



AGENDA
CAYUGA COUNTY LEGISLATURE
Tuesday, October 25, 2022, 6:00PM
Live Link: <https://youtu.be/IBjdMjQvx6k>

CALL TO ORDER: Hon. David Gould, Chair

ROLL CALL: Sheila Smith, Clerk of the Legislature

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

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

PRIVILEGE OF THE FLOOR:

PUBLIC HEARING: 6:00PM – Call 315-294-8051, if you wish to speak on the public hearing.

PROCLAMATIONS:

- Domestic Violence Awareness Month in Cayuga County
- Global Peer Supporter Celebration Day, October 20, 2022
- National Lead Poisoning Prevention Week, October 23-29, 2022
- Head Start Awareness Month, October 2022
- United Way 100th Anniversary

PRESENTATIONS:

- Lynn Marinelli, re: Shared Services Plan
- Small Business Grant Program

MINUTES TO APPROVE: September 27, 2022

COMMUNICATIONS AND ANNOUNCEMENTS: None

CCC REPORT: Dr. Durant

COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS:

CHAIRMAN'S REPORT: David Gould

**CAYUGA COUNTY LEGISLATURE
RESOLUTIONS 10-25-22**

WAYS & MEANS:

- 10-22-WM-1 Transfer funds for the purchase of a sealing/folding machine
- 10-22-WM-2 Resolution authorizing the cancellation of penalty and interest of \$432.72 on Tax Map Number 116.19-1-41 in the Town of Owasco
- 10-22-WM-3 To adopt Equalization Rates for the Apportionment of the 2023 County Tax Levy
- 10-22-WM-4 Approving the Requirement of PILOT Agreements for Solar or Wind Energy Systems in Cayuga County
- 10-22-WM-5 Vacation Policy change for Non-Bargaining New Employees

HEALTH & HUMAN SERVICES:

- 10-22-HH-1 Authorizing the Chairman of the Legislature and the Commissioner of Social Services to Enter into a Contract with Chapel House for Provision of Supportive Case Management Services
- 10-22-HH-2 **(Amended @ Ways)** Authorizing the Legislature to create and the Social Services Commissioner to fill an Assistant Payroll Systems Specialist position in the Department of Social Services due to a resignation and to leave the Jr. Accountant position unfunded.
- 10-22-HH-3 Amending the Social Services 2022 Budget to Accept 100% Federal Funding from the Flexible Fund for Family Services (FFFS)
- 10-22-HH-4 Authorize the Commissioner of Social Services to Fill a Child Support Enforcement Coordinator Vacancy
- 10-22-HH-5 Authorizing the Commissioner of Social Services to Fill a Sr. Account Clerk position in the Accounting Unit
- 10-22-HH-6 Authorizing the creation of temporary leave bank for Cayuga County Mental Health Employee
- 10-22-HH-7 **(Amended @ Ways)** Authorizing a budget transfer to the Mental Health Department to cover psychiatric care
- 10-22-HH-8 Authorizing The Chair Of The Cayuga County Legislature And The Director Of Community Services To Accept a Grant From The U.S. Department of Justice/Bureau of Justice Assistance For Substance Use Diversion Program
- 10-22-HH-9 Authorizing the Commissioner of Social Services to Fill a Caseworker Vacancy in the Adult Protective Services Unit

GOVERNMENT OPERATIONS:

- 10-22-GO-1 Authorization to amend the 2022 County Attorney's Budget
- 10-22-GO-2 Authorizing the Chairman to extend the contract for Auctions International to December 31, 2022 for auction services for surplus assets
- 10-22-GO-3 Updating Cayuga County Mandatory Background Investigation Policy for Staff with Access to Federal Tax Information (FTI)
- 10-22-GO-4 **(TABLED)** Adopting the Cayuga County Fueling and Fuel Handling Safety Policy
- 10-22-GO-5 **(TABLED)** Adopting the Cayuga County Excavation and Trenching Safety Policy
- 10-22-GO-6 Adopt a Hybrid-Remote Work Policy for Eligible Cayuga County Employees
- 10-22-GO-7 Authorizing the Chair of the Cayuga County Legislature to enter into an agreement with NYS Office of Information Technology Services and NYS Division of Homeland Security and Emergency Services

PLANNING:

- 10-22-PL-1 Amending Resolution 240-22 authorizing the submittal of a grant application funding request to the New York State Department Of State For The Sterling-Fair Haven Community Connection Trail Feasibility Study and authorizing county use of general funds in lieu of previously approved ARPA funds for partial grant matching funds (2/3 vote)
- 10-22-PL-2 Authorizing the Chair of the Legislature to execute an approved amendment to NYS Grant Contract No. PRK01-C73363GG (Emerson Park Improvements 2017 CFA Grant Award)

PUBLIC WORKS:

- 10-22-PW-1 Amending the 2022 county budget to allow the Court "Tenant" Work to be completed in the Courthouse and the Historic Post Office with the cost to be 100% reimbursed by the State of New York
- 10-22-PW-2 Authorization to fill Motor Equipment Operator Heavy position in the County Highway Department
- 10-22-PW-3 Authorize the Director of Parks & Trails to fill a Part Time Cleaner position within the Cayuga County Parks & Trails Department
- 10-22-PW-4 Authorize the Director of Parks & Trails to fill the Working Foreperson Position within the Cayuga County Parks & Trails Department
- 10-22-PW-5 Authorization to create and fill a part time Building Maintenance Mechanic Position within the Cayuga County Parks & Trails Department

JUDICIAL & PUBLIC SAFETY:

- 10-22-JP-1 Authorizing the Chairman of the Cayuga County Legislature to sign an agreement with Red Creek School System to share tower space at the Sterling Tower Site to improve radio communications for buses in the Red Creek School District.
- 10-22-JP-2 Authorizing the Chairperson of the Legislature to sign an MOA between the County of Cayuga and the CSEA for the purpose of a Weekend Overtime Incentive.
- 10-22-JP-3 Authorizing the Chairman of the Cayuga County Legislature to sign an agreement with Yates County to share tower space at the Ovid Tower Site to improve radio coverage for Yates County.
- 10-22-JP-4 **(TABLED @ JP)** Authorization to fill one (1) Part Time Clerk Typist title in the Cayuga County Probation Department
- 10-22-JP-5 Authorizing the Chairman of the Legislature and the Cayuga County Sheriff to accept a grant from the New York State Governor's Traffic Safety Committee
- 10-22-JP-6 Authorizing budget transfers for the Sheriff's Office

LEGISLATURE:

- 10-22-LEG-1 Fixing Day and Notice of Public Hearing on a local law to authorize videoconferencing for public meetings
- 10-22-LEG-2 Appoint Youth Bureau Director Position in the County Youth Bureau
- 10-22-LEG-3 Authorizing appointments to the Parks Commission
- 10-22-LEG-4 Authorizing the appointments to the Commissioner of Elections

And any other business that may come before the Board

EXECUTIVE SESSION: re: Collective negotiations pursuant to article fourteen of the civil service law

ADJOURNMENT: Tuesday, November 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. _____ 10/25/22 HS Create & Fill Asst. Payroll Systems Specialist rev 3

Authorizing the Legislature to create and the Social Services Commissioner to fill an Assistant Payroll Systems Specialist position in the Department of Social Services due to a resignation and to abolish the Jr. Accountant position unfunded.

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

WHEREAS, the Jr. Accountant position (PC#8646) within the DSS Accounting unit is funded and vacant due to a resignation; and

WHEREAS, when a position is vacant it is in the best interest of the County and the department to evaluate the position for accuracy of the duties and request a new position if necessary; and

WHEREAS, after evaluating the duties of the position it was determined that a request for the creation of an Assistant Payroll System Specialist at a CSEA Grade 16 was most in line with the duties of the position; 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 an Assistant Payroll Systems Specialist in the competitive class, and classified it as such; and

WHEREAS, this position is responsible for processing payroll for the Department of Social Services as well as tracking information to facilitate the financial claiming for the Department of Social Services; and

WHEREAS, funding for the newly created Assistant Payroll Systems Specialist exists in the 2022 Department of Social Services budget with the unfunding of the Jr. Accountant position and would be an overall cost savings; now therefore be it

RESOLVED, that the Cayuga County Legislature creates an Assistant Payroll Systems Specialist position (Grade 16 of the CSEA Bargaining Unit) in the Accounting Unit of the Department of Social Services with the jurisdictional class allocation being Competitive; and be it further

RESOLVED, that the Jr. Accountant position (PC#8646) be abolished in accordance with Civil Service Rules and Regulations; and be it further

RESOLVED, that the Authorization to Fill is valid through March 31, 2023, per resolution 307-20; and be it further

RESOLVED, that the Commissioner of Social Services is hereby authorized to fill the Assistant Payroll Systems Specialist position and any fill behinds, in accordance with the Civil Service Rules and Regulations and the Policies of the County of Cayuga; and be it further

RESOLVED, that the Director of Finance make any of the necessary journal entries to execute the intent of this resolution.

RESOLUTION NO. _____

10/25/2022

MH Transfer Funds rev

Authorizing a budget transfer to the Mental Health Department to cover psychiatric care

By: Elane Daly, Chair, Health and Human Services Committee, and
Hans Pecher, Chair, Ways and Means Committee

WHEREAS, all NYS county mental health departments are responsible for paying for forensic psychiatric care related to restoration services for respective county residents determined to need these services; and

WHEREAS, there are currently individuals receiving forensic psychiatric care and it is anticipated that they will remain in care for several months, and

WHEREAS, Cayuga County Mental Health is obligated to pay for the forensic psychiatric care provided; and

WHEREAS, the expenses for forensic psychiatric care are highly variable, and are therefore difficult to project on an annual basis; and

WHEREAS, it is anticipated that due to the nature of ongoing costs, the expenses will exceed what is currently allocated in the 2022 budget; now therefore be it

RESOLVED, that Cayuga County Finance Director is hereby authorized to make the journal and accounting entries of the following budget amendment/modification:

Increase Psychiatric-Criminal Evals A43214 54000 \$70,000
Decrease Medicaid Expense A61004 54000 \$70,000

Increase Family Court Evals A43204 54000 \$10,000
Decrease Medicaid Expense A61004 54000 \$10,000

RESOLUTION NO. _____ 10/25/22 COA LL Fix Authorize Videoconferencing Public Meetings

**FIXING DAY AND NOTICE OF PUBLIC HEARING ON A LOCAL LAW TO
AUTHORIZE VIDEOCONFERENCING FOR PUBLIC MEETINGS**

BY: Hon. Christopher Petrus, Chair of the Government Operations Committee
Hon. Hans Pecher, Chair of the Ways & Means Committee

WHEREAS, April 9, 2022 Governor Hochul signed an amendment to the Open Meetings Law to allow, until the expiration date of July 1, 2024, the expanded use of videoconferencing by public bodies in the conduct of open meetings, under extraordinary circumstance, regardless of a declaration of emergency; and

WHEREAS, in order to continue meeting virtually, the County must pass a resolution or local law to opt in; and

WHEREAS, there has been duly presented and introduced at a meeting of this County Legislature held on October 25, 2022, a proposed local law entitled:

A Local Law to “**AUTHORIZE VIDEOCONFERENCING FOR PUBLIC MEETINGS**”

; now therefore be it

RESOLVED, that a public hearing shall be held concerning the proposed local law before the Cayuga County Legislature on Tuesday, November 22, 2022, at 6:00 P.M., at the Chambers of the Cayuga County Legislature, County Office Building, 160 Genesee Street, Auburn, New York, and also held electronically and broadcast live via YouTube at the following address: <https://youtu.be/e7ZdsHUvTZ4> with members of the public directed to call in at 315-294-8051 to comment; and be it further 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.

STATE OF NEW YORK
COUNTY OF CAYUGA

LOCAL LAW NO. _____ FOR THE YEAR 2022

A Local Law to **AUTHORIZE THE USE OF VIDEOCONFERENCING**
FOR PUBLIC MEETINGS

Be it enacted by the Cayuga County Legislature of the County of Cayuga, as follows:

SECTION 1: Purpose:

The Cayuga County Legislature intends this Local Law to authorize the use of videoconferencing under certain circumstances, to conduct public meetings pursuant to Section 103-a of the New York State Public Officers Law.

SECTION 2: Applicability:

- A. This Local Law and the procedures outlined herein shall apply to all meetings of the Cayuga County Legislature including all committees and sub-committees.
- B. All other boards or agencies of the County that are subject to the Open Meetings Law may determine for themselves the extent to which they wish to allow videoconferencing to conduct meetings and, if so, may adopt appropriate resolutions to that effect.

SECTION 3: Attendance Requirements:

- A. Members of the governing board shall be physically present at meetings, and committees unless unable to be physically present at the meeting due to “extraordinary circumstances” which are defined as follows:
 - 1. Disability,
 - 2. Illness,
 - 3. Caregiving responsibilities which may include caring for a child, spouse, parent, grand-parent, grand-child, sibling, partner, or significant other, due to illness or disability;
 - 4. Temporary travel outside the County,
 - 5. Any other significant, unexpected event that prevents the member from attending the meeting in person.
- B. A member who is unable to be physically present at a meeting, shall provide notice to the Cayuga County Legislative Clerk’s Office at least 24 hours prior to the meeting or as soon as reasonably able.

- C. The Chair of the Cayuga County Legislature's determination on whether the extraordinary circumstances cited by a board member qualifies under this Local Law to permit that member to participate in a legislative meeting shall be final and binding.
- D. The Chair of a Standing Committee's determination on whether the extraordinary circumstances cited by a committee member qualifies under this Local Law to permit the committee member to participate in a committee meeting shall be final and binding.
- E. The Chair of the Legislature, or in the case of a Standing Committee, the Chair of the Committee, shall announce at the beginning of the meeting the names of the members who are participating remotely and identify them for the record.
- F. Only those members who are present at the meeting or have been permitted to attend remotely pursuant to the procedures of this Local Law shall count towards a quorum or be permitted to vote on any matter that comes before the board/committee.
- G. Except in the case of executive sessions, all members of the board/committee, including those who have been permitted to participate remotely, shall be capable of being seen, heard and identified throughout the meeting being conducted.

SECTION 4: Other Requirements:

- A. If video conferencing is used to conduct a meeting, the public notice shall inform the public where they can view and/or participate in such meeting, where required documents and records will be posted or available, and identify the physical location for the meeting where the public can attend.
- B. Minutes of any meeting involving videoconferencing shall include which, if any, members participated remotely.
- C. Meetings conducted using videoconferencing shall be recorded and those recordings shall be posted or linked within five (5) business days of the meeting and maintained for 5 years thereafter. Recordings shall be transcribed upon request.
- D. In those meetings where videoconferencing is used, the public must be able to view the meeting via video and participate in the proceedings via videoconference in real time and to testify or present in the same manner as they would be permitted to participate pursuant to the Cayuga County Legislature Rules of Order, or under State or local law.
- E. The in-person participation requirements of this Local Law shall not apply during a state disaster emergency declared by the governor or a local state of emergency as declared by the chief executive of the county if it is determined that the circumstances necessitating the emergency declaration would affect or impair the ability of the board/committee to hold an in-person meeting.
- F. These written procedures shall be conspicuously posted on the County's website.

SECTION 5: Effective Date:

This local law shall take effect immediately upon filing with the Secretary of State.

SECTION 6: Severability:

If any clause, sentence, paragraph, subdivision, section or part of this Local Law or the application thereof, to any person, individual, corporation, firm, partnership, entity, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional such order of judgement 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 of this Local Law or in its application to the person, individual, corporation, firm partnership, entity, or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 7: Expiration:

This Local Law shall be effective until July 1, 2024 as set forth by New York State in Chapter 56 of the Laws of 2022.

RESOLUTION NO. _____ 10/25/22 LEG Appoint Youth Bureau Director

Appoint Youth Bureau Director position in the County Youth Bureau

BY: Hon. Elane Daly, Chair, Health & Human Services
Hon. Hans Pecher, Chair, Ways & Means Committee

WHEREAS, there exists a full-time Youth Bureau Director vacancy in the Cayuga County's Youth Bureau; and

WHEREAS, this position is crucial for the effective and efficient operation of Youth Bureau and the receipt and management of state aid and the oversight of youth development programming; and

WHEREAS, sufficient funding exists in the 2022 Youth Bureau salary budget line; and

WHEREAS, the Cayuga County Chairman organized a work group to recruit and recommend a candidate to fill the position of Youth Bureau; and

WHEREAS, that work group recruited, interviewed and came to consensus on a candidate; NOW, THEREFORE, BE IT

RESOLVED, that the Cayuga County Legislature hereby appoints Debra Dennis to the full-time position of Youth Bureau Director; and be it further

RESOLVED, that this position is established at Grade 4 of the Compensation Plan for Non-bargaining employees and that the salary for Ms. Dennis be negotiated in accordance with the Cayuga County Compensation Policies; and be it further

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

RESOLUTION NO. _____ 10-25-22 LEG Appts October 22

Authorizing appointments to the Parks Commission

BY: Cayuga County Legislature

WHEREAS, the Legislature is authorized under various state statutes, county laws, and other authorities to appoint members to various committees, board, agencies, and other organizations; and

WHEREAS, the Legislature has completed due diligence in consideration of the hereinafter listed person(s); now, therefore be it

RESOLVED, following person(s) are hereby appointed to the corresponding positions for the term(s) listed:

Cayuga County Parks Commission

Joseph DeForest, 1396 State Rte 34, Genoa, NY 13071, Term – 1/1/22 to 12/31/24

and be it further

RESOLVED, this resolution shall take effect immediately.

RESOLUTION NO. _____ 10/25/22 LEG Election Commissioners Appts October 22 rev

Authorizing appointments to the Commissioner of Elections

BY: Cayuga County Legislature

WHEREAS, the Legislature is authorized under various state statutes, county laws, and other authorities to appoint members to various committees, board, agencies, and other organizations; and

WHEREAS, the Legislature has completed due diligence in consideration of the hereinafter listed person(s); and,

WHEREAS, the Clerk of the Cayuga County Legislature received notifications from the Secretary of the Cayuga County Democratic Committee and the Secretary of the Cayuga County Republican Committee pursuant to New York State Elections Law Section 3-204 recommending candidates for appointments as Commissioner of Elections of the Board of Elections of the County of Cayuga; now, therefore be it

RESOLVED, following person(s) are hereby appointed and named to represent the Republican and Democratic party as Commissioner of Elections for the term term(s) listed:

Commissioner of Elections

Democratic Commissioner: Keith Batman, 3649 Keese Rd, Moravia, NY 13118, Term – 1/1/23 to 12/31/24
Republican Commissioner: John Camardo, 12 Tubman Lane, Auburn, NY 13021, Term – 1/1/23 to 12/31/24

; and be it further

RESOLVED, this resolution shall take effect immediately.

October 9, 2022

To: David Gould, Chairperson of the Cayuga County Legislature

CC: Sheila Smith, Clerk of the Cayuga County Legislature

At our organizational meeting on October 2, 2022, the Cayuga County Democratic Committee unanimously approved the appointment of Keith Batman to the position of Commissioner of Elections, for a two year term beginning January 1, 2023. Mr. Batman graciously accepted the nomination and is ready to serve in this capacity.

We hope that Keith's confirmation by the Legislature will be expedited so that he will be ready to assume his new responsibilities in a timely manner.

Best regards,

A handwritten signature in cursive script that reads "Kathleen Button".

Kathleen Button

Secretary, Cayuga County Democratic Committee

10/8/2022

Cayuga County Republican Executive Committee
PO Box 2
Auburn, New York 13021

Honorable David Gould, Chairman
DavidGould2044@gmail.com
Cayuga County Legislature
160 Genesee Street
Auburn, New York 13021

Dear Honorable Gould:

The Cayuga County Executive Republican Committee met, and unanimously recommends the appointment of John Camardo as the Republican Commissioner of the Cayuga County Board of Elections.

Mr. Camardo found Cayuga County a great spot to raise his family and serve as a successful businessman, and has been a lifelong Republican.

Mr. Camardo served on the Auburn City Council, is current Chairman of the Cayuga County Republican Committee, and has been an active supporter within our county including as board member for Cayuga County Community College.

Mr. Camardo is a great communicator, a true professional who treats others with respect regardless of their background, is knowledgeable with election protocols, and has high values including ethics and integrity.

Your support for this appointment is appreciated. We believe Mr. Camardo will be a valuable addition to the Board of Elections.

Thank you for your consideration.

Sincerely,

Doreen Henry
Secretary
Cayuga County Republican Committee

cc: Honorable Christopher Petrus
cpetrus25@hotmail.com