



**SPECIAL LEGISLATURE MEETING AGENDA  
CAYUGA COUNTY LEGISLATURE**

**Tuesday, June 6, 2023 at 5:30PM**

**Live Link:** <https://www.youtube.com/watch?v=tsHYAkHsGQc>

**CALL TO ORDER:** Hon. David Gould, Chair

**ROLL CALL:** Sheila Smith, Clerk of the Legislature

**EXCUSED:**

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**RESOLUTIONS:**

- 6-23-LEG-1 Authorizing the appointment of the Cayuga County Auditor and Setting of the salary
- 6-23-LEG-2 Authorizing Home Rule Request in support of Legislation A-7026/S 6572 an act to amend the Tax Law in relation to extending the expiration of the authority granted to the County of Cayuga to impose an additional one percent of sales and compensating use taxes and adopting and confirming Resolution No 257-23.
- 6-23-LEG-3 Approving the Collective Bargaining Agreement Between the Civil Service Employees Association, Inc. and the County of Cayuga for the period of January 1, 2023, through December 31, 2025.
- 6-23-LEG-4 Amending certified resolution 174-23 to reflect the correct salary range for Grade 5 Part IV of the Non-Bargaining Compensation Plan
- 6-23-LEG-5 **(PULLED)** Amending Part IV, Non-Bargaining Management Employees, Legal Group
- 6-23-LEG-6 **(PULLED)** Authorizing the County Attorney to Create and Fill a Senior Assistant County Attorney Position in the County Attorney's Office.
- 6-23-LEG-7 **(PULLED)** Authorizing the County Attorney to Create and Fill One Assistant County Attorney Position in the County Attorney's Office and Abolish One Social Services Attorney Position
- 6-23-LEG-8 **(PULLED)** Authorizing the County Attorney to Fill One Assistant County Attorney Position in the County Attorney's Office and Abolish One Social Services Attorney Position

**And any other business that may come before the Board**

**ADJOURNMENT:** Tuesday, June 27, 2023 at 5:30PM

**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. \_\_\_\_\_ 6/6/23 LEG AUD Fill County Auditor rev**

**Authorizing the appointment of the Cayuga County Auditor and Setting of the salary**

By: Hon. Hans Pecher, Chair Ways and Means Committee

WHEREAS, the Cayuga County Legislature adopted Local Law No 2 of 2019, amending Local Law 2 of 2009 – Establishing the Office of County Auditor for Cayuga County; and,

WHEREAS, the County Auditor position is critical to County operations and is responsible for auditing claims against the county and preparing and submitting warrants to the County Treasurer for payment; and,

WHEREAS, the Office of County Auditor become vacant on June 2, 2023, due to a resignation; and,

WHEREAS, this position has been budgeted for 2023; now therefore be it

RESOLVED, that the Cayuga County Legislature hereby appoints Francis Mitchell as County Auditor (06895-SYS), for the remainder of the incumbent's term through December 31, 2023; and be it further

RESOLVED, the compensation for the position of Clerk to the Legislative Board is \$32.00 per hour; and be it further

RESOLVED, that this Resolution shall take effect immediately.

RESOLUTION NO. \_\_\_\_\_ (6/6/23) LEG COA-Auth Home Rule Req Supp Leg A7026/S6572 rev 2

**AUTHORIZING HOME RULE REQUEST IN SUPPORT OF LEGISLATION A-7026/S 6572 AN ACT TO AMEND THE TAX LAW IN RELATION TO EXTENDING THE EXPIRATION OF THE AUTHORITY GRANTED TO THE COUNTY OF CAYUGA TO IMPOSE AN ADDITIONAL ONE PERCENT OF SALES AND COMPENSATING USE TAXES AND ADOPTING AND CONFIRMING RESOLUTION NO 257-23.**

BY: Cayuga County Legislature

**WHEREAS**, Assembly Bill A7026 and Senate Bill S6572 have been introduced into the New York State Assembly and Senate, respectively, to amend the tax law in relation to extending the expiration of the authority granted to the County of Cayuga to impose and additional one percent of sales and compensating use taxes; and

**WHEREAS**, Pursuant to Article IX of the Constitution of the State of New York, it is necessary for this Legislature to enact a Home Rule Request for passage of this legislation; and

**WHEREAS**, by emergency action pursuant to Rules of Order-Cayuga County Legislature II-Meetings of the Legislature, Rule No. 11, and Local Law No. 2 of 2011, Resolution No 257-23, **AUTHORIZING HOME RULE REQUEST IN SUPPORT OF LEGISLATION A-7026/S 6572 AN ACT TO AMEND THE TAX LAW IN RELATION TO EXTENDING THE EXPIRATION OF THE AUTHORITY GRANTED TO THE COUNTY OF CAYUGA TO IMPOSE AN ADDITIONAL ONE PERCENT OF SALES AND COMPENSATING USE TAXES**, was adopted; and

**WHEREAS**, this Legislature desires to adopt and reconfirm the action of the authorization of Resolution No 257-23; now, therefore be it

**RESOLVED**, that the Cayuga County Legislature hereby validates, adopts, and confirms that actions set forth in Resolution No 257-23; and be it further.

**RESOLVED**, that the Cayuga County Legislature does hereby approve the adoption and passage of said Assembly Bill A7026 and Senate Bill S6572 entitled: "AN ACT to amend the tax law, in relation to extending the authorization of the county of Cayuga to impose an additional one percent of sales and compensating use taxes"

RESOLUTION NO. \_\_\_\_\_ 6/6/23

LEG CSEA AGMT 2023-2025

**APPROVING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CIVIL SERVICE EMPLOYEES ASSOCIATION, INC. AND THE COUNTY OF CAYUGA FOR THE PERIOD OF JANUARY 1, 2023 THROUGH DECEMBER 31, 2025**

BY: Hon. Hans Pecher, Chair, Ways & Means Committee

**WHEREAS**, Cayuga County and the Civil Service Employees Association (CSEA) are parties to a collective bargaining agreement governing the terms and conditions of employment for certain employees of the County; and

**WHEREAS**, CSEA submitted terms for a successor agreement to its membership for consideration and the membership of CSEA approved and ratified the terms for a successor agreement on May 30, 2023, copy of Memorandum of Agreement dated May 10, 2023 is attached; and

**WHEREAS**, in consideration of the mutual agreements reached between the County of Cayuga and the Cayuga County Unit of Cayuga Local 806, Civil Service Employees' Association, Inc., Local 1000, AFSCME, AFL-CIO; and

NOW THEREFORE in consideration of the mutual agreements reached between the County of Cayuga and the Cayuga County Unit of Cayuga Local 806, Civil Service Employees' Association, Inc., Local 1000, AFSCME, AFL-CIO, the Legislature of Cayuga County hereby

**RESOLVED**, that the Chair of the Cayuga County Legislature and the Director of Human Resources are authorized and directed to take any and all appropriate actions to approve and implement said agreement for the period January 1, 2023, through December 31, 2025, by providing the necessary funding, and be it further

**RESOLVED**, that the Cayuga County Director of Finance be and she is hereby authorized and directed to implement any necessary changes to implement the intent of this Resolution and Collective Bargaining Agreement; and be it further

**RESOLVED**, that this Resolution shall take effect immediately.

RESOLUTION NO. \_\_\_\_\_

6/6/23

HD Amend Res 174-23

**Amending certified resolution 174-23 to reflect the correct salary range for Grade 5 Part IV of the Non-Bargaining Compensation Plan**

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

WHEREAS, there exists a need to create and fill a Director of Health Education and Public Information position within the Health Department; and

WHEREAS, the Public Health Director wishes to fill a Director of Health Education and Public Information position as per Part 4 of the compensation plan to accommodate public health education reporting, program and outreach requirements and manage increasing public information responsibilities, and this position is critical for maintaining the smooth and effective functioning of the Health Department, and

WHEREAS, the Public Health Director wishes to vacate a Supervising Public Health Administrator position upon creation of the director of Health Education and Public Information position within the Health Department; and

WHEREAS, the Human Resources Department has reviewed the position and the job duties and has determined that the position should be placed at Grade 5 of the Cayuga County Compensation Plan, Part IV, Non-bargaining with a starting hiring range of \$67,386 to \$77, 700; and

WHEREAS, the newly created position is offset through grant funding and funded through the state aid reimbursement formula for local health departments; and

WHEREAS, there is funding in the Health Department 2023 budget; NOW, THEREFORE, BE IT

RESOLVED the Cayuga County Legislature is authorized to create the Director of Health Education and Public Information position in the Health Department; be it further;

RESOLVED, that the Public Health Director be authorized and directed to fill the Director of Health Education and Public Information position in the Health Department at Non Bargaining Grade 5 pursuant to Part IV of the Cayuga County Compensation Plan; and be it further

RESOLVED, that the Part IV of the Cayuga County Compensation Plan be amended to include the Director of Health Education and Public Information position as part of the Health Department at a Grade 5; and be it further

RESOLVED, that the Public Health Director be authorized and directed to vacate the Supervising Public Health Administrator position within the Health Department upon filling the Director of Health Education and Public Information; and be it further

RESOLVED, that the Director of Health Education and Public Information position be filled in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga along with any fill behinds that may occur; and be it further

RESOLVED, this authorization is valid through December 31, 2023 in accordance with policy resolution 307-20.

RESOLUTION NO. \_\_\_\_\_ 6/6/23 LEG Amend Comp Plan Rev 2

**Amending Part IV, Non-Bargaining Management Employees, Legal Group.**

BY: Hon. Mark Strong, Chair, Judicial & Public Safety Committee  
Hon. Christopher Petrus, Chair, Government Operations Committee  
Hon. Hans Pecher, Chair, Ways & Means Committee

WHEREAS, the County has several vacancies for attorneys in various departments; and

WHEREAS, the Department Heads have experienced significant difficulty in recruiting and retaining qualified candidates due to changes in the marketplace that have far outpaced Cayuga County's Legal Group Compensation Plan; and

WHEREAS, the Compensation Plan provides that in the event of a vacancy, the Human Resources Department is authorized to conduct a thorough review of the position(s) and the Legislature having recognized the current recruiting crisis including consultations with the County Attorney and District Attorney, the Legislature recommends that Part IV of the Cayuga County Compensation Plan -Legal Group be amended by replacing the Hiring Pay Bands for the Legal Group with the attached; now therefore, be it

RESOLVED, that the Cayuga County Compensation Plan, Part IV, Non-Bargaining Management Employees, Attorney Group is hereby amended by replacing the Grade Level and Hiring Pay Bands with the version attached hereto; and be it further

RESOLVED, that the affected Department Heads, in consultation with the Human Resources Director, are authorized and directed to examine the salaries of current employees within their departments and make adjustments to their salaries as may be appropriate to avoid salary compression, mitigate employee departures, and be competitive in the legal market; and be it further

RESOLVED, that to the extent that the District Attorney has heretofore used state or federal grant awards to supplement salaries of assistant district attorneys, such funds shall hereafter be recorded as a revenue in the District Attorney's budget as an offset to the District Attorney's salary expenses; and be it further

RESOLVED, that the Director of Finance is authorized and directed to make such journal entrees as may be necessary to carry out the intent of this resolution.

**Cayuga County Salary Grades  
Legal Group  
Hiring Pay Bands  
5/23/23**

|   | <b>Minimum</b> | <b>Midpoint</b> | <b>Maximum</b> |
|---|----------------|-----------------|----------------|
| <b>Grade 1</b>  | \$82,000       | \$88,500        | \$98,000       |
| Asst. District Attorney   |                |                 |                |
| Asst. County Attorney   |                |                 |                |
|   |                |                 |                |
| <b>Grade 2</b>  | \$88,500       | \$97,750        | \$122,000      |
| Sr. Asst. District Attorney   |                |                 |                |
| Sr. Asst. County Attorney   |                |                 |                |
|   |                |                 |                |
|   |                |                 |                |
| <b>Grade 3</b>  | \$97,750       | \$111,375       | \$148,000      |
| Chief Asst. County Attorney   |                |                 |                |
| Chief Asst. District Attorney   |                |                 |                |
| Indigent Defense<br>Supervising Attorney  |                |                 |                |
| Deputy Chief Assistant<br>District Attorney                                     |                |                 |                |
|   |                |                 |                |
| <b>Grade 4</b>  |                |                 |                |
| Public Office - (Dept. Head)<br><i>Set by State Law or<br/>Legislative Body</i> |                |                 |                |
|   |                |                 |                |
|   |                |                 |                |

RESOLUTION NO. \_\_\_\_\_

6/06/23

LEG Create -Fill Sr. Asst. County Attorney rev

**Authorizing the County Attorney to Create and Fill a Senior Assistant County Attorney Position in the County Attorney's Office.**

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

WHEREAS, the Department of Social Services has recently experienced the resignation one Supervising Social Services Attorney (Position Control No. 8185), creating an immediate and critical need for legal services to prosecute child abuse and neglect cases, child support, guardianships, and related legal matters; and

WHEREAS, the County Attorney and Commissioner of Social Services believe the legal functions would be best served being performed by the County Attorney's Office and this will provide functional and administrative efficiencies as well as improved supervision of the attorneys providing those services; and

WHEREAS, in furtherance of this plan, the County Attorney wishes to create a Senior Assistant County Attorney position to assist with office administration, supervision and training; and

WHEREAS, upon the creation of the Senior Assistant County Attorney, the County Attorney intends to promote from within, with a highly experienced municipal attorney; and

WHEREAS, with the promotion of this individual, the County Attorney seeks permission to backfill the vacancy left behind; and

WHEREAS, upon the filling of the Senior Assistant County Attorney, the position of Supervising Social Services Attorney (Position Control No. 8185) shall be abolished; and

WHEREAS, the Human Resources Department and the Civil Service Commission has reviewed the New Position Duties Statement for the Senior Assistant County Attorney position and have approved the same and has determined that the position should be placed at Grade 2 - Legal of the Cayuga County Compensation Plan, Part IV, Non-bargaining Management; and

WHEREAS, to the extent that the position provides services to or on behalf of DSS, the salary may be partially reimbursed through state and federal aid; and

WHEREAS, there is funding available in the County Attorney's 2023 budget; NOW, THEREFORE, BE IT

RESOLVED the Cayuga County Legislature hereby authorizes the creation of a Senior Assistant County Attorney position within the County Attorney's Office; be it further;

RESOLVED, that the County Attorney is hereby authorized and directed to fill the Senior Assistant County Attorney position by way of a promotion and that such position shall be placed in Grade 2 – Legal of Part IV of the Cayuga County Compensation Plan; and be it further

RESOLVED, that upon filling the Senior Assistant County Attorney position, the position of Supervising Social Services Attorney (Position Control No. 8185) be abolished; and

RESOLVED, that the County Attorney is hereby authorized to backfill the vacancy created by this promotion; and be it further



RESOLVED, that the Part IV of the Cayuga County Compensation Plan be amended to include the new position; and be it further

RESOLVED, that the County Attorney is hereby directed to fill these positions in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga; and be it further

RESOLVED, that the Director of Finance is hereby authorized and directed to transfer the funds from the DSS budget relating to the salary and fringes for the Supervising Social Services Attorney to the County Attorney's Office budget and such other journal entries as may be necessary to fulfill the intent of this resolution; and be it further

RESOLVED, this authorization is valid through December 31, 2023 in accordance with policy resolution 307-20.

RESOLUTION NO. \_\_\_\_\_ 6/06/23

LEG Create -Fill Asst. County Attorney.rev

**Authorizing the County Attorney to Create and Fill One Assistant County Attorney Position in the County Attorney's Office and Abolish One Social Services Attorney Position**

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

WHEREAS, the Department of Social Services has recently experienced the resignations of two Social Services Attorneys (Position Control Nos. 8091 and 7722) creating an immediate and critical need for legal services to prosecute child abuse and neglect cases, child support, guardianships, and related legal matters; and

WHEREAS, the County Attorney and Commissioner of Social Services believe the legal functions would be best served being performed by the County Attorney's Office and this will provide functional and administrative efficiencies as well as improved supervision of the attorneys providing those services; and

WHEREAS, the County Attorney wishes to create and fill one new Assistant County Attorney position, abolish the one Social Services Attorney position (Position Control Nos. 8091); and

WHEREAS, the Human Resources Department has reviewed the Assistant County Attorney position and the job duties and has determined that the position should be placed at Grade 1 - Legal of the Cayuga County Compensation Plan, Part IV, Non-bargaining Management; and

WHEREAS, this position is eligible for at least 62% state and federally reimbursement; and

WHEREAS, there is funding available in the DSS 2023 budget which should be transferred from DSS salary and fringe account into DSS contractual account; NOW, THEREFORE, BE IT

RESOLVED the Cayuga County Legislature hereby authorizes the creation of an Assistant County Attorney position within the County Attorney's Office; be it further;

RESOLVED, that the County Attorney is hereby authorized and directed to fill one Assistant County Attorney position with a salary at Grade 1 – Legal of Part IV of the Cayuga County Compensation Plan; and be it further

RESOLVED, that the Part IV of the Cayuga County Compensation Plan is hereby amended to include an Assistant County Attorney position and upon filling this position, the position of Social Services Attorney (Position Control Nos. 8091) will be abolished; and be it further

RESOLVED, that the County Attorney and Commissioner of Social Services be authorized and directed to execute and deliver such contracts, agreements, documents and instruments as may be necessary to provide that DSS shall reimburse the County Attorney for all legal services provided to or on behalf of the Department of Social Services; and be it further

RESOLVED, that the County Attorney is hereby directed to fill the position in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga; and be it further

RESOLVED, that the Director of Finance is hereby authorized and directed to transfer the funds from the DSS budget relating to the salaries and fringe for the two Social Services Attorney positions from DSS salary and fringe account into DSS contractual account for the purpose of reimbursing the County Attorney's budget for legal services and to make such other journal entries as may be necessary to fulfill the intent of this resolution; and be it further

RESOLVED, this authorization is valid through December 31, 2023 in accordance with policy resolution 307-20.

RESOLUTION NO. \_\_\_\_\_ 6/06/23

LEG Fill Asst. County Attorney

**Authorizing the County Attorney to Fill One Assistant County Attorney Position in the County Attorney's Office and Abolish One Social Services Attorney Position.**

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

WHEREAS, the Department of Social Services has recently experienced the resignations of two Social Services Attorneys (Position Control Nos. 8091 and 7722) creating an immediate and critical need for legal services to prosecute child abuse and neglect cases, child support, guardianships, and related legal matters; and

WHEREAS, the County Attorney and Commissioner of Social Services believe the legal functions would be best served being performed by the County Attorney's Office and this will provide functional and administrative efficiencies as well as improved supervision of the attorneys providing those services; and

WHEREAS, the County Attorney wishes to fill and fund a vacant Assistant County Attorney position, and upon filling this position, abolish the one Social Services Attorney position (Position Control No 7722); and

WHEREAS, this position is eligible for at least 62% state and federally reimbursement; and

WHEREAS, there is funding available in the DSS 2023 budget which should be transferred from DSS salary and fringe account into DSS contractual account; NOW, THEREFORE, BE IT

RESOLVED, that the Cayuga County Legislature authorizes the filling and funding of the presently vacant Assistant County Attorney position (Position Control No. 2283); and

RESOLVED, that the County Attorney is hereby authorized and directed to fill an Assistant County Attorney position with a salary at Grade 1 – Legal of Part IV of the Cayuga County Compensation Plan; and be it further

RESOLVED, that the County Attorney and Commissioner of Social Services be authorized and directed to execute and deliver such contracts, agreements, documents and instruments as may be necessary to provide that DSS shall reimburse the County Attorney for all legal services provided to or on behalf of the Department of Social Services; and be it further

RESOLVED, that the County Attorney is hereby directed to fill this position in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga; and be it further

RESOLVED, that the Director of Finance is hereby authorized and directed to transfer the funds from the DSS budget relating to the salary and fringes for the abolished Social Services Attorney position (Position Control No 7722) to the DSS contractual account for the purpose of reimbursing the County Attorney's budget for legal services rendered and to make such other journal entries as may be necessary to fulfill the intent of this resolution; and be it further

RESOLVED, this authorization is valid through December 31, 2023 in accordance with policy resolution 307-20.