



AGENDA
CAYUGA COUNTY LEGISLATURE
Tuesday, November 26, 2019, Chambers – 6:00PM

CALL TO ORDER: Hon. Tucker Whitman, Chair

ROLL CALL: Sheila Smith, Clerk of the Legislature

EXCUSED:

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

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

PUBLIC HEARING: 6:00PM

- A Local Law Regulating The Use Of Polystyrene Foam Disposable Food Service Ware By Food Service Establishments In Cayuga County.

PROCLAMATIONS: None

PRIVILEGE OF THE FLOOR:

- Andy Dennison for Craig Rowland, owner Pine Hill Pharmacy, Meridian NY, re: Canada RX

MINUTES TO APPROVE: October 22, 2019

EMERGENCY RESOLUTIONS

RESOLUTION NO.377-19 11-20-19 EMG LEG Rescind 376-19

EMERGENCY AUTHORIZATION TO RESCIND RESOLUTION 376-19 WHICH AUTHORIZED THE CHAIR OF THE CAYUGA COUNTY LEGISLATURE TO OPT-OUT OF THE NEGOTIATION CLASS IN THE MULTI-DISTRICT LITIGATION, *In re National Prescription Opiate Litigation.*

BY: Hon. Tucker M. Whitman, Chair, Cayuga County Legislature

WHEREAS, Judge Polster of the United States District Court, Northern District of Ohio has preliminarily approved a request to certify a negotiating class setting forth the framework to assist the Court and the parties to achieve a national resolution of the opioid litigation; and

WHEREAS, Napoli Shkolnik, counsel representing several New York Counties in the Federal Litigation as well as the separate opioid litigation currently progressing through New York State had previously recommended that their client counties opt-out of the Negotiation Class; and

WHEREAS, Resolution 376-19 authorized the Chair of the Cayuga County Legislature to opt-out of the Negotiation Class in the Federal Multi-District litigation *In re National Prescription Opiate Litigation*; and

WHEREAS, upon further consideration and evaluation of recently changed circumstances, as well as the clarified Order from the Court's clarified Order, both Napoli Shkolnik and the New York State Association of Counties have recommended that Cayuga County not opt-out from the Negotiation Class; now, therefore be it

RESOLVED, that Resolution 376-19 is hereby rescinded; and be it further

RESOLVED, that Cayuga County will remain a member of the Negotiation Class in the Federal multi-district litigation, *In re National Prescription Opiate Litigation*; and be it further

RESOLVED, that a copy of this resolution be presented to the full Legislature at its November 26, 2019 meeting.

APPOINTMENTS AND RE-APPOINTMENTS:

Ward W. O'Hara Agricultural Museum Commission

Richard Thompson, 2824 Slate Hill Road, Marietta, NY 13110, Term – 9/1/19 until resignation (New apt.)

COMMUNICATIONS AND ANNOUNCEMENTS:

1. Letter from Patricia Brazak in regard to giving kudos to the Legislature for taking the initiative banning Styrofoam containers and a suggestion of looking into the research and development that has been done with bamboo.
2. Letter from Ronald Chebiniak in regard to the legislature planning to ban all Styrofoam containers in Cayuga County and says it will pose a financial hardship for most, if not all food establishments in the county.
3. Letter from Amanda Pelletier in regard to the supporting restaurants using paper instead of Styrofoam even if it meant a slight price increase in product to compensate for this safer, more responsible packaging.
4. Letter from Patrick in regard to supporting the Styrofoam ban.
5. Letter from Margaret Pelletier in regard to supporting the Styrofoam ban.
6. Letter from NYSAC in regard to receiving Resolution 351-19.
7. Resolution from the Town of Cato requesting direct payment of its share of the Sales and Use Tax and that said payments be made beginning January 1, 2020.
8. Petition from Patricia Campbell of Fair Haven asking for a transportation system to connect Town of Sterling residents with Red Creek, Town of Wolcott, Wayne County.
9. Letter from Mark Emerson, Treasurer of Lock 52 Historical Society of Port Byron in regard to the Lock 52 Historical Society of Port Byron asking the Legislature to consider a donation of \$10,000.00 for the fiscal year 2020 budget.

CCC REPORT: Dr. Durant

COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS:

CHAIRMAN'S REPORT: Tucker Whitman

**CAYUGA COUNTY LEGISLATURE
RESOLUTIONS 11-26-19**

- 11-19-WM-1 Adopting resolution for annual update to Cayuga County Investment Policy
- 11-19-WM-2 Resolution to delete unenforceable tax liens on Tax Map Numbers 105.00-1-21.-107 and 105.00-1-21.-152 in the Town of Aurelius and Tax Map Numbers 119.06-1-38.-1 and 119.06-1-38.-3 in the Town of Aurelius, Village of Cayuga County
- 11-19-WM-3 Resolution authorizing the cancellation of penalty and interest of \$91.64 on Tax Map Number 175.00-1-10.21 in the Town of Scipio
- 11-19-WM-4 Authorize Director of Real Property Tax Services to apportion Community College costs for tax purposes
- 11-19-WM-5 To adopt equalization rates for the apportionment of the 2020 County Tax Levy
- 11-19-WM-6 Authorize fill of Senior GIS Specialist position (7760) in the Office of Real Property Tax Services
- 11-19-WM-7 Authorizing the levy of omitted taxes
- 11-19-WM-8 Authorizing the levy of taxes for the CCSWA in County Water District 3 & Sewer District 2 for several towns
- 11-19-WM-9 Prorate cost of services provided to towns
- 11-19-WM-10 **(PULLED)** Authorizing correction of tax errors in the Town of Aurelius
- 11-19-WM-11 Authorizing corrections of Real Property taxes in the amount of \$2,500 or less by the County Treasurer
- 11-19-WM-12 Authorize the County Treasurer to pay mortgage tax
- 11-19-WM-13 **(PULLED)** Update Cayuga County Purchasing Policy, Section 60 of the Policy Manual
- 11-19-WM-14 Resolution authorizing the transfer of certain Real Property and improvements located at 182 North Street, Auburn, New York (The “Property”, as more particularly described herein) to the Cayuga County Development Corporation
- 11-19-WM-15 **(AMENDED @ Ways)** Ways and Means Recommendation on 2020 Budget Officer’s Tentative Budget
- 11-19-WM-16 Approving claims of the Clerk of the Legislature Office and authorizing the County Treasurer to pay

HEALTH & HUMAN SERVICES:

- 11-19-HH-1 Authorization to fill a part-time Food Service Helper position in the Office for the Aging Senior Nutrition Program due to the resignation of a former employee.
- 11-19-HH-2 Authorizing the Public Health Director to fill one Public Health Sanitarian position due to a retirement
- 11-19-HH-3 Authorizing the Public Health Director to fill one Supervising Nutritionist position due to a retirement
- 11-19-HH-4 Authorizing the Public Health Director to purchase an X-Ray Fluorescent Machine (XRF)
- 11-19-HH-5 Authorizing the Public Health Director to accept funds from the NYSDOH-Legislative Award to support the Nurse Family Partnership Program
- 11-19-HH-6 Authorizing the Chairman of the Legislature and the Public Health Director to enter into a contract with an engineering firm to assist with the completion of the Health Department’s Certificate of Operation.
- 11-19-HH-7 Authorizing the Cayuga County Legislature to create and the Director of Community Services to fill a Jr. Accountant position in the Accounting Unit and abolish a Principal Account Clerk Position

- 11-19-HH-8 Authorizing the Director of Community Services to fill 3 Caseworker vacancies in Child Welfare Unit
- 11-19-HH-9 Authorizing the Director of Community Services to fill a full-time Human Services Examiner position in the Support Collection Unit of Social Services
- 11-19-HH-10 Authorizing the Director of Community Services to fill part-time Transportation Aide position in the Services Unit of Social Services
- 11-19-HH-11 Authorizing the Chairman of the Cayuga County Legislature and the Director of Community Services to contract with an Epidemiologist for the NYS HEALing Communities Study Grant
- 11-19-HH-12 Authorizing the Director of Community Services to fill a Sr. Clerk position in the SNAP Unit of Department of Social Services due to the reclassification of a Clerk position by the Cayuga County Civil Service Commission

GOVERNMENT OPERATIONS:

- 11-19-GO-1 Urging Governor Andrew M. Cuomo and the State Legislature to continue the funding commitment for all costs associated with early voting reforms implemented at the County level.
- 11-19-GO-2 Designating December 12, 2019 as the date of the final meeting of the Cayuga County Legislature for the fiscal year 2019.
- 11-19-GO-3 Setting the date for the Public Hearing on the Tentative County Budget.
- 11-19-GO-4 **(DEFEATED @ Ways)** Authorizing the continuation of the night quarantine on dogs in Cayuga County.
- 11-19-GO-5 Calling for an increase in the share of revenue counties retain for providing State DMV Services.
- 11-19-GO-6 Authorizing the Cayuga County Legislature to amend the Information Technology 2019 budget.
- 11-19-GO-7 Acknowledgement of the Cayuga Community College 2020-2021 Capital Project.
- 11-19-GO-8 Authorizing the acceptance of the donation of premises located at 248 Grant Ave., Auburn, NY from Cornell Cooperative Extension for Cayuga Community Collee and authorizing the Chair of the Cayuga County Legislature to sign documents necessary to effectuate the transfer of the premises from Cornell Cooperative Extension to the County of Cayuga in Trust for Cayuga Community College.

PLANNING:

- 11-19-PL-1 Authorization to create and fill a Senior Planner-GIS Analyst Position in the Department of Planning & Economic Development on or after December 1, 2019 and setting the salary.

PUBLIC WORKS:

- 11-19-PW-1 Authorization to amend the not to exceed amount for Stewarts Corners Rd. Culvert Replacement Capital "H" Project No. 18-02
- 11-19-PW-2 Authorization to increase the maximum amount of the Creech Rd. Bridge Project
- 11-19-PW-3 (Added 11/20/19) Authorizing the Chair of the Legislature and a designated agent to execute certain grant processing forms to secure 95% State Grant Funds through the 2019 State REDI Program for the Sterling Nature Center and the Nine Mile Creek Bike Corridor REDI Resiliency Projects and confirming Cayuga County's intent to move the projects forward and secure he 5% matching funds

JUDICIAL & PUBLIC SAFETY:

- 11-19-JP-1 Authorizing the transfers from various .4 Accounts to cover the cost of dispatch chairs. The cost of the chairs will be 100% grant reimbursed once the invoice is satisfied.
- 11-19-JP-2 Authorization to fill one vacant Emergency Services Dispatcher position due to a vacancy

- 11-19-JP-3 Authorize the Sheriff to purchase and equip two (2) new marked patrol cars to replace existing patrol cars that have accumulated high mileage.
- 11-19-JP-4 Authorize the Sheriff to fill one vacant Deputy Sheriff Position in the Law Enforcement Division of the Cayuga County Sheriff's Office.
- 11-19-JP-5 Resolution in support of the Federal Legislation to repeal the Medicaid Inmate Exclusion Policy (MIEP) for pre-trial inmates.
- 11-19-JP-6 Resolution authorizing the Sheriff and the Chairman of Cayuga County Legislature to renew the agreement with the NYS Unified Court System to insure adequate security services are available to the court system in Cayuga County.
- 11-19-JP-7 **(AMENDED @ Ways)** Authorization to contract with Court Reporting Agencies to cover Cayuga County Grand Jury
- 11-19-JP-8 **(DEFEATED @ Ways)** Resolution to amend the 2019 Budget to include revenue and appropriations related to the Adventfs Traffic Educational Program
- 11-19-JP-9 **(TABLED to December JPS)** Authorization to create a full-time Assistant District Attorney position in the District Attorney's Office to address additional work created by Criminal Procedure Law Article 245 and setting salary
- 11-19-JP-10 **(DEFEATED @ Ways)** Authorization to provide compensation to Sr. Assistant District Attorney for additional hours worked prosecuting fraud related crimes including public assistance fraud, day care fraud, Medicaid fraud, welfare fraud, misuse of food stamps, unemployment insurance fraud, worker's compensation fraud, insurance fraud, and various offenses under the tax law under the Crimes Against Revenue Program Grant

LEGISLATURE:

- 11-19-LEG-1 Supporting the Cayuga County Public Utility Services Agency, and other Partner agencies and organizations of the County, in their efforts to bring a Biogas Pipeline to Cayuga County.

And any other business that may come before the Board

ADJOURNMENT: Tuesday, December 10, 2019 at 6:15PM

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.

11-19-WM-15

RESOLUTION NO. _____

11/26/19

COL WMBudgetRecommendations20

WAYS AND MEANS RECOMMENDATION ON 2020 BUDGET OFFICER'S TENTATIVE BUDGET.

BY: Hon. Patrick Mahunik, Chairman Ways and Means Committee

WHEREAS, the Ways and Means Committee has reviewed the 2020 County Tentative Budget that was filed with the Clerk of the Cayuga County Legislature; and

WHEREAS, the Ways and Means Committee has proposed certain changes, alterations or revisions in the tentative budget by identifying specific account lines that could be amended, added, or deleted; now, therefore be it

RESOLVED, that the Ways & Means Committee hereby submits the attached, as its proposed changes, alterations or revisions to the Budget Officer's 2020 Tentative Budget, to the County Legislature for its consideration.

Ways & Means Committee

Patrick Mahunik, Chair

Joseph Bennett

Elane Daly

Joseph DeForest

Ryan Foley

Christopher Petrus

Paul Pinckney

Co. Atty: _____

**LEGISLATIVE CHANGES
PROPOSED BY Ways and Means
TO AMEND THE 2020 TENTATIVE BUDGET
(Meetings 11/7/2019, 11/14/19, 11/19/19)**

	PAGE	REVENUE	EXPENSE	NEW TOTAL	SOURCE
A Fund					
Account					
Ways & Means 11/7/2019					
Legislature					
A10104 54229 Economic SV	3		250,000	250,000	FB
			Sub-total	250,000	
A74104 54000 Libraries	7		31,500	31,500	FB
			Sub-total	31,500	
Administrator					
A12301 51001 Salary	61		90,000	235,480	TL
			Sub-total	90,000	
Ways & Means 11/14/2019					
Health Department					
A40444 54307 EI Related Services	153		15,000	320,000	TL
			Sub-total	15,000	
Social Services					
A60101 51001 Salary	187		45,972	6,321,262	
A60101 58001 Social Security			3,379	488,147	
A60101 58002 Retirement			4,358	912,378	
A60101 58003 Health Insurance			6,632	1,100,433	
A60101 58004 Dental Insurance			395	49,444	
A60101 58005 Workers Comp			843	121,738	
			Sub-total	61,579	TL
A60700 43670 Services State Aid	192	37,000		1,637,000	TL
Mental Health					
A43100 44499 MH Admin	162	88,000		479,484	TL
Ways & Means 11/19/2019					
Parks					
A71101 51001 Salary	121		50,313	247,939	
A71101 58001 Social Security			3,698	31,118	
A71101 58002 Retirement			4,770	42,357	
A71101 58003 Health Insurance			6,631	43,000	
A71101 58004 Dental Insurance			395	1,765	
A71101 58005 Workers Comp			922	7,760	
			Sub-total	66,729	TL
Health Department					
A40451 51001 Salary	154		5,210	346,645	
A40451 51002 PT salary			22,439	22,439	
A40451 58001 Social Security			2,032	27,186	
A40451 58002 Retirement			2,319	45,245	
			Sub-total	32,000	TL
A40450 52000 Misc Revenue		40,000		40,000	TL
CCPUSA					
A10144 54505 CCPUSA	4		32,500	32,500	FB
Legislature					
A10104 54229 Economic SV	3		50,000	300,000	FB
			Sub-total	50,000	

PAGE	REVENUE	EXPENSE	NEW TOTAL	SOURCE
A Fund Totals	165,000	448,079		

Total Impact on A Fund Balance 283,079

2019 Operating Budget			
Original Tentative Budget Use of Fund Balance (A Fund)	612,340		
Adjustment amount	364,000		
Revised Use of Fund Balance (A fund)	976,340		
2019 Adopted Tax Levy	40,613,330		
2020 Tentative Budget Tax levy	41,425,597	2.00000%	
Adjustment amount	100,308		
2020 Preliminary Budget Tax levy	41,525,905	2.24698%	

11-19-PW-3

AUTHORIZING THE CHAIR OF THE LEGISLATURE AND A DESIGNATED AGENT TO EXECUTE CERTAIN GRANT PROCESSING FORMS TO SECURE 95% STATE GRANT FUNDS THROUGH THE 2019 STATE REDI PROGRAM FOR THE STERLING NATURE CENTER AND THE NINE MILE CREEK BIKE CORRIDOR REDI RESILIENCY PROJECTS AND CONFIRMING CAYUGA COUNTY’S INTENT TO MOVE THE PROJECTS FORWARD AND SECURE THE 5% MATCHING FUNDS

By: Hon. Joseph Bennett, Chair, Public Works Committee
Hon. Patrick Mahunik, Chair, Ways and Means Committee

WHEREAS, the Cayuga County Planning & Economic Development Department (“CCPED”) and the Cayuga County Parks & Trails Department was requested to prepare a list of eligible municipal projects to submit to the Lake Ontario Resiliency and Economic Development Initiative (REDI); and

WHEREAS, the two (2) projects submitted included: (1) Cayuga County Parks & Trails Department’s Sterling Nature Center Resiliency Project including trail repair, repair of the section of McIntyre road on nature center property and parking area improvements consistent with the approved new Nature Center facility design with a total estimated project cost of \$1,600,000 (“SNC REDI Project”); and (2) the Nine Mile Creek Bike Corridor including design of a thirteen mile bike touring corridor from the Oswego County border to Little Sodus Bay in Fair Haven and construct ~two miles of bike pathways along Little Sodus Bay in the Village of Fair Haven and the Town of Sterling a total estimated project cost of \$900,000 (“Nine Mile Bike Corridor REDI Project” and collectively the “Cayuga County REDI Projects”); and

WHEREAS, the REDI projects are structured as ninety-five percent (95%) of total estimated project costs as a full state grant requiring only five percent (5%) in local matching funds; and

WHEREAS, the SNC REDI Project will secure \$1,520,000 in state grant funds requiring \$80,000 in local match and the Nine Mile Bike Corridor REDI Project will secure \$855,000 in state grant funds requiring \$45,000 in local match; and

WHEREAS, to secure the availability of \$2,375,000 in state grant funds for these Cayuga County projects, the County must execute a preliminary Project Intake Form and a Project Engineering Report Form, thereby confirming Cayuga County’s intent to move the Cayuga County REDI Projects forward, secure the required 5% matching funds and opt-in to have the required preliminary engineering report completed by the state REDI engineering consultant using the proposed grant funds (the “Preliminary Project Forms”); and

WHEREAS, the executed Preliminary Project Forms are due to the state grant agencies on or before December 2, 2019 and the County Legislature wishes to secure the 95% REDI grant funds; now therefore be it

RESOLVED, that the Chair of the Legislature and the Superintendent of Parks and Trails are hereby authorized and directed to execute the Preliminary Project Forms for submission to the state REDI grant administrator on or before December 2, 2019; and be it further

RESOLVED That this resolution shall take effect immediately.

AUTHORIZATION TO CONTRACT WITH COURT REPORTING AGENCIES TO COVER CAYUGA COUNTY GRAND JURY

BY: Hon. Christopher K. Petrus, Chairman, Judicial & Public Safety; and
Hon. Patrick V. Mahunik, Chairman, Ways and Means

WHEREAS, the recently enacted New York State Criminal Justice "Reforms" (to Bail, Discovery, and Speedy Trial) will take effect on January 1, 2020; and

WHEREAS, the new statutes will create substantial new burdens and significantly increase the workload and shortening the timelines impacting the functions of the District Attorney's Office; and

WHEREAS, the prosecution shall be required to perform complete their discovery obligations as soon as practicable, but not later than fifteen calendar days after the defendant's arraignment, and the new obligation is to provide absolutely everything (akin to what was required prior to trial, months after any arrests) including grand jury minutes in every case, not just a smaller fraction of them, right away; and

WHEREAS, the Cayuga County Grand Jury Reporter's workload will increase dramatically requiring the Grand Jury Reporter to produce every transcript within fifteen calendar days of the defendant's arraignment on an indictment (versus months afterward and only when needed); and

WHEREAS, the Cayuga County District Attorney will now have to contract for additional services with Court Reporting Agencies (in addition to the work being performed by the full-time Grand Jury Reporter) or hire a second Grand Jury reporter (and pay fringe); now therefore be it

RESOLVED, that the District Attorney and the Chair of the Cayuga County Legislature are hereby authorized to contract with Court Reporters and/or Reporting Agencies for Grand Jury transcription effective January 1, 2020.

Judicial & Public Safety

Ways & Means Committee

Christopher Petrus, Chair

Patrick Mahunik, Chair

Keith Batman

Joseph Bennett

Joseph Bennett

Elane Daly

Michael Didio

Joseph DeForest

Timothy Lattimore

Ryan Foley

Paul Pinckney

Christopher Petrus

Benjamin Vitale

Paul Pinckney

Co. Atty: _____