



Cortland County Legislature

Legislative Session

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

~ Agenda ~

Thursday, December 22, 2022

6:00 PM

Board Room

WebEx Meeting Information

<https://cortlandny.webex.com/cortlandny/j.php?MTID=m9e14a0e65c2e3d91dbe1ba1becc2d2da>

Thursday, Dec 22, 2022 6:00 pm | 2 hours | (UTC-05:00) Eastern Time (US & Canada)

Meeting number: 2334 470 4583

Password: SKeerF7t2Z3

Join by phone

+1-415-655-0001 US Toll

Access code: 233 447 04583

Salute to the Flag

Public Hearings

1. Local Law "M" of 2022 - a Local Law Prohibiting the Sale, Possession And/Or Use of Dangerous Substances, Which Are Mislabeled or Unlabeled, Whose Intended Purpose is to be Ingested, Inhaled, or Injected, to Mimic the Effects of Controlled Substances And/Or Marijuana and that Have No Other Legitimate Therapeutic Use or Purpose

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	☐	☐	☐	
Legislator Mitchel Eccleston	☐	☐	☐	

Approval of Minutes

1. Cortland County Legislature - Legislative Session - Nov 17, 2022 6:00 PM

Privilege of the Floor

Proclamations & Recognitions

Presentation of Petitions, Communications, and Notice

Receive and File

Reports of Standing, Special and Ad Hoc Committees

Articles Postponed to Day Certain

Unfinished Business

New Business

Resolutions

Resolutions from the Chair

ON MOTION OF FITCH

AGENDA ITEM NO. 1

Appoint Member - Agricultural and Farmland Protection Board

WHEREAS, Resolution No. 182-93 created the Cortland County Agricultural and Farmland Protection Board, AND

WHEREAS, the Agricultural and Markets Law Section 302 (b) designates appointments are to be made by the Chair of the Legislature, AND

RESOLVED, that the following be and hereby is appointed to the Cortland County Agricultural and Farmland Protection Board for the terms indicated below:

Name	Address/Designation	Capacity	Term to Expire
Peter Knapp	7125 Song Lake Rd Tully, NY 13159	Farmer (Town of Preble)	12/31/2026
	60 Central Avenue Cortland, New York 13045	Director of Planning	Duration of Term

ON MOTION OF FITCH

AGENDA ITEM NO. 2

Appoint/Reappoint Members of the Cortland County Fire Advisory Board

WHEREAS, pursuant to a resolution dated December 18, 1950, which established the Cortland County Fire Advisory Board under the provisions of Article 10, Section 209-K of the General Municipal Law for the purpose, among other things, to develop and maintain programs for fire training and mutual aid in case of fire and other public emergencies in which the fire service would be used, AND

WHEREAS, Article 3, Section 4 of the Cortland County Fire Advisory Board By-Laws state that

the term of each member be one year, NOW THEREFORE BE IT

RESOLVED, that the following persons be and hereby are appointed to the Cortland County Fire Advisory Board, to serve without compensation for a term beginning January 1, 2023 and expiring December 31, 2023:

Shawn Scoville, Cincinnatus FD, 5756 Telephone Rd. Cincinnatus, NY 13040
Richard Allen Sr., Cortland FD, 35 Garfield Street, Cortland, NY 13045
Derek Reynolds, Cortland FD, 87 Greenbush Street, Cortland, NY 13045
Wayne Friedman, Cortland FD, 2151 Ames Road, Cortland, NY 13045
Michael Biviano, Cortlandville FD, 4361 Meadow Lane, Cortland, NY 13045
Kevin Whitney, Cortlandville FD, 3689 Delaware Avenue, Cortland, NY 13045
Adam Daley, Cuyler FD, 6553 W. Keeney Road, Truxton, NY 13158
Justin Scott, Harford FD, 769 Rte. 221, Harford, NY 13784
Mahlon Irish, Jr., Homer FD, 32 Center Street, Homer, NY 13077
Michael Niehus, Homer FD, 2 Brentwood Drive, Homer, NY 13077
John Ryan Jr., Homer FD, 5449 Mead Road, Homer, NY 13077
Larri Leet, Marathon FD, 1171 Salt Road, Marathon, NY 13803
Norm Forrest, Marathon FD, 544 Jennings Creek Road, Marathon, NY 13803
Thomas Heller, McGraw FD, 28 W Center Street, McGraw, NY 13101
Andrew Harvey, McGraw FD, 3783 Clinton Street Extension. McGraw, NY 13101
Jeff Griswold, Preble FD, 6903 Route 281, Preble, NY 13141
Bruce Potter, Truxton FD, 5775 Chenengo Road, Truxton, NY 13158
Timothy McCall, Truxton FD, 3699 State Route 13 P.O. Box 13 Truxton, NY 13158
Adam Brown, Virgil FD, 1291 Route 392, Cortland, NY 13045
Jereme Stiles, Virgil FD, 1336 Route 392, Cortland, NY 13045
Ryan McGowan., Willet FD, 649 Route 14, Willet, NY 13863

, AND BE IT FURTHER

RESOLVED, that Chairman of the 2023 Legislature will appoint a Legislative Representative who shall be a non-voting representative and legislative liaison that shall periodically report activities of the Fire Advisory Board to the Judiciary and Public Safety Committee.

ON MOTION OF FITCH

AGENDA ITEM NO. 3

Appoint Legislative Liaison to the Cortland County Fire Advisory Board

WHEREAS, pursuant to a resolution dated December 18, 1950, which established the Cortland County Fire Advisory Board under the provisions of Article 10, Section 209-K of the General Municipal Law for the purpose, among other things to develop and maintain programs for fire training and mutual aid in case of fire and other public emergencies in which the fire service would be used, AND

WHEREAS, Article 3, Section 4 of the Cortland County Fire Advisory Board By-Laws state that the term of each member be one year, NOW THEREFORE BE IT

RESOLVED, that Joseph Nauseef of 4 W. Main Street, McGraw, NY 13101 is hereby appointed as the legislative liaison to the Cortland County Fire Advisory Board, to serve without compensation for a term expiring December 31, 2023.

Appoint Members - County, City, Towns, Villages, and Schools (CCTVS) Committee

WHEREAS, the County, City, Towns, Villages and Schools Committee has proven to be a valuable opportunity for all municipalities and educational facilities to discuss matters of mutual interest, AND

WHEREAS, the County wishes to continue to provide the opportunity to all interested parties, NOW THEREFORE BE IT

RESOLVED, that Sandra Price be and hereby is appointed as Chair of the County, City, Towns, Villages and Schools (CCTVS) Committee for a term ending December 31, 2023, AND BE IT FURTHER

RESOLVED, and Kevin Fitch be and hereby is appointed as Vice-Chair of the County, City, Towns, Villages and Schools (CCTVS) Committee for a term ending December 31, 2023.

Referred from Building & Grounds Committee**Award Bid/Authorize Agreement for General Contractor, Electrical & HVAC Contractors for Courthouse Entryway - Buildings & Grounds**

WHEREAS, the Cortland County Buildings and Grounds Committee is desirous of replacing the steps and renovating the entryway at the Cortland County Courthouse, AND

WHEREAS, the Buildings and Grounds Department has solicited proposals from various qualified vendors for a General Contractor, Electrical Contractor and HVAC Contractor for the project, AND

WHEREAS, bids were received from the following:

GENERAL CONTRACTOR:

<u>Company</u>	<u>Address</u>	<u>Amount</u>
Bouley Associates, Inc.	265 Genesee Street Auburn, NY 13021	\$1,277,000
Raymond E. Kelley, Inc.	1383 State Route 96 Waterloo, NY 13165	\$1,125,470

ELECTRICAL CONTRACTOR:

<u>Company</u>	<u>Address</u>	<u>Amount</u>
NELCORP Electrical Contracting Corp.	35 North Kelly Avenue Endwell, NY 13760	\$375,000
Upstate Companies I, LLC	1690 State Highway 8 Mount Upton, NY 13809	\$367,000

HVAC CONTRACTOR:

<u>Company</u>	<u>Address</u>	<u>Amount</u>
AN Curtiss Company, Inc. d/b/a Wilkins Mechanical	6923 Herman Road Syracuse, NY 13209	\$144,979

, AND

WHEREAS, based upon the results of the bid, the Building and Grounds Committee recommends that the bid be awarded to the lowest responsible bidder, AND

WHEREAS, it would be in the best interest of Cortland County to contract with Raymond E. Kelley, Inc. of 1383 State Route 96, Waterloo, NY 13165 for General Contractor services for the total proposed amount of \$1,125,470, AND

WHEREAS, it would be in the best interest of Cortland County to contract with Upstate Companies I, LLC of 1690 State Highway 8, Mount Upton, NY 13809 for the Electrical Contractor Services at the Cortland County Courthouse for the total proposed amount of \$367,000, AND

WHEREAS, it would be in the best interest of Cortland County to contract with AN Curtiss Company, Inc., d/b/a Wilkins Mechanical, of 6923 Herman Road, Syracuse, NY 13209 for the HVAC Contractor Services at the Cortland County Courthouse for the total proposed amount of \$144,979, AND

WHEREAS, Assembly member Anna Kelles worked to secure a grant in the amount of \$2,396,000 from the Dormitory Authority of New York State to fund improvements to the Cortland County Courthouse, AND

WHEREAS, the grant requires the County to commit the funds as part of the grant approval and award process, AND

WHEREAS, there are funds available in the County General Fund, 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 Raymond E. Kelley, Inc. of 1383 State Route 96, Waterloo, NY 13165 for General Contractor services for the replacement of the steps at the Cortland County Courthouse for the total proposed amount of \$1,125,470, AND BE IT FURTHER

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 Upstate Companies I, LLC of 1690 State Highway 8, Mount Upton, NY 13809 for the Electrical Contractor Services at the Cortland County Courthouse for the total proposed amount of \$367,000, AND BE IT FURTHER

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 AN Curtiss Company, Inc., d/b/a Wilkins Mechanical, of 6923 Herman Road, Syracuse, NY 13209 for the HVAC Contractor Services at the Cortland County Courthouse for the total proposed amount of \$144,979, AND BE IT FURTHER

RESOLVED, that the Cortland County Capital Project Fund 2023 budget be and hereby is amended as follows:

INCREASE:

HH16205.43097.CHEXT	State Aid Capital Projects	\$2,396,000
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, AND BE IT FURTHER

RESOLVED, that once the grant proceeds are received they will be used to reimburse the General Fund, AND BE IT FURTHER

RESOLVED, that the Chairman of the Legislature and/or County Administrator, upon review and approval by the County Attorney or designee and subject to appropriation of funding, be and hereby is authorized to sign the grant contract and any other necessary document with the Dormitory Authority of the State of New York for an amount not to exceed \$2,396,000.

Referred from Highway Committee

ON MOTION OF NEWELL

AGENDA ITEM NO. 6

Authorize Agreement PaintCare New York, LLC - Highway Department/Recycling

WHEREAS, the Cortland County Highway Department wishes to enter into an agreement with PaintCare New York, LLC for a waste collection program, for the purposes of waste collection at the Cortland County Recycling Center, 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 enter into an agreement with PaintCare New York, LLC for a two year term beginning January 1, 2023.

ON MOTION OF NEWELL

AGENDA ITEM NO. 7

Extend Engineering Services Agreement with Barton & Loguidice - Highway Department and Solid Waste Division

WHEREAS, the Cortland County Legislature previously adopted Resolution No. 455-16 on December 15, 2016, AND

WHEREAS, the County Highway Superintendent has identified the on-going need for Professional Engineering Services for the performance of highly specialized engineering tasks for the Cortland County Highway Department and Solid Waste Division, AND

WHEREAS, these highly specialized engineering tasks would be most effectively performed by a consulting engineering firm that regularly and successfully performs these types of tasks, AND

WHEREAS, Resolution No. 455-16 awarded said services for a two-year term, AND

WHEREAS, Resolution No. 455-16 provided for three two-year contract renewals with the firm of record, NOW THEREFORE BE IT

RESOLVED, the Highway Committee recommends that the current service agreement with Barton & Loguidice, D.P.C., 443 Electronics Parkway, Liverpool, NY 13088 to provide said Professional Engineering Services to the Cortland County Highway Department and Solid Waste Division, be

extended for another two year term beginning January 1, 2023 and ending December 31, 2024, AND BE IT FURTHER

RESOLVED, that the Cortland County Administrator, upon review and approval as to form by the County Attorney or designee, is hereby authorized to execute said contract extension agreement with Barton & Loguidice, D.P.C for Professional Engineering Services to the Cortland County Highway Department and Solid Waste Division for a two year term beginning January 1, 2023 and ending December 31, 2024, AND BE IT FURTHER

RESOLVED, that the various tasks under said agreement shall be as assigned by the County Highway Superintendent, AND BE IT FURTHER

RESOLVED, that the costs of the tasks assigned by the County Highway Superintendent under said contract shall not exceed the amount appropriated in the following expense accounts: Highway Dept. - D50205.54062, Solid Waste Division - EL81605.54062 and EL81615.54062; or any other Professional Services Expense Account established by the Legislature in the Highway Department or Solid Waste Division Budgets.

ON MOTION OF NEWELL

AGENDA ITEM NO. 8

Authorize Supplement Agreement No. 4/New York State/McGraw Marathon Road Bridge (BIN 3312050) Replacement - Highway Department

WHEREAS, the Project for the McGraw Marathon Road Bridge (BIN 3312050), Replacement Project P.I.N. 375654 (“the project”) is eligible for funding under Title 23 U.S. Code, as amended, that call 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 Cortland County Legislature approved the implementation, and funding in the first instance, 100% of the Federal funded eligible costs of a transportation Federal Aid project, and appropriating funds therefore by Resolution No. 8-19, AND

WHEREAS, the New York State Department of Transportation is amending the previously adopted Schedule A by decreasing the Construction Phase and increasing the design phase funding for the said project, NOW THEREFORE BE IT

RESOLVED, that the 2022 Cortland County Capital Budget be amended as follows:

Increase:

HH51225.54055.MMBR	Professional Services	\$22,000.00
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Decrease:

HH51225.52800.MMBR	Construction	\$22,000.00
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, 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 County Administrator 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.

ON MOTION OF NEWELL

AGENDA ITEM NO. 9

Increase Fuel Budget - Airport/Highway Department

WHEREAS, due to the increasing prices for fuel, the Airport budget for fuel will need to be increased to cover costs for the remainder of 2022, AND

WHEREAS, the revenues received for fuel sales is increasing at the same rate, NOW THEREFORE BE IT

RESOLVED, that the 2022 Airport Budget be amended as follows:

Increase:

A56105.54078	Fuel	\$40,000.00
A561042.41776	Fuel Sales Revenues	\$40,000.00

Referred from Health & Human Services Committee

Referred from Agriculture/Planning/Environment Committee

ON MOTION OF HARBIN

AGENDA ITEM NO. 10

Appoint Director of Planning - Planning Department

WHEREAS, the Cortland County Legislature has a vacant position of Director of Planning, AND

WHEREAS, interviews were conducted by the County Administrator and interview committee and they have offered a recommendation for this appointment, AND

WHEREAS, the Agriculture, Planning and Environmental Committee approves the appointment as recommended by the interview committee, AND

WHEREAS, the County Legislature has received from the County Administrator and the Agriculture, Planning and Environmental Committee the recommendation for appointment of _____ as Director of Planning, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature does hereby appoint _____ as Director of Planning at an annual salary of \$_____ (Grade 5, Step __, Management Compensation Plan, non-competitive class) effective _____ at 12:01 AM.

ON MOTION OF HARBIN

AGENDA ITEM NO. 11

Appoint Member - Southern Tier East Regional Planning Development Board (STERPDB)

WHEREAS, there is currently a vacancy in the Cortland County representatives to the Southern Tier East Regional Planning Development Board (STERPDB) due to the resignation of the Planning Director, AND

WHEREAS, Cortland County is entitled to three representatives, AND

WHEREAS, a new Planning Director has been appointed for Cortland County, NOW THEREFORE BE IT

RESOLVED, that the following individual be and hereby is appointed to the STERPDB for the remainder of the term ending December 31, 2023:

	County Planning Director	Term Expires 12/31/23
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ON MOTION OF HARBIN

AGENDA ITEM NO. 12

Amend Bylaws - Cortland County Transportation Advisory Committee

WHEREAS, Resolution No. 289-19 formalized the Transportation Advisory Committee for Cortland County, AND

WHEREAS, the Transportation Advisory Committee has recommended changes to their Bylaws, which are subject to Legislative review and approval, AND

WHEREAS, the Agriculture, Planning and Environment Committee of the Cortland County Legislature has reviewed the changes to the Bylaws, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature be and hereby approves the Bylaws of the Cortland County Transportation Advisory Committee, AND BE IT FURTHER

RESOLVED, that a copy of the bylaws shall be kept on file with the Clerk of the Legislature.

ON MOTION OF HARBIN

AGENDA ITEM NO. 13

Appoint Members to the Transportation Advisory Committee - Planning Department

WHEREAS, Resolution No. 289-19 authorized the formalization of the Transportation Advisory Committee as a Citizen's Advisory Committee, AND

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

WHEREAS, the Cortland County Legislature approved changes to the Bylaws of the Transportation Advisory Committee, which include staggering terms of members, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature be and hereby rescinds all previous resolutions appointing the current Transportation Advisory Committee members effective December 31, 2022, AND BE IT FURTHER

RESOLVED, that the Cortland County Legislature be and hereby appoints the following community service and government agency representatives, or their designee, to the Transportation Advisory Committee for a term beginning January 1, 2023 as follows:

NAME	AGENCY/CAPACITY	TERM ENDING
Timothy Lockwood	Catholic Charities	12/31/2023
Amy Buggs	Cayuga/Cortland Workforce Development	12/31/2023
Sharon MacDougall	Cortland County Mental Health Department	12/31/2023
Shannon Coffin	JM Murray Center	12/31/2023
Jackie Leaf	Seven Valley Health Coalition	12/31/2024
Zach Newsanger	SUNY Cortland	12/31/2024
Jennifer Hillman	Cortland County Health Department	12/31/2024
Brian Moore	Cortland County Department of Social Services	12/31/2024
Carrie Kane	Cortland County Area Agency on Aging	12/31/2025
Kirsten Parker	Cortland County Community Action Program	12/31/2025
Alex Mikowski	Access to Independence	12/31/2025
Melissa Potter	Cortland County Mobility Manager	Ex-Officio
Rob Corpora	Cortland County Administrator	Ex-Officio
Ryan Reynolds	First Transit	Ex-Officio
	Cortland County Planning Director	Ex-Officio
Beau Harbin	Cortland County Legislator	12/31/2023

ON MOTION OF HARBIN

AGENDA ITEM NO. 14

Appoint Members - Soil and Water Conservation District Board of Directors

WHEREAS, according to the Soil and Water Conservation District Law as passed by the legislature of the State of New York, "When a county has been declared a soil and water conservation district, a board of directors consisting of five members shall be appointed by the county board. This board of directors shall consist of two members of the county board and three persons not members of the county board... two of whom shall be practical farmers. One of these farmers shall be appointed from a list submitted by the county grange, one of these farmers shall be appointed from a list submitted by the county farm bureau.", AND

WHEREAS, the terms of members is one year for Legislative Representatives and three years for other members of the Board, NOW THEREFORE BE IT

RESOLVED, that the following be and hereby are appointed to serve as members of the Soil and Water Conservation District Board of Directors:

Name	Address	Capacity	Term Expiration
Linda Jones	2087 E. River Road Homer, NY 13077	Legislative Representative	12/31/23
Beau Harbin	25 West Court Street Cortland, NY 13045	Legislative Representative	12/31/23
James Murphy	1122 Route 392 Cortland, NY 13045	At Large Representative	12/31/25

ON MOTION OF HARBIN

AGENDA ITEM NO. 15

Rescind Resolution No. 234-22 Approving the Purchase of Four (4) Transit Buses from Oneida County - Planning Department

WHEREAS, Resolution No. 234-22 authorized the purchase of two (2) 2017 Ford E450 Cuttaway Transit Buses and two (2) 2015 Ford E450 Cuttaway Transit Buses all with less than 100,000 miles and still within the New York State useful life span guidelines from Oneida County, AND

WHEREAS, upon inspection of the (4) E450 transit buses by the Cortland County Highway Department, it was noted that even though these buses were within the New York State useful life span guidelines, there were several major mechanical issues that did not warrant the purchase of these buses by Cortland County, NOW THEREFORE BE IT

RESOLVED, that Resolution No. 234-22 be and hereby is rescinded.

Referred from Judiciary & Public Safety Committee

ON MOTION OF FAIRCHILD-PRESTON

AGENDA ITEM NO. 16

Local Law No. "M" of 2022 - a Local Law Prohibiting the Sale, Possession And/Or Use of Dangerous Substances, Which Are Mislabeled or Unlabeled, Whose Intended Purpose is to be Ingested, Inhaled, or Injected, to Mimic the Effects of Controlled Substances And/Or Marijuana and that Have No Other Legitimate Therapeutic Use or Purpose

WHEREAS, the Cortland County Legislature adopted Local Law 3 of 2012 - A Local Law Prohibiting Within Cortland County the Use, Possession, Purchase, Attempted Purchase, Selling, Public Display for Sale, Attempted Sale, or Giving of Alternative and/or Synthetic Marijuana as Defined Herein, AND

WHEREAS, the Judiciary and Public Safety Committee recognizes the need to change the Local Law due to changes in New York State laws, the varying compounds used in the composition of dangerous substances and to encompass other dangerous substances not previously included in Local Law 3 of 2012 for Cortland County, AND

WHEREAS, it is the recommendation of the Judiciary and Public Safety Committee to repeal Local Law 3 of 2012 - A Local Law Prohibiting Within Cortland County the Use, Possession, Purchase, Attempted Purchase, Selling, Public Display for Sale, Attempted Sale, or Giving of Alternative and/or Synthetic Marijuana as Defined Herein (Resolution No. 133-12) , AND

WHEREAS, it is the recommendation of the Judiciary and Public Safety Committee to adopt Local Law No. "M" of 2022 - a Local Law Prohibiting the Sale, Possession and/or Use of Dangerous Substances, Which Are Mislabeled or Unlabeled, Whose Intended Purpose is to be Ingested, Inhaled, or Injected, to Mimic the Effects of Controlled Substances and/or Marijuana and that Have No Other Legitimate Therapeutic Use or Purpose, AND

WHEREAS, the Judiciary and Public Safety Committee recommends that the Local Law be brought before the Cortland County Legislature at the December 22, 2022 Legislative Session, AND

WHEREAS, a public hearing was held before the Cortland County Legislature in accordance with Municipal Home Rule Law, Section 20, following the approval of Judiciary and Public Safety Committee, AND

WHEREAS, this Local Law was brought before the Cortland County Legislature for adoption on December 22, 2022, AND

WHEREAS, said Local Law has been in its final form upon the desks of the Cortland County Legislature at least seven (7) calendar days exclusive of Sunday, prior to this date, NOW THEREFORE BE IT

RESOLVED, that Local Law 3 of 2012 - A Local Law Prohibiting Within Cortland County the Use, Possession, Purchase, Attempted Purchase, Selling, Public Display for Sale, Attempted Sale, or Giving of Alternative and/or Synthetic Marijuana as Defined Herein be and hereby is repealed, AND BE IT FURTHER

RESOLVED, Local Law No. "M" of 2022 - a Local Law Prohibiting the Sale, Possession and/or Use of Dangerous Substances, Which Are Misabeled or Unlabeled, Whose Intended Purpose is to be Ingested, Inhaled, or Injected, to Mimic the Effects of Controlled Substances and/or Marijuana and that Have No Other Legitimate Therapeutic Use or Purpose

BE AND HEREBY IS ENACTED AS FOLLOWS:

SECTION I: LEGISLATIVE INTENT

A. Findings

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

B. Statement of Purpose

1. It is the purpose of this local law to prohibit the sale, possession, and/or use of mislabeled dangerous substances ("synthetic drugs"), which substances are mislabeled or unlabeled, whose intended purpose is to be consumed or ingested in order to mimic the effects of controlled substances and/or marijuana and which have no other legitimate use or purpose.
2. It is the purpose of this local law to promote public health, safety, and general welfare, and to minimize public and private injury to the citizens of the County of Cortland due to the permissive availability of certain intoxicating chemical compounds or dangerous substances; thus, requiring the prohibition of such chemical compounds or dangerous substances.
3. It is the purpose of this local law to protect human life and health.
4. It is the purpose of this local law to aid in the interdiction of such chemical compounds and dangerous substances along with other narcotics and illicit intoxicants.
5. It is the purpose of this local law to aid in the prosecution of such offenses through the sanctions and penalties imposed herein as an additional and appropriate response to the proliferation of the described "synthetic drugs." Such sanctions and penalties are reasonable and necessary in order to protect the health and safety of the people of the County of Cortland.

C. DEFINITIONS

1. "Person" shall mean any natural person, individual, corporation, unincorporated association, proprietorship, firm, partnership, joint venture, joint-stock association or other entity or business organization of any kind.
2. "Possess" shall mean to have physical possession or otherwise to exercise dominion or control over tangible property, as that term is defined in New York State Penal Law § 10.00 (8).
3. "Sale" shall mean to sell, exchange, give, or dispose of to another, or to offer

or agree to do the same, as that term is defined in New York State Penal Law, § 220.00 (1).

4. “Misabeled Dangerous Substance” or “Synthetic Drugs” shall mean any substance or product which contains a chemical which under the circumstances in which it is sold, possessed or used indicates or demonstrates the intent that it be ingested or consumed in an attempt to replicate the effects of controlled substances or marijuana; and either (a) is substantially similar in chemical makeup to a controlled substance or marijuana, or is a structural analog to a controlled substance or marijuana, or shares similar structural analogs, salts or isomers to a controlled substance or marijuana, or is a synthetic chemical compound which is a cannabinoid receptor agonist, or mimics the physical or pharmacological effects of controlled substances or marijuana, or is not a drug approved by the FDA; or (b) the substance has no other legitimate commercial or private use or purpose.
5. “Possession of Controlled Substance Presumptions” as set forth in Article 220 of the New York State Penal Law shall apply to mislabeled dangerous substances and synthetic drugs.

SECTION II: AUTHORITY

Municipal Home Rule Law, §§ 10 (2), (4) (b), and (4) (c).

SECTION III: LAW

- A. No person shall sell or offer to sell, exchange, give or otherwise dispose of to another any Synthetic Drug or Misabeled or Unlabeled Dangerous Substance in Cortland County.
- B. No person shall be in possession of any Synthetic Drug unless said Synthetic Drug is expressly prescribed by a physician or person otherwise licensed to prescribe such medication within the State of New York, and at the time of the alleged violation, the person in possession of the synthetic drug is able to provide written proof to the law enforcement officer(s) that the synthetic drug was so prescribed.
- C. In order to prevent the creation, possession, and use of the drug commonly known as “Water,” the unauthorized use of Embalming Fluid or similar compounds is hereby prohibited within the County of Cortland, with such unauthorized use of embalming fluid or similar item defined herein and pursuant to Section 3400 of the New York State Public Health Law and any applicable provision of federal law. For the purposes of this local law, embalming fluid means any chemicals or substances manufactured primarily for the use by licensed funeral directors, undertakers, or embalmers, or registered residents, to prepare, disinfect, or preserve, either hypodermically, arterially, or by any other recognized means the body of a deceased person for burial, cremation or other final disposition. In particular, such unauthorized use shall include dipping a marijuana or regular cigarette in embalming fluid.

SECTION IV: PENALTIES

- A. Confiscation - if any of the aforementioned intoxicating chemical compounds or dangerous substances are found in the possession of any person, such may be confiscated and destroyed by Law Enforcement Officials.
- B. Any person found to be in violation of this section will be guilty of a Class “A” misdemeanor and subject to a definite term of imprisonment not to exceed One (1) year, a term of probation not to exceed three (3) years, or a fine not to exceed one-thousand dollars (\$1,000.00), or both such fine and either a definite term of

imprisonment or term of probation. Each day during which violation of Section III, subsection A of this local law occurs shall constitute a separate offense.

- C. The County of Cortland shall have the authority to seek an injunction to compel the compliance by any business that fails or refuses to comply with this section.

SECTION V: ENFORCEMENT

This local law may be enforced by any police officer, as that term is defined by New York State Criminal Procedure Law, § 1.20(34) within the County of Cortland.

SECTION VI: CONSTRUCTION AND CONFLICT WITH OTHER LAWS

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

SECTION VII: SEVERABILITY

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

SECTION VIII: EFFECTIVE DATE

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

ON MOTION OF FAIRCHILD-PRESTON

AGENDA ITEM NO. 17

Resolution in Opposition of Restrictions on Second Amendment Rights

WHEREAS, the people of Cortland County unreservedly respect and support the sanctity of the United States Constitution and Bill of Rights for all its residents, AND

WHEREAS, in the *Bruen* decision, the Supreme Court held that New York's concealed carry gun law "proper clause" requirement was limiting, arbitrary and a de facto denial of a citizen's right to exercise their second amendment rights, AND

WHEREAS, the Supreme Court in *Bruen* affirmed states can enact objective licensing requirements such as background checks, training, gun storage, mental health red alert laws, and emphatically rejected any unusual, discretionary licensing regimes as an infringement of a citizen's constitutional rights under the Second and Fourteenth Amendments, AND

WHEREAS, in response, New York passed the *Concealed Carry Improvement Act* compelling citizens to comply with new concealed carry licensing requirements which are unjustifiably restrictive, subjective, and a gross overreach of state authority, AND

WHEREAS, the *Concealed Carry Improvement Act* promulgated requirements which directly

compromised privacy protections, imposed undue financial burdens, and so severely curtailed the practicable use of a concealed carry license as to render the license meaningless, AND

WHEREAS, the *Concealed Carry Improvement Act* was passed without any input from those parties commissioned with implementing these laws thereby producing procedurally conflicting and, in some instances, unenforceable laws, AND

WHEREAS, New York State, no matter how laudable the public safety goal, enacted legislation so fundamentally in violation of the First, Second, Fourth, Fifth and Fourteenth Amendments as to effectively threaten the basic civil rights of all law-abiding citizens, NOW THEREFORE BE IT

RESOLVED, Cortland County Legislatures strongly opposes and finds unconstitutional these ill-advised provisions of the *Concealed Carry Improvement Act* and calls for their expeditious repeal, AND BE IT FURTHER

RESOLVED, that the Clerk of the Cortland County Legislature is hereby directed to send certified copies of this resolution to the New York State Governor, the Honorable Kathy Hochul, Senate Majority Leader, the Honorable Andrea Stewart-Cousins, Assembly Speaker, the Honorable Carl Heastie, State Senator, the Honorable Peter Oberacker, Assemblymember, the Honorable Dr. Anna Kelles.

ON MOTION OF FAIRCHILD-PRESTON

AGENDA ITEM NO. 18

Appoint Members - Traffic Safety Board

WHEREAS, pursuant to Article 43 §1672 of Vehicle and Traffic Safety Laws, Local Law No. 4 for the Year 1971 of the Cortland County Legislature established a Cortland County Traffic Safety Board, AND

WHEREAS, Local Law No. 3 for the Year 1978 amended Local Law No. 4 for the Year 1971 and established the membership of the Board is appointed by the Cortland County Legislature, NOW THEREFORE BE IT

RESOLVED, that the following members be and hereby are appointed to serve the terms as listed below:

Name	Organization	Address	Term Expiration
ReBecca Smith	Cortland County Health Department	24 Pearne Avenue Cortland, NY 13045	12/31/2025
Catherine Wilde	Seven Valleys Health Coalition	20 Kennedy Parkway Cortland, NY 13045	12/31/2025
Jennifer Hillman	Cortland County Health Department	18 Hickory Park Road Cortland, NY 13045	12/31/2025
Amber Stevens	NYS DOT	3718 State Route 13 Truxton, NY 13158	12/31/2025

ON MOTION OF FAIRCHILD-PRESTON

AGENDA ITEM NO. 19

Authorize Agreement with Cayuga County Addiction Services for Medicated Assisted Treatment (MAT) - Sheriff/Jail

WHEREAS, Governor Hochul signed into law legislation (Chapter 432 of the Laws of 2021), which generally serves to allow incarcerated individuals with certain substance use disorders the opportunity to participate in a medication assisted treatment (MAT) program and Subsequent lawmaking

(Chapter 432 of the Laws of 2021) postponed the effective date of the legislation to October 7, 2022, AND

WHEREAS, there is no service provider in Cortland County that can provide needed medication for MAT program, AND

WHEREAS, Cayuga County Addiction Recovery Services, (CARS) 334 W. State Street, Ithaca, NY 14850, will provide the medication with compliance with MAT program to Cortland County Jail at a cost of \$75 per week, per incarcerated individual that is receiving the medication, NOW THEREFORE BE IT

RESOLVED, that the County Administrator and the Sheriff of Cortland County, upon review and approval by the County Attorney or designee, be and hereby are authorized to contract with Cayuga Addiction Recovery Services, CARS, for the period beginning January 1, 2023.

ON MOTION OF FAIRCHILD-PRESTON

AGENDA ITEM NO. 20

Authorize Lease Contract - 911 Telephone System - Department of Emergency Response & Communications

WHEREAS, the Cortland County Department of Emergency Response purchased a Vesta 911 telephone system from Frontier Communications in 2016 that included 5 years of preventative maintenance, expiring December 31, 2022, AND

WHEREAS, the Vesta 911 telephone system is integral to the operation of Cortland County's 911 center and is scheduled to be refreshed; replacing and upgrading major and minor components of the system to provide for continued high availability use during 911 and other emergency calls, and

WHEREAS, the Department of Emergency Response and Communications has sought pricing for a refresh/upgrade/5 year maintenance plan of its Vesta 911 telephone system with the following proposals:

Motorola Solutions: \$567,968

Frontier Communications \$678,461
,AND

WHEREAS, the Department of Emergency Response and Communications seeks to take advantage of 4th quarter 2022 pricing for the Vesta 911 system upgrades, AND

WHEREAS, the Department of Emergency Response and Communications previously leased the County's radio system with Motorola paying that lease off early by leveraging available grant funding. The Department of Emergency Response and Communications seeks to lease the upgrades to the Vesta 911 telephone system enabling the County to seek grant funding to potentially pay off the lease early as opposed to funding completely from the County's operating budget, AND

WHEREAS, Motorola Solutions has proposed five-year lease term, resulting in annual proposed payments of \$130,925. The initial lease payment is included in the Department of Emergency Response & Communication's 2023 adopted budget, THEREFORE NOW BE IT

RESOLVED, that the County Administrator be authorized to execute a five-year lease contract with Motorola Solutions, upon approval of the County attorney or their designee, for a refresh/upgrade/preventative maintenance of the County's Vesta 911 telephone system for the County's 911 center.

Referred from Government Operations Committee

Referred from Finance & Administration Committee

ON MOTION OF WAGNER

AGENDA ITEM NO. 21

Levy Sewer Charges - Town of Cortlandville - Real Property Tax Services

WHEREAS, a statement showing the unpaid sewer charges in the Town of Cortlandville, Cortland County, has been filed as outlined in Section 198-1(k) of the Town Law of the State of New York, which statement includes unpaid sewer charges which have not appeared on any statement previously filed and the supervisor of said town transmitted said statement to this Legislature, NOW THEREFORE BE IT

RESOLVED, that the unpaid sewer charges be re-levied and collected from the real property indicated below:

76.00-06-11.000	Zoya Mayo	987.53
76.14-01-48.000	Duane T Smith	456.80
76.18-01-31.000	Stacy L Crandall-Jones	395.96
76.19-01-05.000	Jeffrey C Carley	61.60
76.19-01-19.110	Shannon M Snyder	196.91
76.19-01-22.000	Christine Poppe	842.56
85.11-01-04.100	Ronald F Lader	139.57
85.15-01-09.000	David M Winter	934.27
85.16-01-14.000	Robert J Felt	159.90
85.16-01-16.000	Shawn C Earle	160.53
85.19-01-04.000	Daniel R VanDusen	284.92
85.20-01-01.000	Melissa K Martin	210.76
85.20-01-26.000	Jose R Rolon Davila	188.46
85.20-01-33.000	Christopher Cummins	128.97
86.09-01-12.000	John K Linn	381.66
86.09-01-14.000	Charles Thomas Parsons	103.05
86.09-04-04.000	Cayuga Med Center at Ithaca	78.84
86.09-04-05.000	J Lee Ambrose	157.90
86.13-01-10.000	Robert Phelps	215.59
86.13-01-44.000	Benjamin M Locke	151.20
86.13-01-55.121	281 Groton Corp	123.20
86.13-01-58.120	Salvi Enterprise LLC	33.60
95.11-02-25.000	Daniel W Yunghans	85.89
95.11-03-02.000	Stephen C Strauf	65.79
95.11-03-09.000	Stacy M Bradley	49.68
95.11-04-06.000	Michael J Warwick	100.34
95.12-01-08.000	Bruench Incorporated	3390.60
95.14-01-10.000	Benjamin Baum	230.16
95.15-01-01.000	Cortland's Finest Prop LLC	311.37
95.16-01-24.100	Salvation Army	30.80
95.16-01-40.000	Rebecca J Corp	90.83
95.16-01-48.000	Rafsanjani I Abdu-Shahid	192.89
95.16-01-58.000	Matthew C Yapple	74.28
95.16-01-74.000	Laura E Newport	56.95
95.16-01-75.000	Gary W James	422.92
96.06-01-30.000	J Robert Messinger	241.97
96.06-01-37.000	Dean Sturdevant	130.59
96.06-01-39.000	Coffee Grounds LLC	232.27

96.06-01-43.000	Jamie Moses	115.24
96.06-02-14.000	Kimberly A Cook	688.23
96.06-02-15.000	Courtney A Shute	201.79
96.06-02-20.000	John H Hutchinson	285.37
96.08-01-01.000	John Chierchio	123.20
96.09-01-09.000	Christian A Decker	134.22
96.09-01-24.000	Bethany A Cutler	375.12
96.09-02-08.000	Thomas Keane	186.95
96.09-02-18.000	Leon A Moore	123.20
96.09-02-30.000	Richard O'Dell	183.14
96.09-04-06.000	Leon W Stewart	199.85
96.10-02-11.000	Michael J Mershon	462.07
96.10-02-42.000	Carl E Ryder	407.62
96.12-01-05.000	Sandra L Fox	37.95
96.12-01-10.100	Robert E Murray	116.95
96.36-01-07.000	Dorene Eaton	295.66
97.02-01-02.000	Robert L Knecht	61.60
105.08-02-35.000	Scott C Hopko	<u>133.60</u>
TOTAL:		\$16,232.87

Submitted to Cortland County RPTS 12/7/22 by Kristin Rocco-Petrella, Cortlandville Town Clerk.

ON MOTION OF WAGNER

AGENDA ITEM NO. 22

Levy Sewer Charges - Town of Cuyler - Real Property Tax Services

WHEREAS, a statement showing the unpaid sewer charges in the Town of Cuyler, Cortland County, has been filed as outlined in Section 198-1(k) of the Town Law of the State of New York, which statement includes unpaid sewer charges which have not appeared on any statement previously filed and the supervisor of said town transmitted said statement to this Legislature, NOW THEREFORE BE IT

RESOLVED, that there shall be and is hereby assessed and levied and collected from the real property liable therefore as indicated below, the following amounts of sewer charges due said Town of Cuyler:

31.02-02-09.000	James Marshall	\$296.80
31.02-02-22.000	Daniel N Southwick	\$296.80
31.02-02-27.000	Mandy M Morgan	\$296.80
31.02-02-28.000	Greg W Richey	\$296.80
31.02-02-45.000	Chad Aldrich	\$296.80
31.02-02-47.000	Jennifer Sue Dorman	\$420.00
31.02-02-30.000	Chuck, Alex, Kristine Enterprises, LLC	<u>\$543.20</u>
TOTAL:		\$2,447.20

Submitted to Cortland County Real Property Tax Services on 11/21/22 by Wendy Custer, Cuyler Town Clerk.

ON MOTION OF WAGNER

AGENDA ITEM NO. 23

Levy Sewer Charges - Town of Virgil - Real Property Tax Services

WHEREAS, a statement showing the unpaid sewer charges in the Town of Virgil, Cortland County, has been filed as outlined in Section 198-1(k) of the Town Law of the State of New York, which statement includes unpaid sewer charges which have not appeared on any statement previously filed and the supervisor of said town transmitted said statement to this Legislature, NOW THEREFORE BE IT

RESOLVED, that there shall be and is hereby assessed and levied and collected from the real property liable therefore as indicated below, the following amounts of sewer charges due said Town of Virgil:

127.15-01-30.000-9	Karin Richardson	575.00
127.15-01-31.000-8	Robert Gault	284.27
127.15-01-31.000-24	James Sorbella	336.14
127.15-01-31.000-25	James Sorbella	264.50
127.15-01-31.000-38	Britney Funccius	414.00
127.15-01-31.000-42	Unit 11C LLC	575.00
127.15-01-31.000-56	Contento Properties LLC	575.00
127.15-01-31.000-58	Nicholas Difasi	<u>69.00</u>
TOTAL:		\$3,092.91

Submitted to Cortland County Real Property Tax Services on 11/15/22 and revised on 12/5/22 by Alane VanDonsel, Virgil Town Clerk.

ON MOTION OF WAGNER

AGENDA ITEM NO. 24

Levy Water Charges - Town of Cincinnatus - Real Property Tax Services

WHEREAS, a statement showing the unpaid water charges in the Town of Cincinnatus, Cortland County, has been filed as outlined in Section 198-3(d) of the Town Law of the State of New York, which statement includes unpaid water charges which have not appeared on any statement previously filed and the supervisor of said town transmitted said statement to this Legislature, now therefore be it

RESOLVED, that there shall be and is hereby assessed and levied and collected from the real property liable therefore as indicated below, the following amounts of water charges due said Town of Cincinnatus:

112.00-03-02.000	Raimo, Derek	\$108.41
112.20-01-04.000	Price, Danielle A.	216.82
112.20-01-15.000	Rice, Joel	108.41
112.20-01-20.000	Morse, Ryan	216.82
112.20-01-22.000	Morse, Ryan	278.42
113.17-01-03.000	Smith, Ronald P.	366.42
113.17-01-04.000	Randall, Joseph	238.82
113.17-01-06.000	Golicki, Elizabeth	409.32
113.17-01-12.000	Soule, Kenneth	166.82
113.17-01-30.000	Kurtz, Rayelynn	108.41
113.17-02-02.000	Durney, Jayson	238.82
113.17-02-04.000	Butler, Cathy	665.62
113.17-02-16.000	Williams, James A.	724.24
113.17-02-21.000	Harlow, Geoffrey	225.62
122.00-03-10.000	Krulikowski, Mike	216.82
122.00-03-11.000	Carr, Teresa	117.21
122.00-03-18.200	Stacker Storage LLC	26.28
122.00-03-19.000	Stacker Storage LLC	108.41
122.00-03-20.000	Kemak, Lisa	216.82
122.00-03-22.000	Gonzalez, Noe	108.41
122.00-03-25.000	Lieb, Joshua	348.32
122.08-01-02.000	Staley, Vicki W.	392.82
122.08-01-04.000	Aldrich, William	216.82
122.08-01-19.100	Moses, David	269.62
122.08-01-20.000	Blanchard, Lawrence	108.41
122.08-01-30.000	Pryor, George	108.41

122.08-02-05.000	Hotaling, Zachary	436.82
122.08-02-06.000	Totman-P, Philip B.	216.82
122.12-01-03.200	Carter,L, Leslie	216.82
122.12-01-11.000	Kemak, Lisa	216.82
123.00-04-04.000	Eaton, Charles	52.56
123.05-01-01.000	Wehner,V, Verda	108.41
123.05-01-04.000	Mountain Village, LLC., Ann Whittmaack	478.94
123.05-01-07.000	Supley, Richard	216.82
123.05-01-08.000	Rutan, Jessica	216.82
123.05-01-17.000	Southern, Tess	216.82
123.05-01-19.000	Price, Steve	467.62
123.05-01-20.000	Cummings, Dorothy	134.81
123.05-01-24.000	Treacy, Clyde	260.82
123.05-01-25.000	Rathbun, Cheyenne	216.82
123.05-01-31.000	Novick, Donna	216.82
123.05-01-37.000	Welch, Kathleen	278.42
123.05-01-52.000	Postal Building and Leasing Co.	216.82
123.05-01-60.000	Dingman, Ronald	216.82
123.05-01-73.000	Loomis Estate, Floyd	52.56
123.09-01-04.000	Shorter, Rose	504.70
123.13-01-01.000	Brown, Gordon	216.82
123.13-01-08.200	Steacy,D, David	448.06
123.13-01-09.000	Steacy,D, David	201.66
123.13-01-10.000	Steacy,K, Kody	291.62
123.13-01-24.000	Carter,L, Leslie J.	216.82
123.13-01-25.000	Rice, Jay	533.62
123.13-01-31.000	Allen, Jennifer	454.42
123.13-01-32.000	Gallow, David	467.62
123.13-01-36.000	Eaton, Charles	204.94
123.13-01-41.000	Davis, Wendy	225.62
123.13-01-42.000	Pittsley, Jedadiah	384.02
123.13-01-43.000	Aldrich, Shiloh	765.82
132.00-01-11.100	Phillips, Heath	<u>296.02</u>
TOTAL:		\$15,962.24

Submitted to Cortland County Real Property Tax Services 11/2/2022 by Water Billing Dept.

ON MOTION OF WAGNER

AGENDA ITEM NO. 25

Levy Water Charges - Town of Cortlandville - Real Property Tax Services

WHEREAS, a statement showing the unpaid water charges in the Town of Cortlandville, Cortland County, has been filed as outlined in Section 198-3(d) of the Town Law of the State of New York, which statement includes unpaid water charges which have not appeared on any statement previously filed and the supervisor of said town transmitted said statement to this Legislature, NOW THEREFORE BE IT

RESOLVED, that there shall be and is hereby assessed and levied and collected from the real property liable therefore as indicated below, the following amounts of water charges due said Town of Cortlandville:

76.00-06-11.000	Zoya Mayo	740.18
76.00-07-03.000	Arthur Bell	187.99
76.14-01-48.000	Duane T Smith	350.66
76.15-01-15.000	Amy M Darling	91.27

76.18-01-31.000	Stacy L Crandall-Jones	306.01
76.19-01-05.000	Jeffrey C Carley	52.92
76.19-01-19.110	Shannon M Snyder	152.22
76.19-01-22.000	Christine Poppe	633.79
76.19-01-47.200	Roger E Simpson	72.41
85.11-01-04.100	Ronald F Lader	117.85
85.15-01-09.000	David M Winter	701.08
85.16-01-14.000	Robert J Felt	132.77
85.16-01-16.000	Shawn C Earle	121.67
85.19-01-04.000	Daniel R VanDusen	224.52
85.19-01-05.000	Justin G Naylor	542.89
85.19-01-36.000	Anthony John Keegan	82.83
85.20-01-01.000	Melissa K Martin	170.06
86.09-01-12.000	John K Linn	295.51
86.09-01-14.000	Charles Thomas Parsons	79.48
86.09-01-46.000	Paul W Allen	105.84
86.09-04-04.000	Cayuga Med Center at Ithaca	53.41
86.09-04-05.000	J Lee Ambrose	95.19
86.13-01-10.000	Robert Phelps	173.63
86.13-01-44.000	Benjamin M Locke	110.67
86.13-01-55.121	281 Groton Corp	105.84
86.13-01-58.120	Salvi Enterprise LLC	28.87
87.13-01-25.000	Nicole R Bush	404.45
87.13-01-34.000	Wyatt Malchak	354.04
95.07-02-09.000	William Jones	123.63
95.11-01-24.000	Gerald V Ruggiero	76.36
95.11-01-46.000	Christopher C Nightingale	110.91
95.11-02-25.000	Daniel W Yunghans	66.89
95.11-03-02.000	Stephen C Strauf	56.00
95.11-03-09.000	Stacy M Bradley	40.30
95.11-04-06.000	Michael J Warwick	77.50
95.11-05-04.000	Brian D Withey	315.51
95.12-01-08.000	Bruench Incorporated	2503.86
95.14-01-10.000	Benjamin Baum	184.32
95.15-01-01.000	Cortland's Finest Prop LLC	240.08
95.16-01-24.100	Salvation Army	125.46
95.16-01-40.000	Rebecca J Corp	70.51
95.16-01-48.000	RafsanjaniI Abdu-Shahid	149.27
95.16-01-58.000	Matthew C Yapple	58.37
95.16-01-74.000	Laura E Newport	45.65
95.16-01-75.000	Gary W James	325.81
96.00-12-02.000	Christina M Grossi	113.76
96.00-12-03.000	Scott J McKinney	225.08
96.06-01-30.000	J Robert Messinger	192.99
96.06-01-37.000	Dean Sturdevant	111.26
96.06-01-39.000	Coffee Grounds LLC	185.86
96.06-01-43.000	Jamie Moses	96.12
96.06-02-14.000	Kimberly A Cook	520.52
96.06-02-15.000	Courtney A Shute	155.80
96.06-02-20.000	John H Hutchinson	224.85
96.08-01-01.000	John Chierchio	105.84
96.09-01-09.000	Christian A Decker	102.37
96.09-01-24.000	Bethany A Cutler	290.73
96.09-02-08.000	Thomas Keane	152.60
96.09-02-18.000	Leon A Moore	105.84
96.09-02-30.000	Richard O'Dell	149.81

96.09-04-06.000	Leon W Stewart	162.08
96.10-02-11.000	Michael J Mershon	354.55
96.10-02-42.000	Carl E Ryder	314.57
96.12-01-05.000	Sandra L Fox	31.70
96.12-01-10.100	Robert E Murray	93.52
96.36-01-07.000	Dorene Eaton	232.39
105.08-01-11.000	Brian E McMahon	118.42
105.08-02-35.000	Scott C Hopko	<u>101.89</u>
TOTAL:		\$15,201.03

Submitted to Cortland County RPTS 12/7/22 by Kristin Rocco-Petrella, Cortlandville Town Clerk.

ON MOTION OF WAGNER

AGENDA ITEM NO. 26

Levy Water Charges - Town of Harford - Real Property Tax Services

WHEREAS, a statement showing the unpaid water charges in the Town of Harford, Cortland County, has been filed as outlined in Section 198-3(d) of the Town Law of the State of New York, which statement includes unpaid water charges which have not appeared on any statement previously filed and the supervisor of said town transmitted said statement to this Legislature, NOW THEREFORE BE IT

RESOLVED, that there shall be and is hereby assessed and levied and collected from the real property liable therefore as indicated below, the following amounts of water charges due said Town of Harford:

172.05-01-17.112	Thomas R Poole	\$436.25
172.05-01-32.000	Mathew Murray	\$456.25
172.06-01-01.000	Edward F Monroe	\$669.25
172.06-01-12.200	Chris E Tweedie	<u>\$964.00</u>
TOTAL		\$2,525.75

Submitted to Cortland County Real Property Tax Services on 10/3/22 by Jennifer Fox, Harford Town Clerk.

ON MOTION OF WAGNER

AGENDA ITEM NO. 27

Levy Water Charges - Town of Scott - Real Property Tax Services

WHEREAS, a statement showing the unpaid water charges in the Town of Scott, Cortland County, has been filed as outlined in Section 198-3(d) of the Town Law of the State of New York, which statement includes unpaid water charges which have not appeared on any statement previously filed and the supervisor of said town transmitted said statement to this Legislature, NOW THEREFORE BE IT

RESOLVED, that there shall be and is hereby assessed and levied and collected from the real property liable therefore as indicated below, the following amounts of water charges due said Town of Scott:

35.03-01-03.000	Chad Parker	\$433.00
35.03-01-06.000	Brian Moriarty	\$376.00
35.03-01-09.000	Tyler West	\$409.00
35.03-01-13.000	Terry Vanliew	\$472.00
35.03-01-24.000	Nancy Estep	\$466.00
35.03-01-31.000	Matthew Klemm	\$523.00
35.03-01-33.000	Christopher Glendening	\$304.00
35.03-01-39.000	Connal Carr	<u>\$424.00</u>

TOTAL: \$3,407.00

Submitted to Cortland County Real Property Tax Service on 12/1/22 and revised on 12/6/22 by Tamara Congdon, Scott Town Clerk.

ON MOTION OF WAGNER

AGENDA ITEM NO. 28

Levy Water Charges - Town of Virgil - Real Property Tax Services

WHEREAS, a statement showing the unpaid water charges in the Town of Virgil, Cortland County, has been filed as outlined in Section 198-3(d) of the Town Law of the State of New York, which statement includes unpaid water charges which have not appeared on any statement previously filed and the supervisor of said town transmitted said statement to this Legislature, NOW THEREFORE BE IT

RESOLVED, that there shall be and is hereby assessed and levied and collected from the real property liable therefore as indicated below, the following amounts of water charges due said Town of Virgil:

127.00-06-27.000	Universal Property Rentals LLC	312.20
127.15-01-30.000-9	Karin Richardson	300.00
127.15-01-31.000-8	Robert Gault	152.27
127.15-01-31.000-24	James Sorbella	206.64
127.15-01-31.000-25	James Sorbella	135.00
127.15-01-31.000-38	Britney Funccius	216.00
127.15-01-31.000-42	Unit 11C LLC	300.00
127.15-01-31.000-56	Contento Properties LLC	300.00
127.15-01-31.000-58	Nicholas Difasi	<u>36.00</u>
TOTAL:		\$1,958.11

Submitted to Cortland County Real Property Tax Services on 11/15/22 and revised 12/5/22 by Alane VanDonsel, Virgil Town Clerk.

ON MOTION OF WAGNER

AGENDA ITEM NO. 29

Levy Town General and Highway Taxes - Real Property Tax Services

WHEREAS, there has been presented to this Legislature a duly certified copy of the annual budget for the several towns of the County of Cortland for the fiscal year beginning January 1, 2023 NOW THEREFORE BE IT

RESOLVED, that there shall be and hereby is assessed and levied upon and collected from the taxable real property in the following named towns, outside of any incorporated villages, wholly or partially located therein, the amounts indicated below for the General and Highway items as specified in the budgets of the respective towns as follows:

	<u>General</u>	<u>Highway</u>
Town of Cortlandville outside village -	\$ -0-	\$746,526
Town of Homer outside village -	\$ -0-	

, AND BE IT FURTHER

RESOLVED, that the several amounts raised by tax for all other purposes as specified in the several budgets as presented to this Legislature and which are on file in the Office of Real Property Tax Services, shall be and hereby are assessed and levied upon and collected from all taxable property in the towns as enumerated below, except as otherwise provided by law, namely:

<u>Town</u>	<u>Highway Fund</u>
Cincinnati	\$105,183
Cuyler	\$217,864
Freetown	\$242,200
Harford	\$252,125
Homer	\$239,739
Lapeer	\$288,740
Marathon	\$122,785
Preble	\$118,202
Scott	\$195,000
Solon	\$309,100
Taylor	\$132,800
Truxton	\$253,800
Virgil	\$371,993
Willet	\$155,519

, AND BE IT FURTHER

RESOLVED, that the amounts to be raised for the General Fund and Debt Service Fund purposes as specified in the several budgets presented to this Legislature and which are on file in the Office of Real Property Tax Services hereof, shall and hereby are assessed and levied upon and collected from all taxable property in the towns as enumerated below except as otherwise provided by law, namely:

<u>Town</u>	<u>General Fund</u>
Cincinnati	\$5,000
Cortlandville - townwide	\$1,387,532
Cuyler	\$ 161,100
Freetown	\$ 24,326
Harford	\$ 117,840
Homer	\$ 239,739
Lapeer	\$ 158,884
Marathon	\$ 264,354
Preble	\$ 34,000
Scott	\$ -0-
Solon	\$ -0-
Taylor	\$ 111,090
Truxton	\$ 161,810
Virgil	\$ 175,417
Willet	\$ 70,519

, AND BE IT FURTHER

RESOLVED, that such taxes and assessments when collected shall be paid to the Supervisors of the several towns in the amounts as shown by this resolution for distribution by them in the manner provided by law.

ON MOTION OF WAGNER

AGENDA ITEM NO. 30

Levy Town Special District Taxes - Real Property Tax Services

WHEREAS, there has been presented to this Legislature a duly certified copy of the annual budget for the several towns of the County of Cortland which includes special district taxes for the fiscal year beginning January 1, 2023, NOW THEREFORE BE IT

RESOLVED, that there shall be and is hereby assessed and levied upon and collected from the real property liable therefore within the respective fire protection, fire and lighting districts in the towns as

indicated below, as specified in their respective annual budgets for the year 2023:

<u>Town</u>	<u>Fire Tax</u>	<u>Light Tax</u>
Cincinnatus	\$106,404.46	\$11,528
Cortlandville - townwide	\$869,000	
Cuyler	\$ 79,724	
Freetown:		
Cincinnatus Fire	\$ 7,633.20	
Marathon Fire	\$29,125.29	
McGraw Fire	\$ 7,500.00	
Harford	\$114,806	
Homer	\$213,814	
Lapeer	\$ 97,487.50	
Marathon	\$113,957.21	
Preble	\$101,000	
Scott	\$ 62,453	
Solon	\$ 23,709.80	
Taylor	\$ 41,027.29	
Truxton	\$ 87,860	
Virgil	\$269,000	
Willet	\$ 47,374	

, AND BE IT FURTHER

RESOLVED, that such taxes and assessments, when collected, shall be paid to the Supervisors of the several towns in the amount as shown by this resolution for distribution by them in the manner provided by law.

ON MOTION OF WAGNER

AGENDA ITEM NO. 31

Levy Grass and Weed Charges - Town of Cortlandville

WHEREAS, a statement showing the unpaid grass and weed control charges in the Town of Cortlandville, Cortland County, has been filed as outlined in Section 64.5-a of the Town Law of the State of New York, which statement includes unpaid grass and weed control charges which have not appeared on any statement previously filed and the supervisor of said town transmitted said statement to this Legislature, NOW THEREFORE BE IT

RESOLVED, that there shall be and is hereby assessed and levied and collected from the real property liable therefore as indicated below, the following amounts of grass and weed control charges due said Town of Cortlandville:

ARCTDNY001, LLC	95.16-01-18.000	\$ 740.00
Hedlund, Grace	95.16-01-71.000	\$ 580.00
Total		\$1,320.00

Submitted to Cortland County RPTS 11/16/22 by Kristin Rocco-Petrella, Cortlandville Town Clerk.

ON MOTION OF WAGNER

AGENDA ITEM NO. 32

Levy Fire and Safety Inspection Charges - Town of Cortlandville

WHEREAS, a statement showing the unpaid fire and safety inspection charges in the Town of Cortlandville, Cortland County, has been filed as outlined in Section 130.16 of the Town Law of the State of New York, which statement includes unpaid fire and safety inspection charges which have not

appeared on any statement previously filed and the supervisor of said town transmitted said statement to this Legislature, now therefore be it

RESOLVED, that there shall be and is hereby assessed and levied and collected from the real property liable therefore as indicated below, the following amounts of fire and safety inspection charges due said Town of Cortlandville:

76.19-01-30.100-2	Cortland Co Ag Corp	200.00
86.09-04-07.000	David Mayo, MD	90.00
86.13-01-45.210	Darrell L Carter	90.00
86.13-01-55.121	281 Groton Corp	90.00
88.00-01-68.110	Craig R Turner	90.00
95.12-01-18.000	Carl Demarchi	<u>90.00</u>
TOTAL:		\$650.00

Submitted to Cortland County RPTS 12/7/22 by Kristin Rocco-Petrella, Cortlandville Town Clerk.

ON MOTION OF WAGNER

AGENDA ITEM NO. 33

Levy County Special District Tax - Real Property Tax Services

WHEREAS, there has been presented to this Legislature a duly certified copy of the annual budget for the County of Cortland which includes Little York Lake Protection District for the fiscal year beginning January 1, 2023, NOW THEREFORE BE IT

RESOLVED, that there shall be and is hereby assessed and levied upon and collected from the real property liable therefore within the respective protection district in the towns as indicated below, as specified in the Cortland County annual budget for the year 2023:

<u>Town</u>	<u>LYL Tax</u>
Homer & Preble	\$17,836.55

, AND BE IT FURTHER

RESOLVED, that such taxes and assessments, when collected, shall be paid to the County of Cortland in the amount as shown by this resolution for distribution by them in the manner provided by law.

ON MOTION OF WAGNER

AGENDA ITEM NO. 34

Levy County Tax - City of Cortland - Real Property Tax Services

WHEREAS, the Cortland County Legislature adopted Resolution No. 254-22 on November 17, 2022 to adopt the 2023 County budget, AND

WHEREAS, the adopted 2023 budget includes a Real Property Tax Levy of \$38,500,000.00, AND

WHEREAS, the apportionment of the 2023 Cortland County tax levy has been approved by the Cortland County Legislature, AND

WHEREAS, the Real Property Tax Director has assessed the City of Cortland's apportioned share of the County tax levy at eight million, three hundred twenty-one thousand, six hundred seventy five dollars and ninety-nine cents (\$8,321,675.99), NOW THEREFORE BE IT

RESOLVED, that this Legislature directs the sum of eight million, three hundred twenty-one thousand, six hundred seventy five dollars and ninety-nine cents (\$8,321,675.99) to be levied in the City of

Cortland, Cortland County, for County purposes for the fiscal year beginning January 1, 2023 and that the Chairman and the Clerk of this Legislature certify this resolution to the Common Council of said City, pursuant to the Charter of said City.

ON MOTION OF WAGNER

AGENDA ITEM NO. 35

Fix Date to Sign Warrant - Real Property Tax Services

WHEREAS, pursuant to section 904 of the Real Property Tax Law of the State of New York the County Legislative body shall annex to or file with the assessment roll of each town a warrant, bearing the seal of the board and signed by the Chairman and Clerk thereof, authorizing and directing the collecting officer for each town to collect the amounts listed, NOW THEREFORE BE IT

RESOLVED, that the date for the annexing of the warrants to the rolls of the Towns for collection of taxes be and hereby is fixed as of December 31, 2022, and that said warrants so annexed be made returnable on or before the first day of June 2023, AND BE IT FURTHER

RESOLVED, that the Chairman and Clerk of the Cortland County Legislature are hereby authorized to sign said warrant on behalf of the County.

ON MOTION OF WAGNER

AGENDA ITEM NO. 36

Approve Apportionment of 2023 Cortland County Tax Levy - Real Property

WHEREAS, the Report of the Finance and Administration Committee on the apportionment and tax rates for County taxes as submitted to this Legislature be received, filed and approved, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature does hereby approve the Final 2023 Apportionment report for the tax levy for the year 2023 as the foregoing amounts are the net amounts necessary to be raised in taxes:

2023 Apportionment - Tax Levy of \$38,500,000

City/Town/Village:	Net Tax Levy	Taxable Value	2023 Tax Rate (per \$1,000)
City of Cortland	8,321,675.99	536,120,799	15.522017
Cincinnatus	818,427.02	59,942,502	13.653535
Cortlandville	9,376,852.20	572,256,676	16.385745
Vil of Homer	57,425.29	3,407,203	16.854085
Vil of McGraw	422,744.01	26,480,196	15.964535
Town Total	9,857,021.50	602,144,075	
Cuyler	678,815.07	48,468,699	14.005226
Freetown	626,373.98	40,377,320	15.513015
Harford	813,953.02	66,175,051	12.299998
Homer	3,224,881.86	202,475,089	15.927302
Vil of Homer	2,245,929.94	148,050,980	15.169977
Town Total	5,470,811.80	350,526,069	
Lapeer	917,285.48	81,564,717	11.246106
Marathon	953,769.15	60,743,034	15.701704
Vil of Marathon	491,393.22	33,396,837	14.713765
Town Total	1,445,162.37	94,139,871	
Preble	1,679,849.28	94,141,673	17.843844
Scott	999,192.32	59,175,966	16.885104

Solon	936,179.78	49,729,000	18.825631
Taylor	493,557.14	34,984,153	14.108020
Truxton	1,124,232.74	70,441,252	15.959863
Virgil	2,956,587.10	184,573,625	16.018470
Willet	792,190.17	47,671,681	16.617626
TOTALS:	\$37,931,314.76	\$2,420,176,453	Avg. Tax Rate: \$15.907931

ON MOTION OF WAGNER

AGENDA ITEM NO. 37

Reaffirming Cortland County's Endorsement of Special State Legislation Amending Article 31 of the New York State Tax Law to Permit Cortland County to Impose a Tax on the Transfer of Real Property

WHEREAS, the Cortland County Legislature approved Resolution No. 45-21, “A Home Rule Request For Special Legislation Amending Article 31 of the New York State Tax Law to Permit Cortland County to Impose a Tax on the Transfer of Real Property, AND

WHEREAS, it is proposed that the rate of such tax shall be one dollar (\$1.00) when the consideration exceeds five hundred dollars (\$500.00), at the rate of one dollar for each five hundred dollars or fractional part thereof, AND

WHEREAS, in order to enact a Property Transfer Tax in Cortland County the New York State Legislature must adopt special Home Rule legislation to enable the County of Cortland to enact a local law for the imposition of such a tax, AND

WHEREAS, a new bill is being introduced on behalf of Cortland County, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature endorses and requests State approval of said legislation, and urges its elected representatives in the Senate and Assembly to support this legislation, AND BE IT FURTHER

RESOLVED, that the Clerk of this Legislature and the County Attorney prepare the documentation necessary for the New York State Legislature to enact said Legislation, AND BE IT FURTHER

RESOLVED, that the Chairman of the Legislature, upon review and approval by the County Attorney, be and hereby is authorized to execute the appropriate Home Rule Request for the enactment of said special law.

ON MOTION OF WAGNER

AGENDA ITEM NO. 38

Authorize Agreement Image Mate Online - Real Property Tax Services

WHEREAS, Resolution No. 253-07 authorized an agreement between the Cortland County Real Property Tax Services department and Systems Development Group, Inc. (SDG, Inc.) for the “Image Mate Online” software allowing access to real property tax information over the Internet, AND

WHEREAS, said agreement has expired, and the Cortland County Real Property Tax Services department wishes to continue to use the software and the County needs software support, AND

WHEREAS, SDG, Inc., is the sole provider of said software, 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 with SDG, Inc., for annual software support for the term beginning January 1, 2023 and ending December 31, 2023, to be paid out of Account #A13555-54015 (Maintenance Agreements) in the amount of \$5,000.

ON MOTION OF WAGNER

AGENDA ITEM NO. 39

Rescind Resolution No. 67-22/Allocation of American Rescue Plan Funding for Town of Truxton/Establish Climate Change Resiliency Fund

WHEREAS, Resolution No. 67-22 authorized \$200,000 of the Federal American Rescue Plan funds to the Cortland County Community Action Program (CAPCO) to fund two two-year positions of Construction Manager and Project Manager for the Cortland Community Early Learning Center (CCELC), AND

WHEREAS, Cortland County received notice that CAPCO and the YWCA are no longer able to pursue the awarded funds for the development of the CCELC, AND

WHEREAS, the Town of Truxton submitted a request for assistance from Cortland County in the amount of \$50,000 after their resources became depleted after utilizing them to repair Morgan Hill Road following a detrimental landslide, which left half of the roadway unpassable, AND

WHEREAS, it is the recommendation of the Finance and Administration Committee to authorize the allocation of \$50,000 of the Federal American Rescue Plan funding that was previously allocated to CAPCO to the Town of Truxton to assist with the purchase of salt for the winter season, AND

WHEREAS, the Finance and Administration Committee understand that future emergency events may arise due the climate change, AND

WHEREAS, it is the recommendation of the Finance and Administration Committee to create a Clime Change Resiliency fund with the remaining \$150,000 of Federal American Rescue Plan funding that was previously allocated to CAPCO for future needs of Cortland County Municipalities, NOW THEREFORE BE IT

RESOLVED, that Resolution No. 67-22 be and hereby is rescinded, AND BE IT FURTHER

RESOLVED, that \$50,000 of the Federal American Rescue Plan funding that was previously allocated to CAPCO be allocated to the Town of Truxton to assist with the purchase of salt for the winter season, AND BE IT FURTHER

RESOLVED, that the County Administrator, upon review and approval by the County Attorney or designee, be and hereby is authorized to sign a contract with the Town of Truxton for said purposes, AND BE IT FURTHER

RESOLVED, that the Cortland County Legislature be and hereby establishes a “Climate Change Resiliency Fund” for future emergency events due to climate change, AND BE IT FURTHER

RESOLVED, that the remaining \$150,000 of Federal American Rescue Plan funding that was previously allocated to CAPCO for the Cortland Community Early Learning Center be and hereby is allocated to the “Climate Change Resiliency Fund.”

Announcements

Adjournment