



MINUTES
CAYUGA COUNTY LEGISLATURE
Tuesday, June 22, 2021, 6:00PM (VIRTUAL ONLY)
Live Link: <https://youtu.be/8-ogZrv7M5A>

CALL TO ORDER: Hon. Aileen McNabb-Coleman, Chair called the meeting to order at 6:09PM

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:

- Paul Batman, brother of Cayuga County Legislator Keith Batman
- Helen Cuddeback, Mother of Steve Cuddeback, former Cayuga County Legislator
- Elizabeth “Betty” Pettigrass, 98 years old, WW2 Vet, and former nurse at Auburn Memorial Hospital

PUBLIC HEARING: Opened at 6:13PM – Call 315-294-8051, if you wish to speak on the public hearing.

- Pursuant to NY Gen. Mun. Law § 6-d to make appropriations from the Buildings Repair Reserve
- Local Law Authorizing 12 and 13-year-old licensed hunters to hunt with a firearm or crossbow during hunting season with the supervision of an adult licensed hunter pursuant to Environmental Conservation Law Section 11-0935
- Local Law Establishing the Cayuga county Ethics Code and Board of Ethics for the County of Cayuga.
- Local Law establishing the Office of the Cayuga County Finance Director

PROCLAMATIONS:

- Cayuga County Salutes UPSCO - June 22, 2021
- Cayuga County Salutes Auburn High School Football Team - June 22, 2021
- Juneteenth Day - June 19, 2021

PRIVILEGE OF THE FLOOR:

Sue Dwyer thanks the legislators who took the time to take a tour of the records center. Dwyer says that the historian’s office people have been waiting and there was a meeting last week and a light at the end of the tunnel. She says they are so anxious to get the staff back out and working. She thanks Aileen for helping to move it forward and just ask for the support to continue to get them back in the office.

Discussion on the Local Law establishing the Office of the Cayuga County Finance Director:

Lattimore says he would like to see the public decide. He thinks this sort of negates a county-wide election. He does not fully understand who is in charge whether it is the Treasurer or the Finance Director.

Orman says that separating out the finance department is gaining traction across New York State. He says the reason is that in a county that’s decentralized such as ours there are several people performing financial duties. He says that they are probably redundant in some areas and there would be an efficiency from created one centralized finance department. He says that department would be headed up by a Finance Officer and would not detract from the duties of the elected Treasurer because that person would still be the Chief Fiscal Officer by law of the county. He says the main attraction is that this department would be able to perform with lesser people down the road.

Daly wants to clarify that if the goal is to centralize the functions within the department in this format the Director of Finance would be the appointing authority of a subset of actual staff. Orman says yes. Daly says the appointing authority would have that authority to make those changes or efficiencies and asks if that is part of the benefit. Orman says yes that it is a part of the benefit and those changes would be overseen by the legislature.

Pecher disagrees and says that the law says that the Director of Finance has the authority to appoint whatever sub-directors that they want to, which does not include the legislature having any say in it. Orman says the only way a finance officer or any other department head can appoint an employee is if it is a legislatively approved non-union, non-bargaining employee. He says that otherwise it has to come off a civil service list.

Pecher says it would have been nice if we had a chance to participate, but the Chair brought forth a motion and it was passed by mostly the democrats. He says on their side they asked for more discussion and more time, but it could not be done and had to be done right there. He says they were lied to then to by saying this was critical.

Batman responds to Pecher that the democrats do not have a majority of the weighted votes, so everything that passes this body is a bipartisan passage by definition. He says there is no single political party that has majority.

McNabb-Coleman responds to Pecher that she resents the fact that he called her a liar. She says she is certainly not a liar and has been working hard on behalf of this county.

PRIVILEGE OF THE FLOOR:

Ruth Bradley asks that there be resolution to the office space situation. She also asks if anyone in the legislature has kept diaries or written down thoughts the historians office would like to have a copy. She says that they are gathering the data now to help when the next pandemic comes around. She says it will have significance in years to come and we need to equip the historians of the future with the materials of the present.

MINUTES TO APPROVE: May 19 & 25, 2021, Motion by Foley, 2nd by Pinckney, all in favor.

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

APPOINTMENTS AND RE-APPOINTMENTS:

Community Services Board

Monika Salvage, 146 North Street, Auburn, NY 13021, Term – 6/1/21 to 12/31/24

Alcohol and Substance Abuse Subcommittee

Sarah Dawson, 250 Lake Avenue, Auburn, NY 13021, Term – 6/1/21 to 12/31/24

Parks Commission

Don Oltz, 5851 West Lake Rd, Auburn, NY 13021, Term – 6/22/21 to 12/31/23, new appt.

PROC

Jeremy VeVone, 15 Third Ave, Auburn, NY 13021, Term – 1/1/21 to 12/31/24, re appt.

COMMUNICATIONS AND ANNOUNCEMENTS: None

CCC REPORT: Dr. Durant

COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS:

Vitale gives update on map plan for the Regional Water Project.

Foley gives update on the Veterans Office and that it is currently down two full-time staff. They are aware of it and working toward a plan to get it up to full strength.

Vitale shares an idea that since the county put up money already for Emerson Park that maybe put forward some more money to celebrate the future of Emerson Park. He says without having fireworks this year that we could possibly have a mini concert series to celebrate everything that is going on. He says if the county could put some money forward then we could get some local bands out there. He says to give other groups incentive to put money toward the work that we want to do out there and they could be recognized during those events. He would like to see Doug Dello Stritto put together a plan for this year or maybe next year to do some kind of concert series.

CHAIRMAN'S REPORT: Aileen McNabb-Coleman

McNabb-Coleman says she and Kerr attended the County Association of Villages and had great conversation with village Mayors and staff. She says there have been meetings and conversations about getting the DMV open to the public for walk-ins. She says Dwyer presented a plan that she approved to do a hybrid approach, so 50% walk-ins and 50% appointments. She agreed it is a good start to the transition out of COVID restrictions. The DMV will have morning time appointments and afternoon walk-ins. She says there has been discussions about the historian's office and the DSS currently using part of the space for emergent needs. She says they are working on getting DSS back into our building to have those needs addressed and getting the historian's back into their full space. She thanks the historian's office for their flexibility and patience during this time. She has a meeting with CSEA tomorrow and they have a pandemic plan that we signed months ago, so they are going to revisit the pandemic plan. She says in the plan is a reopening cushion time that they are allotted to know in advance changes that are going to be made to the policies in our building revolving around COVID restrictions. She says after the meeting she suspects there will be some announcements about having the building open and the procedures that surround that. She had the honor of presenting a proclamation to UPSCO. She says there is an upcoming meeting concerning the firework and at this point the fireworks will not be held on July 3rd. She says it is due to the emergency service needs that we have to meet in the county. She says prior to the restrictions being lifted there was not enough lead time to do proper planning for the safety of all of the public.

**CAYUGA COUNTY LEGISLATURE
RESOLUTIONS 6-22-21**

RESOLUTION NO. 178-21

6/22/21

OFA CARES amend budgt 21

Authorization to accept additional funding from the NYS Office for Aging (NYSOFA) through the Corona Aid, Relief and Economic Security (CARES) Act

BY: Elane Daly, Chair, Health & Human Services Committee, and
Keith Batman, Chair, Ways and Means Committee

WHEREAS, NYSOFA has received federal stimulus funds through CARES; and

WHEREAS, because New York State has received a Major Disaster Declaration (MDD) from the federal government, these funds can be utilized through 9/30/2024 and can be used for any disaster relief services for older adults; and

WHEREAS, additional funding in the total amount of \$311,682 has been allocated from NYSOFA to Cayuga County through the Cayuga County Office for Aging under five separate grants- CARES Act for Nutrition Services (CMC6-\$66,338 & HDC6-\$99,308), CARES Act for Supportive Services (SSC6-\$101,388), CARES Act for Disease Prevention (PHC6-\$10,208) and CARES Act for Family Caregiver Support Program (FCC6-\$34,440); and

WHEREAS, the Office for the Aging 2021 budget needs to be amended to reflect the additional funding and services to be provided; now therefore be it

RESOLVED, that the Office for the Aging be authorized to accept additional funding from NYSOFA and the 2020 budget be modified as follows:

Increase Revenue Account A67720 44773 – Fed. Aid – Title IIIB Supportive Services	\$ 101,388
Increase Revenue Account A67720 44778 - Fed. Aid – Title IIIE Caregiver Services	34,440
Increase Revenue Account A67730 43776 – Fed. Aid – Title IIIC Cong/Home	165,646
Increase Revenue Account A67720 44772 - Fed. Aid – Title IIID Disease Prevention	10,208
Increase Expense Account A67721 51001 – Full-Time Salaries	18,639
Increase Expense Account A67721 58001 – Social Security	1,426
Increase Expense Account A67721 58003 - Health Insurance	2,900
Increase Expense Account A67724-54074 - Department Expense	100,000
Increase Expense Account A67734-54073 – Department Expense	63,527
Increase Expense Account A67734 54420 - Senior Nutrition Meals	125,190

And be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the journal entries appropriate and necessary to implement this resolution; and be it further

RESOLVED, that the Cayuga County Treasurer, at the end of the current year, be authorized and directed to carry funds forward into future budget years until the funding is exhausted.

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

RESOLUTION NO. 179-21

6/22/21

OFA VAC5 amend budgt

Authorization to accept additional funding from the NYS Office for Aging (NYSOFA) for Expanding Access to COVID-19 Vaccines via the Aging Network (VAC5)

BY: Elane Daly, Chair, Health & Human Services Committee, and
Keith Batman, Chair, Ways and Means Committee

WHEREAS, NYSOFA has received funding from the ACL to help increase COVID-19 vaccinations among older adults and people with disabilities and;

WHEREAS, additional funding in the total amount of \$11,062 has been allocated from NYSOFA and the ACL to Cayuga County through the Cayuga County Office for Aging to be used to serve older adults and their caregivers in receiving information, assistance scheduling, arranging transportation and other supports in order to increase COVID-19 vaccinations among the targeted population and;

WHEREAS, the Office for the Aging 2021 budget needs to be amended to reflect the additional funding and services to be provided; now therefore be it

RESOLVED, that the Office for the Aging be authorized to accept additional funding from NYSOFA and the 2021 budget be modified as follows:

Increase Revenue Account A67720-43771 – State Aid – NY Connects POE	\$11,062
Increase Expense Account A67720-54074 - Department Expense	\$11,062

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 Foley, 2nd by Batman, all in favor.

RESOLUTION NO. 180-21 6/22/21 HS Fill 2 FT Caseworker Positions (Services Units)
Authorizing the Director of Community Services to fill 2 FT Caseworker Positions in the Child Welfare Services Units of the Department of Social Services.

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

WHEREAS, there are two (2) Caseworker vacancies, in the Child Welfare Units of Social Services (position control #2145, and #8183) due to a resignation and a promotion; and

WHEREAS, these positions are responsible for managing a caseload of open protective, preventive and foster care cases in the Child Welfare Units of Social Services and the services provided are mandated services; and

WHEREAS, these positions are reimbursed at a minimum of 62% State and federal funding; and

WHEREAS, they are funded positions in the Social Services Department's 2021 budget; NOW, THEREFORE BE IT

RESOLVED, that the Authorization to Fill is valid through December 31, 2021, per resolution 307-20; and be it further

RESOLVED, that the Director of Community Services is authorized and directed to fill 2 Caseworker positions in the Child Welfare Unit and any fill behinds that may occur in accordance with Civil Services Rules and Regulations and the policies of the County of Cayuga.

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

RESOLUTION NO. 181-21 6/22/21 HS Fill Principal Social Welfare Examiner
Authorizing the Director of Community Services to Fill a Principal Social Welfare Examiner Position in the Department of Social Services

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

WHEREAS, there is an anticipated Principal Social Welfare Examiner vacancy (position control #2165) in the Department of Social Services, due to a retirement effective May 31, 2021; and

WHEREAS, this position is necessary for the effective and efficient operation of the Department of Social Services; and

WHEREAS, this position is reimbursed based on program area assignment; and

WHEREAS, sufficient funding exists in the 2021 Social Services' Budget to support this position; NOW, THEREFORE, BE IT

RESOLVED, that the Authorization to Fill is valid through December 31, 2021, per resolution 307-20; and be it further

RESOLVED, that the Director of Community Services be authorized to fill the Principal Social Welfare Examiner vacancy in the Department of Social Services and any fill behind that may occur, in a manner consistent with the rules and regulations of the County of Cayuga and the Cayuga County Civil Service Commission.

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

RESOLUTION NO. 182-21 6/22/21 HS Fill Sr. Account Clerk position in the Child Support Services Unit
Authorizing the Director of Community Services to Fill a Sr. Account Clerk position in the Child Support Services Unit

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

WHEREAS, there currently is a Sr. Account Clerk vacancy in the Child Support Services Unit of the Department of Social Services (position control #8189); and

WHEREAS, this position is necessary for the effective and efficient operation of the Child Support Services Unit; and

WHEREAS, this position is at least 62% state and federally funded; and

WHEREAS, funding for this position has been budgeted in the 2021 Department of Social Services' budget;

NOW, THEREFORE, BE IT

RESOLVED, that the Authorization to Fill is valid through December 31, 2021, per resolution 307-20; and be it further

RESOLVED, that the Director of Community Services be authorized and directed to fill the Sr. Account Clerk position in the Child Support Services Unit of Social Services and any fill behind that may occur, 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 Foley, 2nd by Batman, all in favor.

RESOLUTION NO. 183-21**(06/22/21)****MH REV 2021 BUDADJ STATE AID****Amending the Mental Health 2021 Budget to adjust State Aid funding for Contract Agencies**

By: Elane Daly, Chair; Health and Human Services Committee, and
 Keith Batman, Chair; Ways and Means Committee.

WHEREAS, the Cayuga County Community Mental Health Center receives 100 percent Federal and State Aid funding for programs to serve adults, children, and families with disabilities who reside in Cayuga County; and

WHEREAS, additional 2021 State Aid has been allocated to several contract agencies requiring adjustment to the County Budget for 2021; and

WHEREAS, these 100% State funds were not anticipated in the 2021 budget and it is now necessary to reflect those dollars to allow the County to make payments to those agencies; now, therefore, be it

RESOLVED, that the 2021 budget be modified as follows:

Increase	A43470-43503	State Aid – MH – Cayuga Home	Revenue by	\$49,432.00
Increase	A43474-54000	Contractual Expenses – Cayuga Home	Expenses by	\$49,432.00
Increase	A43450-43514	State Aid – MH – Liberty Resources	Revenue by	\$12,728.50
Increase	A43454-54000	Contractual Expenses - Liberty Resources	Expenses by	\$12,728.50
Increase	A43100-43489	State Aid-MH - Nick’s Ride	Revenue by	\$635.00
Increase	A43104-54118	Contractual Agreements	Expenses by	\$635.00
Decrease	A43430-43495	State Aid – MH – Cayuga Counseling	Revenue by	\$48,582.00
Decrease	A43434-54000	Contractual Expenses – Cayuga Counseling	Expenses by	\$48,582.00
Decrease	A43460-43497	State Aid – MH – Unity House	Revenue by	\$9,019.50
Decrease	A43464-54000	Contractual Expenses – Unity House	Expenses by	\$9,019.50

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 Foley, 2nd by Batman, all in favor.

RESOLUTION NO. 184-21**(06/22/2021)****MH OMH 2021 GRANT****Authorizing the Chair of the Cayuga County Legislature and the Director of Community Services to accept a grant from the New York State Office of Mental Health**

By: Elane Daly, Chair; Health & Human Services Committee
 Keith Batman, Chair; Ways & Means Committee

WHEREAS, the Cayuga County Community Mental Health Center has completed the System of Care Action Planning Workshop and has a plan of action to meet the needs of children, youth, and young adults in our community; and

WHEREAS, the CCCMHC will be applying and receiving a one-time fund grant of \$25,000 to support our System of Care efforts detailed in the action plan from the NYS Office of Mental Health; and

WHEREAS, it is necessary to amend the 2021 Mental Health budget in order to accept this funding; now, therefore be it

RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the 2021 Mental Health budget in the following manner and make the necessary journal and accounting entries to accept these funds:

Increase Revenue Account A43400-44490 Federal Aid – MH - SAMHSA

Increase Expense Account A43404-54000 Contractual Expenses - SAMHSA

and be it further

RESOLVED, that the Chairman of the Legislature and the Director of Community Services be authorized to execute and deliver such contracts, documents or writings as may be necessary to implement this grant upon such forms as may be approved by the County Attorney.

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

RESOLUTION NO.185-21**06/22/2021****MH CREATE/FILL SSW CMH 2021 REV****Authorize the creation and filling of one (1) full-time Staff Social Worker (CMH) position at the Community Mental Health Center of Cayuga County and unfunding one (1) full-time Health Home Care Manager**

By: Elane Daly, Chair; Health & Human Services Committee
Keith Batman, Chair; Ways & Means Committee

WHEREAS, there is one (1) full-time Grade 14 Health Home Care Manager position (Control #007730) vacant at the Community Mental Health Center of Cayuga County (CMHCCC); and

WHEREAS, this position is vital to the Health Homes Care Management program at Mental Health; however, residents of the community would be better served by a Staff Social Worker due to the high demand of clinical services requested at the present time; and

WHEREAS, a New Position Duties Statement was submitted to the Civil Service Commission at its April, 20, 2021 meeting and was classified as a Staff Social Worker (CMH); and

WHEREAS, there is enough money in salaries account A43101 51001 in the 2021 Mental Health budget to cover the cost of this position; now, therefore be it

RESOLVED, that one (1) full-time Staff Social Worker (CMH) position be created and placed within Part I of the Cayuga County Compensation Plan under Community Mental Health at a pay grade 30; and be it further

RESOLVED, that the Director of Community Services be authorized and is hereby directed to fill the one (1) full-time Grade 30 Staff Social Worker (CMH) position in accordance with Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga and any fill behind that may occur and unfund the one (1) full-time Grade 14 Health Home Care Manager position (Control #007730); and be it further

RESOLVED, that the Cayuga County Treasurer be authorized to make the journal entries appropriate and necessary to implement this resolution; and it be further

RESOLVED, this authorization is valid through December 31, 2021 in accordance with policy resolution 307-20.

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

RESOLUTION NO. 186-21**6/22/21****OFA Create Fill FT Ag Ser Spec****Authorization to create and fill one (1) full-time Aging Services Specialist to provide additional services through CARES Act revenue**

BY: Elane Daly, Chair, Health & Human Services Committee, and
Keith Batman, Chair, Ways and Means Committee.

WHEREAS, there is a growing number of older adults in Cayuga County, with the growth in those 80 years old and older increasing at the fastest rate, and,

WHEREAS, the COVID pandemic and the aging of our population is necessitating more services to be provided for more seniors through the Office for the Aging under the Older Americans Act, and,

WHEREAS, the Office for Aging is accepting unanticipated additional revenue from the NYS Office for Aging (NYSOFA) through the Corona Aid, Relief and Economic Security (CARES) Act for which personnel is an approved expense and,

WHEREAS, to meet the expectations of deliverables of the CARES funding, it is necessary to fill a F/T Aging Services Specialist to provide these services and,

WHEREAS, when accepting and adding this funding to the Office for Aging budget in 6/22/21 resolution OFA CARESamendbudgt21, an amount was designated for F/T salaries A67721-51001 and an amount to cover applicable fringe is available sufficient to meet the expense of a F/T Aging Services Specialist and,

WHEREAS, while the Office for Aging anticipates sustained revenue through NYSOFA to cover the costs of this position ongoing, along with the flexibility to use CARES Act funding through 2024, the position will be abolished if ongoing revenue is insufficient to fund the position in the future, therefore be it

RESOLVED, that the Director of the Office for the Aging be hereby authorized to create and fill a F/T Aging Services Specialist position (pos # to be assigned) effective 7/1/21 at a probationary rate of \$44,733 annually (\$45,083 Step 1) in accordance with the Civil Service Rules and Regulations and the policies of the County of Cayuga; and it is further

RESOLVED, this authorization to fill is valid through December 31, 2021 in accordance with policy resolution 307-20.

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

RESOLUTION NO. 187-21**6/22/2021 OFA create and fill FT Ag Serv Asst****Authorization to abolish a Senior Typist position and create and fill one (1) Full-Time Aging Services Assistant position in the Office for Aging**

BY: Elane Daly, Chair, Health & Human Services Committee, and
 Keith Batman, Chair, Ways and Means Committee.

WHEREAS, the Office for Aging is increasingly required to provide more complex data collection, information processing, intake, outreach, publicity, program monitoring, needs assessments, registries and many other tasks requiring significant technology knowledge and professional skill for a growing senior population, and;

WHEREAS, the position of Aging Services Assistant can best meet these job requirements and fulfill the deliverables required by NYSOFA, and;

WHEREAS, due to a vacancy in the Office for Aging Senior Typist position resulting from a retirement, there is sufficient funding in the salaries line for 2021 to cover the increased expense for this position, and recurring state and federal revenue is expected to be available for this position ongoing, hereby be it;

RESOLVED that the Senior Typist position (#006617) be abolished, and be it;

RESOLVED that the Director of the Office for the Aging be hereby authorized to create and fill an Aging Services Assistant (pos # to be assigned) position effective 7/1/21 at a probationary rate of \$41,909 annually (\$42,259 Step 1) in accordance with the Civil Service Rules and Regulations and the policies of the County of Cayuga; and it is further

RESOLVED, this authorization to fill is valid through December 31, 2021 in accordance with policy resolution 307-20.

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

Public Hearing closed at 7:40PM**RESOLUTION NO. 188-21****6/22/21****LEG cancel penalty & partial interest****Resolution authorizing the cancellation of penalty and partial interest of \$224.55 on tax map numbers 242.00-1-14.1 and 242.00-1-15 in the Town of Summerhill**

By: Mark Strong, Legislator, District #9

Keith Batman, Chair, Ways and Means Committee

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

WHEREAS, extenuating circumstances have come to light regarding parcels in the Town of Summerhill, Tax Map Numbers 242.00-1-14.1 and 242.00-1-15, commonly known as 13476 State Route 90 and 13486 State Route 90; and

WHEREAS, the owners, Thomas Edwards and Carmen Perez, have requested to pay the amount that was due in March on the 2021 Town and County taxes, which would require penalty and partial interest be canceled; and

WHEREAS, the amount of penalty and interest requested be cancelled is \$224.55; now therefore be it

Tax Year	Tax Map #	Penalty	Partial Interest	Total
2021 DLQT	242.00-1-14.1	\$47.14	\$30.64	\$77.78
2021 DLQT	242.00-1-15	\$88.95	\$57.82	\$146.77
Total		\$136.09	\$88.46	\$224.55

RESOLVED, that the Cayuga County Legislature finds it to be in the best interests of the county to cancel penalty and interest in the amount of \$224.55 on Tax Map Number 242.00-1-14.1 and 242.00-1-15 in the Town of Summerhill; and be it further

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

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

Adopting Local Law No. 4 for the year 2021, "A Local Law establishing the Office of the Cayuga County Finance Director."

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

WHEREAS, Local Law No. 4 for the year 2021 was presented to the Cayuga County Legislature on May 25, 2021; and

WHEREAS, pursuant to law and after proper notice being duly given, the County Legislature held a public hearing on said Local Law No. 4 for 2021 on June 22, 2021 at 6:00 P.M.; now, therefore be it

RESOLVED, that Local Law No. 4 of 2021, entitled "A LOCAL LAW ESTABLISHING THE OFFICE OF THE CAYUGA COUNTY FINANCE DIRECTOR." as so designated, be and the same is hereby enacted, waiving any and all defects and informalities in the adoption thereof.

LOCAL LAW NO.: 4 OF 2021**A LOCAL LAW ESTABLISHING THE OFFICE OF THE CAYUGA COUNTY FINANCE DIRECTOR**

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

SECTION 1: LEGISLATIVE FINDINGS AND INTENT:

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

- A. § 550 of the New York State County Law sets forth the duties, obligations, and authority of the County Treasurer.
- B. The New York statutory framework for charge of public funds is becoming increasingly inadequate in the context of present-day complexities of municipal accounting and finance.
- C. The Legislature finds that it is in the public interest to establish the Office of the Cayuga County Director of Finance to oversee and direct the financial affairs of Cayuga County to the extent that the same does not impinge upon the statutory duties, obligations, and authority of the Cayuga County Treasurer.

SECTION 2: OFFICE OF THE DIRECTOR OF FINANCE

- A. There is hereby established the Office of the Cayuga County Director of Finance, who shall be responsible for the fiscal affairs of the County and will provide checks and balances on powers and duties retained by the Treasury; financial analysis and support to the County Administrator and/or the County Legislature, in the planning, creating, implementing, and monitoring of the long-term financial programs, in consultation with the County Treasurer, for the purpose of formulating policy and establishing procedures with Department Heads and senior level staff.
- B. The Director of Finance shall be in the non-competitive class and appointed by the Legislature for a term of three (3) years. In the event that a vacancy occurs prior to the completion of a term of office, the appointment shall be for the remainder of such term.
- C. Qualifications for appointment shall be as set forth in § 3 of the N.Y. Public Officers Law, as well as those established by the Cayuga County Legislature, as the same may be amended from time to time.
- D. The Director of Finance shall have the authority to appoint such deputy directors, who shall serve without bond and at the pleasure of the Director of Finance, and such assistants and employees as may be authorized by the Legislature and shall have the power to remove the same.
- E. The compensation for the Director of Finance shall be set by the Cayuga County Legislature by resolution.
- F. The Director of Finance shall be subject to removal or sanction by the Cayuga County Legislature pursuant to N.Y. Civil Service Law § 75.
- G. All delegation of powers, duties and responsibilities to the Director of Finance shall be subject to Civil Service laws, rules and regulations and such other laws as may be applicable.
- H. Such powers, duties, and responsibilities, by way of illustration and not limitation, may include:
 1. Responsible for the separate accounts for each County office and department and maintains the funds of the County as prescribed by law and in accordance with the directives of the Legislature.
 2. Responsible for maintaining the general ledger serving as a central record and control on a number of individual accounts.
 3. Prepares financial reports required by State laws and local rules detailing claims and expenditures.
 4. Prepares monthly financial reports of balances of the appropriation accounts for all departments.
 5. Supervises the maintenance of a large variety of accounts associated with a variety of tax receipts, tax sales, budgets, bails, trust accounts.
 6. Oversees payrolls of officers and employees paid from County funds, or delegates and authorizes an officer or employee of the department, to certify the correctness of payrolls in accordance with the provisions of Civil Service laws.
 7. Manages the recording and investment of cash.
 8. Administers and accounts for court and trust funds.
 9. Administers the County sales tax program, ensuring that all sales tax collected are remitted to and received by the County.
 10. Administers the County Debt Management Program and Policies including the assurance of bonds and notes as approved by the Legislature.
 11. Supervises the keeping of account ledgers by subordinates.
 12. Prepares complex financial and statistical reports.
 13. Supervises the reconciliation of bank balances periodically.
 14. Oversees audits the cash and fiscal records of all county departments and implements fiscal efficiencies in all of the County operations and enterprises.

15. Oversees records of all bonded indebtedness and other loans and coordinates the sale of all bonds pursuant to the provisions of the Local Finance Law.
16. Supervises the operations of department personnel and trains new personnel.
17. Monitors and analyzes capital projects, including cash flow.
18. Advises the County legislature and/or County Administrator with regard to capital project borrowings, timelines, length and amounts of borrowing and in-house utilization of cash and fund balance.
19. May provide any other related cash flow analysis and/or reports as needed by the County Administrator and/or County Legislature.
20. Coordinates with the Treasurer for the deposit and investment of county funds.
21. Provides fiscal support to Department Heads as needed.

SECTION 3: NO DIVESTITURE OF POWER.

- A. Nothing contained in this Local Law shall operate or be construed to divest the Legislature of Cayuga County of any of its functions, powers, or duties.
- B. Nothing contained in this Local Law shall operate or be construed to divest the Cayuga County Treasurer of any his/her functions, powers, or duties.

SECTION 4: REPEALER.

In the event of a conflict or inconsistency between this Local Law and any previous Local Law or Resolution of the Cayuga County Legislature, the terms of this Local Law shall govern.

SECTION 5: SAVINGS CLAUSE. It is the intent of the Legislature that in the event that any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment, decree or order shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment, decree or order shall have been rendered and that the remainder of this Local Law shall not be affected thereby and shall remain in full force and effect.

SECTION 6: EFFECTIVE DATE. This Local Law shall take effect upon filing with the New York State Secretary of State. Motion by Pinckney, 2nd by Vitale, passed by majority vote; Ayes – Whitman, Dennison. Vitale, Petrus, Pinckney, Batman, Nightengale, Daly, Kerr, Foley, and McNabb-Coleman; Noes – Pecher, Strong, Lattimore, and Didio; 659/224.

Motion by Pinckney to go into executive session at 7:46PM, 2nd by Foley, all in favor.

Motion by Vitale to come out of executive session at 8:01PM, 2nd by Nightengale, all in favor.

**RESOLUTION NO. 190-21 6-22-21 COL Amend Policy 065
Amending Cayuga County Policy No. 065, pre-employment drug testing**

BY: Hon. Ryan Foley, Chair, Government Operations
 Hon. Keith Batman, Chair, Ways & Means

WHEREAS, recent changes in New York State Law involving the use of marijuana, both recreationally and medically; and
WHEREAS, Cayuga County Policy No. 065, Pre-Employment Drug Testing Policy, includes marijuana in the schedule of drugs which are tested; and

WHEREAS, after due deliberation, the county considers testing and disqualification of employment for individuals testing positive for marijuana to be an impediment to hiring qualified individuals; now, therefore be it

RESOLVED, that County Policy No. 065, Pre-Employment Drug Testing Policy is hereby amended, effective immediately, as set forth in the annexed policy statement.

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

Adopting Local Law No. 5 for the year 2021, “a Local Law establishing the Cayuga County Ethics Code and Board of Ethics for the County of Cayuga.”

BY: Hon. Ryan Foley, Chair, Government Operations Committee
Hon. Keith Batman, Chair, Ways & Means Committee

WHEREAS, Local Law No. 5 for the year 2021 was presented to the Cayuga County Legislature on May 25, 2021; and
WHEREAS, pursuant to law and after proper notice being duly given, the County Legislature held a public hearing on said Local Law No. 5 for 2021 on June 22, 2021 at 6:00 P.M.; now, therefore be it

RESOLVED, that Local Law No. 5 of 2021, entitled “A LOCAL LAW ESTABLISHING THE CAYUGA COUNTY ETHICS CODE AND BOARD OF ETHICS FOR THE COUNTY OF CAYUGA.” as so designated, be and the same is hereby enacted, waiving any and all defects and informalities in the adoption thereof.

STATE OF NEW YORK

COUNTY OF CAYUGA COUNTY

LOCAL LAW 5 FOR THE YEAR 2021 A LOCAL LAW ESTABLISHING THE CAYUGA COUNTY ETHICS CODE AND BOARD OF ETHICS FOR THE COUNTY OF CAYUGA.

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

SECTION 1 – TITLE:

This Local Law shall be known and may be cited as the “Cayuga County Ethics Code”.

SECTION 2 – LEGISLATIVE INTENT:

The Legislature of the County of Cayuga finds that the vast majority of County officers and employees serve their constituents honestly and zealously. County officers and employees must also recognize that in a democratic society, even the appearance of impropriety may significantly undermine the public’s confidence in the officials who serve them.

The Legislature further finds that an effective ethics code for County officers and employees should improve both the perception and the reality of integrity in local government and should also encourage, not discourage, citizens from participating in that government.

This local ethics code seeks to fulfill those goals.

SECTION 3 – PURPOSE:

The purposes of this Local Law are:

- 1) To establish high standards of ethical conduct for officers and employees of Cayuga County;
- 2) To afford officers and employees of the County clear guidance on such standards;
- 3) To promote public confidence in the integrity of the governance and administration of the County and its agencies and administrative offices;
- 4) To facilitate consideration of potential ethical problems before they arise, minimize unwarranted suspicion, and enhance the accountability of government to the people by requiring a disclosure of financial interests that may influence or be perceived to influence the actions of County officers or employees; and
- 5) To provide for the fair and effective administration of the Ethics Code.

SECTION 4 – AUTHORITY:

This Local Law is enacted pursuant to section 806 of the General Municipal Law of the State of New York and section 10 of the Municipal Home Rule Law and is not intended to authorize any conduct prohibited by Article 18 of the General Municipal Law. This Local Law also supplements other provisions of law regulating ethics in local government, such as section 107 of the Civil Service Law of the State of New York.

SECTION 5 – SUPERSCEDING OF GENERAL MUNICIPAL LAW § 808; RESCINDING OF EXISTING COUNTY CODE OF ETHICS:

- 1) To the extent this Local Law is inconsistent with the provisions of section 808 of the General Municipal Law, this Local Law shall supersede those provisions.
- 2) The Cayuga County Code of Ethics and Code of Board found in Resolution 122-18, 249-12, and 70-60 are hereby rescinded in its entirety by this Local Law.

SECTION 6 – ADOPTING OF THE CAYUGA COUNTY ETHICS CODE:

The Cayuga County Legislature hereby enacts the “Cayuga County Ethics Code” as provided in Appendix A.

SECTION 7 – SEVERABILITY CLAUSE:

If any clause, sentence, paragraph, section or part of this Local Law or Ethics Code shall be adjudged by any court of complete jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 8 – ADMINISTRATIVE:

- 1) Within thirty (30) business days of the effective date of this Local Law, the Chair of the Legislature, shall cause a copy of the Cayuga County Ethics Code and disclosure requirements set forth herein to be distributed to every officer and employee of the County. Thereafter, a copy of this Local Law and disclosure requirements shall be provided to each new officer or employee within ten (10) business days of employment or assuming office as the case may be.
 - a) Failure to distribute any such copy or failure to any County officer or employee to receive such copy shall have no effect on the duty of compliance with this Local Law, nor the enforcement of provisions hereof.
- 2) Within thirty (30) business days of the effective date of this Local Law, the Chair of the Legislature, shall cause a summary of the Cayuga County Ethics Code and disclosure requirements set forth herein to be posted conspicuously in every public building under the jurisdiction of the County.

- a) Failure to so post this Local Law and Ethics Code shall have no effect on the duty of compliance herewith, nor the enforcement of provisions hereof.

SECTION 9 – EFFECTIVE DATE:

This Local Law shall take effect immediately upon filing in the office of the Secretary of State and in compliance with all applicable provisions of law.

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

**RESOLUTION NO. 192-21 June 22, 2021 IT Appoint CIO
Appointing Thomas A. Bunn Jr. as Chief Information Officer for Cayuga County**

BY: Hon. Ryan Foley, Chair, Government Operations Committee

 Hon. Keith Batman, Chair, Ways & Means Committee

WHEREAS, the Chief Information Officer (CIO) position in Cayuga County has been vacant since 2019 during which time the county has utilized the services of an outside firm to manage the infrastructure of the county's IT operations; and

WHEREAS, the Legislature has conducted a diligent search for its next CIO, and after considerable deliberation, has chosen to offer the position to Thomas A. Bunn Jr.; and

WHEREAS, Thomas A. Bunn Jr., having been offered the position, has accepted the position of CIO; now, therefore be it

RESOLVED, that the Cayuga County Legislature hereby appoints Thomas A. Bunn Jr. as the CIO for Cayuga County at an annual salary of \$105,000.00 and effective June 22, 2021, and be it further

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

Motion by Kerr, 2nd by Strong.

Motion by Foley to add the name Thomas Bunn and the salary \$105,000.00, 2nd by Pinckney, all in favor.

Motion by Pinckney on resolution as amended, 2nd by Daly, all in favor.

Adopting Local Law No. 6 for the year 2021, A Local Law authorizing 12 And 13 Year Old Licensed Hunters To Hunt Deer With A Firearm Or Crossbow During Hunting Season With The Supervision Of An Adult Licensed Hunter Pursuant To Environmental Conservation Law Section 11-0935.

BY: Hon. Paul Pinckney, Chair, Planning Committee
Hon. Keith Batman, Chair, Ways & Means Committee

WHEREAS, Local Law No. 6 for the year 2021 was presented to the Cayuga County Legislature on May 25, 2021; and WHEREAS, pursuant to law and after proper notice being duly given, the County Legislature held a public hearing on said Local Law No. 6 for 2021 on June 22, 2021 at 6:00 P.M.; now, therefore be it

RESOLVED, that Local Law No. 6 of 2021, entitled "A LOCAL LAW AUTHORIZING 12 AND 13 YEAR OLD LICENSED HUNTERS TO HUNT DEER WITH A FIREARM OR CROSSBOW DURING HUNTING SEASON WITH THE SUPERVISION OF AN ADULT LICENSED HUNTER PURSUANT TO ENVIRONMENTAL CONSERVATION LAW SECTION 11-0935." as so designated, be and the same is hereby enacted, waiving any and all defects and informalities in the adoption thereof.

COUNTY OF CAYUGA

LOCAL LAW NO. 6 OF THE YEAR 2021

A LOCAL LAW AUTHORIZING 12 AND 13 YEAR OLD LICENSED HUNTERS TO HUNT DEER WITH A FIREARM OR CROSSBOW DURING HUNTING SEASON WITH THE SUPERVISION OF AN ADULT LICENSED HUNTER IN ACCORDANCE WITH ENVIRONMENTAL CONSERVATION LAW SECTION 11-0935

BE ENACTED BY the County Legislature of the County of Cayuga, as follows:

SECTION 1 – LEGISLATIVE INTENT:

The intent of this Local Law is to authorize Cayuga County to permit 12 and 13 year old individuals to participate in the new and safe hunting opportunities in accordance with Environmental Conservation Law § 11-0935. The enacted 2021-2022 New York State Budget, include a pilot program, allowing the opportunity for young hunters, ages 12 and 13, to hunt deer with firearms and crossbows through 2023 if a county authorizes such action within their municipality. Cayuga County is passing this Local Law as deer hunting is a valued tradition for many families, and this new opportunity allows experienced, adult hunters to introduce the value of hunting to the next generation. Furthermore, teaching young people safe, responsible, and ethical hunting practices will ensure a rewarding experience for the youth, while providing quality food to families and contributing to important deer management population control practices.

SECTION 2 - PILOT PROGRAM AUTHORIZATION

Pursuant to Environmental Conservation Law, ECL § 11-0935, Cayuga County elects to participate in the temporary program to allow for young hunters, ages twelve (12) and thirteen (13), to hunt deer with a firearm, to include rifles, shotguns, and muzzle-loading firearms or crossbows through 2023.

SECTION 3 – STATE REQUIREMENTS TO ADHERE TO ONCE AUTHORIZED

Twelve (12) and thirteen (13) year old licensed hunters shall be allowed to hunt deer with the following requirements to be followed:

- Twelve (12) and thirteen (13) year old licensed hunters shall be allowed to hunt deer under the supervision of a licensed adult hunter, age 21 years or older, with a rifle, shotgun, or muzzle-loading firearm in areas where and during the hunting season in which such firearms may be used; and
- Twelve (12) and thirteen (13) year old licensed hunters shall be allowed to hunt deer under the supervision of a licensed adult hunter, age 21 years or older, with a crossbow during the times when other hunters may use crossbows; and
- Supervision of a licensed adult hunter, age twenty-one (21) years or older, with at least three (3) years of experience who exercises physical control over the youth hunter at all times is required;
- For the purposes of this Local Law "physical control" shall mean that the physical proximity of such minor to the parent, guardian or person (licensed adult hunter) is such that the parent, guardian or person (licensed adult hunter) is reasonably able to issue verbal directions and instructions, maintain constant visual contact, and otherwise provide guidance and supervision to the minor; and
- All licensed twelve (12) and thirteen (13) year old hunters, as well as their adult supervisors, shall be required to wear fluorescent orange or pink clothing while engaged in hunting to an extent and covering so designated pursuant to the law, rules, and regulations promulgated by the State of New York; and
- All licensed twelve (12) and thirteen (13) year old hunters shall remain at ground level while hunting deer with a crossbow, rifle, shotgun, or muzzle-loading firearm; and
- Notwithstanding any State or Federal Law to the contrary, this local law shall not authorize the hunting of bear by a twelve (12) or thirteen (13) year old with a firearm or crossbow.

SECTION 4 – LOCAL LAW FILING REQUIREMENTS

A copy of this Local Law shall be sent to the New York State Department of Conservation as well as the New York State Department of State.

SECTION 5 – SEVERABILITY

If any clause, sentence, paragraph, subdivision, section or part of this 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 or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 6 – EFFECTIVE DATE

This Local Law shall take effect immediately upon filing and publication in accordance with Section 27 of the Municipal Home Rule. Motion by Vitale, 2nd by Batman, all in favor.

Authorizing filling of full-time Administrative Assistant within the department of Planning and Economic Development due to a pending retirement

BY: Hon. Paul Pinckney, Chair, Planning and Economic Development Committee
Hon. Keith Batman, Chair, Ways and Means Committee

WHEREAS, the Full Time Administrative Assistant in the Cayuga County Department of Planning & Economic Development (Pos. #002361) is scheduled to retire on or before December 31, 2021; and

WHEREAS, the administrative responsibilities and job functions in the department encompass department finances and budget management, grant administration for multiple grants in Planning and other departments, administration of department payroll and human resource matters, management of the front desk and resident/customer inquiries; and

WHEREAS, transfer of the Full Time Administrative Assistant responsibilities will require direct orientation and training of a new hire in the position, by the incumbent Administrative Assistant, to ensure continuity of operations and a smooth transition; and

WHEREAS, authorization to fill this position on or after ~~August~~ September 2, 2021 will allow the department to interview and hire the replacement candidate and allow the incumbent FT Administrative Assistant and Director with sufficient time to orient and train the new hire before the planned retirement of the incumbent; and

WHEREAS, this transition plan can be implemented without any fiscal impact to the department's FY21 salary budget with no additional cost to the county; and

WHEREAS, filling this Non-Bargaining, Full-Time position at the annual minimum salary from the FY21 Compensation Plan will result in an annual department salary savings of \$7,500 going forward; and

WHEREAS, the department has submitted a Request to Fill Form that has been reviewed and approved by the HR Director and Chair of the Legislature with support for this department transition plan; NOW, THEREFORE BE IT

RESOLVED, by the Cayuga County Legislature that the Director of Planning is hereby authorized to fill the FT Administrative Assistant Position, Control #2361, at an annual salary of \$53,400.00, on or after ~~August~~ September 2, 2021 with a six-month sunset date for hiring authorization of February 2, 2022, unless extended thereto by the County Legislature; and

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

Motion by Petrus, 2nd by Pinckney.

Motion by Pinckney to amend to fill on or after September 2, 2021, 2nd by Petrus.

Daly recommends referring it back to Planning Committee, 2nd by Nightengale.

Vote to refer the resolution back to committee is defeated by majority vote; Noes – Whitman, Dennison, Petrus, Pinckney, Pecher, Strong, Kerr, Lattimore, Didio, and Foley; Ayes – Vitale, Batman, Nightengale, Daly, and McNabb-Coleman; 563/320.

Motion on amendment to fill position in September; passed by majority vote; Ayes – Whitman, Dennison, Vitale, Petrus, Pinckney, Pecher, Strong, Kerr, Lattimore, Didio, and Foley; Noes – Batman, Nightengale, Daly, and McNabb-Coleman; 628/255.

All in favor of resolution as amended.

RESOLUTION NO. 195-21 6/22/2021 Bld Repair Historic Post Office Masonry 6 2021 rev

Authorizing the restoration of the North Parapet Masonry at the Historic Post Office Building

By: Hon. Tucker Whitman, Chair, Public Works

Hon. Keith Batman, Chair, Ways and Means

WHEREAS, the North Parapet of the The Historic Post Office building is showing signs of failure due to water infiltration and the expansion and contraction of the masonry; and

WHEREAS, the Superintendent of Buildings and Grounds hired Crawford & Stearns Architects to develop specifications and scopes of work to correct the problem; and

WHEREAS, Crawford & Stearns developed two scopes for the work with Option 1 retaining the coping stones in place and Option 2 removing and resetting the coping stones; and

WHEREAS, the Director of Purchasing issued ITB 2021-22 to solicit bids for this work; and

WHEREAS, three bids were received for this project with Heritage Masonry Restoration Inc. being low bidder for both options with their bid for Option 1 being \$44,445.00 and Option 2 being \$81,765.00; and

WHEREAS, the Superintendent of Buildings and Grounds consulted with Crawford & Stearns and was advised "Option 2 is a more thorough approach and will resolve more issues long term" and "that Heritage's bid is appropriate for the level of work" at a cost of \$81,765.00; and

WHEREAS, the Cayuga County Building Repair Reserve Account A18400 currently has a balance of approximately \$590,452 that could be used for this restoration; and

WHEREAS, the Cayuga County Legislature held a public hearing on June 22, 2021, in accordance with N.Y. Gen. Mun. Law § 6-d, in anticipation of authorizing the \$81,765.00 to be paid from the Building Repair Reserve Account A18400,

WHEREAS, the Legislature has determined that this repair does not recur annually or less frequently, and that it falls within the purpose for which the Building Repair Reserve was established; now, therefore be it

RESOLVED, that the Chair of Legislature is authorized to sign any necessary documents to carry out the intent of this resolution subject to the approval of the County Attorney as to form; and be it further

RESOLVED, that the Budget Director and County Treasurer are hereby authorized and directed to transfer funds in the amount of \$81,765.00 from the Buildings Repair Reserve Account A18400 to account A16234-54178 Construction/Renovation to carry out the intent of this resolution.

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

RESOLUTION NO. 196-21 6/22/21 HWY Purch. Cat 938M

Authorization for the Highway to purchase highway equipment

BY: Tucker Whitman, Chairman of the Public Works Committee

Keith Batman, Chairman of the Ways & Means Committee

WHEREAS, resolution #163-21 authorized funds in the amount of \$661,000 to be transferred in to DM51302 52002 Trucks; and

WHEREAS, the County wishes to purchase a 2020 Caterpillar 938M loader with broom and pallet forks per NYS OGS Contract # PC66988 in the amount not to exceed \$125,600; and

WHEREAS, Milton Cat has agreed to take the following existing surplus equipment on trade to offset the purchase price:

C-078	2005 Etnyre Chip Spreader	(15,000)
C-068	1992 Champion 720A Grader	(25,000)
C-069	1988 Cat 120G Grader	(22,000)
C-044	2002 Cat 938G Loader	(14,000)

RESOLVED, the Highway Superintendent is authorized exchange the above equipment and to purchase Caterpillar 938M from appropriated and budgeted funds in DM51302 52002 not to exceed \$125,600, be it further;

RESOLVED, that the purchases comply with all County purchasing policies, and be it further;

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to make the journal and accounting entries necessary to carry out the intent of this resolution.

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

RESOLUTION NO. 197-21

6/22/21

BLD Authorize Contract for Electrical Work

Authorizing contract with O'Connell Electric Co. to install electric cable and equipment to convert electric service for the PSB and related buildings to NYSEG

BY: Hon. Tucker Whitman, Chair, Public Works Committee
Hon. Keith Batman, Chair, Ways & Means Committee

WHEREAS, the County owns, operates and maintains the Public Safety Building and Annex with a mailing address at 7445 County House Road, Auburn, New York (the "County House Road Campus"); and

WHEREAS, the Soil & Water Conservation District ("District") has constructed a Regional Methane Digester ("Digester") designed to produce and provide reliable, renewable electricity to the District Offices and the County House Road Campus through the recovery and reuse of natural resources and related by-products produced throughout the County; and

WHEREAS, CH4 GENERATE CAYUGA, LLC, a Delaware limited liability company ("CH4") is the operator of the Digester and has notified the District and the County that they intend to shut down the Digester for the purpose of conducting repairs, rehabilitation and construction during the period of approximately March 1, 2021 through October 1, 2021; and

WHEREAS, the County as heretofore purchased electric power from the District which was supplied by CH4; and

WHEREAS, after extensive negotiations, it is now apparent to both the County and the District that purchasing electric power from CH4 is no longer economical and therefore wish to convert their facilities to receive power from NYSEG; and

WHEREAS, the District has offered its assistance to complete this conversion by agreeing to perform the excavations necessary to install the electric cabling; and

WHEREAS, consistent with County purchasing policies, the County has issued an RFP and received bids for the purpose of installing the electric cabling and related equipment that are necessary to convert the PSB and related County facilities to receive electric power through NYSEG; and

WHEREAS, the County Legislature wishes to award the contract for this work to the lowest responsible bidder; and

WHEREAS, the County Legislature wishes to further authorize such other and further agreements with NYSEG and Direct Energy, the County's current suppliers, to enable and complete the conversion of the County House Road Campus to receive power from NYSEG; now, therefore be it

RESOLVED, that the Cayuga County Legislature hereby authorizes and directs the Chair of the Legislature to enter into a contract with O'Connell Electric Company for the installation of electric cabling and related equipment at a contract price of \$49,550.00; and it is further

RESOLVED, that the Chair of the Legislature and the Superintendent of Buildings and Grounds is hereby authorized and directed to execute and deliver such other and further agreements, documents, and writings with NYSEG and Direct Energy in order to complete the conversion of the County House Road Campus to receive electric power from the grid.

Motion by Vitale, 2nd by Strong, all in favor except Pinckney and Lattimore and Whitman abstains.

RESOLUTION NO. 198-21

06/22/21

SHR Deputy Contract Rate

Authorize the Cayuga County Sheriff to charge a rate of \$80.00 an hour for Deputy Sheriffs working pursuant to agreements entered into with municipalities, fire departments, school districts, organizations and other entities

By: Hon. Benjamin Vitale, Chairman, Judicial & Public Safety and
Hon. Keith Batman, Chairman Ways & Means

WHEREAS, The Cayuga County Sheriff has been authorized by the Cayuga County Legislature to contract with municipalities, fire departments, school districts, organizations, and other entities to provide services through Resolutions 178-03 and 216-03; and

WHEREAS, the rate of pay for these services will be set at \$80.00 per hour; now there be it

RESOLVED, that the Cayuga County Sheriff shall be authorized to enter into contract agreements with municipalities, fire departments, school districts, organizations, and other entities to provide police services for a charge of \$80.00 per hour for the years of 2021-2025; and be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to make the journal and accounting entries necessary to accomplish the terms of any said Agreement.

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

RESOLUTION NO. 199-21

06/22/21

SHR Fill Custody Vacancies

Authorize the Sheriff to fill five (5) vacant Sheriff Custody Officer Positions in the Custody Division of the Cayuga County Sheriff's Office

By: Hon. Benjamin Vitale, Chairman, Judicial & Public Safety and
Hon. Keith Batman, Chairman Ways & Means

WHEREAS, five vacancies in the Cayuga County Sheriff's Department Custody Division exist due to resignations (Position Control No.'s 001957-SYS, Position Control No.'s 004707-SYS, Position Control No.'s 007225-SYS, Position Control No.'s 006308-SYS, Position Control No.'s 004717-SYS); and

WHEREAS, the services provided by these Sheriff Custody Officer positions are critical for smooth and efficient operations of the Sheriff's Office Custody Division and maintaining safety and well-being in Cayuga County Jail; and

WHEREAS, these positions are clearly designated and accepted in the 2021 Cayuga County Sheriff's Custody Salaries Operating Budget Line - Salaries Full Time (A31501 51001); now therefore be it

WHEREAS, The County Administrator and Human Resources Department have reviewed and approved the Authorization to Fill required for legislative action on the requested vacancies; now therefore be it

RESOLVED, that the Sheriff be hereby authorized and directed to fill five Sheriff Custody Officer positions; and be it further

RESOLVED, the employees hired will be placed at the appropriate step within the Sheriff's Employee Association of Cayuga County (SEACC) Compensation Plan for 2021; and be it further

RESOLVED, that this position be filled in accordance with the Civil Service Rules and Regulations and the Policies of the County of Cayuga.

RESOLVED, that the Authorization to Fill is valid through December 22, 2021; and be it further

RESOLVED. That this resolution shall take effect immediately.

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

RESOLUTION NO. 200-21

06/22/21

SHR Fill Custody RN Vacancy

Authorize the Sheriff to fill one (1) vacant Registered Professional Nurse position in the Custody Division of the Cayuga County Sheriff's Office

By: Hon. Benjamin Vitale, Chairman, Judicial & Public Safety and
Hon. Keith Batman, Chairman Ways & Means

WHEREAS, one vacancy in the Cayuga County Sheriff's Department Custody Division exists due to a resignation. (Position Control No.'s 007664-SYS); and

WHEREAS, this position is mandated by the NYS Commission of Corrections and is clearly designated and accepted in the 2021 Cayuga County Sheriff's Custody Salaries Operating Budget Line - Salaries Full Time (A31501 51001); now therefore be it

RESOLVED, that the Sheriff be hereby authorized and directed to fill one Registered Professional Nurse position; and be it further

RESOLVED, the employee hired will be placed at the appropriate step within the Sheriff's Employee Association of Cayuga County (SEACC) Compensation Plan for 2021; and be it further

RESOLVED, that this position be filled in accordance with the Civil Service Rules and Regulations and the Policies of the County of Cayuga.

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

RESOLUTION NO. 201-21**6/22/21****DA Create Fill Deputy Chief ADA Position****Authorizing the creation and filling of the position of Deputy Chief Assistant District Attorney**

BY: Hon. Benjamin P. Vitale, Chairman, Judicial & Public Safety; and
Hon. Keith M. Batman, Chairman, Ways and Means

WHEREAS, there is a need for a Deputy Chief Assistant District Attorney to support the District Attorney in the day to day management of Administrative Operations and Prosecution Services; and

WHEREAS, this position is responsible for prosecuting serious criminal cases, oversight and training of the Article 245 Discovery Unit as well as new/less experienced Assistant District Attorneys. Position responsible for various day to day administrative and operational management functions in furtherance of the department's mission to protect community and ensure justice, by providing quality prosecution services, victim services, and crime prevention assistance; 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 the Deputy Chief Assistant District Attorney, and classified the position with the jurisdictional class allocation being Exempt; and

WHEREAS, funding for the newly created Deputy Chief Assistant District Attorney exists in the 2021 County District Attorney budget line A11651; and

WHEREAS, the Cayuga County Legislature is desirous of providing the District Attorney with adequate resources as deemed necessary by the District Attorney to prosecute crime in Cayuga County and protect its Citizens; now therefore be it

RESOLVED, that the Cayuga County Legislature creates a Deputy Chief Assistant District Attorney position in the District Attorney's Office with the jurisdictional classification allocation being Exempt; and be it further

RESOLVED, that the salary for the Deputy Chief Assistant District Attorney be set at a Grade 11 (minimum salary \$79,190) and be placed in Part IV of the Cayuga County Non-Bargaining Compensation Plan; and be it further

RESOLVED, that the District Attorney be authorized to fill the Deputy Chief Assistant District Attorney position in accordance with the Civil Service Rules and Regulations and the Policies of the County of Cayuga; and be it further

RESOLVED, that upon creation of Deputy Chief Assistant District Attorney, the position of a Senior Assistant District Attorney will become vacant/unfunded.

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

RESOLUTION NO. 202-21**06/22/21****SHR Fill Custody RN Vacancy****Authorize the Sheriff to fill one (1) vacant Registered Professional Nurse position in the Custody Division of the Cayuga County Sheriff's Office**

By: Hon. Benjamin Vitale, Chairman, Judicial & Public Safety and
Hon. Keith Batman, Chairman Ways & Means

WHEREAS, a vacancy in the Cayuga County Sheriff's Department Custody Division exists due to a resignation. (Position Control No.'s 001992-SYS); and

WHEREAS, this position is mandated by the NYS Commission of Corrections and is clearly designated and accepted in the 2021 Cayuga County Sheriff's Custody Salaries Operating Budget Line - Salaries Full Time (A31501 51001); now therefore be it

RESOLVED, that the Sheriff be hereby authorized and directed to fill one Registered Professional Nurse position; and be it further

RESOLVED, the employee hired will be placed at the appropriate step within the Sheriff's Employee Association of Cayuga County (SEACC) Compensation Plan for 2021; and be it further

RESOLVED, that the Sheriff be authorized to allow for up to 80 hours of cross-training for the successor by the current Professional Registered Nurse consistent with Civil Services Rules; and be it further

RESOLVED, that this position be filled in accordance with the Civil Service Rules and Regulations and the Policies of the County of Cayuga.

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

Motion by Foley to go into executive session at 8:29PM, 2nd by Vitale, all in favor.

Motion by Pinckney to come out of executive session at 9:10PM, 2nd by Lattimore, all in favor.

Motion by Nightengale to adjourn at 9:11PM, 2nd by Vitale, all in favor.

CAYUGA COUNTY LEGISLATURE

**160 Genesee Street
Auburn, New York 13021**

PROCLAMATION

Cayuga County Salutes

UPSCO

Tuesday, June 22, 2021

WHEREAS, in our society it is an important civic responsibility and a great honor for any governmental body to grant public recognition and admiration to those who so profoundly support our shared commitment to build and strengthen our community; and

WHEREAS, founded in 1965 by Carl Weber and Ray McCarthy, UPSCO was birthed from their vision to support the natural gas industry and the Utility companies that operate within it. UPSCO employees, Jim Bean and Jim Newhart purchased the organization in 1974 and guided the firm until 2004. At that time, Vice President of Operations Andy Boos and Vice President of Sales and Marketing Dan Pajak purchased the company with a vision of elevating UPSCO to the upper echelons of the industry and have since experienced an increase positive impact on the lives of the company's stakeholder under their leadership; and

WHEREAS, UPSCO is headquartered at the South end of Owasco Lake in the Town of Moravia, a jewel of a community. The organization maintains roots to the community where it was birthed in 1965 and has grown to become one of the largest employers in their geographical footprint. Many of UPSCO's aforementioned stakeholders are Moravia residents and UPSCO employees; and

WHEREAS, UPSCO focuses on two types of natural energy, the first conveyed to the homes, business and industries that drive our economy; the second, the energy generated by the relationships in which we engage; and

WHEREAS, UPSCO maintains a National presence with sales offices throughout the North East, Central, Appalachian and Mid-Atlantic United States. UPSCO distributes and supply's products for all underground infrastructure technology and services. UPSCO manufacturing capabilities include producing custom designs to meet your specifications or fashioning specialized assemblies based off your needs; now, therefore be it

RESOLVED that I, Aileen M. McNabb-Coleman, Chairman of the Cayuga County Legislature, and fellow Legislators do hereby proclaim our gratitude and urge the residents of our County to join with us in recognizing the significant achievements made by **UPSCO, Manufacturing, Distribution, and Service for the Natural Gas Industry.**

**IN WITNESS WHEREOF I HAVE HEREUNTO SET MY
HAND AND CAUSED THE SEAL OF THE COUNTY OF
CAYUGA TO BE AFFIXED ON THIS TWENTY-SECOND
DAY OF JUNE 2021**

**AILEEN M. MCNABB-COLEMAN, CHAIR
CAYUGA COUNTY LEGISLATURE**

CAYUGA COUNTY LEGISLATURE

**160 Genesee Street
Auburn, New York 13021**

P R O C L A M A T I O N

***Cayuga County Salutes Auburn High School
Football Team
Tuesday, June 22, 2021***

WHEREAS, in our society it is an important civic responsibility and a great honor for any governmental body to grant public recognition and admiration to those who so profoundly support our shared commitment to build and strengthen our community; and

WHEREAS, attendant to such duties and concerns, and fully in accord with long standing traditions, it is the intent of the Cayuga County Legislature, the residents of Cayuga County, and other individuals and organizations, to recognize the 2020-2021 Auburn High School Varsity Football Team for defeating Fayetteville-Manlius in triple overtime to secure their first undefeated season since 1975; and

WHEREAS, in the 130th year of Auburn High School Football, the Auburn High School Varsity Football Team has achieved its 16th undefeated season and Coach Dave Moskov has achieved 103 wins as an Auburn Maroons Head Football Coach; and

WHEREAS, the athletic talent displayed by this team is due in great part to the efforts, commitment and dedication of Coaches Dave Moskov, Matt Moskov, Chris Kudla, Colin Parry, Dan Pesarchick, Omar Bailey, Mark Smith, Anthony Adams, and Adam Hurd; all skilled and inspirational mentors, respected for their ability to provide the necessary structures and strategies to develop potential into excellence; and

WHEREAS, the successes of this team are, in part, due to the behind the scenes efforts and commitment of support staff: Athletic Trainer, Frank Walczak; Equipment Supervisor, Tom Coomber; and Team Manager, Eric Fritz; all of whom provided invaluable assistance in supporting the coaches and players in team development; and

WHEREAS, the Auburn Board of Education members had the wisdom and insights to permit interscholastic athletics in Auburn during the COVID pandemic, the proactive guidance and leadership of Superintendent Jeff Pirozzolo, Athletic Director Tamela Ray, and High School Principal Brian Morgan paved the way daily to provide for the safe resumption of athletics, and progressively lessen restrictions to allow Auburn student-athletes to have positive athletic opportunities and experiences; and

WHEREAS, the Auburn Maroons have so clearly enhanced, and yet endeared that commitment to excellence in all endeavors, which is the daily manifestation of the student-body, faculty, and administrative staff of Auburn High School; and whereas through their long and sustained commitment to excellence in interscholastic football, the Auburn Maroons have so selfishly advanced that spirit of united purpose and shared concern which is the unaltered manifestation of our American experience; now, therefore be it

RESOLVED that I, Aileen M. McNabb-Coleman, Chairman of the Cayuga County Legislature, and fellow Legislators do hereby proclaim our gratitude and urge the residents of our County to join with us in recognizing the significant achievements made by **the Auburn Varsity Football Team**.

**IN WITNESS WHEREOF I HAVE HEREUNTO SET MY
HAND AND CAUSED THE SEAL OF THE COUNTY OF
CAYUGA TO BE AFFIXED ON THIS TWENTY-SECOND
DAY OF JUNE 2021**

**AILEEN M. MCNABB-COLEMAN, CHAIR
CAYUGA COUNTY LEGISLATURE**

CAYUGA COUNTY LEGISLATURE
160 Genesee Street
Auburn, New York 13021

P R O C L A M A T I O N

JUNETEENTH DAY

Saturday, June 19, 2021

WHEREAS, Juneteenth is a worldwide celebration which commemorates the end of slavery in the United States of America, it celebrates African American freedom and achievement, while encouraging continuous self-development and respect for all cultures; and

WHEREAS, on the 22nd day of September, 1862, a proclamation was issued by the President of the United States, containing the following: “That on the 1st day of January, A.D. 1863, all persons held as slaves within any State of designated part of a State the people whereof shall then be in rebellion against the United States shall be then, thenceforward, and forever free; and the executive government of the United States, including the military and navel authority thereof, will recognize and maintain the freedom of such persons and will do no act of acts to repress such persons, or any of them, in any efforts they may make for their actual freedom.”; and

WHEREAS, June 19, 1865 is recognized as the day that Galveston, Texas received that all slaves had been formally emancipated by President Lincoln; and

WHEREAS, Juneteenth grew to become a national event during which African American communities gathered to share in the spirit of the day, featuring outdoor activities, food, and prayer services. It is the oldest nationally celebrated commemoration of the ending of slavery in the United States; and

WHEREAS, Juneteenth celebrations declined in the early 20th century, the result of educational focus which emphasized the Emancipation Proclamation, shifts in the workforce due to the Great Depression, and popularity of the July 4th holiday; and

WHEREAS, we pay tribute to the journey, we acknowledge the many roles and contributions of the African American spirit to our society, from Harriet Tubman’s work as a conductor of the Underground Railroad to the trail blazers of today; and

WHEREAS, no matter our race religion, gender, or sexual orientation, we recommit ourselves to honoring the efforts of those who fought so hard to steer our country toward our highest ideals; now, therefor be it

RESOLVED that I, Aileen M. McNabb-Coleman, Chairman of the Cayuga County Legislature, and fellow Legislators do hereby proclaim our gratitude and urge the residents of our County to observe, **June 19, 2021, Juneteenth Day** with appropriate civic, community and activities embracing the past as well as the future that only unity, respect and appreciation can bring.

**IN WITNESS WHEREOF I HAVE HEREUNTO SET MY
HAND AND CAUSED THE SEAL OF THE COUNTY OF
CAYUGA TO BE AFFIXED ON THIS TWENTY-SECOND
DAY OF JUNE 2021**

**AILEEN M. MCNABB-COLEMAN, CHAIR
CAYUGA COUNTY LEGISLATURE**