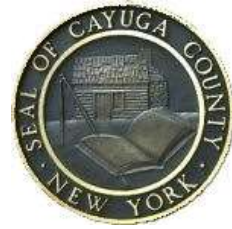


CAYUGA COUNTY LEGISLATIVE AGENDA



CAYUGA COUNTY LEGISLATURE MEETING

DATE: APRIL 23, 2019, CHAMBERS – 6:00PM

LEGISLATURE MEMBERS:

<i>Tucker Whitman</i>	<i>District 1, Chair</i>	<i>Timothy Lattimore</i>	<i>District 13, Vice-Chair</i>
<i>Andrew Dennison</i>	<i>District 2</i>	<i>Benjamin Vitale</i>	<i>District 3</i>
<i>Christopher Petrus</i>	<i>District 4</i>	<i>Paul Pinckney</i>	<i>District 5</i>
<i>Aileen McNabb-Coleman</i>	<i>District 6</i>	<i>Keith Batman</i>	<i>District 7</i>
<i>Joseph DeForest</i>	<i>District 8</i>	<i>Charlie Ripley</i>	<i>District 9</i>
<i>Joseph Bennett</i>	<i>District 10</i>	<i>Elane Daly</i>	<i>District 11</i>
<i>Patrick Mahunik</i>	<i>District 12</i>	<i>Michael Didio</i>	<i>District 14</i>
<i>Ryan Foley</i>	<i>District 15</i>		

CALL TO ORDER: By Hon. Tucker Whitman, Chair

ROLL CALL: Sheila Smith, Clerk of the Legislature

EXCUSED:

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

DEATHS:

- Leo Francis Gardner, father of David Gardner – Director of Public Works

PROCLAMATIONS:

- Cayuga County Children’s Mental Health Awareness Day
- National County Government Month April 2019
- Mental Health Awareness Month – May 2019

PRESENTATIONS: None

PUBLIC TO BE HEARD:

- Judy Ducayne,- Legislator Timothy Lattimore

MINUTES TO APPROVE: MARCH 26, 2019

APPOINTMENTS:

- PWDD (People with Developmental Disabilities) Subcommittee
 - Joan Meyers, 3529 SE Townline Rd., Marcellus, NY 13108, Term – 1/1/19 to 12/31/22 (New appt.)
 - Elizabeth Signorelli, 6175 Court Street, Cayuga, NY 13021, Term – 1/1/19 to 12/31/22 (New appt.)
- Alcohol & Substance Abuse Subcommittee
 - Gary Mann, 141 Atkinson Ave, Syracuse, NY 13207, Term – 1/1/19 to 12/31/22 (New appt.)
- OFA Advisory
 - Angelia Mack, 4144 Baptist Corner Rd. Auburn, NY 13021 Term 4/1/2019 – 12/31/2023 (New appt.)
- Cayuga-Cortland Workforce Development Board
 - Valerie England, 19 E. Genesee St., Apt.2, Auburn, NY 13021 Term: 1/1/19 -12/31/21
 - Steven Woodard, 108 W. Main St., Cortland, NY 13045 Term: 1/1/19 -12/31/21
 - Tracy Verrier, 16 Havens Ave., Auburn, NY 13021 Term: 4/1/19 -12/31/21

COMMUNICATIONS & ANNOUNCEMENTS:

1. Letters from State Assembly Minority Leader Brian Kolb, acknowledging the receipt of Cayuga County Certified Resolutions 72-19, 99-19, 100-19, and 116-19.
2. Letter from NYSAC, acknowledging receipt of Cayuga County Certified Resolutions 99-19, 100-19, and 116-19.
3. Letter from Senator James Seward in regards to the new state budget that has been adopted and local upstate governments not faring well. He says moving forward we must focus on reviving our economy, creating jobs, and fostering a more affordable environment to live and do business.
4. Letter from Senator Pam Helming, acknowledging the receipt of Cayuga County Certified Resolutions 99-19, 100-19, 114-19, and 116-19.
5. Letter from David Jerva in regards to a work crew replacing the driveway drain pipe that had become plugged at his home on Turnpike Rd. He says the project was completed in a quality manner and the attention to detail was noteworthy.

CCC REPORT:

COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS:

COUNTY ADMINISTRATOR'S REPORT: **J. Justin Woods**

CHAIR REPORT: **Tucker Whitman**

REGULAR MONTHLY RESOLUTIONS:

- 1A. Authorizing the County Treasurer to Pay March 9 through March 22, 2019 Audit of Claims
- 1B. Authorizing the County Treasurer to Pay March 23 through April 5, 2019 Audit if Claims

COMMITTEE RESOLUTIONS:

HEALTH & HUMAN SERVICES:

- 4-19-HH-1 Authorizing the Director of Community Services to fill a Caseworker vacancy in Child Welfare Unit
- 4-19-HH-2 Authorizing the Director of Community Services to fill a full-time Human Services Examiner position in the Support Collection Unit of Social Services
- 4-19-HH-3 Authorizing the County Administrator and the Director of Community Services to renew the contract with Rescue Mission for Homeless Family and Transitional Housing
- 4-19-HH-4 Authorizing the County Administrator and the Director of Community Services to enter into a contract with the Fort Hill Cemetery to provide for indigent burials
- 4-19-HH-5 Authorizing the County Legislature and the Director of Community Services to create and fill 1 part-time Case Work Aide position in the Children & Family Services Unit
- 4-19-HH-6 Authorizing the County Administrator and the Director of Community Services to enter into a contract with Chapel House for provision of a Supportive Case Manager
- 4-19-HH-7 Authorize the filling of a full-time Code and Billing Specialist position at the Community Mental Health Center of Cayuga County due to resignation
- 4-19-HH-8 Authorize the filling of one full-time Health Home Care Manager and abolishing one Social Work Assistant position at the Community Mental Health Center of Cayuga County
- 4-19-HH-9 Authorize the Director of Community Services to fill a Principal Account Clerk vacancy
- 4-19-HH-10 Authorizing the County Administrator and the Director of Community Services to enter into a contract with Hillside Children's Center for the recruitment, training and retention of foster parents
- 4-19-HH-11 Authorizing the Chairman of the County Legislature and the Public Health Director to enter into a memorandum of understanding with various colleges and universities to allow for nursing students and public health interns at the Health Department
- 4-19-HH-12 Authorizing the Chairman of the Legislature and the Public Health Director to enter into a 3-year agreement with the NYS Department of Health to allow the Health Department continued participation in the Zoonoses (Rabies) Program

- 4-19-HH-13 Authorizing the Chairman of the Legislature and the Public Health Director to enter into a one year extension with NYSDOH for the Healthy Neighborhoods Program and accept funding associated with the extension
- 4-19-HH-14 Authorizing the Chairman of the Legislature and the Public Health Director to enter into a contract with East Hill Family Medical, Inc. & Finger Lakes Community Health for the provision of STD services
- 4-19-HH-15 Authorizing the Cayuga County Administrator and the Director of the Office for the Aging to sign an agreement with Elderchoice for meal service
- 4-19-HH-16 Authorization to fill a part-time Aging Services Specialist in the Office for the Aging

GOVERNMENT OPERATIONS:

- 4-19-GO-1 **(Amended @ Ways & Means)** Fixing day and notice of Public Hearing on a Local Law amending Local Law No. 4 of 1992 changing the term of office from four years to two years for Cayuga County Legislator's running for the term beginning January 1, 2022 and changing the term limit for Legislator's from three terms to fourteen years.
- 4-19-GO-2 Adopting a County Flag Guideline Policy
- 4-19-GO-3 A Resolution to Establish the Cayuga County Veterans Services Advisory Board

PLANNING:

- 4-19-PL-1 Authorizing submittal of a grant application and funding request to the New York State Department of State Local Waterfront Revitalization Program (LWRP) by the Cayuga County Department of Planning and Economic Development on behalf of the Town of Sterling and the Village of Fair Haven to prepare a joint Local Waterfront Revitalization Program.
- 4-19-PL-2 Authorizing Cayuga County to accept Lead Applicant Responsibility for Erie Canal Re-Watering and Trail Grant.
- 4-19-PL-3 Authorization to fill the position of Director of Employment and Training

PUBLIC WORKS:

- 4-19-PW-1 Authorization for Director of Public Works to fill an Auto Mechanic Diesel position within the Highway Division.
- 4-19-PW-2 Authorizing an agreement with Auburn YMCA-WEIU allowing for the operation of Auburn Little League at Emerson Park
- 4-19-PW-3 Authorization for the County Administrator to accept the lowest bid for road salt for the 2019-2020 winter season or reject all bids in favor of utilizing OGS pricing

JUDICIAL & PUBLIC SAFETY:

- 4-19-JP-1 Authorization to fill one vacant Emergency Services Dispatcher position due to a vacancy.
- 4-19-JP-2 Authorizing the Chairperson of the Legislature to sign a two year renewal with Penn Power Systems for the Maintenance of the generators at all of the tower sites maintaining the Cayuga County Emergency Communications System.
- 4-19-JP-3 Authorizing the Sheriff to fill three vacant Sheriff Custody Officer Positions in the Custody Division of the Cayuga County Sheriff's Office
- 4-19-JP-4 Authorizing the Chairman of the Cayuga County Legislature and the Sheriff of Cayuga County to enter into an agreement with Schuyler County and the Schuyler County Sheriff's Office permitting the Cayuga County Sheriff's Office to respond to mutual aid requests made by Schuyler County.
- 4-19-JP-5 Authorizing and supporting the adoption of a Centralized Off-Hour Arraignment Plan (CAP) to provide for arraignment of defendants at a centralized location outside normal court hours, to provide legal counsel to defendants after hours, on weekends, and on holidays as well as a provision for an on-call Judge to be available for all arraignments.
- 4-19-JP-6 Authorization to fill two vacant Deputy County Fire Coordinator positions to provide administrative and technical support in the Cayuga County Emergency Management Office due to vacancies in the department
- 4-19-JP-7 Authorizing the Cayuga District Attorney to Transfer Funds due to a long term vacancy.
- 4-19-JP-8 Authorize the Sheriff to fill one vacant Deputy Sheriff Position in the Law Enforcement Division of the Cayuga County Sheriff's Office

LEGISLATURE:

- 4-19-LEG-1 Authorizing the County Administrator to fill New Purchasing Director Position

ADJOURNMENT: MAY 28, 2019 AT 1:00PM (EMERSON PARK)

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.

FIXING DAY AND NOTICE OF PUBLIC HEARING ON A LOCAL LAW AMENDING LOCAL LAW NO. 4 OF 1992 CHANGING THE TERM OF OFFICE FROM FOUR YEARS TO TWO YEARS FOR CAYUGA COUNTY LEGISLATORS FOR THE TERM BEGINNING JANUARY 1, 2022 AND CHANGING THE TERM LIMIT FOR LEGISLATORS FROM THREE TERMS TO FOURTEEN YEARS.

BY: Joseph DeForest, Chair government Operations Committee
Patrick Mahunik, Chair, Ways & Means

WHEREAS, Local Law No. 7 of 1995 created staggered terms of office among the Cayuga County Legislators and imposed a term limit of twelve consecutive years; and

WHEREAS, the Cayuga County Legislature believes that population shifts throughout the county, as likely to be evidenced by the 2020 Census data, will require a reapportionment and redistricting of legislative district lines; and

WHEREAS, staggered terms makes the adoption of a redistricting plan difficult, if not impossible, for the purposes of complying with the Constitutional mandate of "one person, one vote"; and

WHEREAS, Local Law No.: 8 of 2007 amended Local Law No.: 7 of 1995 by modifying the term limit to 3 consecutive terms; and

WHEREAS, from time to time, various circumstances arise which produce uncertainty and unintended consequences in interpreting the language of Local Law No.: 7 of 1995 as amended; and

WHEREAS, there has been duly presented and introduced at a meeting of the Cayuga County Legislature held on April 23, 2019, a proposed local law entitled:

"A LOCAL LAW AMENDING LOCAL LAW NO. 4 OF 1992 CHANGING THE TERM OF OFFICE FROM FOUR YEARS TO TWO YEARS FOR CAYUGA COUNTY LEGISLATORS RUNNING FOR THE TERM BEGINNING JANUARY 1, 2022 AND CHANGING THE TERM LIMIT FOR LEGISLATORS FROM THREE TERMS TO FOURTEEN YEARS."

Now, therefore, be it

RESOLVED, that a public hearing shall be held in connection with the proposed local law before the Cayuga County Legislature on May 28, 2019 at 1:00 P.M. at Emerson Park Pavilion, 6879 E. Lake Rd., Auburn, New York; and be it further

RESOLVED, that the Clerk of the Cayuga County Legislature is directed to issue notice of the same as prescribed by, and in accordance with law; and be it further

Government Operations Committee

Ways & Means Committee

Joseph DeForest, Chair

Patrick Mahunik, Chair

Elane Daly

Joseph Bennett

Andrew Dennison

Elane Daly

Michael Didio

Joseph DeForest

Ryan Foley

Ryan Foley

Patrick Mahunik

Christopher Petrus

Aileen McNabb-Coleman

Paul Pinckney

Co. Atty: _____

LOCAL LAW NO. ____ OF 2019

**COUNTY OF CAYUGA, STATE OF NEW YORK A LOCAL LAW AMENDING
LOCAL LAW NO.: 4 OF 1992 CHANGING THE TERM OF OFFICE FROM FOUR
YEARS TO TWO YEARS FOR CAYUGA COUNTY LEGISLATORS FOR THE TERM
BEGINNING JANUARY 1, 2022 AND CHANGING THE TERM LIMIT FOR
LEGISLATORS FROM THREE TERMS TO A MAXIMUM OF FOURTEEN YEARS.**

BE IT ENACTED by the County Legislature of Cayuga County, State of New York as follows:

SECTION 1: LEGISLATIVE INTENT

It is the intent of this Local Law, consistent with the powers granted to county government pursuant to County Law § 400(a), the Municipal Home Rule Law, and such other laws as may be applicable, to:

- A. Fix the term of office for Cayuga County Legislators from four years to two years for those legislators whose term of office begins on January 1, 2022 and setting the term of office for all Cayuga County Legislators to four years for the term of office beginning on January 1, 2024, so that all Legislators from that date forward will be elected to concurrent four-year terms.
- B. In addition, Local Law No. 8 of 2007 amended Local Law 7 of 1995 and Local Law 4 of 1992 to change the term limit for Cayuga County Legislators from twelve (12) years to three (3) terms. It is the intent of the Cayuga County Legislature to modify the limitation on service as a Legislator from three (3) terms to fourteen (14) years to accommodate the durational change of the term of Legislator as well as appropriately addressing mid-term appointments.

SECTION 2: LEGISLATIVE FINDINGS

The Cayuga County Legislature hereby finds as follows:

- A. Local Law No.: 7 of 1995 amended Local Law No.: 4 of 1992 effectuating staggered terms for Cayuga County Legislators such that elections for the Offices of Cayuga County Legislator occur every two years; elections for odd numbered districts in one year, followed by elections for even numbered districts two years later.

The population has historically shifted throughout the county, which will require a reapportionment and redistricting of legislative district lines. Staggered terms of the legislative body make redistricting difficult, if not impossible.

A decennial assessment of voting strength and district lines is critical to ensure a fair and democratic process.

Therefore, it is the intent of the Cayuga County Legislature to modify its election cycle such that the term of all members of the Legislature will expire at the end of 2023 thereby allowing, if necessary, modification of district lines, and continuing concurrent four-year terms for all members of the Cayuga County Legislature thereafter.

SECTION 3: TERM, RESIDENCY, TERM LIMIT

- A. Section 2 of Local Law No. 4 of 1992 for the County of Cayuga, New York, is hereby amended to read, in its entirety:

Section 2: Term and Residency

- (2.1) Residency: Each Legislator shall be a resident of the district he or she represents.
- (2.2) Term: The Term of Office for Legislators shall commence January 1st of the year following an election at where there is an election of Legislators and the Terms shall run as follows:
- (2.2.1) At the General Election held in November of 2021, Legislators elected in districts with odd numbers shall have a two-year term.
- (2.2.2) At the General Election held in November of 2023, and all subsequent elections, Legislators elected for any district shall have a four-year term.
- (2.3) Term Limit: No person shall serve as a Cayuga County Legislator for more than three full four-year terms or a maximum of fourteen (14) years, without regard to such service being consecutive or in aggregate. No person shall be eligible to run for election for Cayuga County Legislator if service by such person of the full term for which such election is held would exceed fourteen (14) years.

SECTION 4: MANDATORY REFERENDUM

This Local Law is subject to a Mandatory Referendum and pursuant to Section 23 of the Municipal Home Rule Law of the State of New York, shall be submitted for approval of the electors of Cayuga County and placed on the ballot for the General Election occurring in November of 2019.

SECTION 5: REPEALER

- A. Local Law No. 7 of 1995 is hereby repealed.
- B. Local Law No. 8 of 2007 is hereby repealed.

SECTION 6: EFFECT ON OTHER LAWS

- A. Local Law No. 4 of 1992 shall remain the same in all other respects except as specifically provided otherwise herein.
- B. If this Local Law is defeated by the negative vote of a majority of the qualified electors of the County of Cayuga at referendum, Local Laws Nos. 4 of 1992, 7 of 1995, and 8 of 2007 shall remain in full force and effect as therein enacted.

SECTION 7: SAVINGS CLAUSE

- A. If any portion of this Law shall be adjudged by the courts to be invalid, it is the intention of the Legislature that said judgment shall not affect the remainder thereof if the remainder is sufficient to carry out the intent of this Law.

SECTION 8: EFFECTIVE DATE

- A. This Local Law shall take effect as provided by law in the case of a local law subject to mandatory referendum.