

AGENDA
Legislative Resolution Review Committee
Wednesday, June 3, 2020 at 9:00 a.m.

Via Zoom Teleconference and live stream through YouTube at the following link:
https://www.youtube.com/channel/UCLdXCuEpgPxuY0nsSdVU_AA

REGULAR MEETING AGENDA ITEMS APPROVED BY LEGISLATIVE STANDING COMMITTEES AND/OR RESOLUTIONS OFFERED BY INDIVIDUALS FOR REVIEW/DISCUSSION:

1. AUTHORIZE CONTRACT WITH THE OFFICE OF INDIGENT LEGAL SERVICES (OILS) FOR THE SECOND CONTINUE PROVISION OF COUNSEL AT FIRST APPEARANCE GRANT – PUBLIC DEFENDER
2. CALL UPON THE UNITED STATES AND ALLIED INTELLIGENCE COMMUNITIES AND UNITED NATIONS AGENCIES SEPARATE FROM THE WORLD HEALTH ORGANIZATION TO FULLY INVESTIGATE AND, IF WARRANTED, REFER FOR PROSECUTION THE ROLE OF THE CHINESE COMMUNIST GOVERNMENT AND OFFICIALS IN THE ORIGIN, SPREAD AND COVER-UP OF COVID-19 CORONAVIRUS
3. AUTHORIZE GRANT CONTRACT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH FOR THE 2020-2021 EARLY INTERVENTION CYCLE – PUBLIC HEALTH
4. AUTHORIZE TWO-YEAR CONTRACT WITH ASPIREHOPENY, INC. FOR FAMILY SUPPORT AND PARENT ADVOCACY SERVICES – COMMUNITY SERVICES
5. AUTHORIZE AMENDMENT TO EXISTING INTERMUNICIPAL AGREEMENT WITH THE VILLAGE OF MONTOUR FALLS AND AUTHORIZE USE OF ECONOMIC DEVELOPMENT FUNDS FOR EXPENSES RELATED TO THE CATHARINE VALLEY TRAIL
6. RESOLUTION IN SUPPORT OF PENDING BILLS IN NEW YORK STATE LEGISLATURE, S08326 AND A10449, “ELIMINATES THE POWERS OF THE GOVERNOR TO ISSUE ANY DIRECTIVE NECESSARY TO RESPOND TO A STATE DISASTER” TO RESTORE NECESSARY CHECKS AND BALANCES AND PRESERVE SEPARATE OF POWERS
7. RESOLUTION OF SUPPORT FOR FEDERAL BIPARTISAN “STATE AND MUNICIPAL AID FOR RECOVERY AND TRANSITION (SMART) FUND” LEGISLATION
8. AUTHORIZE AMENDMENT TO THE LEASE CONTRACT WITH TOSHIBA BUSINESS SOLUTIONS FOR COPIERS – PURCHASING
9. STANDARD WORKDAY AND REPORTING RESOLUTION FOR THE YEAR 2020
10. AUTHORIZE DISTRIBUTION OF MORTGAGE TAX RECEIPTS PURSUANT TO SECTION 261 OF THE NEW YORK STATE TAX LAW FOR THE PERIOD OF OCTOBER 1, 2019 THROUGH MARCH 31, 2020
11. AUTHORIZE GRANT CONTRACT WITH THE NEW YORK STATE BOARD OF ELECTIONS FOR COVID-19 RELATED EXPENSES – BOARD OF ELECTIONS
12. ADOPT REVISED SCHUYLER COUNTY SUBSTANCE ABUSE POLICY/DRUG AND ALCOHOLTESTING PROGRAM – HUMAN RESOURCES
13. AUTHORIZE STIPULATION AND RELEASE OF CLAIMS AGREEMENT WITH JESSICA J. BURNS – HUMAN RESOURCES

LEGISLATIVE COMMITTEE MEETING TO FOLLOW IF NEEDED

Resolution No. 114
SCHUYLER COUNTY LEGISLATURE

Regular Meeting
June 8, 2020

Intro. No. _____
Approved by Committee _____
Approved by Co. Atty. SJG

Motion by _____
Seconded by _____
Vote: _____ Ayes to _____ Noes
Name of Noes _____

RE: APPROVE THE MINUTES OF THE MAY 11, 2020 REGULAR MEETING OF THE SCHUYLER COUNTY LEGISLATURE

BE IT RESOLVED, that the minutes of the May 11, 2020 Regular Meeting of the Schuyler County Legislature be approved.

Resolution No.
SCHUYLER COUNTY LEGISLATURE

Regular Meeting
June 8, 2020

Intro. No. 1
Approved by Committee VAH
Approved by Co. Atty. SJG

Motion by _____
Seconded by _____
Vote: _____ Ayes to _____ Noes
Name of Noes _____

RE: AUTHORIZE CONTRACT WITH THE OFFICE OF INDIGENT LEGAL SERVICES (OILS) FOR THE SECOND CONTINUE PROVISION OF COUNSEL AT FIRST APPEARANCE GRANT – PUBLIC DEFENDER

WHEREAS, the Office of Indigent Legal Services (OILS) has made funds available in the form of a non-competitive grant, Contract #C0HCFA3B, in the amount of \$93, 849.34 annually to improve Public Defender services, and

WHEREAS, said grant will be for the period of three years, and

WHEREAS, said funds will be used to meet our obligation under Hurrell-Harring settlement stipulation.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to sign the grant contract with OILS for the Public Defender's Office for the Second Continue Provision of Counsel at First Appearance Grant for the term of January 1, 2020 through December 31, 2022, and

BE IT FURTHER RESOLVED, that the Schuyler County Treasurer is hereby directed to establish said grant accordingly, and in cooperation with the Public Defender's Office.

Resolution No.
SCHUYLER COUNTY LEGISLATURE

Regular Meeting
June 8, 2020

Intro. No. 2
Approved by Committee VAH
Approved by Co. Atty. SJG

Motion by _____
Seconded by _____
Vote: _____ Ayes to _____ Noes
Name of Noes _____

RE: CALL UPON THE UNITED STATES AND ALLIED INTELLIGENCE COMMUNITIES AND UNITED NATIONS AGENCIES SEPARATE FROM THE WORLD HEALTH ORGANIZATION TO FULLY INVESTIGATE AND, IF WARRANTED, REFER FOR PROSECUTION THE ROLE OF THE CHINESE COMMUNIST GOVERNMENT AND OFFICIALS IN THE ORIGIN, SPREAD AND COVER-UP OF COVID-19 CORONAVIRUS

WHEREAS, there currently exists a worldwide pandemic of Coronavirus 19 (hereinafter referred to as COVID-19) which, as of May 12, 2020, reportedly has been responsible for killing approximately 287,158 humans out of a total of 4,210,074 cases diagnosed globally, and

WHEREAS, included in those totals, according to medical reporting within the United States, COVID-19 has killed 80,897 out of 1,351,200 reported cases, with reported case totals and fatalities in the United States larger than in any other of the approximate 140 Countries reporting COVID-19 cases, and

WHEREAS, globally, the COVID-19 virus has had severe negative impacts on each victim nation, and the citizens of those nations in varying degrees, including but not limited to, physically, psychologically, socially and/or financially, and

WHEREAS news reports have provided conflicting theories as to the origin of the COVID-19 virus, with some sources, including the World Health Organization, suggesting that the virus was likely transmitted to humans through animals in a live produce “wet market” in Wuhan, the capital city of Hubei Province in Communist China, and

WHEREAS, on May 2, 2020, the *New York Post* reported that a dossier leaked from the “Five Eyes” intelligence alliance of the five leading English-speaking countries (the United States, the United Kingdom, Australia, New Zealand and Canada) alleges, according to the article, that “China lied to the world about human-to-human transmission of the coronavirus, made whistleblowers disappear and refused to hand over virus samples so the West could make a vaccine,” and

WHEREAS, the same news report stated that “that some of the five intelligence agencies believe that the virus may have been leaked from the Wuhan Institute of Virology, a claim initially dismissed as a conspiracy theory because Chinese officials insisted the virus came from the local wet markets,” and

WHEREAS, the *Australia Daily Telegraph* reported on May 4, 2020 that, as intelligence agencies investigated whether the virus inadvertently leaked from the Wuhan laboratory, a research team led by Wuhan scientist Shi Zhengli was featured in the “Five Eyes” dossier that pointed to several studies the Dr. Shi research team conducted as areas of concern, including work discovering samples of coronavirus from a cave with striking genetic similarity to COVID-19, along with their research synthesizing a bat-derived coronavirus that could not be treated, and

WHEREAS the *Daily Telegraph* further reported that at least one of the estimated fifty virus samples Dr. Shi had in her laboratory was a 96 per cent genetic match to COVID-19, and

WHEREAS, on May 8, 2020, *NBC News* reported that a private analysis of cellphone location data purported to show that a high-security Wuhan laboratory studying coronaviruses shut down in October, saying that there was no cellphone activity in a high-security portion of the Wuhan Institute of Virology from October 7

through October 24, 2019, and that there may have been a "hazardous event" sometime between October 6 and October 11, and

WHEREAS on April 2, 2020, *USAToday* reported that exports of surgical masks, ventilators and other personal protective gear to China "skyrocketed" in January and February, 2020, and

WHEREAS, on March 16, 2020, the *New York Times* reported that "as China tries to reshape the narrative of its fumbled response to the coronavirus outbreak, it is turning to a new breed of policeThe internet police, as they are known here, have gained power as the Communist Party has worked to seize greater control over the thoughts, words, and even memories of China's 800 million web users... a Wuhan doctor named Li Wenliang, who tried to alert colleagues about the spread of a mysterious virus in a chat group, only to be called to a police station and forced to sign a confession for spreading rumors.... he has become a censored topic. Huge numbers of posts and accounts have disappeared from social media.... The Chinese internet is (now) filled with apparently sincere praise for the government's efforts. Records of early missteps are mostly gone," and

WHEREAS, on May 18, 2020, *CNN* reported that Chinese ruler Xi Jinping said he supports calls for an investigation by the World Health Organization into the handling of the coronavirus pandemic, but insisted that any inquiry should wait until the virus is contained, and

WHEREAS, on April 8, 2020, the *New York Times* reported that "government officials, health experts and analysts have in recent weeks raised concerns about how the (World Health Organization) has responded to the outbreak..... Critics say the W.H.O. has been too trusting of the Chinese government, which initially tried to conceal the outbreak in Wuhan. Others have faulted the organization and its leader, Dr. Tedros Adhanom Ghebreyesus, for moving too slowly in declaring a global health emergency," and

WHEREAS, the International Court of Justice (ICJ), located in the Hauge, is the principal judicial organ of the United Nations (UN) and its role is to settle, in accordance with international law, legal disputes submitted to it by member nations and to give advisory opinions on legal questions referred to it by authorized United Nations organs and specialized agencies, and

WHEREAS, the International Criminal Court (ICC), located in the Hauge, investigates and, where warranted, tries individuals charged with the gravest crimes of concern to the international community: genocide, war crimes, crimes against humanity and the crime of aggression; it is intended to complement existing national judicial systems and it may therefore exercise its jurisdiction only when certain conditions are met, such as when national courts are unwilling or unable to prosecute criminals or when the United Nations Security Council or individual states refer situations to the Court, and

WHEREAS, the 1998 Rome Statute establishing the International Criminal Court is the document that reflects the latest consensus among the international community on the definition of Crimes against Humanity and is also the treaty that offers the most extensive list of specific acts that may constitute the crime, including, among the definition of same, when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack: Murder; Extermination; Enslavement; Deportation or forcible transfer of population; Imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law; Torture; Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity; Persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender, or other grounds that are universally recognized as impermissible under international law, in connection with any act referred to in this paragraph or any crime within the jurisdiction of the Court; Enforced disappearance of persons; The crime of apartheid; Other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health, and

WHEREAS, the above reports cry out for an impartial, independent and comprehensive evaluation of the role of the Chinese Communist Government in the origin, spread and cover-up of COVID-19 coronavirus, separate from the World Health Organization, and

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WHEREAS, nothing herein is intended as an attack upon the Chinese people or any persons of Asian descent, many of whom, themselves, have been victims of alleged Chinese government oppression in relation to the virus and/or of infection from the COVID-19 virus itself.

NOW, THEREFORE, BE IT RESOLVED, that given the scope and magnitude of damage, detailed above, the United States and allied intelligence communities and the United Nations, separate from the World Health Organization, must fully and impartially investigate and, if warranted, refer for prosecution the role of the Chinese Communist government and any culpable individual Chinese government officials in the origin, spread and/or cover-up of COVID-19 virus and, if appropriate, refer the findings of such investigation to the International Court of Justice and/or International Criminal Court for prosecution and/or indemnification by the Chinese government and its responsible officials, and

BE IT FURTHER RESOLVED, that the Clerk of the Legislature shall forward a true copy of this resolution to the following: Donald J. Trump, President of the United States of America; Ambassador Kelly Craft, Representative of the United States of America to the United Nations; United States Senators from New York Charles Schumer and Kristin Gillibrand; U.S. Congressman Tom Reed; and other persons deemed necessary and appropriate.

Resolution No.
SCHUYLER COUNTY LEGISLATURE

Regular Meeting
June 8, 2020

Intro. No. 3
Approved by Committee MLL
Approved by Co. Atty. SJG

Motion by _____
Seconded by _____
Vote: _____ Ayes to _____ Noes
Name of Noes _____

RE: **AUTHORIZE GRANT CONTRACT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH
FOR THE 2020-2021 EARLY INTERVENTION CYCLE – PUBLIC HEALTH**

WHEREAS, Public Health had received an Early Intervention Administrative five-year grant back in the year 2016 for Early Intervention, contract number DOH01-C31661GG-3450000, and

WHEREAS, the amount has increased from what was originally approved for the last two years of the contract, from \$17,377 annually to \$20,575 for the term October 1, 2019 through September 30, 2020 and \$21,641 for the term October 1, 2020 through September 30, 2021.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute said grant contract with the New York State Department of Health for the Public Health Department's Early Intervention Administrative Grant for the last two terms of the five-year contract, October 1, 2019 to September 30, 2021, in the amounts stated above, and

BE IT FURTHER RESOLVED, that the Schuyler County Treasurer is hereby authorized to establish the Early Intervention Administrative Grant in cooperation with the Public Health Department.

Resolution No.
SCHUYLER COUNTY LEGISLATURE

Regular Meeting
June 8, 2020

Intro. No. 4
Approved by Committee MLL
Approved by Co. Atty. SJG

Motion by _____
Seconded by _____
Vote: _____ Ayes to _____ Noes
Name of Noes _____

RE: AUTHORIZE TWO-YEAR CONTRACT WITH ASPIREHOPENY, INC. FOR FAMILY SUPPORT AND PARENT ADVOCACY SERVICES – COMMUNITY SERVICES

WHEREAS, Schuyler County Community Services is renewing its contract with AspireHopeNY, Inc. for a two-year term, and

WHEREAS, AspireHopeNY, Inc, will promote family support and provide part-time parent advocacy services to children and youth and their families, and

WHEREAS, funding for these services are based on New York State Office of Mental Health funding authorization and/or State Aid.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a two-year contract with AspireHopeNY, Inc., for family support and part- time parent advocacy services for a term of January 1, 2020 through December 31, 2021, in the amount of \$45549, funding available in the 2020 Community Services budget account no. 4310.0435, approved by the Schuyler County Attorney.

Resolution No.
SCHUYLER COUNTY LEGISLATURE

Regular Meeting
June 8, 2020

Intro. No. 5
Approved by Committee MFR
Approved by Co. Atty. SJG

Motion by _____
Seconded by _____
Vote: _____ Ayes to _____ Noes
Name of Noes _____

RE: AUTHORIZE AMENDMENT TO EXISTING INTERMUNICIPAL AGREEMENT WITH THE VILLAGE OF MONTOUR FALLS AND AUTHORIZE USE OF ECONOMIC DEVELOPMENT FUNDS FOR EXPENSES RELATED TO THE CATHARINE VALLEY TRAIL

WHEREAS, Resolution No. 198-19 authorized an Intermunicipal Agreement with the Village of Montour Falls to provide them with a loan in the amount of up to \$50,000 to promote intergovernmental cooperation and economic development and investment, as well as more efficient use of infrastructure and municipal revenues, as well as the enhanced promotion of community resources, especially where such resources span municipal boundaries, and

WHEREAS, the scope of the bridge project has changed such that instead of refurbishment and relocation of an existing bridge, the Village will be constructing a new walking bridge (the construction of the new bridge to replace the existing bridge is herein referred to as the "Amended Bridge Project"), and

WHEREAS, the Village has requested that the County amend the terms of the Agreement to provide that the County will award to the Village as a grant the \$50,000 that was to be loaned to the Village pursuant to the Existing Agreement, funds to be awarded upon receipt from the Village of documentation evidencing both final bridge project completion and the Village's expenditure of at least Fifty Thousand Dollars (\$50,000) on the Amended Bridge Project, which documentation shall be sufficient to the County in the County's reasonable discretion, from the County's Economic Development Reserve Fund as reimbursement to the Village for said expenditure.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to execute the amendment to the existing intermunicipal agreement with the Village of Montour Falls, effective immediately, said amendment is approved as to form by the Schuyler County Attorney, and

BE IT FURTHER RESOLVED, that the Schuyler County Treasurer is hereby authorized to transfer \$50,000 from the Economic Development Fund Balance account A890 into the Economic Development account no. 6989.0440, upon the Village's compliance with the terms and conditions of said agreement, and upon receipt of a proper invoice.

Resolution No.
SCHUYLER COUNTY LEGISLATURE

Regular Meeting
June 8, 2020

Intro. No. 6
Approved by Committee MFR
Approved by Co. Atty. SJG

Motion by _____
Seconded by _____
Vote: _____ Ayes to _____ Noes
Name of Noes _____

RE: RESOLUTION IN SUPPORT OF PENDING BILLS IN NEW YORK STATE LEGISLATURE, S08326 AND A10449, "ELIMINATES THE POWERS OF THE GOVERNOR TO ISSUE ANY DIRECTIVE NECESSARY TO RESPOND TO A STATE DISASTER" TO RESTORE NECESSARY CHECKS AND BALANCES AND PRESERVE SEPARATE OF POWERS

WHEREAS, one of the fundamental principles of the American constitutional system is that governmental powers are divided among the three branches of government and that each of these is separate from, and may not infringe on the independence of, the others, and

WHEREAS, the concept of the separation of powers is the bedrock of the system of government adopted by the State of New York in establishing three coordinate and coequal branches of government, legislative, executive, and judicial, each charged with performing particular functions, and

WHEREAS, the principle of separation of powers preserves political liberty and provides a framework for freedom under which the three separate but equal branches of government serve as a check and balance on each other, and

WHEREAS, under New York Senate bill S.7919, the Governor of New York was given the power to declare an emergency in virtually any circumstance, to unilaterally take almost any action deemed necessary when there is a declared emergency and, therefore, the ability to make changes and enact legislation without consulting the state legislature, holding hearings, or providing opportunities for public input, and

WHEREAS, as a result, since the beginning of the COVID-19 pandemic, in a little over two months, Governor Andrew Cuomo has unilaterally enacted or changed over 250 laws with no legislative, judicial or public input, and

WHEREAS, there is currently pending Case Number 1:20-cv-00577, in the U.S. District Court for the Western District of New York, accusing Governor Cuomo of alleged abuse of power during the COVID-19 pandemic under the Equal Protection Clause of the U.S. Constitution, and

WHEREAS, until recently, Governor Cuomo has refused to recognize the diversity of the state's economy and geography in determining closure and mitigation procedures, and

WHEREAS, since Governor Cuomo issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York:

- At least 1.6 million new unemployment insurance claims were filed in New York from March 8 to April 25; only 96,080 claims were filed for the same period in 2019;
- From March 8 to April 25, the accommodation and food services industry filed the highest number of unemployment insurance claims at 308,890; Only 10,479 initial claims were filed for the same period in 2019;
- Retail trade employees have filed the second highest number of initial claims at 217,187;
- Private sector jobs decreased over the month of March by 42,900, the highest employment drop since April 2009;
- The need at food banks in Upstate New York has gone up 40 to 60 percent;
- Some dairy farm cooperatives are dumping milk because the market cannot consume it, and

WHEREAS, the above calls into serious question the effectiveness of the Governor's unilateral new powers and/or the exercise thereof in properly addressing a public health crisis while preserving economic security and personal liberty, and

WHEREAS, the New York State Constitution authorizes a Senate of varying number, currently 63 members, and an Assembly of 150 members, who are elected from districts throughout the State for two-year terms and which, through their varied functions, serve as a check upon the executive authority of the Governor and help ensure that the best interests of each legislator's constituents are legislatively represented, and

WHEREAS, on May 8, 2020, New York State Senator Pam Helming and Assemblyman David DiPietro announced legislation S08326 and A10449, to repeal the above powers granted earlier this year to the Governor, and

WHEREAS, these bills are co-sponsored in the Senate by Senators Borrello, Funke, Jordan, O'Mara and Tedisco and in the Assembly by Assemblymembers DeStefano, Palmesano, Tague and Manktelow, and

WHEREAS, the memorandum accompanying the Assembly bill notes that "No Governor should have the ability to make hundreds of unilateral decisions without input from or votes in the state legislature. In times of crisis, decisions must often be made quickly, but they should not be

made in a way that undermines the foundation of our democracy and the system of checks and balances. State legislators are elected by their constituents to represent them, people do not solely vote for a governor. The State Legislature and Executive were created to work together for a reason. The State Senate and Assembly cannot abdicate their role in government as legislators and simply leave the difficult decisions to the Governor;"

NOW, THEREFORE, BE IT RESOLVED, that the County Legislature of the County of Schuyler hereby supports in full, and calls for passage and enactment of, the above pending bills in New York State Legislature, S08326 and A10449, in order to restore the separation of powers and checks and balances necessary to a free and fair representative democracy, and

BE IT FURTHER RESOLVED, that, upon passage, the Clerk of the Legislature forward true copies of this resolution to the Governor of the State of New York Andrew Cuomo, Senator Pam Helming, Senator Thomas O'Mara, Assemblyman David DiPietro, Assemblyman Phil Palmesano, the New York State Association of Counties, Inter-County Association of Western New York, and such other officials and organizations as deemed necessary and appropriate.

Resolution No.
SCHUYLER COUNTY LEGISLATURE

Regular Meeting
June 8, 2020

Intro. No. 7
Approved by Committee MFR
Approved by Co. Atty. SJG

Motion by _____
Seconded by _____
Vote: _____ Ayes to _____ Noes
Name of Noes _____

RE: RESOLUTION OF SUPPORT FOR FEDERAL BIPARTISAN “STATE AND MUNICIPAL AID FOR RECOVERY AND TRANSITION (SMART) FUND” LEGISLATION

WHEREAS, Representatives Tom Reed (NY-23), Mikie Sherrill (NJ-11), Pete King (NY-02), Josh Gottheimer (NJ-05), Tom O'Halleran (AZ-01), Fred Upton (MI-06), Ted Lieu (CA-33), Brian Fitzpatrick (PA-01), Debbie Dingell (MI-12), and Elise Stefanik (NY-21) announced on May 18 that they are introducing legislation “to provide robust support to state and local governments on the front lines of the COVID-19 pandemic;” and

WHEREAS, this bicameral, bipartisan legislation is led by Senators Robert Menendez (D-NJ) and Bill Cassidy (R-LA) in the Senate, and

WHEREAS under this proposed legislation the State and Municipal Assistance for Recovery and Transition (SMART) Fund will provide \$500 billion in emergency funding to every state, county and community in the country, while prioritizing assistance to the areas with the greatest need, and

WHEREAS, the SMART Fund will enhance the \$150 billion Congress provided to assist state and local governments in the Coronavirus Aid, Relief, and Economic Security (CARES) Act, adding an additional \$500 billion in funding and eliminating the current 500,000 resident population threshold, thereby allowing every state, county, municipality, U.S. territory and the District of Columbia to qualify for direct federal assistance, regardless of its size, and

WHEREAS, under the proposed legislation, funding will be distributed to counties and municipalities based on each county's or municipality's revenue loss from January 1, 2020 to December 31, 2020 in proportion to the combined revenue loss for all counties and municipalities in the state over this period, to ensure that adequate funding flows to counties and municipalities that are disproportionately affected relative to their population, and

WHEREAS, as proposed, the SMART Fund will provide direct, flexible assistance to our local governments and municipalities to help them recover from the COVID-19 crisis and ensure that our communities continue to receive critical support throughout this crisis and beyond, and

WHEREAS, according to the independent, nonprofit, Tax Foundation, unlike the HEROES Act, which provides approximately \$1.1 trillion for state and local fiscal relief within a \$3 trillion package, the SMART Act is focused exclusively on aid to state and local governments, and it requires that states agree, as a condition of funding, that any cuts to state aid to local governments be based on an emergency need; be balanced and fair, and be justified on the basis of economic conditions in those localities, and

WHEREAS, this legislation strikes a necessary balance of providing the funding required to recover from this crisis while limiting Federal deficit spending to preserve economic growth for the next generation.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby supports in full, and calls for passage and enactment of, the above federal bipartisan “State and Municipal Aid for Recovery and Transition (SMART) Fund” legislation, protecting American communities across the country by ensuring they have the resources to continue providing essential public health services and safely facilitating the reopening of the nation's economy, and

BE IT FURTHER RESOLVED, that , upon passage of this resolution, the Clerk of the Legislature forward true copies of same to the President of the United States, Donald J. Trump, Senator Chuck Schumer, Senator Kristin

Resolution No.

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Gillibrand, Congressman Tom Reed, the New York State Association of Counties, Inter-county Association of Western New York, and such other officials and organizations as deemed necessary and appropriate.

Resolution No.
SCHUYLER COUNTY LEGISLATURE

Regular Meeting
June 8, 2020

Intro. No. 8
Approved by Committee PCB
Approved by Co. Atty. SJG

Motion by _____
Seconded by _____
Vote: _____ Ayes to _____ Noes
Name of Noes _____

RE: AUTHORIZE AMENDMENT TO THE LEASE CONTRACT WITH TOSHIBA BUSINESS SOLUTIONS
FOR COPIERS – PURCHASING

WHEREAS, the Purchasing Department currently has a lease contract with Toshiba Business Solutions for maintenance of copiers, and

WHEREAS, the Public Defender's Office and the Department of Social Services purchased two new copiers from Toshiba Business Solutions and, therefore, the current contract needs to be amended to include maintenance for them.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute an amendment to the current contract with Toshiba Business Solutions for the County offices for the lease of two new copiers for the term March 13, 2020 through March 31, 2022, funding available in the appropriate departmental budget accounts, approved by the Schuyler County Attorney.

Resolution No.
SCHUYLER COUNTY LEGISLATURE

Regular Meeting
June 8, 2020

Intro. No. 9
Approved by Committee PCB
Approved by Co. Atty. SJG

Motion by _____
Seconded by _____
Vote: _____ Ayes to _____ Noes
Name of Noes _____

RE: STANDARD WORKDAY AND REPORTING RESOLUTION FOR THE YEAR 2020

BE IT RESOLVED, that the Schuyler County Legislature, Location Code 10044, hereby establishes the following standard workdays for the following title(s) and will report the official(s) to the New York State and Local Retirement System based on the record of activities.

| TITLE | NAME | STANDARD WORKDAY (HRS/DAY) | TERM BEGINS/ENDS | PARTICIPATES IN EMPLOYER'S TIME KEEPING SYSTEM (Y/N) | DAYS/MONTH (BASED ON RECORD OF ACTIVITIES) |
|-------------------|-------------------|----------------------------------|-----------------------|---------------------------------------------------------------|-----------------------------------------------------|
| Elected Officials | | | | | |
| Legislator | Mark F. Rondinaro | 7 | 01/01/2020-12/31/2023 | N | 6.07 |

Resolution No.
SCHUYLER COUNTY LEGISLATURE

Regular Meeting
June 8, 2020

Intro. No. 10
Approved by Committee PCB
Approved by Co. Atty. SJG

Motion by _____
Seconded by _____
Vote: ____ Ayes to ____ Noes
Name of Noes _____

RE: AUTHORIZE DISTRIBUTION OF MORTGAGE TAX RECEIPTS PURSUANT TO SECTION 261 OF THE NEW YORK STATE TAX LAW FOR THE PERIOD OF OCTOBER 1, 2019 THROUGH MARCH 31, 2020

WHEREAS, the County Clerk and Treasurer have presented their report concerning mortgage tax receipts for the period October 1, 2019 through March 31, 2020, pursuant to Section 261 of the New York State Tax Law, and the same has been apportioned to the various municipalities thereto.

NOW, THEREFORE, BE IT RESOLVED, that the County Treasurer be, and hereby is, authorized to pay the respective towns and villages of Schuyler County those amounts listed below.

**MORTGAGE TAX DISTRIBUTION AMONG TOWNS AND VILLAGES
OCTOBER 1, 2019 THROUGH MARCH 31, 2020**

| <u>TOWNS</u> | <u>Amount Due</u> | <u>VILLAGES</u> | <u>Amount Due</u> |
|---------------|---------------------|-----------------|--------------------|
| Catharine | \$10,875.32 | Burdett | \$726.43 |
| Cayuta | \$590.22 | Montour Falls | \$3,598.22 |
| Dix | \$22,081.18 | Odessa | \$1,379.24 |
| Hector | \$45,105.44 | Watkins Glen | \$7,659.75 |
| Montour | \$10,786.97 | | |
| Orange | \$9,701.70 | | |
| Reading | \$14,959.57 | | |
| Tyrone | \$14,187.86 | | |
| TOTALS | \$128,288.26 | | \$13,363.64 |

Resolution No.
SCHUYLER COUNTY LEGISLATURE

Regular Meeting
June 8, 2020

Intro. No. 11
Approved by Committee PCB
Approved by Co. Atty. SJG

Motion by _____
Seconded by _____
Vote: _____ Ayes to _____ Noes
Name of Noes _____

RE: AUTHORIZE GRANT CONTRACT WITH THE NEW YORK STATE BOARD OF ELECTIONS FOR COVID-19 RELATED EXPENSES – BOARD OF ELECTIONS

WHEREAS, the Board of Elections Office was awarded a Capital Projects Grant from the New York State Board of Elections, Contract #BOE01-C004214-1110000, in the amount of \$24,298.94, and

WHEREAS, said grant is a New York State HAVA U.S. Coronavirus Aid, Relief, and Economic Security (CARES) Act Grant Program to assist with COVID-19 expenses.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to execute the grant contract with the New York State Board of Elections, in the amount of \$24,298.94, for the term March 28, 2020 through December 31, 2020, and

BE IT FURTHER RESOLVED, that the Schuyler County Treasurer is hereby directed to establish the Capital Projects Grant accordingly in cooperation with the Board of Elections Office.

Resolution No.
SCHUYLER COUNTY LEGISLATURE

Regular Meeting
June 8, 2020

Intro. No. 12
Approved by Committee PCB
Approved by Co. Atty. SJG

Motion by _____
Seconded by _____
Vote: _____ Ayes to _____ Noes
Name of Noes _____

RE: ADOPT REVISED SCHUYLER COUNTY SUBSTANCE ABUSE POLICY/DRUG AND ALCOHOL TESTING PROGRAM – HUMAN RESOURCES

WHEREAS, Schuyler County is required to comply with the United States Department of Transportation Federal Motor Carrier Safety Administration regulations (US DOT FMCSA) for drug and alcohol testing, and

WHEREAS, the County's policy was last revised by Resolution No. 330-09 and the County's drug and alcohol testing administrator, Energetix, recommends another revision to be adopted by the Legislature.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby approves and adopts the revised Substance Abuse Policy/Drug and Alcohol Testing Program, on file in the Human Resources Office, effective May 18, 2020, to become part of the Schuyler County Policies and Procedures, and Schuyler County Highway Manual, and

BE IT FURTHER RESOLVED, that immediately upon adoption of this policy, the Human Resources Department shall arrange for the required training, education and distribution of this policy to be given to all covered employees affected by Energetix testing, per above regulations.

Resolution No.
SCHUYLER COUNTY LEGISLATURE

Regular Meeting
June 8, 2020

Intro. No. 13
Approved by Committee PCB
Approved by Co. Atty. SJG

Motion by _____
Seconded by _____
Vote: _____ Ayes to _____ Noes
Name of Noes _____

RE: AUTHORIZE STIPULATION AND RELEASE OF CLAIMS AGREEMENT WITH JESSICA J. BURNS
– HUMAN RESOURCES

BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to sign a Stipulation and Release of Claims Agreement with Jessica J. Burns, as approved by Labor Counsel.