



MINUTES
CAYUGA COUNTY LEGISLATURE
Tuesday, April 28, 2020, 6:00PM
Link: <https://youtu.be/f2hJwL-GrGc>

CALL TO ORDER: Hon. Aileen McNabb-Coleman, Chair called the meeting to order at 6:06PM

ROLL CALL: Sheila Smith, Clerk of the Legislature all legislators present

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

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

- Mike LaFever was a retired ICM/care manager from MH. He was a great advocate, tireless and creative worker, dedicated father and grandfather.
- Dr. Joseph Karpinski, a longtime oral surgeon in the Cayuga County area who was known for his gregarious personality and philanthropic endeavors

PUBLIC HEARING: McNabb-Coleman opened Public Hearings at 6:08PM

- A Local Law repealing Local Law No. 5 of 2018 and Establishing the Departments of Buildings and Grounds, Weights and Measures, and the Cayuga County Highway Department; establishing the positions of Superintendent of Buildings and Grounds, Director of Weights and Measures, and Highway Superintendent
- Public Hearing on pursuant to NY Gen. Mun. Law § 6-D to make appropriations from the Buildings Repair Reserve

PROCLAMATIONS:

- Recognizing and supporting the 50th anniversary of Earth Day
- Donate Life Month in Cayuga County April 2020
- Central New York Regional Spelling Bee Champion: Emma Sroka, 2019 and 2020

PRIVILEGE OF THE FLOOR:

MINUTES TO APPROVE: March 3rd, 24th and 31st, 2020, **Motion by Dennison, 2nd by Pinckney, all in favor.**

Motion by Dennison to approve appointments, 2nd by Pinckney, all in favor.

APPOINTMENTS AND RE-APPOINTMENTS:

- **Public Information Officer (PIO) for the COVID-19 crisis**
 - Monika Salvage
- **Cayuga County Water Quality Management Agency (WQMA):**
Jeff Emerson, 71 Rochester St, Port Byron, NY 13140 – Term, 3-24-20 to 12-31-24
- **Cayuga County Soil & Water Conservation District, Board of Directors:**
Stephen Nemec, Jr., 3999 Carver Rd., Moravia, NY 13118 – Term, 1-1-20 to 12-31-22

COMMUNICATIONS AND ANNOUNCEMENTS: None

CCC REPORT: Dr. Durant

COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS:

CHAIRMAN'S REPORT: Aileen McNabb-Coleman

**CAYUGA COUNTY LEGISLATURE
RESOLUTIONS 4-28-20**

**RESOLUTION NO. 174-20 4-28-20 HR Auth Temp Add'l Comp Time
Authorizing Additional Compensatory Time for Non-Bargaining Employees**

BY: Hon. Christopher Petrus, Chair, Ways & Means Committee

WHEREAS, the COVID-19 pandemic has necessitated significant changes in the county's workforce in terms of both hours and locations; and

WHEREAS, certain non-bargaining employees are exempt from the overtime requirements of the Fair Labor Standards Act and are not eligible for overtime pay pursuant to county policy as adopted by Resolution 257-18; and

WHEREAS, pursuant to Resolutions 306-10 as amended by 461-16 ("Compensatory Time Policy") certain employees are eligible for compensatory time for those hours worked in addition to their normal week which can be accrued, to be used as time off at a future date, limited to a maximum of thirty-five (35) banked accrual hours; and

WHEREAS, given the State of Emergency declared by the County, State, the Federal Government, there is currently a need for certain employees to put in significant amounts of additional time beyond their normal week addressing issues connected to the COVID-19 pandemic, there is little opportunity for time off during this crisis, and many employees will max out their thirty-five (35) hour compensatory time limit very soon; and

WHEREAS, the Cayuga County Legislature finds that increasing the number of hours which may accumulate as compensatory time is a reasonable temporary solution to provide for eligible non-bargaining employees who continue working beyond their normal work week and are currently unable to take time off; now therefore, be it

RESOLVED, that Compensatory Time Policy is hereby amended as follows:

1. Effective March 22, 2020 the maximum amount of time allowed in an eligible non-bargaining employee's accrual bank is seventy (70) hours;
 2. Effective July 26, 2020, no additional time may be added to an eligible non-bargaining employee's accrual bank beyond thirty-five (35) hours, however any time accrued above the thirty-five (35) hour limit prior to July 26, 2020 shall remain in an eligible non-bargaining employee's accrual bank until December 26, 2020;
 3. Effective December 27, 2020, the maximum accrual bank for eligible employees will return to thirty-five (35) hours and any accrued time above thirty-five (35) hours shall be lost;
- and be it further

RESOLVED, that the remaining provisions of the Compensatory Time Policy shall continue unaffected; and be it further

RESOLVED, effective December 27, 2020, the Compensatory Time Policy will operate solely pursuant to Resolutions 306-10 and 461-16 and this Resolution shall be of no further force and effect.

Motion by Batman, 2nd by Whitman, all in favor.

**RESOLUTION NO. 175-20 4/28/20 TRE extend Heritage Contract
ADOPTING RESOLUTION TO EXTEND CONTRACT WITH HERITAGE ABSTRACT TO PROVIDE IN REM
TAX FORECLOSURE SEARCHES FOR AN ADDITIONAL YEAR**

By: Christopher Petrus, Chair Ways and Means Committee

WHEREAS, resolution 135-16 authorized Cayuga County to enter into a contract with Heritage Abstract for In Rem Tax Foreclosure Searches; and

WHEREAS, the term of the contract was set to terminate May 15, 2017, with an option to extend annually for an addition period of four (4) years; and

WHEREAS, resolution 92-17 approved the first annual extension of the contract with Heritage Abstract; and

WHEREAS, resolution 152-18 approved the second annual extension of the contract with Heritage Abstract; and

WHEREAS, resolution 157-19 approved the third annual extension of the contract with Heritage Abstract; and

WHEREAS, the Cayuga County Treasurer would like to enter into the fourth annual extension of the contract to May 15, 2021; now, therefore, be it

RESOLVED, that the County Legislature approve the annual extension of the contract with Heritage Abstract to provide services through May 15, 2021 for In Rem Tax Foreclosure Searches.

Motion by Batman, 2nd by Whitman, all in favor.

RESOLUTION NO. 176-20

April 28, 2020

HR Hiring Restriction

ESTABLISHING REVIEW PROCESS FOR HIRING RESOLUTIONS AS A RESULT OF THE COVID-19 CRISIS

BY: Hon. Christopher Petrus, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Legislature finds that the COVID-19 crisis is negatively affecting the economy to such an extent as to warrant the implementation of fiscal constraints upon future spending by county government; and

WHEREAS, it is the intention of the Cayuga County Legislature to limit hiring of new employees, except for cases involving exigent circumstances, in an effort to position the county to react responsibly in the future, anticipating a “new normal” way of life, and mindful of the burden this crisis has and will have on local taxpayers; now, therefore be it

RESOLVED, a department submitting a request to create and/or fill positions must first obtain the unanimous consent and findings of the Chair of the Legislature, the Chair of the department’s oversight committee, the Majority Leader, and the Minority Leader, that filling such position is, in fact, warranted by exigent circumstances before bringing such request to the oversight committee; and be it further

RESOLVED, that this resolution shall expire on August 31, 2020 unless further extended by resolution of the Cayuga County Legislature.

Motion by Whitman, 2nd by Pinckney, all in favor except Lattimore.

RESOLUTION NO. 177-20

April 28, 2020

HR Rescind Hiring Authorizations

RESCINDING RESOLUTIONS AUTHORIZING THE FILLING OF CERTAIN POSITIONS OF EMPLOYMENT IN CAYUGA COUNTY

BY: Hon. Christopher Petrus, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Legislature finds that the current COVID-19 Crisis will result in serious detrimental impact to the local economy and that restricting the growth of the county workforce is a necessity; and

WHEREAS, the Cayuga County Legislature had authorized hiring for several positions prior to the crisis which, although important, are not critical positions to county operations, and now finds that current circumstances require rescinding those authorizations; now, therefore be it

RESOLVED, that the following resolutions are hereby rescinded:

Resolution 7-20 Deputy HR Administrator	Resolution 23-20 Case Work Aid	Resolution 25-20 Caseworker
Resolution 28-20 Public Health Engineer	Resolution 33-20 Assistant Park Maintenance Supervisor	Resolution 82-20 Building Maintenance Mechanic
Resolution 89-20 Seasonal Staff Buildings and Grounds	Resolution 101-20 Seasonal Staff Sheriff’s Department	

; and be it further

RESOLVED, that this resolution is effective immediately.

Motion by Dennison, 2nd by Pinckney, all in favor except Lattimore.

RESOLUTION NO. 178-20

4/28/20

HD Healthy Neighborhoods 2020-2021

Authorizing the Chairman of the Legislature and the Public Health Director to enter into an anticipated one year extension with NYSDOH for the Health Neighborhoods Program and accept funding associated with the extension when notified from the State.

BY: Elane Daly, Chairman of the Health & Human Services Committee

Christopher Petrus, Chairman of the Ways & Means Committee

WHEREAS, the NYS Department of Health has anticipated awarding the Cayuga County Health Department a one year contract extension to participate in the 100% State funded Healthy Neighborhoods Program for the purpose of reducing risks within homes of disadvantaged individuals related to fire and injury, asthma, lead poisoning, and indoor air concerns; and

WHEREAS, the areas that have been targeted for this program were based upon the number of at-risk individuals living in poor quality housing that include the City of Auburn, the Town and Village of Moravia, and the Town of Locke; now, therefore, be it RESOLVED, that the Chairman of the Legislature and the Public Health Director be authorized to enter into an anticipated one year contract extension with NYS DOH to participate in the 100% State funded Healthy Neighborhoods Program for the period of April 1, 2020 through March 31, 2021 for the total amount which is pending at the State level; and be it further

RESOLVED, that upon notification from the State the Health Department will notify the Cayuga County Treasurers office to make all necessary journal and accounting entries in the 2020 budget in the following manner:

Estimated Increase Appropriation Account #A40324 54000..... \$141,360.00

Estimated Increase Revenue Account #A40320 43432.....\$141,360.00

(This is an estimated amount based upon the last few yearly grant awards)

And be it also

RESOLVED, that the Public Health Director be authorized to enter into subcontracts with agencies/individuals in order to accomplish the goals of this grant.

Motion by Nightengale, 2nd by Batman, all in favor.

**RESOLUTION NO: 179-20 4/28/20 MH TECHNICAL ASSISTANCE COORDINATOR
AUTHORIZATION TO CREATE AND FILL ONE FULL-TIME GRANT FUNDED TECHNICAL ASSISTANCE
COORDINATOR POSITION**

By: Elane Daly, Chair, Health and Human Services Committee, and
Christopher Petrus, Chair, Ways and Means Committee.

WHEREAS, Cayuga County is one of 16 counties selected to participate in the NYS HEALing Communities Study (HCS) Grant due to the high percentage rate of opioid overdose deaths in our County; and
WHEREAS, the funds from this grant will be used to deliver services to reduce the number of community residents who are dying due to opioid use; and
WHEREAS, the NYS HCS grant requires a full-time Technical Assistance Coordinator who will be responsible for supporting the Project Manager and the local Steering Committee in all study activities; now, therefore be it
RESOLVED, that the position of full-time Technical Assistance Coordinator position be created and placed within Part I of the Cayuga County Compensation Plan under the Community Mental Health Center at a Grade 23 of the CSEA contract probationary step of \$50,269; and be it further
RESOLVED, that this 100 percent funded position be eliminated when the funding from the HCS grant expires; and be it further
RESOLVED, that these funds were included in the 2020 budget in the Mental Health Heal Grant line A43604 54000; and be it further
RESOLVED, that the Director of Community Services be authorized and directed to fill the position of full-time HEALing Communities Technical Assistance Coordinator in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of Cayuga County, and be it further
RESOLVED, that the Cayuga County Treasurer be authorized to make the journal entries appropriate and necessary to implement this resolution.

Motion by Pinckney, 2nd by Nightengale, all in favor.

**RESOLUTION NO. 180-20 4/28/20 IT Auth Contract Momentum Telecom
AUTHORIZING THE CHAIR OF THE CAYUGA COUNTY LEGISLATURE TO ENTER INTO AN AGREEMENT WITH
MOMENTUM TELECOM FOR THE PROCURMENT OF INTERNET SERVICES FOR CAYUGA COUNTY**

BY: Hon. Ryan Foley, Chair, Government Operations
Hon. Christopher Petrus, Chair, Ways & Means

WHEREAS, the county's current Verizon FIOS internet service at the county office building does not provide sustained performance, in that this connection experiences periodic congestion due to it being a non-dedicated circuit; and
WHEREAS, to support the need increased remote access to county network resources and the anticipated increased demand for secure internet application and data services; and
WHEREAS, there are sufficient monies available in the Internet Services line of the 2020 IT budget line to support the purchase; and
WHEREAS, the monthly cost of a 36-month contract with MOMENTUM TELECOM for 600mbps dedicated fiber internet services with /26 IP address block is \$1,455, with a one time installation fee of \$500; therefore be it
RESOLVED, that the Chair of the Cayuga County Legislature is hereby authorized to enter into a 36-month contract with MOMENTUM at an annual cost not to exceed \$18,000.00.

Motion by Batman, 2nd by Vitale, all in favor.

**RESOLUTION NO. 181-20 4-28-2020 BOE NYS SHOEBOX
Authorizing the Chairman of the Legislature and the Commissioners of the Cayuga County Board of Elections to sign
contracts for Shoebox Grants for the Board of Elections**

BY: Ryan Foley, Chair, Government Operations Committee
Christopher Petrus, Chair, Ways & Means Committee

WHEREAS, pursuant to the Help America Vote Act of 2002, the Cayuga County Board of Elections has been allocated funds through the New York State Board of Elections for the purposes of purchasing electronic voting machines, training the public and poll workers on their use, and making improvements to polling places; and
WHEREAS, the Chairman of the Cayuga County Legislature signed contracts numbered C003211 for these categories on 2/1/08; and
WHEREAS, the Cayuga County Board of Elections is continually using the electronic voting systems thereby continuing the need for expenditure of Shoebox related funds; and
WHEREAS, this has created the necessity to renew said contract, therefore, be it
RESOLVED, that the Chairman of the Cayuga County Legislature and the Commissioners of the Cayuga County Board of Elections are hereby authorized to sign contract extensions for Shoebox funds with the New York State Board of Elections.

Motion by Batman, 2nd by Vitale, all in favor.

RESOLUTION NO. 182-20

4-28-2020

BOE NYS Voter-PollWorkerTraining

Authorizing the Chairman of the Legislature and the Commissioners of the Cayuga County Board of Elections to sign contracts for Voter Education/Poll worker training for the Board of Elections

BY: Ryan Foley, Chair, Government Operations Committee

Christopher Petrus, Chair, Ways & Means Committee

WHEREAS, pursuant to the Help America Vote Act of 2002, the Cayuga County Board of Elections has been allocated funds through the New York State Board of Elections for the purposes of purchasing electronic voting machines, training the public and poll workers on their use, and making improvements to polling places; and

WHEREAS, the Chairman of the Cayuga County Legislature signed contracts numbered T002530 for these categories on 2/1/08; and

WHEREAS, the Cayuga County Board of Elections is continually using the electronic voting systems thereby continuing the need for expenditure of Shoebox related funds; and

WHEREAS, this has created the necessity to renew said contract, therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature and the Commissioners of the Cayuga County Board of Elections are hereby authorized to sign contract extensions for Voter Education/Poll worker Training with the New York State Board of Elections.

Motion by Batman, 2nd by Vitale, all in favor.

RESOLUTION NO. 183-20

4-28-20

PB Sterling Nature Center REDI Facility SEQRA

DECLARING THE CAYUGA COUNTY LEGISLATURE LEAD AGENCY FOR THE SEQRA REVIEW OF COUNTY CONSTRUCTION OF A NEW NATURE CENTER FACILITY AT THE STERLING NATURE CENTER PARK AND DIRECTING STAFF TO INITIATE A COORDINATED SEQRA REVIEW PROCESS

BY: Hon. Keith Batman, Chair, Planning & Economic Development Committee

Hon. Chris Petrus, Chair, Ways and Means Committee

WHEREAS, Cayuga County has secured funding to construct a ~5,500 SF Nature Center Facility within the county-owned Sterling Nature Center Park ("SNC"), including construction of circulation, vehicle access and parking area improvements and upgrades to existing trails within the SNC (collectively, the "PROJECT"); and

WHEREAS, the PROJECT will require certain Cayuga County Legislature approvals, including the Legislature's review and determination of environmental impacts under a the New York State Environmental Quality Review Act ("SEQRA"), ECL Section 8-0101, et seq., and the implementing regulations, 6 NYCRR Part 617 (the "Regulations"); and

WHEREAS, the County Planning Department has tentatively classified the PROJECT as a "Type I" Action as defined under the Regulations and prepared a Full Environmental Assessment Form dated April 8, 2020 and attached hereto as Exhibit A (the "EAF") to facilitate a Coordinated SEQRA review of the PROJECT; and

WHEREAS, the County Legislatures intends to act as Lead Agency for the Coordinated SEQRA Review of the PROJECT with all Involved Agencies, in compliance with the Regulations; now, therefore be it

RESOLVED, by the Cayuga County Legislature, as follows:

1. The Cayuga County Legislature hereby finds that the SNC Facility Construction PROJECT is a TYPE I ACTION for review under the New York State SEQRA Regulations and hereby declares itself Lead Agency in conducting such SEQRA Coordinated Review as these terms are defined under the SEQRA Regulations; and

2. County Staff from the Departments of Planning and Economic Development and Buildings & Grounds, Parks Division, are directed to work with all Involved Agencies to initiate the formal SEQRA review of the proposed SNC PROJECT on behalf of the Cayuga County Legislature as Lead Agency; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Motion by Dennison, 2ⁿ by Foley, all in favor.

RESOLUTION NO. 184-20

4-28-20

PB Nick Colas Contract

AUTHORIZING THE SIGNING OF A CONTRACT WITH NICK COLAS TO ENHANCE AND UPDATE THE SWAT MODEL AND ASSIST IN THE UPDATE OF THE OWASCO LAKE WATERSHED MANAGEMENT AND WATERFRONT REVITALIZATION PLAN INTO A NINE ELEMENT PLAN

By: Hon. Keith Batman, Chair, Planning and Economic Development Committee
Hon. Christopher Petrus, Chair, Ways & Means Committee

WHEREAS, the water quality of Owasco Lake is important to Cayuga County and its residents; and

WHEREAS, the County currently has a grant through the New York State Department of State to update the Owasco Lake Watershed Management and Waterfront Revitalization Plan into a nine element plan; and

WHEREAS, Nick Colas of the Cayuga County Department of Planning and Economic Development (“CCPED”) has been instrumental in the development of the plan and the SWAT model required to develop it; and

WHEREAS, Nick Colas of the CCPED retired April 1, 2020; and

WHEREAS, Cayuga County has approved funds in the SFY19-20 FLOWPA (A87410 43994) funding of \$8,500 to hire a consultant to enhance and update the SWAT model and assist in updating the Owasco Lake Watershed Management and Waterfront Revitalization Plan into a nine element plan (“budgeted FLOWPA Funds”); and

WHEREAS, Cayuga County deems it to be in the public interest and benefit to enter into a contract with Nick Colas to conduct this work; and

WHEREAS, Nick Colas is considered a sole source provider due to his knowledge and skills used in this specific project; therefore be it RESOLVED, the Chair of the Legislature is hereby authorized and directed to execute any and all documents needed to complete a sole-source professional services contract with Nick Colas in an amount not to exceed the \$8,500.00 in Budgeted FLOWPA Funds; and be it further

RESOLVED, that this resolutions shall take effect immediately.

Motion by Dennison, 2nd by Foley, all in favor.

RESOLUTION NO. 185-20

April 28, 2020

PT Emerson Park Waive Fees rev

WAIVING FEES FOR EMERSON PARK

BY: Hon. Tucker Whitman, Chair, Public Works Committee
Hon. Christopher Petrus, Chair, Ways & Means

WHEREAS, the COVID-19 pandemic has resulted in the closing of virtually all entertainment and recreational facilities within the county, including restaurants, athletic courts and fields, and playgrounds; and

WHEREAS, much of the population is being encourage to participate in social distancing in an effort to combat the COVID-19 pandemic, and the Cayuga County Legislature finds that it is in the public interest to maintain open parks where citizens can spend time outdoors while still maintaining appropriate social distances; and

WHEREAS, the Cayuga County Legislature further finds that the fees imposed for parking at Emerson Park, set by Resolution No. 331-16, are not in the public interest at the present time and under the present circumstances; now, therefore be it

RESOLVED, the Cayuga County Legislature hereby waives parking fees at Emerson Park for 60 days.

Motion by Petrus, 2nd by Foley, all in favor.

RESOLUTION NO. 186-20

4/28/20

SHR Agmnt GTL

AUTHORIZE THE CHAIR OF THE CAYUGA COUNTY LEGISLATURE AND THE SHERIFF OF CAYUGA COUNTY TO ENTER INTO AN AGREEMENT WITH GLOBAL TEL*LINK CORPORATION FOR THE MANAGEMENT, OPERATION AND MAINTENANCE OF THE INMATE TELEPHONE SYSTEM AT THE CAYUGA COUNTY JAIL AS WELL AS ADD ELECTRONIC TABLETS

By: Mr. Andrew Dennison, Chair, Judicial & Public Safety Committee
Mr. Christopher Petrus, Chair, Ways & Means Committee

WHEREAS, Cayuga County formerly entered into an Agreement with Global Tel*Link Corporation to install, manage, operate and maintain inmate telephones, enclosures, and related equipment on February 12th, 2015; and

WHEREAS, the Cayuga County Sheriff’s Office is satisfied with the services provided by Global Tel*Link Corporation and together with Global Tel*Link Corporation desires to extend and amend said Agreement which is due to expire on February 12th of 2021; and

WHEREAS, the Cayuga County Sheriff’s Office seeks to implement and add electronic tablets within the jail to provide a platform for additional inmate communication via electronic visitation with family and approved contacts as well as educational opportunities; and WHEREAS, the Cayuga County Sheriff’s Office seeks to readjust inmate phone rates and commissions back to the county as well as set tablet use and commission rates that promote use of the services by the inmate population; and

WHEREAS, Global Tel*Link can provide, install, manage, and operate said tablet program within the Cayuga County Jail by amending said contract; now therefore be it

RESOLVED, that the Chair of the Cayuga County Legislature and the Cayuga County Sheriff are hereby authorized to execute the necessary documents to amend and extend this agreement with said extension commencing on 2/12/2021 and ending on 2/12/2024.

Motion by Pinckney, 2nd by Daly, all in favor.

RESOLUTION NO. 187-20 April 28, 2020 PRO Auth Pretrial Diversion
AUTHORIZING THE CHAIR OF THE CAYUGA COUNTY LEGISLATURE TO ENTER INTO AN AGREEMENT WITH CAYUGA COUNSELING FOR PRETRIAL DIVERSION SERVICES FOR THE TERM JANUARY 1, 2020 THROUGH JUNE 30, 2020

Hon. Christopher Petrus, Chair, Ways & Means Committee

WHEREAS, the Pre-Trial Diversion program is a research based voluntary preventive rehabilitation program for first time offenders age 18-21. Participation in this program allows these first time offenders to have criminal charges dropped or reduced thus avoiding a conviction on their criminal record; participants receive counseling and support for achievement at school, home, and employment while returning volunteer service work to the community and making restitution to victims consistent with the national restorative justice model; and

WHEREAS, Cayuga Counseling has provided this service to Cayuga County previously and both the County and Cayuga Counseling Services wish to continue to provide this service into the future; and

WHEREAS, Alternative to Incarceration (ATI) Committee meet to review these contracts, assign responsibility for contract oversight and make recommendations for continuation after June 30th; now, therefore be it

RESOLVED, that the Chair is authorized to enter into an agreement with Cayuga Counseling Services for the term January 1, 2020 through June 30, 2020 for the provision of Pre-Trial Diversion services at an amount not to exceed \$5,500.00; and be it further

RESOLVED, funding is to be utilized from budget account A31404 54503, Probation – Pre-Trial Diversion.

Motion by Daly, 2nd by Nightengale, all in favor except Foley and Petrus abstain.

RESOLUTION NO. 188-20 April 28, 2020 PRO Auth Alt. Sentencing rev
AUTHORIZING THE CHAIR OF THE CAYUGA COUNTY LEGISLATURE TO ENTER INTO AN AGREEMENT WITH CAYUGA COUNSELING FOR THE ALTERNATIVE SENTENCING PROGRAM FOR THE TERM JANUARY 1, 2020 THROUGH JUNE 30, 2020

BY: Hon. Andrew Dennison, Chair, Judicial & Public Safety Committee

 Hon. Christopher Petrus, Chair, Ways & Means Committee

WHEREAS, the Cayuga Counseling Services' Alternative Sentencing Program is an Alternative to Incarceration Program (ATI) that helps eligible and suitable (18 and up) non-violent defendants who have been convicted or who have pled out criminal cases; they are referred to perform community service in lieu of jail as a condition of a conditional discharge, or in lieu of a fine; this sentencing option allows defendants to remain employed and to preserve community ties; this provides positive community action and is a deterrent as powerful as incarceration; and

WHEREAS, Cayuga Counseling has provided this service to Cayuga County previously and both the County and Cayuga Counseling Services wish to continue to provide this service into the future; and

WHEREAS, Alternative to Incarceration (ATI) Committee meet to review these contracts, assign responsibility for contract oversight and make recommendations for continuation after June 30th; now, therefore be it

RESOLVED, that the Chair is authorized to enter into an agreement with Cayuga Counseling Services for the term January 1, 2020 through June 30, 2020 for the provision of Alternative Sentencing services at an amount not to exceed \$12,072.00; and be it further

RESOLVED, funding is to be utilized from budget account A31404 54504, Probation – Alternative Sentencing.

Motion by Daly, 2nd by Nightengale, all in favor except Foley and Petrus abstain.

RESOLUTION NO. 189-20 4/28/20 EMO Fill Admin officer Temporaryrev1
Authorizing the Director of the Emergency Management to fill a vacant Administrative Officer position on a temporary basis during the COVID-19 Pandemic.

Hon. Andrew Dennison, Chair, Judicial and Public Safety Committee

Hon. Christopher Petrus, Chair, Ways and Means Committee

WHEREAS, there is a need for increased support in the Emergency Management Office due to the COVID-19 Pandemic; and

WHEREAS, there is a vacant Administrative Officer (PC#6138) position within the Emergency Management Office that could be filled on a temporary basis retroactive to March 16, 2020; and

WHEREAS, funding for filling the Temporary Administrative Officer position will be submitted for Federal reimbursement; now therefore be it

RESOLVED, that the Director of Emergency Management be authorized to fill the Administrative Officer (PC#6138) position on a temporary basis (not to exceed 6 months) at the rate of \$19.71/hour per the Cayuga County Part II NB Compensation Plan, retroactive to March 16, 2020, provided compensation does not exceed \$20,000, exclusive of benefit costs; and be it further

RESOLVED, that the Administrative Officer position be filled in a manner consistent with the rules and regulations of the Cayuga County Civil Service Commission, and the policies of the County of Cayuga.

Motion by Nightengale, 2nd by Whitman, all in favor.

RESOLUTION NO. 190-20**4/28/20****LEG Opposing Senate Bills****OPPOSING NYS SENATE BILLS S.8147 AND S.8193, AMENDING REAL PROPERTY TAX PENALTY**

WHEREAS, the County of Cayuga, New York (the "County") enforces real property taxes pursuant to Article 11 of the New York State Real Property Tax Law ("Article 11"); and

WHEREAS, under Article 11, the County is responsible for enforcing school, village, town and County taxes on all parcels outside of the City of Auburn, as well as responsible for guaranteeing or "making whole" the towns, school districts and villages on those taxes, and

WHEREAS, pursuant to real property tax law section 1442, unpaid delinquent village taxes are turned over to the County for relevy onto the town and county tax bill with an additional penalty of seven percent, with the seven percent penalty being retained by the County; and

WHEREAS, pursuant to real property tax law section 1184 and local law 3 of 2014, the County offers the option to pay delinquent real property taxes through an installment agreement, and late payments are subject to a 5% penalty, which is retained by the County; and WHEREAS, the New York State Senate Bills S.8147 and S.8193 (the "Bills") amend the penalty on the village relevies and installment agreement late payments to one half percent; and

WHEREAS, the Bills reduction of the real property tax penalty on delinquencies will have a negative financial impact on the County through reduced penalty revenue and would likely lead to an increase in the number of delinquencies, as there will no longer be a strong deterrent to paying taxes late; and

WHEREAS, Bill S.8193 would place an additional administrative burden on the County for installment agreements that have already been started and payment coupons distributed stating the 5% late penalty; and

WHEREAS, the Ways and Means Committee recommends adoption of this resolution; now, therefore, be it

RESOLVED, that the Cayuga County Legislature opposes New York State Senate Bills S.8147 and S.8193 amending real property tax penalty; and be it further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Assembly Minority Leader William Barclay, Senator Robert Antonacci, Senator James Seward, Senator Pam Helming, Assemblyman Gary Finch, Assemblyman Brian Manktelow, County Town Supervisors, County School Superintendents, County Village Mayors and the New York State Association of Counties.

Motion by Batman, 2nd by Petrus, all in favor.

RESOLUTION NO. 191-20**April 28, 2020****LEG Authorize Furloughs****AUTHORIZE THE CHAIR OF THE CAYUGA COUNTY LEGISLATURE TO IMPLEMENT WORKFORCE****FURLOUGHS THROUGH JULY 31, 2020**

BY: Hon. Aileen McNabb-Coleman, Chair, Cayuga County Legislature

WHEREAS, the Cayuga County Legislature believes that the COVID-19 pandemic will have a significant negative impact on the local economy; and

WHEREAS, the Legislature believes that it is in the best interests of the residents and taxpayers of Cayuga County to address the fiscal impact of the pandemic as soon as possible to reduce expenses, at least temporarily; now, therefore be it

RESOLVED, that the Chair of the Cayuga County Legislature is authorized and directed to identify those employees which can be furloughed, and to develop and execute a plan to implement furloughs for those employees; and be it further

RESOLVED, that those employees affected by this resolution shall be entitled to continue their participation in the County's health insurance program under the same terms and conditions as required by the employees collective bargaining agreement or the non-bargaining policies of Cayuga County; and be it further

RESOLVED, that the Chair is authorized to enter into any agreement necessary with any bargaining unit to carry out the intent and purpose of this resolution; and be it further

RESOLVED, this resolution shall take effect May 2, 2020 and that such furloughs shall be made through July 31, 2020; and be it further

RESOLVED, that notwithstanding the foregoing, nothing in this resolution shall be construed to preclude the Chair from recalling furloughed employees when such recall is deemed necessary, either individually, or by group.

Motion by Whitman, 2nd by Pinckney.

Discussion:**McNabb-Coleman**

All in favor except Lattimore

McNabb-Coleman closes Public Hearing at 6:51PM

TO ADOPT A LOCAL LAW REPEALING LOCAL LAW NO. 5 OF 2018 AND ESTABLISHING THE DEPARTMENTS OF BUILDINGS AND GROUNDS, WEIGHTS AND MEASURES, AND THE CAYUGA COUNTY HIGHWAY DEPARTMENT; ESTABLISHING THE POSITIONS OF SUPERINTENDENT OF BUILDINGS AND GROUNDS, DIRECTOR OF WEIGHTS AND MEASURES, AND HIGHWAY SUPERINTENDENT

BY: Hon. Tucker Whitman, Chair, Ways & Means Committee
Hon. Christopher Petrus, Chair, Ways & Means Committee

WHEREAS, there has been duly presented and introduced at a meeting of the Cayuga County Legislature held on April 28, 2020, a proposed local law entitled:

A LOCAL LAW REPEALING LOCAL LAW NO. 5 OF 2018 AND ESTABLISHING THE DEPARTMENTS OF BUILDINGS AND GROUNDS, WEIGHTS AND MEASURES, AND THE CAYUGA COUNTY HIGHWAY DEPARTMENT; ESTABLISHING THE POSITIONS OF SUPERINTENDENT OF BUILDINGS AND GROUNDS, DIRECTOR OF WEIGHTS AND MEASURES, AND HIGHWAY SUPERINTENDENT; and

WHEREAS, a resolution was duly adopted by the Cayuga County Legislature on April 21, 2020, directing that a public hearing be held by said Board on April 28, 2020, commencing at 6:00 P.M., at a meeting held electronically and broadcast live via YouTube at the following address: <https://youtu.be/f2hJwL-GrGc>, with members of the public directed to call in at 315-609-8182 to comment, to hear all interested parties on said proposed Local Law; and

WHEREAS, pursuant to law and after proper notice having been given, the Cayuga County Legislature held a public hearing on said Local Law and finds that it is in the interest of the County to adopt said Local Law; now therefore, be it

RESOLVED, Local Law No. 4 of 2020, entitled "A LOCAL LAW REPEALING LOCAL LAW NO. 5 OF 2018 AND ESTABLISHING THE DEPARTMENTS OF BUILDINGS AND GROUNDS, WEIGHTS AND MEASURES, AND THE CAYUGA COUNTY HIGHWAY DEPARTMENT; ESTABLISHING THE POSITIONS OF SUPERINTENDENT OF BUILDINGS AND GROUNDS, DIRECTOR OF WEIGHTS AND MEASURES, AND HIGHWAY SUPERINTENDENT;" as so designated, be and the same is hereby enacted, waiving any and all defects and informalities in the adoption thereof, and be it further

RESOLVED, that the Clerk of the County Legislature publish notice of the adoption of the said Local Law in the official newspapers of Cayuga County, one time per week for each of two weeks, the first publication to be within ten (10) days of its effective date.

LOCAL LAW NO.: 4 OF 2020

COUNTY OF CAYUGA, STATE OF NEW YORK

A LOCAL LAW REPEALING LOCAL NO. 5 OF 2018 AND ESTABLISHING THE DEPARTMENTS OF BUILDINGS AND GROUNDS, WEIGHTS AND MEASURES, AND THE CAYUGA COUNTY HIGHWAY DEPARTMENT; ESTABLISHING THE POSITIONS OF SUPERINTENDENT OF BUILDINGS AND GROUNDS, DIRECTOR OF WEIGHTS AND MEASURES, AND HIGHWAY SUPERINTENDENT.

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. Disestablish the Department of Public Works in order to provide more comprehensive oversight over matters involving general highway, buildings and grounds, and weights and measures.

SECTION 2: LEGISLATIVE FINDINGS

The Cayuga County Legislature hereby finds as follows:

- A. Local Law No.: 2 of 1989 established the position of Director of Buildings and Grounds in the Cayuga County Buildings Department.
- B. Local Law No.: 2 of 1999 established the position of Director of Public Works providing for the oversight of all highways, bridges, road construction, parks, trails, and certain county buildings.
- C. Local Law No.: 1 of 2005 repealed Local Law 2 of 1989 and Local Law 2 of 1999, created the positions of Superintendent of Buildings and Grounds and the position of Cayuga County Highway Superintendent.
- D. Local Law 4 of 2014 created a Cayuga County Buildings and Grounds Department; established the position of Superintendent of Buildings and Grounds, and repealed sections 2, 3, and 7 of Local Law No. 1 of 2005.
- E. Local Law No.: 5 of 2018 Repealed Local 4 of 2014 and Local Law 1 of 2005.

SECTION 3: DEPARTMENT OF BUILDINGS AND GROUNDS

- A. There is hereby established the Department of Buildings and Grounds. The Department of Buildings and Grounds shall have charge of the preservation and maintenance of all buildings and grounds, parks and trails, and facilities owned or leased by the County which are held, used and/or operated by the County for County purposes.
- B. There is hereby established the position of Superintendent of Buildings and Grounds. The Superintendent of Buildings and Grounds shall have primary responsibility for fulfilling the charge of the Buildings and Grounds Department, as well as any additional responsibilities as may be assigned by the County Legislature. In addition, the Superintendent shall have charge, supervision, and management of:
 1. All janitors, caretakers, custodians, building mechanics, and other employees responsible for the care and maintenance of County buildings and grounds;
 2. All employees involved with the design, construction, operating, maintenance and repair of all grounds, parking fields, drives and walks, together with all structures, roads, parking areas, equipment and appurtenances relating to parks and recreational facilities; and

3. All parks and recreation programs.
- C. The Superintendent of Buildings and Grounds shall be appointed, without term, by the Cayuga County Legislature in accordance with Civil Service Law, Rules and Regulations, and County Policy, as the same may be amended from time to time.
- D. Notwithstanding the appointive authority of the Cayuga County Legislature, the Legislature may, by resolution, delegate administrative authority and general oversight of the Superintendent of Buildings and Grounds to a County Administrator or Deputy, the Chairman of the Legislature, or the Chairman of the Oversight Committee to which the Superintendent of Buildings and Grounds shall report.

SECTION 3: DEPARTMENT OF WEIGHTS AND MEASURES

- A. There is hereby established the Department of Weights and Measures. The Department of Weights and Measures shall have charge of the duties and functions as proscribed by § 775 of N.Y. County Law.
- B. There is hereby established the Director of Weights and Measures. The Director of Weights and Measures shall have primary responsibility for fulfilling the charge of the Weights and Measures Department, as well as any additional responsibilities as may be assigned by the County Legislature.
 1. The Director of Weights and Measures shall be appointed, without term by the Cayuga County Legislature in accordance with Civil Service Law, Rules and Regulations, and County Policy, as the same may be amended from time to time.
 2. Notwithstanding the appointive authority of the Cayuga County Legislature, the Legislature may, by resolution, delegate administrative authority and general oversight of the Director of Weights and Measures to a County Administrator or Deputy, the Chairman of the Legislature, or the Chairman of the Oversight Committee to which the Director of Weights and Measures shall report.

SECTION 4: HIGHWAY DEPARTMENT

- A. There is hereby established the Cayuga County Highway Department. The Highway Department shall have charge of:
 1. County Roads and County Bridges to the extent required under N.Y.S. and Federal Law;
 2. The motor pool for the purpose of maintaining the County's vehicles and highway equipment;
 3. The County sign shop;
- B. There is hereby created the Office of the Cayuga County Highway Superintendent. The Highway Superintendent shall have all the powers, duties, obligations, and liabilities imposed upon a county superintendent of highways by the N.Y. Highway Law, as well as such other duties as may be imposed by the County Legislature.
 1. The Highway Superintendent shall be appointed to a four-year term, in accordance with N.Y. Highway Law, by the Cayuga County Legislature in accordance with Civil Service Law, Rules and Regulations, and County Policy, as the same may be amended from time to time.
 2. Notwithstanding the appointive authority of the Cayuga County Legislature, the Legislature may, by resolution, delegate administrative authority and general oversight of the Highway Superintendent to a County Administrator or Deputy, the Chairman of the Legislature, or the Chairman of the Oversight Committee to which the Highway Superintendent shall report.

SECTION 5: REPEALER. Local Law No. 5 of 2018 is hereby repealed.

SECTION 6: SAVINGS CLAUSE. 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 7: EFFECTIVE DATE. This Local Law shall take effect upon filing with the New York State Secretary of State.

Motion by Dennison, 2nd by Ripley, all in favor.

**RESOLUTION NO. 193-20 4/28/20 BLD ReplaceLiebertHVAC911EquipmentRoom
AUTHORIZING THE REPLACEMENT OF ONE 5-TON LIEBERT HVAC UNITS SERVING THE 911 EQUIPMENT
ROOM AT THE PUBLIC SAFETY BUILDING**

By: Tucker Whitman, Chair, Public Works

By: Christopher Petrus, Chair, Ways & Means Committee

WHEREAS, the one Liebert HVAC Unit serving the equipment room at the 911 Center has failed and cannot be repaired; and WHEREAS, in accordance with Cayuga County Purchasing Policy, the Buildings and Grounds Department has determined that the equipment can be repaired for a total cost of \$30,924; and

WHEREAS, the Cayuga County Legislature held a public hearing on April 28, 2020, in accordance with N.Y. Gen. Mun. Law § 6-d, in anticipation of authorizing the repair to be paid from the Building Repair Reserve, the Legislature has determined that this repair does not recur annually or less frequently, and that it fall within the purpose for which the Building Repair Reserve was established; now, therefore, be it

RESOLVED, that the Treasurer is authorized and directed to transfer 30,924.00 from the Building Repair Reserve to the Building Maintenance Account (A31504 54012).

Motion by Dennison, 2nd by Nightengale, all in favor.

Motion by Batman to adjourn at 6:54PM, 2nd by Foley, all in favor.