



AGENDA
CAYUGA COUNTY LEGISLATURE
Tuesday, January 25, 2022, 6:00PM
Live Link: <https://youtu.be/Df5bqhazIAg>

CALL TO ORDER: Hon. David Gould, Chair

ROLL CALL: Amanda Morgan, Deputy Clerk of the Legislature

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

DEATHS: Our sincere condolences to the families and friends of:

PROCLAMATIONS: None

PRESENTATION: Lynn Marinelli, re: ARPA funds and Opioid funding

PRIVILEGE OF THE FLOOR:

MINUTES TO APPROVE: December 9 & 14, 2021 & January 1, 2022

APPOINTMENTS AND RE-APPOINTMENTS:

CNY Regional Planning & Development Board

David Gould (Chair of Legislature), 160 Genesee St., Auburn, NY 13021, Term – 1/1/22 to 12/31/22

Aileen McNabb-Coleman (Chair of Planning), 160 Genesee St., Auburn, NY 13021, Term – 1/1/22 to 12/31/22

Elane Daly (Legislator), 160 Genesee St., Auburn, NY 13021, Term – 1/1/22 to 12/31/22

Steve Lynch (Director of Planning), 160 Genesee St., Auburn, NY 13021, Term – 1/1/22 to 12/31/22

Steve Zabriskie, Co. Rte. 90, Aurora, NY 13026, Term – 1/1/22 to 12/31/22

Paul Pinckney, 2035 Pinckney Rd., Auburn, NY 13021, Term – 1/1/22 to 12/31/22

Eric Ridley (Supervisor- Town of Throop), 7471 Robinson Rd., Auburn, NY 13021, Term – 1/1/22 to 12/31/22

Cayuga County Soil & Water Conservation District Board of Directors

Raymond Lockwood Jr., 1877 State Rte 326, Auburn, NY 13021 – term – 1-1-22 to 12-31-24

James Young, 6065 Bluefield Rd., Auburn, NY 13021 – term 1-1-22 to 12-31-24

Cayuga County Planning Board: all terms – start date 1-26-22 serves until new nomination is submitted

Bonnie Borowiec, 12400 Watkins Rd., Cato, NY 13033

Lorie DeWitt-Antilla, 3697 Old Salt Rd., Moravia, NY 13118

Don Gleason, 11343 South St., Cato, NY 13033

Matthias Mullins, 22 Shotwell St., Port Byron, NY 13140

Anton Parseghian, 294 Lake Rd., King Ferry, NY 13081

COMMUNICATIONS AND ANNOUNCEMENTS: None

CCC REPORT: Dr. Durant

COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS: None

CHAIRMAN'S REPORT: David Gould

**CAYUGA COUNTY LEGISLATURE
RESOLUTIONS 1-25-22**

WAYS & MEANS:

- 1-22-WM-1 Authorizing the Chair of the County Legislature to sign contracts with certain agencies.
- 1-22-WM-2 Authorize the closing of a Capital “H” project
- 1-22-WM-3 **(PULLED)** Authorize the Director of Finance to fill accountant position
- 1-22-WM-4 Ratifying the approval of the purchase and sale agreement between Cayuga Community College (the “College”) and Bowtak, Inc for 83-87 Wall St., Auburn, (the “property”) and confirming review under SEQRA
- 1-22-WM-5 Authorizing the Purchase of Tax-Delinquent Property Owned By Cayuga County
- 1-22-WM-6 Resolution to delete unenforceable tax lien on Tax Map Number 45.20-1-43.1 in the Town & Village of Cato

HEALTH & HUMAN SERVICES:

- 1-22-HH-1 Authorizing the Chair of the Legislature and the Director of the Office for the Aging to extend a contract under the provisions of the Senior Nutrition Program Titles IIIC-1, IIIC-2 and WIN for meal service for January 1, 2022 – December 31, 2022.
- 1-22-HH-2 Authorizing the Chair of the Legislature and the Director of the Office for the Aging to enter into an agreement for the provision of frozen meals for Senior Citizens using Unmet Need funding.
- 1-22-HH-3 Authorization to create and fill a Public Health Assistant position in the Health Department
- 1-22-HH-4 Authorization to fill a Part Time Early Intervention Service Coordinator Position
- 1-22-HH-5 Authorizing the Public Health Director to create and fill a Sr. Public Health Assistant in the Health Department
- 1-22-HH-6 Authorizing the Chairman of the Legislature and the Commissioner of Social Services to Enter into a Contract with Catholic Charities to Provide SSI Maximization for Safety Net Assistance (SNA) and Temporary Assistance to Needy Families (TANF)
- 1-22-HH-7 Authorizing the Chairman of the Legislature and the Commissioner of Social Services to Enter into a Contract with Catholic Charities of the Finger Lakes to Provide Supervised Visitation Services for Clients Referred to them by the Department of Social Services
- 1-22-HH-8 Authorizing the Chairman of the Legislature and the Commissioner of Social Services to Enter into Contracts for Day Care Services
- 1-22-HH-9 Authorizing the Commissioner of Social Services to fill 4 FT Caseworker Positions in the Child Welfare Services Units of the Department of Social Services
- 1-22-HH-10 Authorizing the Commissioner of Social Services to Fill Human Services Examiner Position in the Department of Social Services
- 1-22-HH-11 Authorizing the Chairman of the Legislature and the Director of Community Services or Successor to implement the Foster Care Incentive Program
- 1-22-HH-12 Authorizing a Salary Adjustment for Non-Bargaining Seasonal HEAP Clerks in the Department of Social Services for the Year 2022.
- 1-22-HH-13 Authorizing the Cayuga County Mental Health Department to accept Regional OMH State Aid and to pay various state aid contracts on behalf of the Central New York Director’s Planning Group (CNYDPG)
- 1-22-HH-14 **(AMENDED @ WAYS)** Authorize the Chair of the Cayuga County Legislature and the Director of Community Services to enter into contracts for mental health services

- 1-22-HH-15 **(PULLED)** Authorizing the Cayuga County Legislature to appropriate ARPA funds to Cayuga County Mental Health Center to continue the Healing Communities Study's Work
- 1-22-HH-16 Authorizing the Chair of the Cayuga County Legislature and the Director of Community Services to contract with Liberty Resources, Inc., for the provision of Adult Crisis Respite
- 1-22-HH-17 **(TABLED @ HHS)** Authorizing the Cayuga County Community Mental Health Center to accept additional state aid
- 1-22-HH-18 Authorizing the Chair of the Cayuga County Legislature and the Director of Community Services to accept an OMH Workforce Grant
- 1-22-HH-19 Authorize the filling of a full time Supervising Social Worker (CMH) position at the Community Mental Health Center
- 1-22-HH-20 Appoint Director of Community Services, Mental Health Department
- 1-22-HH-21 Appoint Commissioner of Social Services

GOVERNMENT OPERATIONS:

- 1-22-GO-1 Authorizing the Chief Information Officer to create and fill a Senior Computer Systems Technician position in the Cayuga County Information Technology Department.

PLANNING:

- 1-22-PL-1 Authorizing the filing of applications for State Assistance from the Household Hazardous Waste (HHW) State Assistance Program, signing of the associated state contracts and authorizing circulation of bids for HHW/Electronics Recycling Vendor Services

PUBLIC WORKS:

- 1-22-PW-1 Authorizing the Chair of the Cayuga County Legislature to sign a three-year renewal agreement for Professional Services to provide Environmental Health and Safety Compliance Support Services
- 1-22-PW-2 Fixing day and notice of public hearing pursuant to NY Gen. Mun. Law § 6-d to authorize expenditure of funds from Reserve Account No. A-18838 Pavilion Building and Equipment for repairs to the Emerson Park Pavilion Roof
- 1-22-PW-3 Authorizing the signing of Supplemental #1 with NYSDOT, increase of Capital "H" Project 15-03 ("Cr 31b-East Brutus St. Road Preservation"), authorizing the transfer of funds, and authorizing the Chair of the Legislature and the Highway Superintendent to execute any and all agreements.
- 1-22-PW-4 Authorization to fill two (2) Motor Equipment Operator Medium position and two (2) Motor Equipment Operator Heavy in the County Highway Department
- 1-22-PW-5 Authorization to purchase Highway Equipment

JUDICIAL & PUBLIC SAFETY:

- 1-22-JP-1 Appointing Administrator Indigent Defendants (PT) and setting the rate of compensation
- 1-22-JP-2 Authorizing the District Attorney to fill FT Assistant District Attorney vacancy in the District Attorney's Office
- 1-22-JP-3 **(PULLED)** Authorizing the District Attorney to fill FT Deputy Chief Assistant District Attorney vacancy in the District Attorney's Office
- 1-22-JP-4 Authorizing the Sheriff to abolish one vacant Deputy Sheriff Corporal Position in the Patrol Division and fill a Deputy Sheriff Position in the Patrol Division
- 1-22-JP-5 Resolution authorizing the Chair of the Cayuga County Legislature and the Cayuga County Sheriff to extend a contract with East Hill Family Medical to provide nursing staff referrals for the Jail Medical Division.
- 1-22-JP-6 Authorize the Sheriff to create and fill an Identification Officer Position within the Road Patrol Division of the Cayuga County Sheriff's Office

- 1-22-JP-7 Authorizing the Sheriff to fill one vacant Custody Corporal Position in the Custody Division of the Cayuga County Sheriff's Office and any resulting backfill positions
- 1-22-JP-8 Authorize the Sheriff of Cayuga County to fill seasonal personnel positions for the Marine Patrol Unit
- 1-22-JP-9 Authorizing the Sheriff's Office to purchase and equip one (1) new marked patrol vehicle to replace existing patrol car that was destroyed due to being struck by another vehicle while said patrol vehicle was parked

LEGISLATURE:

- 1-22-LEG-1 Authorizing and approving a settlement agreement to an action relating to the opioid crisis
- 1-22-LEG-2 Appointing Civil Service Commissioner
- 1-22-LEG-3 Request the Board of Health and the Director of Public Health to not enforce 10 NYCRR 2.60 (mask mandate)
- 1-22-LEG-4 Authorizing the repair of the retaining wall on Deauville Island at Emerson Park

And any other business that may come before the Board

ADJOURNMENT: Tuesday, February 22, 2022

If you have a disability and need accommodations, please call the Clerk of the Legislature's office at 253-1308 at least 48 hours before the scheduled meeting to advise what accommodations will be necessary.

RESOLUTION NO. _____ 1/25/22 MH 2Therapy Contracts-2022 rev 2

Authorize the Chair of the Cayuga County Legislature and the Director of Community Services to enter into contracts for mental health services

BY: Elane Daly, Chairman of the Health & Human Service Committee
Hans Pecher, Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Mental Health Center (MHC) needs additional mental health services to meet the needs of Cayuga County residents; and

WHEREAS, the MHC wishes to enter into contracts with two qualified individuals who are licensed in the State of New York to provide such services to the residents of our community; and

WHEREAS, there are sufficient funds available in the 2022 budget line A43104-54059 Professional Services to cover the costs of these two contracts; now therefore, be it

RESOLVED, that the Chair of the Legislature and the Director of Community Services be authorized to enter into contracts with two part-time therapists for the provision of mental health counseling services at a \$65.00 per session rate for a period not to exceed five years.

RESOLUTION NO. _____

1/25/2022

COA OPIOID SETTLEMENTS

Authorizing and approving a settlement agreement to an action relating to the opioid crisis

BY: Mr. David Gould, Chairperson, Cayuga County Legislature

WHEREAS, there is pending a matter on behalf of the County of Cayuga, regarding the opioid addiction crisis, in which the County of Cayuga is a named plaintiff in the action (the “Action”); and

WHEREAS, the Action is against several defendants, including manufacturers of opioids, distributors of opioids and chain pharmacies; and

WHEREAS, the Action alleges several causes of action against defendants Allergan and its subsidiaries, as defined in the Allergan New York Statewide Opioid Settlement Agreement (herein “Allergan”) based on claims that Allergan contributed to the opioid epidemic by failing to comply with their obligations under the federal Controlled Substances Act and the New York Controlled Substances Act to implement adequate measures to prevent diversion of the prescription opioids they distributed to pharmacies and others in Suffolk County, all of which contributed to a public health crisis in Cayuga County; and

WHEREAS, Allergan has offered to settle the claims of Cayuga County against them by a one-time payment of \$180,732.90 and agreeing to implement injunctive relief under a controlled substance monitoring program, and the Settlement Agreement and such other and related agreements have been reviewed and approved by the County Attorney as to form; and

WHEREAS, in light of the many lawsuits that are currently pending in multiple courts against numerous defendants and the likelihood of similar settlement offers being made and with limited timeframes to approve and sign such agreements, the County Legislature wishes to authorize the Chair to execute and deliver such settlement agreements in consultation with the County Attorney, as they arise without further approval from this Legislature; and

WHEREAS, it is in the best interest of Cayuga County to resolve this matter with respect to Allergan without further litigation and enter into the proposed Agreement as it shall settle all allegations against Allergan and avoid protracted litigation; now, therefore be it

RESOLVED, that the execution and delivery on behalf of and in the name of the County of Cayuga by David S. Gould, Chair of the Cayuga County Legislature of the proposed Agreement attached hereto as Exhibit “A” is hereby authorized, and the Chair is hereby authorized and directed to execute the proposed Agreement in a form substantially similar thereto and execute such other documents as may be necessary and appropriate to effectuate the settlement with Allergan; and it is further

RESOLVED, that the Chair of the Legislature is further authorized to execute and deliver such other and further settlement agreements that may arise out of the Opioid Litigation at such times and in such amounts as the Chair may deem in the best interest of Cayuga County in consultation with the County Attorney and outside counsel (if any), and to execute such other documents as may be necessary and appropriate to effectuate such settlements.

RESOLUTION NO. _____ 1/25/2022 LEG Appoint Civil Service Commissioner.v2

Appointing Civil Service Commissioner

BY: Hon. David S. Gould, Chair, Cayuga County Legislature

WHEREAS, the Cayuga County Civil Service Commission consists of three commissioners who are responsible for the administration of the provisions of the Civil Service Law for Cayuga County and the municipalities and school districts therein; and

WHEREAS, a vacancy has existed on the Commission due to a retirement; and

WHEREAS, pursuant to Civil Service Law § 15(1)(a), if the office of any such commissioner shall become vacant by death, resignation or otherwise, his successor shall be appointed for the unexpired term.

WHEREAS, the Cayuga County Legislature wishes to appoint Timothy Lattimore as a Civil Service Commissioner to fill the balance of the term of Ronald Oughterson, to wit: January 25, 2022 through May 31, 2024; and

WHEREAS, the position of Commissioner is within Part III of the Cayuga County Compensation plan with an annual salary of \$10,300; now, therefore be it

RESOLVED, that the Cayuga County Legislature hereby appoints Mr. Timothy Lattimore to the position of Civil Service Commissioner effective immediately and to continue through and including May 31, 2024, and be it further

RESOLVED, that this appointment shall be made in accordance with the Civil Service Rules and Regulations of Cayuga County.

RESOLUTION NO. _____ January 25, 2022

LEG Covid Mask

**REQUEST THE BOARD OF HEALTH AND THE DIRECTOR OF PUBLIC HEALTH
TO NOT ENFORCE 10 NYCRR 2.60 (MASK MANDATE)**

BY: Hon. Andrew Dennison, Legislator, District 2

WHEREAS, 10 NYCRR 2.6 sets for the Mask Mandate enacted by the N.Y. Dept. of Health; and

WHEREAS, the Cayuga County Legislature is of the opinion that a mask mandate is an affront to personal freedom; and

WHEREAS, the resources of the Health Department have been strained to the point that contact tracing has become difficult and left to the individual;

WHEREAS, a significant portion of Cayuga County's population has been vaccinated, and yet is still subject to a fine of up to \$1,000 for failing to wear a mask; now, therefore be it

RESOLVED, that the Cayuga County Legislature is of the opinion that the county Health Department should refrain from enforcing the State's mandate at county taxpayer expense and at the expense of necessary resources, rather leaving the choice to wear a mask to the individual; and be it further

RESOLVED, a certified copy of this resolution be transmitted to the Cayuga County Board of Health and to the Public Health Director.

RESOLUTION NO. _____

1/25/2022

PT - Emerson Park retaining wall repair

Authorizing the repair of the retaining wall on Deauville Island at Emerson Park

By: Hon. Andrew Dennison, Public Works Chairperson
Hon. Hans Pecher, Ways and Means Chairperson

WHEREAS, the west retaining seawall on Deauville Island has partially collapsed and is therefore in need of replacement; and

WHEREAS, the Parks & Trails Department will utilize a replacement plan designed by the Cayuga County Soil & Water Conservation District and approved for permit submittal by the New York State DEC at a total cost of \$50,000, and

WHEREAS, this repair was not budgeted for in the 2022 budget, and

WHEREAS, the funding source identified for the project will be the General Fund; and

WHEREAS, time is of the essence to replace the structure to prevent erosion and safety of the site by completing the project during winter minimum lake elevation; now therefore be it

RESOLVED, that the Parks & Trails Department is authorized to enter into a contract with the Soil & Water Conservation District to complete the project and the Chair of Legislature is authorized to sign any permits and agreements necessary to carry out the intent of this resolution, upon the review and approval of the County Attorney's Office; and be it further

RESOLVED, that the Director of Finance is hereby authorized and directed to make the necessary budget transfers to account A71102-52100 to carry out the intent of this resolution.