



AGENDA
WAYS & MEANS COMMITTEE
Tuesday, September 21, 2021, 5:30PM
Live Link: <https://youtu.be/uH8vTXPjKf0>

CALL TO ORDER: By Hon. Keith Batman, Chair

MEMBERS: Legislators Elane Daly, Ryan Foley, Christopher Petrus, Paul Pinckney, Ben Vitale, and Tucker Whitman

MINUTES TO APPROVE: August 17, 2021

APPOINTMENTS: None

DEPARTMENT UPDATES FOR COMMITTEE:

- **Vacant (Real Property) – No updates**
- **Jim Orman (Treasurer) –**
 - Mary Beth Leeson, in conjunction with Crystal Gibson (Treasurer’s Office) and Tom Bunn (IT Director) have been reviewing demos of fixed asset software that will get the County into compliance with GASB and recommendations from our auditors. They attended webinars and review proposals from vendors and reached consensus on one that best meets the county’s needs. Their recommendation will be brought to the legislature soon. The two departments are to be commended for their collaboration on this project.
 - The Finance Committee recommended and the Legislature approved a resolution creating the Office of Cayuga County Finance Director. This is a large step forward for the future of County Government and all are to commended for their involvement and support. We are hoping to wrap up this process very soon to allow implementation of this new office and move forward.
 - The County audit is complete and ready. Many thanks to our auditors working with Mary Beth and our staff to insure a smoot process.

• **Colleen Lombardi (Human Resources/Civil Service) –**

YEAR-TO-DATE COMBINED TRANSACTIONS:

County Departments: 866
 Total Transactions: 2,505

COUNTY APPLICATIONS:

	<u>2021</u>	<u>2020</u>
Male	23	21
Female	64	29
No Response	7	4
White	77	44
Minorities	5	5
No Response	12	5

TOWN/VLG./SCHOOL DIST. APPLICATIONS:

	<u>2021</u>	<u>2020</u>
Male	12	14
Female	65	26
No Response	19	2
White	69	28
Minorities	3	7
No Response	24	7

EXAM AUGUST 7, 2021:

Public Safety Officer II

Male	6
Female	0
No Response	6
White	5
Minorities	1
No Response	6

- Experiencing a time of transition departmentally and the Team is working efficiently and effectively
- Michael Russell was approved and hired on a consulting basis for 90 days. His main responsibilities focus on recruiting for open director positions, assisting with various County departmental restructures, and assisting the Deputy HR Administrator with expertise during this time of transition.
- Working on several legal items with outside counsel
- COVID pandemic operational and related sick leave protocols are still being reviewed with core staff members

- **John Chomyk (Auditor) -**

Summary of work performed in 2021:

Please see attached for summary total of claims reviewed in 2021.

The following is a review of other items of note since my April summary of work performed in 2021 memo:

-----Corrected/Investigated with departments/Followed up for credit claims that had sales tax on them—one claim for \$3.58. Lorrie and Jodie (IT) are still working with Verizon (on a small sales tax amount that has appeared on a monthly bill) for a retroactive credit.

-----Corrected or rejected claims that had errors on them and discussed with the departments—approximately 16 claims—some overpaying and some underpaying. Claims included-Jail (water bill previously paid \$6880.21), DA (Fed Ex \$28.17 bill previously paid), Jail (Lowe's bill was paid by E911 \$83.72), DA (\$11.21 service fee was deleted), DA (Coffee Host returned water containers not deducted from amount due), EMO (hours calculated incorrectly on 3 class attendees), County Attorney (Howard Tanner bill had incorrect email and mileage calculations), Early Intervention (one provider had a rate incorrect), Jail (ACH two claims had math errors and Eastern Finger Lakes Medicine one claim had a math error), Highway (Tri Tank incorrect amount), OFA (one meal on wheels mileage adjustment) and Assigned Council (attorney claim missed reimbursing for postage).

-----Would like to see items purchased by purchase order utilize the receiving item box to indicate items were received—especially items paid by credit card as often the purchase is made and paid at that time before the item is received. (e.g. Amazon purchases). Departments have been asked to include a copy of the receiving slip with the invoice in MUNIS.

-----Found 5 claims that appeared to be coded incorrectly--emailed departments and the departments or I corrected the account code so the claim is posted to the proper general ledger account.

-----One department entered two batches with incorrect batch dates—had them correct them so they would process in MUNIS

-----Continue to refer and discuss some purchases that appear to bypass the purchase order system that do not appear to be emergencies with Don Carr so he can assess when they bypass purchasing and to address with departments (to ensure monies are in the budget and best prices obtained—including BOE, DA, Public Health, E911 and EMO). I continue to follow up with Don Carr for some purchases made with blanket PO's that probably should have a separate PO due to the nature of purchase/amount to ensure best pricing (Sheriff—chairs).

-----Found four claims that utilized purchase orders that did not liquidate the purchase order when the items were paid. Advised Don Carr who liquidated them so they could not be used again. In addition, one claim was applied to the wrong purchase order and Don corrected it.

-----Some accounts continue to go over budget when PO's are not required and are allowed to process—e.g. advertising and subscriptions—although they are appropriate and proper expenditures. I continue to advise Mary Beth on ones I find so departments can do a budget transfer. (6 accounts this quarter)

-----I will continue to look at claims that indicate a contractual relationship to see if there is a contract or resolution approving same and follow up on ones previously identified.

-----GDI Cleaning invoices are paid in the month of service--therefore before all services would be rendered--in some cases just a few days--referred to Treasurer's office—perhaps hold check to mail at the end of month.

-----The County receives rebates on payments made via credit card—rejected four claims that should have been paid by credit card for credit card payment.

-----Where backup documentation or invoices were not attached or incomplete in MUNIS-- I contacted departments to attach the documentation. (Approximately 27)

-----I corrected invoice numbers on approximately 21 claims—invoice numbers are important as MUNIS will not allow the same invoice number for the same vendor to prevent duplicate payments. I also corrected 6 descriptions to better identify what was being paid.

-----Five payments had addresses that needed to be changed in MUNIS to get the payment to the correct office.

-----Five claims were being paid to the incorrect vendors—I had the department correct them.

-----I continue to review the Verizon cell phone bills and refer any that had high usage (and hence overage charges) that might benefit from a different plan. I referred to Lorrie and Jodie who will follow up with Verizon.

-----Two vendors I referred to the Treasurer's office as possibly being needed to be added to the vendors required to be issued a 1099 at year end and they added them as a 1099 vendor.

-----Reviewed overnight travel reimbursements to ensure meal reimbursements are within the County policy allowed amounts and set up a worksheet to use for potential repayment to the County of amounts over allowance or otherwise not allowed in the County policy.

-----NYSEG bills are paid by credit card at various days throughout the month. Some have been called in for payment twice and I follow through to ensure that both payments are reflected on the next bill for that location. The Treasurer's office is working on a better system to track the NYSEG payments so duplicate payments are not made.

Please feel free to contact me should you have any questions.

<i>Claims Reviewed--2021--by County Claims Auditor</i>				
	LB (Regular Audit)	BA (Credit Card)	CP (Capital Projects)	EFTs (Direct Transfers)
Year End Audit Claims	618			
January	104	208	5	11
February	871	251	7	11
March	754	186	5	17
April	1066	242	4	19
May	733	208	2	17
June	825	173	5	19
July				
August				
September				
Totals	<u>4971</u>	<u>1268</u>	<u>28</u>	<u>94</u>
<p>Started reviewing EFT transfers in October 2020 at the request of Mary Beth as these were previously not reviewed for audit purposes. (Includes Medicaid transfers, Early Intervention Program transfers, ADP fees, Health & Dental Insurance payments, Canada RX, debt service etc.)</p> <p>Also reviewed any Hand Audits (off cycle payments), CCC chargebacks, mortgage and sales tax payouts, village and school returned tax payments etc. that were paid.</p> <p>BA (credit card) of 5/14/21--approvals completed by Sheila (85)--included in May BA totals</p> <p>CP (capital projects)--starting in May are included with the LB (regular audit)--number shown in CP column for information only beginning in May</p>				

RESOLUTIONS:

WAYS & MEANS:

- 9-21-WM-1 Appointing Mary Beth Leeson as the Director of Cayuga County Finance Department
- 9-21-WM-2 Resolution authorizing the cancellation of penalty and interest of \$276.29 on Tax Map Number 123.04-1-2.1 in the Town of Owasco
- 9-21-WM-3 Authorize contract with RDS Services, LLC to review drug subsidy claims for potential under claimed amounts
- 9-21-WM-4 Adopting resolution for an update to Cayuga County Investment Policy, Section Number 18 in the Policy Manual
- 9-21-WM-5 Authorize the increase of the Treasurer's Office Budget using Real Property Tax Administration (RPTA) grant funds
- 9-21-WM-6 **(Added 9/21/21)** Authorizing and approving a settlement agreement to an action relating to the opioid crisis

HEALTH & HUMAN SERVICES:

- 9-21-HH-1 Authorization to accept additional funding from the NYS Office for Aging (NYSOFA) for Expanding Access to COVID-19 Vaccines via the Aging Network (COVID-19 ADRC VACCINE ACCESS)
- 9-21-HH-2 Authorizing the Public Health Director to fill a PT Lactation Peer Counselor Position in the Health Department's WIC Program
- 9-21-HH-3 Authorizing the Cayuga County Legislature and the Public Health Director to enter into contract and accept funding for the COVID Vaccine Response from New York State Department of Health
- 9-21-HH-4 Authorizing the Public Health Director to fill one Public Health Sanitarian position due to a resignation.
- 9-21-HH-5 Authorizing the Public Health Director to fill a Nutritionist position due to a resignation.
- 9-21-HH-6 Authorizing the Chair of the Legislature and the Public Health Director to enter into a service agreement with MEDENT to provide electronic medical record software and services to the Cayuga County Health Department
- 9-21-HH-7 Authorizing the Public Health Director to carry out a budget modification in the WIC program budget.
- 9-21-HH-8 Authorizing the Chair of the Legislature and the Director of Community Services to Enter into a Contract with Cayuga County Mental Health for Reports and Assessments on the Placement of a Child in a Qualified Residential Treatment Program
- 9-21-HH-9 Authorizing the Chair of the Legislature and the Director of Community Services to enter into a contract with Community Action Programs Cayuga/Seneca (CAP) to perform any outreach activities for the State Mandated HEAP Program (100% Federally Funded).
- 9-21-HH-10 Authorize the Chair of the Cayuga County Legislature and the Director of Community Services to enter into 5-year agreements with colleges or universities for social work interns and/or medical students
- 9-21-HH-11 Authorize the filling of a full time Supervising Social Worker (CMH) position at the Community Mental Health Center and abolishing one full time senior Staff Social Worker position due to a retirement
- 9-21-HH-12 **(Revised title)** Fixing Day and Notice of Public Hearing on a Local Law repealing Local Law No. 5 of 2014 and establishing the positions of Commissioner of Social Services and Director of Community Services
- 9-21-HH-13 **(Added 9/21/21)** Create and fill fifteen (15) Vaccination Clinic Support Specialist Positions in the Public Health Department.

GOVERNMENT OPERATIONS: None

PLANNING:

- 9-21-PL-1 Designating the Cayuga County Convention and Visitors Bureau (“CCCVB”) as the Cayuga County Tourism Promotion Agency (“CCTPA”) for New York State Grant Funding for the 2022 State Program Year and designating the Program Project Director.
- 9-21-PL-2 Authorizing the Chairperson of the Cayuga County Legislature to sign the WIOA Local Plan 2021-2025 for the Workforce Innovation and Opportunity Act (WIOA)
- 9-21-PL-3 Opposing the auction of the Bell Station Property on the Lansing Cayuga Lake Shoreline and requesting that NYSEG negotiate with the Finger Lakes Land Trust for the sale of the Bell Station Property to protect this important resource.

PUBLIC WORKS:

- 9-21-PW-1 Authorization to fill Motor Equipment Operator Heavy position #02481 in the Highway Department
- 9-21-PW-2 Authorization to increase revenue and expense accounts to purchase equipment

JUDICIAL & PUBLIC SAFETY:

- 9-21-JP-1 Authorizing the District Attorney to accept a grant from NY State Office of Victim Services to continue the “Victim/Witness Program” which is necessary to comply with legal requirements
- 9-21-JP-2 Authorize the Sheriff to fill three (3) vacant Sheriff Custody Officer Positions in the Custody Division of the Cayuga County Sheriff’s Office
- 9-21-JP-3 Resolution authorizing the Chair of the Cayuga County Legislature and the Cayuga County Sheriff to enter into a memorandum of understanding for use of the Cayuga County Sheriff’s weapons range by the New York State Department of Environmental Conservation.
- 9-21-JP-4 **(No motion @ Judicial – has been updated since)** Resolution to establish salaries for Cayuga County Custody (Jail) Nursing Staff within the Cayuga County Jail.
- 9-21-JP-5 Resolution authorizing Sgt Matthew Sloan to adopt K-9 Aron from the Cayuga County Sheriff’s Office K-9 Unit.

EXECUTIVE SESSION: re: Employment history of a particular person and contract negotiations

ADJOURNMENT: Tuesday, October 19, 2021

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. _____ September 28, 2021 Leg Appoint Director Set Salary

Appointing Mary Beth Leeson as the Director of Cayuga County Finance Department

BY: Mr. Keith Batman, Chairperson, Ways & Means Committee

WHEREAS, Local Law No. 4 for the Year 2021, establishes the Office of the Cayuga County Finance Director, and;

WHEREAS, Resolution 240-21 authorizes the Create and Fill of the Finance Director position, and;

WHEREAS, the Ways and Means Committee recommends that Mary Beth Leeson be appointed as the Finance Director, and;

WHEREAS, the Civil Service Commission has previously approved Mary Beth Leeson's qualifications for holding the position of Finance Director; now therefore be it

RESOLVED, that Mary Beth Leeson be appointed as the Finance Director, for a 3 year term effective 10/1/2021 thru 9/30/2024 and be it further

RESOLVED, that the salary for the position of Finance Director (Grade 8) be set as XX,XXX with salary increases for year 2 and year 3 in accordance with the non-bargaining annual salary adjustments, and be it further

RESOLVED, that the Compensation Plan be amended accordingly and that the foregoing shall be accomplished in accordance with Civil Service rules and procedures.

RESOLVED, that the Cayuga County Treasurer make all the necessary journal and accounting entries to accomplish the foregoing.

RESOLUTION NO. _____

9/28/21

LEG cancel penalty & interest

Resolution authorizing the cancellation of penalty and interest of \$276.29 on Tax Map Number 123.04-1-2.1 in the Town of Owasco

By: Aileen McNabb-Coleman, Legislator, District #6
 Keith Batman, Chair, Ways and Means Committee

WHEREAS, New York State Real Property Tax Law Section 1182 permits the cancellation or reduction of interest, penalties and other charges if the governing body determines that it is in the best interests of the tax district and passes a resolution to authorize the enforcing officer to permit the cancellation in part or in whole of any interest, penalty or other charges; and

WHEREAS, extenuating circumstances have come to light regarding a parcel in the Town of Owasco, Tax Map Number 123.04-1-2.1, commonly known as 6798 East Lake Rd; and

WHEREAS, the owner, Samuel Vasile, has requested the penalty and interest be canceled and refunded; and

WHEREAS, the 2021 Town & County property taxes were paid in full on May 28, 2021, including penalty and interest of \$276.29; now therefore be it

Tax Year	Penalty	Interest	Total
2021	\$150.11	\$126.18	\$276.29
DLQT			

RESOLVED, that the Cayuga County Legislature finds it to be in the best interests of the county to cancel penalty and interest in the amount of \$276.29 on Tax Map Number 123.04-1-2.1 in the Town of Owasco; and be it further

RESOLVED, that the Cayuga County Legislature authorizes the Cayuga County Treasurer to refund payment of the aforementioned penalty and interest.

RESOLUTION NO. _____

9/28/21

TRE RDS Services Agreement rev 1

Authorize contract with RDS Services, LLC to review drug subsidy claims for potential under claimed amounts

BY: Hon. Keith Batman, Chair, Ways and Means Committee

WHEREAS, Cayuga County currently participates in the Retiree Drug Subsidy program with the Centers for Medicare and Medicaid Services (CMS); and

WHEREAS, the County has an agreement with RDS Services, LLC to reopening four years of previous subsidy applications to determine eligibility for additional rebates; and

WHEREAS, RDS Services, LLC provides services to re-open prior year Retiree Drug Subsidy Applications, correspond with CMS, and submit all data to recover additional subsidy; and

WHEREAS, the County pays, on a contingency basis, RDS Services, LLC 25% of any additional Retiree Drug Subsidy recovered through the arrangement; and

WHEREAS, RDS Services LLC is a sole source solution that can identify prescription drug costs and recover additional subsidy; and

WHEREAS, the current agreement expires October 31, 2021 and the County desires to enter into a new agreement with RDS Services for the term of November 1, 2021 to October 31, 2024; now, therefore be it

RESOLVED, that the Chair of the Cayuga County Legislature, subject to County Attorney approval, is authorized to sign the service agreement with RDS Services LLC to review Retiree Drug Subsidy claims and submit data for additional rebates.

RESOLUTION NO. _____

9/28/21

TRE updateinvestpolicy21

Adopting resolution for an update to Cayuga County Investment Policy, Section Number 18 in the Policy Manual

By: Hon. Keith Batman, Chair, Ways and Means Committee

WHEREAS, pursuant to *Section 212 of County Law and Section 10 of the General Municipal Law*; the County updated its investment policy for the 2021 fiscal year with Resolution #352-20; and

WHEREAS, at the time, the County was unaware of the American Rescue Plan Act (ARPA) funds it would receive in 2021, which has caused the County to exceed the maximum limit set for certain designated depositories; and

WHEREAS, the list of banks and the amount held on deposit, found in Section VII, Designation of Depositories, requires amendment; now, therefore, be it

RESOLVED, that the attached Cayuga County Policy Manual, Section 18, CAYUGA COUNTY INVESTMENT POLICY, which includes the designation of banks, be updated and approved, effective October 1st, 2021.

CAYUGA COUNTY POLICY MANUAL

Section 18

Policy Title: INVESTMENT POLICY FOR COUNTY OF CAYUGA

Effective Date: 10/1/21

Resolution No. xx-21

I. SCOPE

This investment policy applies to all moneys and other financial resources available for investment on its own behalf of any other entity or individual.

II. OBJECTIVES

The primary objectives of the local government's investment activities are, in priority order, to conform with all applicable federal, state and other legal requirements (legal);

- to adequately safeguard principal (safety);
- to provide sufficient liquidity to meet all operating requirements (liquidity); and
- to obtain a reasonable rate of return (yield).

III. DELEGATION OF AUTHORITY

The governing board's responsibility for administration of the investment program is delegated to the chief fiscal officer and other officers having custody of money who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a database or records incorporation description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

IV. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the COUNTY OF CAYUGA to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

V. DIVERSIFICATION

It is the policy of the COUNTY OF CAYUGA to diversify its deposits and investments by financial institutions, by investment instrument, and by maturity scheduling.

VI. INTERNAL CONTROLS

It is the policy of the COUNTY OF CAYUGA for all moneys collected by an officer or employee of the government to transfer those funds to the chief fiscal officer within 30 days of deposit, or within the time period specified in law, whichever is shorter.

The chief fiscal officer and other officers having custody of money is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with managements authorization and recorded properly and are managed in compliance with applicable laws and regulations.

VII. DESIGNATION OF DEPOSITORIES

The banks and trust companies authorized for the deposit of monies up to the following maximum amounts are:

BANK OF AMERICA	\$ 6,000,000
CAYUGA LAKE NATIONAL BANK	\$21,000,000
FIRST LIBERTIES	\$ 3,000,000
LYONS NATIONAL BANK	\$ 500,000
NY CLASS	\$20,000,000
TOMPKINS TRUST	\$40,000,000

VIII. COLLATERALIZING OF DEPOSITS

In accordance with the provision of General Municipal Law, §10, all deposits of COUNTY OF CAYUGA, including Certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

1. By a pledge of "eligible securities" with an aggregate "market value", or provided by General Municipal Law, §10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.
2. By an eligible "irrevocable letter of credit" issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least on nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.
3. By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims - paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

IX. SAFEKEEPING AND COLLATERALIZATION

Eligible securities used for collateralizing deposits shall be held by the depository and/or a third party bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events, which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the COUNTY OF CAYUGA or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing. For any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the

rating of a security: may cause ineligibility- Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

X. PERMITTED INVESTMENTS

As authorized by General Municipal Law, §11, the CAYUGA COUNTY LEGISLATURE authorizes the chief fiscal officer and other officer having custody of money to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Special time deposit accounts;
- Certificates of deposit;
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United State of America;
- Obligations of the State of New York;
- Obligations issued pursuant to LFL §24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the COUNTY OF CAYUGA
- Obligation of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorizes such investments;
- Certificates of Participation (COPs) issued pursuant to GML. §109-b;
- Obligations of this local government, but only with any moneys in a reserve fund established pursuant to GML §6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the COUNTY OF CAYUGA within such times as which the moneys were provided and in the case of obligations redeemable at the option of the COUNTY OF CAYUGA within two years of the date of purchase.

XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The COUNTY OF CAYUGA shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution or dealer. All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidate Report of Condition (Call Report) at the request of the COUNTY OF CAYUGA. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The chief fiscal officer and other officers having custody of money is responsible for evaluating the financial position and maintaining a listing of proposed depositaries, trading partners and custodians. Such listing shall be evaluated at least annually.

XII. PURCHASE OF INVESTMENTS

The chief fiscal officer and other officer having custody of money are authorized to contract for the purchase of investments:

1. Directly, including through a repurchase agreement, from an authorized trading partner.
2. By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board.

3. By utilizing an ongoing investment program with an authorized tracking partner pursuant to a contract authorized by the governing board.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the office authorized to make the investment. All such transactions shall be confirmed in writing to the COUNTY OF CAYUGA by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, §10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

XIII. REPURCHASE AGREEMENTS

Repurchase agreements are authorized subject to the following restrictions:

- All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.
- Obligations shall be limited to obligations of the United States of America and obligations of agencies of the United States of America where principal and interest are guaranteed by the United States of America.
- No substitutions of securities will be allowed.
- The custodian shall be a party other than the trading partner.

RESOLUTION NO. _____

9/28/21

TRE Budget Increase

Authorize the increase of the Treasurer’s Office Budget using Real Property Tax Administration (RPTA) grant funds

By: Hon. Keith Batman, Chair, Ways and Means Committee

WHEREAS, Local Law No. 4 of the year 2021 established the Office of the Cayuga County Finance Director; and

WHEREAS, the Treasurer’s Office, tax collection unit, currently sits in the middle of the physical space for the Office of the Cayuga County Finance Director; and

WHEREAS, the Treasurer desires to reconfigure the office to obtain greater efficiency; and

WHEREAS, the Treasurer received a quote from Syracuse Office Environments from a State contract for new work stations for the tax collection unit, which are mobile should they ever need to be moved, in the amount of \$22,496.52; and

WHEREAS, the Cayuga County Treasurer applied for and was awarded a Real Property Tax Administration (RPTA) Grant from New York State in the amount of \$50,000 for real property tax collection; and

WHEREAS, the RPTA Grant funds have been utilized in the amount of \$27,672.37, leaving a balance of \$22,327.63, and

WHEREAS, \$10,000 of the remaining grant funds were included for use in the 2021 Budget and the Treasurer would like to transfer those funds and increase the budget by the remaining \$12,327.63 to purchase the workstations; now therefore be it

RESOLVED, that the County Treasurer be authorized and directed to make the necessary journal and accounting entries in the 2021 Treasurer Department Budget as follows:

Increase Appropriation Account A13254-54074.....	\$22,327.63
Decrease Appropriation Account A13254-54018.....	\$10,000.00
Increase Revenue Account A13250-43041.....	\$12,327.63

RESOLUTION NO. _____

9/28/21

COA DIST SETTLEMENT

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

BY: Mr. Keith Batman, Chairperson, Ways & Means Committee

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 McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Drug Corporation, PSS World Medical, Inc., Kinray, LLC, Bellco Drug Corporation, and American Medical Distributors, Inc. (the "Distributors") based on claims that the Distributors 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, the Distributors have offered to settle the claims of Cayuga County against them over eighteen (18) years and agreeing to implement injunctive relief under a controlled substance monitoring program; and

WHEREAS, the County of Cayuga has approved a settlement agreement and release ("Agreement") and the Agreement is attached hereto as Exhibit "A"; and

WHEREAS, it is in the best interest of Cayuga County to resolve this matter with respect to the Distributors without further litigation and enter into the proposed Agreement as it shall settle all allegations against the Distributors 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 Aileen McNabb-Coleman, 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 the Distributors.

RESOLUTION NO. _____ 9-24-21

COA LL Establish DSS & MH Depts

Fixing Day and Notice of Public Hearing on a Local Law repealing Local Law No. 5 of 2014 and establishing the positions of Commissioner of Social Services and Director of Community Services

BY: Hon. Elane Daly, Chair, Health and Human Services Committee

WHEREAS, Local Law No. 5 of 2014 established the position of Director of Community Services with the responsibility of overseeing and administering the Departments of Social Services and Mental Health; and

WHEREAS, after considerable deliberation and assessment, the Cayuga County Legislature is of the opinion that such disparate departments will run more effectively and efficiently when oversight is focused within each department; and

WHEREAS, the Cayuga County Legislature finds that it is in the public interest to create and establish the position of Commissioner of Social Services to oversee and administer the provision of social services within Cayuga County; and

WHEREAS, the Cayuga County Legislature finds that it is in the public interest to create and establish the position of Director of Community Mental Health Services to oversee and administer the provision of mental health services within Cayuga County; and

WHEREAS, there has been duly presented and introduced at a meeting of this County Legislature held on September 24, 2021, a proposed local law entitled:

A LOCAL LAW REPEALING LOCAL LAW NO. 5 OF 2014 AND ESTABLISHING THE
POSITIONS OF COMMISSIONER OF SOCIAL SERVICES AND DIRECTOR OF
COMMUNITY SERVICES

; now, therefore be it

RESOLVED, that a public hearing shall be held concerning the proposed local law before the Cayuga County Legislature on Tuesday, October 26, 2021, at 6:00 P.M., at the Chambers of the Cayuga County Legislature, County Office Building, 160 Genesee Street, Auburn, New York and be it further

RESOLVED, that the Clerk of the Cayuga County Legislature is hereby directed to give due legal notice of said public hearing as provided by statute.

LOCAL LAW NO. _____ OF 2021

A LOCAL LAW REPEALING LOCAL LAW NO. 5 OF 2014 AND ESTABLISHING THE POSITIONS OF COMMISSIONER OF SOCIAL SERVICES AND DIRECTOR OF COMMUNITY SERVICES

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

SECTION 1: LEGISLATIVE FINDINGS AND INTENT:

Cayuga County is authorized by County Law § 400(4)(a) and the Municipal Home Rule Law § 10(1) to create and establish appointive positions, define their powers and duties, and fix their terms of office, so long as it is not inconsistent with the New York State Constitution or general law. Accordingly, the Cayuga County Legislature (“Legislature”) hereby finds as follows:

- A. Local Law No. 5 of 2014 established the position of Director of Community Services, which had management and administrative responsibility over the Departments of Social Services and Mental Health.
- B. Due to the increasingly complex operational and regulatory demands of these two departments, the Legislature finds that having separate, full-time administrative leadership would better serve the departments and their constituents.
- C. The Legislature further finds that it is in the public interest to set forth a transition process that involves the following steps:
 - 1) Create and establish the position of Commissioner of Social Services to oversee and administer the provision of social services within Cayuga County pursuant to the Social Services Law;
 - 2) Re-establish the position of Director of Community Services with a revised job description that limits the duties and responsibilities to oversight and administration of mental health services in Cayuga County pursuant to the Mental Hygiene Law;
 - 3) Repeal Local Law No. 5 of 2014 as obsolete.
- D. The Legislature intends this Local Law to authorize the Legislature to implement the above-described plan in a manner that is timely and effective and best meets the needs of the County.

SECTION 2: COMMISSIONER OF SOCIAL SERVICES

- A. The Legislature establishes the position of Cayuga County Commissioner of Social Services (“DSS Commissioner”) effective January 28, 2022, who shall be responsible for administering the public assistance and care for which the County public welfare district is responsible and shall have general supervision and care of persons in need within Cayuga County.
- B. The DSS Commissioner shall serve as the chief executive officer of the Cayuga County Department of Social Services, without bond, and shall have all the powers and duties as prescribed by Article 3 of the Social Services Law and such other and further duties as may be delegated by the Legislature.
- C. Appointment to the position of DSS Commissioner shall be in the non-competitive class and shall be for a term of five (5) years from the date of appointment.

- D. No person shall be appointed to the position of DSS Commissioner who does not meet the minimum qualifications as established by the NYS Commissioner of Social Services (see, 18 NYCRR 679.1, *et seq.*) and the Cayuga County Civil Service Commission.
- E. The DSS Commissioner shall have the authority to appoint such deputies, who shall serve without bond, and such assistants and employees as may be authorized by the Legislature and shall have the power to remove the same.
- F. The compensation for the DSS Commissioner shall be set by the Legislature by resolution.
- G. The DSS Commissioner shall be subject to removal or discipline by the Legislature pursuant to Civil Service Law § 75 or by the State Commissioner of Social Services pursuant to § 34 of the Social Services Law.
- H. All delegation of powers, duties and responsibilities to the Commissioner of DSS shall be subject to Civil Service laws, rules and regulations and such other laws as may be applicable.

SECTION 4: DIRECTOR OF COMMUNITY SERVICES

- A. The Legislature hereby establishes the position of Director of Community Services (“DCS”), effective January 28, 2022, who shall serve as the chief executive officer of the Cayuga County Community Services Board (“CSB”).
 - 1. The Legislature is further authorized, at its discretion, to designate the DCS as the administrative head of the Cayuga County Mental Health Department. In that event, the DCS shall be vested with supervisory and administrative responsibility for the Cayuga County Mental Health Department and shall have the authority to appoint officers and employees as authorized and budgeted by the Legislature and remove the same. Such authority shall be exercised subject to Civil Service Law, Mental Hygiene Law and any other applicable law, rule or regulation.
 - 2. In the alternative, the Legislature is hereby authorized to establish a separate position entitled “Director of Mental Health” which shall be deemed the supervisory and administrative head of the Mental Health Department and shall have the authority to appoint officers and employees as authorized and budgeted by the Legislature and remove the same. Such authority shall be exercised subject to Civil Service Law, Mental Hygiene Law and any other applicable law, rule or regulation.
 - i. The Director of Mental Health shall be appointed and serve at the pleasure of the Legislature, in the non-competitive class, and shall be for an indefinite term.
 - ii. The compensation for the Director of Mental Health shall be set by the Legislature by resolution.
 - iii. The Director of Mental Health shall be subject to removal or discipline pursuant to Civil Service Law § 75.
- B. The DCS shall be appointed by the CSB in accordance with Mental Hygiene Law § 41.09(a) and shall serve at the pleasure of the CSB.
 - 1. In the event the Legislature designates the DCS to also serve as the department head over the Mental Health Department, the CSB shall include the Legislature or such delegate(s) as the

Legislature may choose in the recruiting process, and make a good faith effort to obtain the Legislature's concurrence regarding the selected candidate.

- C. Appointment to the position of DCS shall be in the non-competitive class and serve for an indefinite term.
- D. No person shall be appointed to the position of Director of Community Services who does not meet the minimum qualifications as established by the NYS Department of Mental Hygiene (see, 14 NYCRR §102.6, *et seq.*) and the Cayuga County Civil Service Commission.
- E. The compensation for the Director of Community Services shall be set by the Legislature by resolution.
- F. Notwithstanding any other law, rule or regulation, the Community Services Board may dismiss the Director of Community Services for "cause". Such "cause" being insubordination, immoral character, inefficiency, incompetency, neglect of duty, or inability, by reason of sickness or disability, to discharge the duties and responsibilities of office beyond the period of any leave authorized by law, subject to the following conditions:
 - 1) Upon determining sufficient "cause" exists, the Chairperson of the CSB shall notify the DCS in writing that the Community Services Board intends to suspend, demote, discharge or impose such other discipline as may be deemed appropriate and the reasons therefor. In the event that the DCS is a combined position under Section 4(A)(1), the Chairperson of the CSB shall consult with the Chair of the Legislature at least five (5) days prior to issuing such notice except in an emergency situation where immediate action is necessitated.
 - 2) Upon the issuance of such written notice, the Community Services Board may suspend the Director without pay for up to thirty (30) days, pending the conduct of a hearing, if any, and a determination therefrom.
 - 3) The DCS shall have eight (8) days from the mailing of such notice in which to answer the charges in writing and request a hearing.
 - 4) If the DCS requests a hearing, the CSB shall appoint a hearing officer to hold a hearing, in executive session, not less than ten (10) days nor more than thirty (30) days from the date of the demand. The hearing officer shall be empowered to issue subpoenas, take oaths, and receive sworn testimony from witnesses. Within ten (10) days following the hearing, the hearing officer shall issue his or her findings of fact and recommended discipline. Such discipline may be one of the following: (i) suspension without pay for up to 60 days, (ii) demotion or (iii) termination. The Community Services Board may accept or reject the recommendation of the hearing officer provided it gives a reason for its determination. The decision of the CSB shall be final and binding, subject to the right of appeal in accordance with law.
 - 5) If the DCS does not request a hearing, the CSB may dismiss the DCS ten (10) days after service of the written notice upon the DCS.
 - 6) In the event that the charges against the DCS are not sustained after a hearing, or are not sustained after any appeal from the decision of the Community Services Board, the DCS shall be entitled to be paid for the period of suspension.

SECTION 5: RECRUITING PROCESS

- A. To allow sufficient time for the County and CSB to recruit and fill these positions, the Legislature is

hereby authorized to process the new job descriptions for Commissioner of Social Services and Director of Community Services through the Cayuga County Civil Service Commission and may fill such positions on a temporary basis at such time as the Legislature and/or CSB deems appropriate. Such appointments to the temporary positions shall be deemed permanent effective January 28, 2022 as determined by the Legislature.

B. The appointments to these positions shall be made subject to applicable Civil Service laws and rules.

CONTINUING RECOGNITION OF THE PUBLIC HEALTH DEPARTMENT

The continued existence of the Cayuga County Public Health Department is hereby recognized and acknowledged, to be overseen and managed by the Public Health Director.

SECTION 6: REPEALER.

Local Law No. 5 of 2014 shall be deemed repealed effective January 28, 2022.

SECTION 7: SAVINGS CLAUSE.

It is the intent of the Legislature that in the event that any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment, decree or order shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment, decree or order shall have been rendered and that the remainder of this Local Law shall not be affected thereby and shall remain in full force and effect.

SECTION 8: EFFECTIVE DATE.

This Local Law shall take effect upon filing with the New York State Secretary of State.

RESOLUTION NO. _____ 9/28/21 HD Create and Fill PT-Clinic Support

Create and fill fifteen (15) Vaccination Clinic Support Specialist Positions in the Public Health Department.

BY: Elane Daly, Chairman of the Health & Human Services Committee
Keith Batman, Chairman of the Ways & Means Committee

WHEREAS, there is a need for clinic support staff during the current COVID-19 pandemic; and

WHEREAS, funding has been made available to the Cayuga County Health Department to provide services to the people of Cayuga County during the COVID-19 pandemic; and

WHEREAS, a New Position Duties Statement submitted to the Cayuga County Civil Service Commission was reviewed, and the Commission determined that the job responsibilities are in line with the job duties of a Vaccination Clinic Support Specialist in the Non-Competitive Class, and classified it as such; and

WHEREAS, funding for the newly created positions exists in the A40101-51002 line of the Cayuga County Public Health Department budget, now therefore be it

RESOLVED, that the Cayuga County Legislature hereby creates fifteen (15) Vaccination Clinic Support positions in the Cayuga County Public Health Department; and be it further

RESOLVED, that the Public Health Director be authorized to fill the fifteen (15) newly created Vaccination Clinic Support positions on a part time basis, and be it further

RESOLVED, that the hourly rate for the Vaccination Clinic Support position be set at an hourly rate of \$20.00 and placed in Part II of the Cayuga County NB compensation plan, and be it further

RESOLVED, that these hires be made in accordance with the Rules and Regulations of the Cayuga county Civil Service Commission and the policies of the County of Cayuga, and be if further

RESOLVED, that these newly created positions be abolished once the COVID-19 pandemic emergency has passed.

RESOLUTION NO: _____ **09/28/2021 SHR Set Salaries Custody Nursing Positions rev**

Resolution to establish salaries For Cayuga County Custody (Jail) Nursing Staff within the Cayuga County Jail.

By: Mr. Benjamin Vitale, Chair, Judicial & Public Safety Committee
Mr. Keith Batman, Chair, Ways & Means Committee

WHEREAS, there are existing professional nursing staff within the Cayuga County Custody Division (Jail) located at the Cayuga County Jail; and

WHEREAS, there are registered nursing vacancies at the Cayuga County Jail that require establishing competitive salaries to aid in recruiting; and,

WHEREAS, it is the intention of the Cayuga County Legislature to establish an equitable professional nursing salary structure to attract nurses to fill these vacant positions; and,

WHEREAS, funding for this increase exists in the 2021 budget line A31501 51001 Salaries – Full Time (Jail) due to salary savings; now therefore be it

RESOLVED, that the Cayuga County Legislature establishes the following salary:

Registered Professional Nurse (Jail – 40 hour work week) \$69,090 (probation) and \$69,440 (step one) for 2021 and \$70,826 (probation) and \$71,176 (step one) for 2022; and be it further

RESOLVED, that the salaries will be adjusted and set in the Sheriff’s Employee’s Association of Cayuga County (SEACC) contract and compensation plan effective upon written agreement with the SEACC Union; and be it further

RESOLVED, that the Cayuga County Chair of the Legislature be authorized to enter into any agreements with the SEACC bargaining unit to execute the intent of this resolution; and be it further

RESOLVED, that the adjustments to the salary of existing staff in the above titles occurs as soon as practicable upon written agreement with the SEACC Union; and be it further

RESOLVED, that the County Treasurer be authorized to make any appropriate journal entries in accordance with the execution of the intent of this resolution.