Cortland County Soil and Water Conservation District to purchase material for a stream corridor management program, AND

WHEREAS, the Cortland County Legislature's Finance and Administration Committee, upon recommendation of the Agriculture, Planning and Environment Committee, recommends reallocating \$22,000 per year of said funding to Account No. A87105.54815 for calendar years 2024, 2025 and 2026 to be used towards salary for an engineer in the Cortland County Soil and Water Conservation District office, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby amends Resolution No. 328-21 and authorizes the reallocation of \$22,000 per year for calendar years 2024, 2025 and 2026 from the \$300,000 previously allocated to the Cortland County Soil and Water Conservation District to purchase material for a stream corridor management program from the American Rescue Plan funding, to be used towards salary for an engineer in the Cortland County Soil and Water Conservation District office.

ON MOTION OF WAGNER

AGENDA ITEM NO. 20

Distribution of Third Quarter 2023 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 provided for quarterly, AND

WHEREAS, the 2023 third quarter sales tax information has been provided by the New York State Comptroller's Office showing a total collection for third quarter 2023 to be \$10,503,108.60, AND

WHEREAS, the total amount available for distribution is \$10,128,108.60, 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 (\$725,000.00) is to be withheld from the quarterly distribution, AND

WHEREAS, Cortland County receives (54%), or \$5,469,178.64 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 2023 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	\$1,797,739.28	\$-0-	\$1,797,739.28	\$-0-
Cincinnatus, Town of	\$77,181.50	\$-0-	\$77,181.50	\$-0-
Cortlandville, Town of	\$884,695.91	\$-0-	\$884,695.91	\$-0-
Cuyler, Town of	\$74,530.81	\$(28,750.00)	\$45,780.81	\$-0-
Freetown, Town of	\$59,051.19	\$-0-	\$59,051.19	\$-0-
Harford, Town of	\$83,367.43	\$-0-	\$83,367.43	\$-0-
Homer, Town of	\$304,365.33	\$-0-	\$304,365.33	\$-0-
Homer, Village of	\$217,015.39	\$-0-	\$217,015.39	\$-0-
Lapeer, Town of	\$117,700.01	\$(82,500.00)	\$35,200.01	\$-0-
Marathon, Town of	\$90,007.29	\$-0-	\$90,007.29	\$-0-
Marathon, Village of	\$46,372.83	\$-0-	\$46,372.83	\$-0-
McGraw, Village of	\$39,902.16	\$-0-	\$39,902.16	\$-0-
Preble, Town of	\$158,535.18	\$-0-	\$158,535.18	\$-0-
Scott, Town of	\$94,279.29	\$-0-	\$94,279.29	\$-0-
Solon, Town of	\$88,297.71	\$-0-	\$88,297.71	\$-0-
Taylor, Town of	\$48,400.97	\$-0-	\$48,400.97	\$-0-
Truxton, Town of	\$114,327.17	\$-0-	\$114,327.17	\$-0-
Virgil, Town of	\$288,455.83	\$(25,000.00)	\$263,455.83	\$-0-
Willet, Town of	\$74,704.68	\$-0-	\$74,704.68	\$-0-
Total	\$4,658,929.96	\$(136,250.00)	\$4,522,679.96	\$-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.

ON MOTION OF WAGNER

AGENDA ITEM NO. 21

Local Law No. "H" of 2023 - a Local Law Amending Local Law 1 of 2007, as Last Amended by Local Law 3 of 2021, Extending the Imposition of a Mortgage Recording Tax in Cortland County

WHEREAS, New York State Tax Law §253-v, as last amended by the Laws of 2020, Chapter 58, authorizes Cortland County to adopt and amend local laws imposing a mortgage recording tax of twenty-five cents (\$.25) for each one hundred dollars (\$100.00) and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated in Cortland County and recorded on or after the date upon which such tax takes effect, AND

WHEREAS, the Cortland County Legislature authorized a mortgage recording tax by adopting County Local Law No. 1 of 2007, AND

WHEREAS, the Cortland County Legislature has, upon approval of the New York State Legislature, reauthorized the mortgage recording via subsequent local laws, the most recent being Local Law No. 3 of 2021, AND

WHEREAS the current legislation authorizing the mortgage recording tax expires December 1, 2023, AND

WHEREAS, the New York State Legislature revised New York State Tax Law Section 253-v and extended the effective repeal date to December 1, 2025;

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

Local Law No. 1 for the year 2007 is hereby amended to read as follows:

Section 1

For the period beginning December 1, 2023 and ending December 1, 2025, there is hereby imposed, in the County of Cortland, a tax of \$0.25 for each \$100.00, and each remaining fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within the County of Cortland and recorded on or after December 1, 2023, and a tax of \$0.25 on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than \$100.00.

Section 7

This Local Law shall take effect December 1, 2023. A certified copy of this Local Law shall be mailed to the Commissioner of Taxation and Finance at the Commissioner's Office in Albany, New York. Certified copies of this Local Law shall be filed with the Cortland County Clerk, the Secretary of State and State Comptroller within five days after the Local Law is enacted.

ON MOTION OF WAGNER

AGENDA ITEM NO. 22

Local Law "I" of 2023 - a Local Law Overriding Tax Levy Limit for Fiscal Year 2024

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 2024 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 2024 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 2024.

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 2024, if the Legislature deems it necessary for the County of Cortland to adopt a budget for the fiscal year 2024 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 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.

Announcements

Adjournment