

**MINUTES
CAYUGA COUNTY LEGISLATURE
AUGUST 26, 2008, 6:00 PM**

Majority Caucus 5:30PM

WELCOME:

CALL TO ORDER: Hon. Roger Mills, Chairman, at 6:03PM.

ROLL CALL: Mary Jones, Clerk of the Legislature, all Legislator's present, except McIntosh excused.

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

RESOLUTIONS

RESOLUTION NO. 488-08

08/26/08 RPSrepuchasetaxparcels2008#18

**AUTHORIZING THE PURCHASE OF TAX-DELINQUENT PROPERTY OWNED
BY CAYUGA COUNTY**

By Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, established policies and procedures have been set in place for the sale, disposition and use of certain real property owned by the County of Cayuga, as approved in Resolution 382-04; and

WHEREAS, the Director of Real Property Services has received a purchase offer to be considered by the Ways and Means Committee for approval by the County Legislature; in accordance with said policies and procedures; and

WHEREAS, this property was, years ago, a part of the petitioners parcel and inadvertently through mistakes made in the chain of title, was excluded from the deed description, hence creating the parcel in question; and

WHEREAS, the petitioner would like to purchase this parcel and merge it back into the parcel it originally was broken off of; and

WHEREAS, this parcel is landlocked and sold previously at county auction three years ago for \$25.00, at which time the owner never took possession of the parcel; and

WHEREAS, allowing this purchase will enhance the value of the property to the county; and

WHEREAS, all payments required by County rules have been paid and are being held by the Treasurer until approval of the sale by the Legislature; and

WHEREAS, the Director of Real Property Services recommends approval of the following:

Tax Map #	Location of Parcel	Purchase Offer Made By
145.00-1-11.2	Rear State Route 38A	Denise Lee M. Patterson, Executrices Estate of Fred L. Merrill

NOW THEREFORE BE IT RESOLVED, that the recommendations of the Ways & Means Committee set forth above are hereby approved and the Real Property Services Director and the Chairman of the County Legislature are instructed to take whatever steps are necessary to complete the sales.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 489-08
08/26/08 RPSrepuchasetaxparcels2008#21
AUTHORIZING THE REPURCHASE OF TAX-DELINQUENT PROPERTY
OWNED BY CAYUGA COUNTY

By Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, established policies and procedures have been set in place for the sale, disposition and use of certain real property owned by the County of Cayuga, as approved in Resolution 382-04; and

WHEREAS, the Director of Real Property Services has received an offer to repurchase to be considered by the Ways and Means Committee for approval by the County Legislature; in accordance with said policies and procedures; and

WHEREAS, all payments required by County rules have been paid and are being held by the Treasurer until approval of the sale by the Legislature; and

WHEREAS, the Director of Real Property Services recommends approval of the following:

Tax Map #	Location of Parcel	Purchase Offer Made By
183.00-1-25	Town Line Rd	Stephen Gorham Greene & Constance Greene

NOW THEREFORE BE IT RESOLVED, that the recommendations of the Ways & Means Committee set forth above are hereby approved and the Real Property Services Director and the Chairman of the County Legislature are instructed to take whatever steps are necessary to complete the sales.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 490-08
08/26/08 RPSrepuchasetaxparcels2008#32
AUTHORIZING THE REPURCHASE OF TAX-DELINQUENT PROPERTY
OWNED BY CAYUGA COUNTY

By Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, established policies and procedures have been set in place for the sale, disposition and use of certain real property owned by the County of Cayuga, as approved in Resolution 382-04; and

WHEREAS, the Director of Real Property Services has received an offer to repurchase to be considered by the Ways and Means Committee for approval by the County Legislature; in accordance with said policies and procedures; and

WHEREAS, all payments required by County rules have been paid and are being held by the Treasurer until approval of the sale by the Legislature; and

Tuesday, August 26, 2008

351

WHEREAS, the Director of Real Property Services recommends approval of the following:

Tax Map #	Location of Parcel	Purchase Offer Made By
20.00-1-33.2	13410 Ira Station Rd	Dyton D. Humbert

NOW THEREFORE BE IT RESOLVED, that the recommendations of the Ways & Means Committee set forth above are hereby approved and the Real Property Services Director and the Chairman of the County Legislature are instructed to take whatever steps are necessary to complete the sales.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 491-08
08/26/08 RPSrepuchasetaxparcels2008#11
AUTHORIZING THE REPURCHASE OF TAX-DELINQUENT PROPERTY
OWNED BY CAYUGA COUNTY

By Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, established policies and procedures have been set in place for the sale, disposition and use of certain real property owned by the County of Cayuga, as approved in Resolution 382-04; and

WHEREAS, the Director of Real Property Services has received an offer to repurchase to be considered by the Ways and Means Committee for approval by the County Legislature; in accordance with said policies and procedures; and

WHEREAS, all payments required by County rules have been paid and are being held by the Treasurer until approval of the sale by the Legislature; and

WHEREAS, the Director of Real Property Services recommends approval of the following:

Tax Map #	Location of Parcel	Purchase Offer Made By
192.04-1-8	Sunset Bch	Donna Every

NOW THEREFORE BE IT RESOLVED, that the recommendations of the Ways & Means Committee set forth above are hereby approved and the Real Property Services Director and the Chairman of the County Legislature are instructed to take whatever steps are necessary to complete the sales.

Signed by Mitchell, Axton, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 492-08
08/26/08 RPSrepuchasetaxparcels2008#34
CONDITIONALLY AUTHORIZING THE REPURCHASE OF TAX-DELINQUENT
PROPERTY OWNED BY CAYUGA COUNTY

By Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, established policies and procedures have been set in place for the sale, disposition and use of certain real property owned by the County of Cayuga, as approved in Resolution 382-04; and

WHEREAS, the Director of Real Property Services has received an offer to repurchase to be considered by the Ways and Means Committee for approval by the County Legislature; in accordance with said policies and procedures; and

WHEREAS, all payments required by County rules have been paid and are being held by the Treasurer until approval of the sale by the Legislature; and

WHEREAS, the Director of Real Property Services recommends approval of the following:

Tax Map #	Location of Parcel	Purchase Offer Made By
102.04-1-36	Grant Ave Rd	Ihor Dilaj

NOW THEREFORE BE IT RESOLVED, that the recommendations of the Ways & Means Committee set forth above are hereby conditionally approved, subject to the approval of the Cayuga County Attorney, after which the Real Property Services Director and the Chairman of the County Legislature are instructed to take whatever steps are necessary to complete the sales.

Fred Westphal Co. Attorney, it can be approved conditionally.

Resolution written after the Legislature meeting, moved by Lockwood, 2nd by Tortorici, all in favor, except Mitchell voting no.

RESOLUTION NO. 493-08

08/26/08 RPSrepuchasetaxparcels2008#34

AUTHORIZING THE REPURCHASE OF TAX-DELINQUENT PROPERTY OWNED BY CAYUGA COUNTY

By Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, established policies and procedures have been set in place for the sale, disposition and use of certain real property owned by the County of Cayuga, as approved in Resolution 382-04; and

WHEREAS, the Director of Real Property Services has received an offer to repurchase to be considered by the Ways and Means Committee for approval by the County Legislature; in accordance with said policies and procedures; and

WHEREAS, all payments required by County rules have been paid and are being held by the Treasurer until approval of the sale by the Legislature; and

WHEREAS, the Director of Real Property Services recommends approval of the following:

Tax Map #	Location of Parcel	Purchase Offer Made By
101.03-1-49	7196 North Division St. Rd	Camille Buttiglione-Racona

NOW THEREFORE BE IT RESOLVED, that the recommendations of the Ways & Means Committee set forth above are hereby approved and the Real Property Services Director and the Chairman of the County Legislature are instructed to take whatever steps are necessary to complete the sales.

Motion by Palermo, 2nd by Lockwood to remove from the Auction.

Signed by Mitchell, Lockwood, Palermo, Petrus, Schuster.

Approved by voice vote, all in favor, except Tortorici voting no.

Tuesday, August 26, 2008

353

PUBLIC BE HEARD:

If you wish to speak notify your Legislator, who will grant you privilege of the floor. You will be allowed to speak for 3 to 5 minutes. You must state your name and address.

Legislator Raymond Lockwood for Ted Wallin re: request of repurchase two properties in Cayuga NY, I have been out of the Country, I've had medical problems. I have the final payment with me and would like to repurchase the property.

RESOLUTION NO. 494-08

08/26/08 RPSrepuchasetaxparcels2008#34rev

**CONDITIONALLY AUTHORIZING THE REPURCHASE OF TAX-DELINQUENT
PROPERTY OWNED BY CAYUGA COUNTY**

By Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, established policies and procedures have been set in place for the sale, disposition and use of certain real property owned by the County of Cayuga, as approved in Resolution 382-04; and

WHEREAS, the Director of Real Property Services has received an offer to repurchase to be considered by the Ways and Means Committee for approval by the County Legislature; in accordance with said policies and procedures; and

WHEREAS, all payments required by County rules have been paid and are being held by the Treasurer until approval of the sale by the Legislature; and

WHEREAS, the Director of Real Property Services recommends approval of the following, subject to the approval of the Cayuga County Attorney:

Tax Map #	Location of Parcel	Purchase Offer Made By
119.06-1-50	6193 Center St., Cayuga	Theodore O. Wallin
119.06-1-85.5	Lake St.	Theodore O. Wallin

NOW THEREFORE BE IT RESOLVED, that the recommendations of the Ways & Means Committee set forth above are hereby conditionally approved, subject to the approval of the Cayuga County Attorney, after which the Real Property Services Director and the Chairman of the County Legislature are instructed to take whatever steps are necessary to complete the sales.

Motion by Lockwood, 2nd by Sincebaugh, to remove from auction, all in favor, except Axton & Fearon voting no.

PRESENTATION: Jeff Spenard Engineer, C & S Engineers, re: Mental Health Project, gave a brief update on the project.

Option #1 - independent of old building, flat roof on addition.

Option #2 - two story entrance, all new roof, not flat, reception area controls where people go.

Tortorici and Lockwood addressed concerns with option #1, flat roof.

Axton, option2 works better, Palermo agrees.

Motion by Palermo to go with option #2, all in favor.

Jeff Spenard, we are on track, within 1%, but a lot can happen between now and Spring. We will start in the Spring and should have it enclosed by Fall.

MINUTES: For Approval: 6-28-08 and 7-7-08, Motion by Chapman to approve, all in favor.
For Reading: 7-22-08 and 7-29-08

CCC REPORT: Dr. Daniel Larson, President, enrollment up-date - currently, Fall 2008 enrollment is down, on line courses remain popular. We held of First Annual Faculty Forum today, focus was on faculty development, institutional planning, and curriculum. The College received a generous gift from First Niagara in the amount of \$150,000.00, it will be used for establishing the First Niagara Entrepreneurship Center in Auburn. A course in Entrepreneurial Process will be offered for the first time this Fall. A video created by C3 Studios, a College team, has been chosen as one of the top 100 entrants in the 2008 I Love NY Short Film Competition. The 2008-2009 College budget as approved by the College Board of Trustees earlier this Summer was handed out.

Proposal by Palermo: a resolution to accept the college budget as is and to ask anybody that is interested to make an amendment.

Roger Mills Chairman, that is with the 4% increase.

Palermo, as presented. 2nd by Sincebaugh.

Motion by Mitchell to amend to keep the County share the same as last year, 2nd by Axton. Defeated by majority vote. Noes - Chapman, Mahunik, Palermo, Fearon, Tortorici, Murphy, Schuster, Sincebaugh, Mills. Ayes - Axton, Petrus, Lockwood, Mitchell, Cuddeback. Excused McIntosh. 527/305/50

Motion by Palermo for a 2% increase for County's share. Defeated by majority vote. Noes - Chapman, Mahunik, Fearon, Cuddeback, Murphy, Schuster, Sincebaugh, Mills. Ayes - Palermo, Axton, Petrus, Lockwood, Mitchell, Tortorici. Excused McIntosh. 482/350/50

Motion by Chairman Mills to go back to the original resolution at a 4% increase. Defeated by majority vote. Ayes - Chapman, Mahunik, Fearon, Murphy, Schuster, Sincebaugh, Mills. Noes - Palermo, Axton, Petrus, Lockwood, Mitchell, Cuddeback, Tortorici. Excused McIntosh. 418/414/50

Motion by Petrus for a 2.5% increase to the County's share. Defeated by majority vote. Ayes - Chapman, Palermo, Axton, Petrus, Lockwood, Mitchell, Tortorici. Noes - Mahunik, Fearon, Cuddeback, Murphy, Schuster, Sincebaugh, Mills. Excused McIntosh. 431/401/50.

Motion by Schuster for a 3% increase to the County's share. Passed by majority vote. Ayes - Chapman, Mahunik, Petrus, Fearon, Murphy, Schuster, Sincebaugh, Mills. Noes - Palermo, Axton, Lockwood, Mitchell, Cuddeback, Tortorici. Excused McIntosh. 471/361/50

RESOLUTION NO. 495-08

(8/26/08) COMcollegebudget08rev

APPROVING 2008-09 BUDGET FOR CAYUGA COMMUNITY COLLEGE.

BY: Mr. Palermo, Chairman, Government Operations Committee, and
Mr. Mitchell, Chair, Ways & Means Committee.

WHEREAS, Cayuga Community College has presented its budget for the 2008-09 academic year to the Ways & Means and Government Operations Committees of the Cayuga County Legislature; and

WHEREAS, said Cayuga Community College budget for 2008-09 academic year totals \$ 27,572,282.00; and

WHEREAS, the sponsor's share of Cayuga County in said budget is the amount of \$ 2,678,400.00; and

WHEREAS, the Cayuga Community College requests an additional contribution; and

WHEREAS, the Cayuga County legislature approves an additional contribution of three (3) per centum; now, therefore, be it

RESOLVED, that the said 2008-2009 Budget of Cayuga Community College is hereby approved in accord with a 2009 County contribution of \$2,678,400.00, together with an additional three (3) per centum of \$80,352.00, for a total of \$2,758,752.00.

Resolution as amended approved by Majority vote for 3% increase county share, resolution written after approval. Vote, Ayes - Chapman, Mahunik, Petrus, Fearon, Murphy, Schuster, Sincebaugh, Mills. Noes - Palermo, Axton, Lockwood, Mitchell, Cuddeback, Tortorici. Excused McIntosh. 471/361/50

COMMITTEE REPORT:

I have a report of Death that was not on the agenda, Robert C. Out house, father of Rob Outhouse. Robert was a good friend and will be missed.

Legislator Lockwood, I would like to recognize Marlyn Salato for her 24 1/2 years of dedicated service with the Cayuga County DMV Office. She has been the model of public service, she worked tirelessly to provide each person with the best customer service. Her work record is impeccable. She was appointed to DMV Supervisor 5 years ago. She provides a strong foundation for the employees. Her leadership is gentle but firm, she would pitch in when help was needed. Before working for the County she worked at the Village of Cayuga, also the village council, and volunteers her time. She is also a devoted sister, wife, mother, grandmother and citizen. She will be missed.

RESOLUTIONS CON'T:

RESOLUTION NO. 496-08

(8/26/08) P&T ATV trail trial 8-26-08

AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN AN AGREEMENT WITH THE OSWEGO COUNTY ATV CLUB TO ALLOW ACCESS TO THE HOJACK TRAIL FROM OSWEGO COUNTY WEST TO THE CATO/FAIR HAVEN TRAIL AND NORTH TO FAIR HAVEN ROAD

By: David R. Axton, Chairperson, Public Works

Francis Mitchell, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County Parks Commission at it's May 2008 meeting did approve allowing ATV use of the Cayuga County Hojack Trail from Oswego County west to the Cato/Fair Haven Trail north to Fair Haven Road on a one year trial basis; and

WHEREAS, the Oswego Valley ATV Club has agreed to install proper signage on the trail and to assist with the proper maintenance of the trail before and during the trial period and to provide insurance acceptable to the County; and

WHEREAS, the proposed trial period has the support of the Village of Fair Haven, the Town of Sterling and Legislator Christopher Palermo; and

WHEREAS, the entire trial area is contained within the Town of Sterling and Legislator Palermo's district; now, therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to sign an agreement with The Oswego Valley ATV Club to open up the Cayuga County Hojack Trail from Oswego County west to the Cato/Fair Haven Trail and north to Fair Haven Road on a one year trial basis; and be it further

RESOLVED, that the Parks and Trails Department is authorized and directed to review the trail with The Oswego Valley ATV Club before it is opened to ATV use, during the trial period and after the trial period to determine if the trial has been a success.

ATV Definition:

An ATV is a 4 wheeled vehicle that travels on low pressure tires, with a seat that is straddled by the operator, and with handlebars for steering control. Riders are permitted but must maintain a safe position behind the driver.

Vehicles such as LUV (Light Utility Vehicles) or UV (Utility Vehicles) which typically have side seats and a steering wheel, are not considered ATV's and will not be allowed to use the trail except for situations in which the club would need this type of vehicle for use in maintenance or repair of trails.

ATV's must have stock, unmodified, factory installed exhaust systems with spark arresters.

Motorcycles or any other 2 or 3 wheeled motorized vehicles are not considered ATV's and therefore will not be allowed on trails.

No. homemade ATV will be considered an approved ATV by definition.

Motion by Tortorici to add resolved to read: Restrict access to the trail until April of 2009, Defeated by voice vote, all voted no except Tortorici voting yes.

Signed by Axton, McIntosh, Mitchell, Lockwood, Sincebaugh, Petrus, Palermo, Tortorici. Approved by majority vote with ATV definition. Ayes - Mahunik, Palermo, Axton, Petrus, Lockwood, Fearon, Mitchell, Tortorici, Murphy, Sincebaugh, Mills. Noes - Chapman, Cuddeback, Schuster. Excused McIntosh. 608/224/50

Motion by Chapman to go into executive session at 7:34PM re: Pending Litigation, all in favor.

Motion by Chapman to come out of executive session at 8:07PM, all in favor.

MANAGER'S REPORT: We had a Budget workshop I hope that was informative and helpful. Yesterday I attended NYSAC work session in Elmira with Lynn Marinelli, there is a fiscal crisis. I will be getting more information and I will be sharing it with you. Their will be additional information at the NYSAC Conference for those of you that will be attending. Please be aware that there is a lot of things happening.

Roger Mills Chairman, starting September 2008, all Legislative meetings will start at 6:30PM.

APPOINTMENTS AND RE-APPOINTMENTS:

Community Service Board

Reverend Robert M. Godbout, Route 90, P.O. Box 250, King Ferry, NY 13081, term 1-1-08 to 12-31-2011

Cayuga County Hospital Improvement Corporation

George Fearon, 5641 State Route 90N, Cayuga, New York 13034, Legislative Liaison, to serve at the pleasure of the Legislature.

Mental Health Subcommittee:

Rebakah Gagne, 7286 Sherman Rd. Auburn, NY 13021 term - 1-1-08 to 12-31-2011

Motion by Chapman to add Stanley Kott, 5455 W. Lake Rd. Auburn, NY 13021 as an appointment to The Cayuga County College Board of Trustees. Term 7-1-08 to 6-30-2015, and approve all appointments for August 2008, all in favor.

COMMUNICATIONS AND ANNOUNCEMENTS:

1. Received a letter from James T. Walsh Congressman, re: due to his retirement he is not able to accept any appropriations requests for FY-2010.
 2. Received a letter from Joseph F. Pennisi Executive Director State of New York Worker's Comp. Board, re: County Res# 443-08, opposing the closing of the Auburn Worker's Comp. Board Customer Service Center.
 3. Received a letter from Coughlin & Gerhart LLP, Attorneys and Counselors, re: Donna Avery, Tax Map No. 192.04-1-8, Town of Ledyard, redemption of property.
 4. Received a letter from Senator Michael F. Nozzolio, re: his opposition to the closing of the Workers' Compensation Board in Auburn.
- Motion by Lockwood to wave reading of the correspondence, all in favor.

RESOLUTIONS CON'T:

RESOLUTION NO. 497-08

AuditAugust.08.doc

**AUTHORIZING THE COUNTY TREASURER TO PAY
JULY 2008 AUDIT OF CLAIMS**

BY: Hon. Francis Mitchell, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on August 26th, 2008 audit claims against the County of Cayuga in the aggregate sum \$2,306,067.02, therefore be it
RESOLVED, that the Clerk of this Legislature file a certified list of claims so audited with the County Treasurer, and be it further

RESOLVED, that the County Treasurer be and he hereby is authorized and directed to pay the several claims so audited and charge the amounts to the several appropriations made therefore in the County Budget finalized on December 31, 2007.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 498-08

Utility 8.26.08

**AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS &
MEANS COMMITTEE FOR PAYMENT OF UTILITY BILLS.**

By: Hon. Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 50, adopted April 11, 1978, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Electric and Gas service, and Water and Sewer service, and

WHEREAS, this Legislature did by Resolution No. 184, adopted August 14, 1984, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for telephone service, and Landfill Service, and

WHEREAS, said Committee has audited and authorized payments as follows:

JULY 2008	
Gas & Electric:	\$ 8,547.83
Telephone:	\$20,862.29
Water	\$15,369.53
Landfill/Rubbish	\$ 780.59
Total:	\$45,560.24

RESOLVED, that said payments be part and partial payment of the full audit of this Board.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 499-08
8/26/08 PURCHSVCSJULY
AUTHORIZING THE CAYUGA COUNTY TREASURER TO CHARGE
DEPARTMENTS FOR CENTRAL SERVICES AND PURCHASES
FOR THE MONTH OF JULY 2008

BY: Hon. Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, the Ways & Means Committee approved the payment of all Central Services,

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to credit the revenue account and charge the following departments' .40 Accounts (Contractual Expenditures) in accordance with attached schedules:

DEPARTMENT	CREDIT	AMOUNT
Central Purchasing	A1275	\$16,530.35
TOTAL		\$16,530.35

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 500-08
Date of meeting: August 26, 2008
AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE
ADMINISTRATOR OF THE CAYUGA COUNTY NURSING HOME

By: Ann Petrus, Chairman Health & Human Services Committee

Francis Mitchell, Chairman Ways & Means Committee

WHEREAS, this legislature did by Resolution Number 70, duly adopted on the 20th day of March 1984, authorize the Nursing Home Committee of the County Legislature to audit all claims against the Cayuga County Nursing Home, and

WHEREAS, said Committee has audited and authorized payment in the amount of \$88,099.62 for the month of July 2008, now therefore be it

RESOLVED, that said payment be part and partial payment of the full audit of this Board.

Signed by Petrus, McIntosh, Mahunik, Schuster, Cuddeback, Sincebaugh, Tortorici, Mitchell, Palermo, Lockwood, Axton.

Approved by voice vote, all in favor.

RESOLUTION NO. 501-08

seniornutrition

**REPORT AND APPROVAL OF BILLS PAID BY THE COUNTY TREASURER
FOR OPERATION OF THE SENIOR NUTRITION PROGRAM
IN THE OFFICE FOR THE AGING.**

BY: Ann Petrus, Chair, Health & Human Service Committee
Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, The Director of the Office for the Aging presented bills for service providers in regard to operation of the Senior Nutrition Program, to the County Treasurer for payment pursuant to Resolution No. 297, duly adopted on June 21, 1994, which claims total \$14,090.00 covering the period through 8-1-08 and have been paid as set forth on the attached lists; now, therefore, be it

RESOLVED, that the aforesaid claims shall become part and parcel of the full legislative audit for the Office for the Aging.

Signed by Petrus. McIntosh, Mahunik, Schuster, Cuddeback, Sincebaugh, Tortorici, Mitchell, Palermo, Lockwood, Axton.

Approved by voice vote, all in favor.

RESOLUTION NO. 502-08

8/26/08

**AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS &
MEANS COMMITTEE FOR PAYMENT OF THRUWAY TOLLS.**

BY: Hon. Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 24-97, adopted January 21, 1997, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Thruway Tolls, and,

WHEREAS, said Committee has audited and authorized payments as follows:

JULY 2008 \$ 209.65

RESOLVED, that said payments be part and partial payment of the full audit of this Board.

Signed by Mitchell, Axton, Palermo, Lockwood, Tortorici, Petrus, Schuster.

Approved by voice vote, all in favor.

RESOLUTION NO. 503-08

8-26-08

**AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS &
MEANS COMMITTEE FOR PAYMENT OF CREDIT CARD CHARGES.**

BY: Hon. Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 1-99, adopted January 01, 1999, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Credit Card Charges, and,

WHEREAS, said Committee has audited and authorized payments as follows:

	JULY 2008	
First Niagara		\$ 831.54
AmExpress		\$ 1,100
Sunoco		\$ 289.78
Exxon		\$ 140.61
Total:		\$2,361.93

RESOLVED, that said payments be part and partial payment of the full audit of this Board.

Signed by Mitchell, Palermo, Lockwood, Tortorici, Petrus, Schuster.

Approved by voice vote, all in favor.

RESOLUTION NO. 504-08

8/26/08

**AUTHORIZING PAYMENT OF LEGAL NOTICE FEES
PRIOR TO THE LEGISLATIVE AUDIT.**

BY: Hon. Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, several county agencies are required by law to advertise legal notices in area media from time to time, and

WHEREAS, several of the officially designated newspapers offer a discount for prompt payment of legal Advertising invoices, and

WHEREAS, it would be in the best interest of the County to take advantage of the prompt payment discounts by paying these invoices prior to the legislative audit of claims, therefore be it

RESOLVED, that the Clerk of the Legislature is hereby authorized to process legal Advertising invoices for payment by the Cayuga County Treasurer prior to the monthly legislative audit, and be it further

RESOLVED, that a monthly report of said payments shall be provided to each legislator on a monthly basis.

JULY TOTAL \$4248.52

Signed by Mitchell, Axton, Lockwood, Tortorici.

Approved by voice vote, all in favor, except Palermo abstained.

RESOLUTION NO. 505-08

(8/26/08) COA-CAPH8P

**AUTHORIZING THE COUNTY TREASURER TO PAY CLAIMS AGAINST
VARIOUS CAPITAL "H" PROJECTS.**

BY: MR. MITCHELL, Chairman, Ways & Means Committee.

WHEREAS, claims have been received in regard to various Capital "H" Projects previously established by the County; and

WHEREAS, said claims have been reviewed and approved by the interested oversight committees; now, therefore, be it

RESOLVED, that the County Treasurer be and he is hereby authorized and directed to pay the following claims and charge the same to the appropriate Capital "H" Projects:

Tuesday, August 26, 2008

361

1.	Project #00-01-C (Implementation of Master Facilities Plan for CCC Auburn, Campus): BROWN SOUND EQUIPMENT CORP.:	
	Inv. No. 63131	\$ 9,990.00
2.	Project #03-7 (Phase 4/ Integration of Services (IOS): CDW GOVERNMENT, INC.:	
	Inv. No. JFT8821-A - \$6,770.00, less	
	Inv. No. JQG1446-B - \$6,520.28 credit	\$ 249.72
	FINGERLAKES TECHNOLOGIES, INC.:	
	Inv. No. 2008-207	\$ 3,285.00
3.	Project #04-4 (Enhanced Wireless 911 Expedited Deployment Plan): STAPLES BUSINESS ADVANTAGE:	
	Inv. #8010104960	\$ 448.78
	NEW WORLD SYSTEMS:	
	Inv. No. 46996	\$ 4,830.00
	Inv. No. 47179	\$ 1,548.66
	Inv. No. 55566	\$ 2,500.00
	Inv. No. 55567	\$ 4,500.00
4.	Project #06-5 (Modification to the Cayuga County Office Bldg. Heating System): SIRACUSA MECHANICAL, INC.:	
	Application & Certificate for Payment #11 dated 7/31/08 HAVC) \$	7,980.00
	BOULEY ASSOCIATES, INC.:	
	Application & Certificate for Payment #1 dated 7/22/08 (FIREPROOFING)	\$ 149,150.00
4.	Project #07-1 (Erie Heritage Preservation): KENT ENVIRONMENTAL:	
	Inv. No. 68	\$ 4,251.63
5.	Project #07-5 (Tyler Software): TYLER TECHNOLOGIES, INC.:	
	Inv. No. 132331	\$ 597.25
	Inv. No. 132674	\$ 505.77
	INN AT THE FINGERLAKES:	
	Inv. No. 3740	\$ 280.00
	Inv. No. 3748	\$ 210.00

And be it further

RESOLVED, that the Treasurer make the journal and accounting entries necessary to accomplish the foregoing.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 506-08

8/26/08

AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF EQUIPMENT LEASE PAYMENTS.

BY: Hon. Francis Mitchell, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 76-02, adopted February 26,

Tuesday, August 26, 2008

2002, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Equipment Leases, and

WHEREAS, said Committee has audited and authorized payment as follows:

JULY 2008	
Copier Leases and Maintenance:	\$ 8,272.78
Postage Leases:	\$ 1,195.00
Misc. Leases:	<u>\$ 7,142.31</u>
Total	\$16,610.09

RESOLVED, that said payment be part and partial payment of the full audit of this Board.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 507-08

8/26/08

AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF PARCEL SERVICE PAYMENTS.

BY: Hon. Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 03-03, adopted January 3, 2003, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Parcel Service Payments, and

WHEREAS, said Committee has audited and authorized payment as follows:

JULY 2008	\$ 321.03
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RESOLVED, that said payment be part and partial payment of the full audit of this Board.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 508-08

(8/26/08) COM loceycahill medicare contract

AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO SIGN A CONTRACT WITH LOCEY & CAHILL TO PREPARE AND FILE THE ACTUARIAL ATTESTATION STATEMENTS, FORMS, REPORTS AND CLAIMS ASSOCIATED WITH THE MEDICARE PART D RETIREE DRUG SUBSIDY PROGRAM FOR CAYUGA COUNTY.

BY: Francis Mitchell, Chairperson, Way & Means Committee

WHEREAS, the deadline for the County of Cayuga to file the necessary renewal application with the federal government is September 29, 2008 for the Medicare Part D Retiree Drug Subsidy Program; and

WHEREAS, it will be in the county's best financial interest to meet the renewal deadline; and

WHEREAS, the firm of Locey & Cahill LLC has offered to prepare and file the actuarial attestation statements, forms reports and claims associated with the renewal for a fee of \$1,500; and

Tuesday, August 26, 2008

363

WHEREAS, the Health Care Consortium is comprised of three members, Cayuga Community College, Cayuga County Soil and Water Conservation District and County of Cayuga; and

WHEREAS, said fee shall be billed in one installment and payable thirty days from the signing of the agreement; and

WHEREAS, the fee shall be paid from the Health Insurance Consortium Fund; and

WHEREAS, the fee will be apportioned among the parties as follows: Cayuga Community College 10%; Cayuga County Soil and Water Conservation District 10%; County of Cayuga 80%;

now, therefore, be it

RESOLVED, that the Chairperson of the Legislature be authorized and directed to sign a contract with the firm of Locey & Cahill, LLC. for a fee not to exceed \$1,500 to prepare and file the renewal application for the Medicare Part D. Drug Subsidy Program; and be it further

RESOLVED, that the fee shall be paid from the Health Insurance Consortium Fund; and be it further

RESOLVED, that the County Treasurer is authorized and directed to make all necessary journal and accounting entries to accomplish same and to pay the vendor within thirty days of the signing of said contract.

Signed by Mitchell, Petrus, Axton, Lockwood, Palermo, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 509-08

08/26/08 Leave Bank augu08rev2

**AUTHORIZING THE CREATION OF A TEMPORARY
LEAVE BANK FOR A COUNTY EMPLOYEE.**

Mr. Francis Mitchell, Chair, Ways and Means Committee.

WHEREAS, an employee of the Health and Human Services Department is recovering from a severe injury to the left leg and the recovery of this employee will be slow and lengthy; and

WHEREAS, this employee has worked for the Health and Human Services Department since December 1994, and has expired earned accruals to cover the recovery time; and

WHEREAS, discussion has occurred over this issue with representatives of the County and the CSEA and both parties have agreed to allow the creation of a temporary leave bank at the request of fellow employees to address the immediate loss of income for the employee, now; therefore, be it

RESOLVED, that the Cayuga County Legislature hereby approves this temporary leave bank, subject also to approval of CSEA Officials; and, be it, further

RESOLVED, that the Cayuga County Legislature authorizes and directs all those steps that may be required to undertake this temporary leave bank in accordance with the following conditions developed in Resolution #174 adopted on April 16, 1996:

All other leave shall have been exhausted by the employee. All County employees may be permitted to donate personal or vacation leave time in no less than half day increments, at any amount up to a grand total of seventy-five work days, all leave donations shall be in writing on a standardized leave bank form, leave time shall be used by the employee in no less than half day increments, using one full day from each donation before additional days are utilized from donors making multiple day donations; and, be it, further

RESOLVED, that the Cayuga County Legislature wishes the employee a speedy recovery and looks forward to their return to work with the County.
Signed by Mitchell, Petrus, Axton, Lockwood, Palermo, Schuster, Tortorici.
Approved by voice vote, all in favor.

RESOLUTION NO. 510-08

(8/26/08) COA-AppSaleOfCoPropInT-GENOAtoPLATT

**AUTHORIZING THE SALE OF COUNTY-OWNED PROPERTY LOCATED IN
THE TOWN OF GENOA, COMMONLY KNOWN AS TAX MAP
NO. 228.00-1-9.11, TO JAMES PLATT.**

BY: MR. MITCHELL, Chairman, Ways & Means Committee.

WHEREAS, the County obtained title to property located in the Town of Genoa, commonly known as the old "Central New York Auburn and Lansing Railroad", by Tax Deed dated January 30, 1984; and

WHEREAS, the past practice of the County has been to offer portions of the aforesaid property to adjacent landowners; and

WHEREAS, James Platt, an adjacent landowner, has requested to purchase the parcel identified as Tax Map No. 228.00-1-9.11, consisting of 3.9 acres of land, for the sum of \$200.00; and

WHEREAS, the property is surplus and the County has no plans to develop the same; now, therefore, be it

RESOLVED, that the County of Cayuga hereby declares Tax Map No. 228.00-1-9.11 in the Town of Genoa, consisting of 3.9 acres of land, to be surplus property; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized to sign any and all documents necessary to convey the above-described property to James Platt for the amount of \$200.00.

Signed by Mitchell, Petrus, Axton, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 511-08

(08/26/08) rpsfillGIS technician

**AUTHORIZING THE CAYUGA COUNTY REAL PROPERTY SERVICES OFFICE
TO FILL A VACANCY**

BY: Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, the Cayuga County Office of Real Property Services currently has one vacancy in the existing GIS Technician position; and

WHEREAS, it is necessary to select a candidate and fill the GIS Technician position to ensure continuity of mandated services that assure Real Property Tax Collection; and

WHEREAS, money has been budgeted for this position in the 2008 budget; now therefore be it

RESOLVED, that the Cayuga County Office of Real Property Services is hereby authorized to fill the position immediately in accordance with civil service rules and regulations and the Policies of Cayuga County.

Signed by Mitchell, Petrus, Axton, Lockwood, Palermo, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 512-08
08/26/08 Treasclerkpt
AUTHORIZING THE COUNTY TREASURER TO
FILL A VACANT PART-TIME CLERK POSITION

By: Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, due to the resignation of an employee of the Treasurer's Office, there is a vacant permanent part-time Clerk position; and

WHEREAS, this position is essential to the day to day operations of the Treasurer's Office, and

WHEREAS, funding for this position is available in the Treasurer's Office 2008 budget under position control number 06280; therefore be it

RESOLVED, that the County Treasurer is hereby authorized to fill the part-time Clerk position, and be it further

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

Signed by Mitchell, Petrus, Axton, Lockwood, Palermo, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 513-08
(8/26/08) COMprescripdrugsREV3
REQUIRING COUNTY NON-BARGAINING EMPLOYEES, APPOINTED,
ELECTED OFFICIALS AND NON-BARGAINING RETIREES TO PURCHASE
PRESCRIPTION MEDICATIONS AND SUPPLIES AT PHARMACIES THAT
HAVE AN AGREEMENT WITH EXELLUS HEALTH PLAN

BY: Hon. Francis Mitchell, Chairman Ways and Means Committee

WHEREAS, the Cayuga County Legislature has determined County that some employees and retirees have been purchasing prescription drugs from non participating pharmacies which do not have an agreement with the Excellus Health Plan or its subsidiaries to participate in their network of their participating pharmacies; and

WHEREAS, the cost of such prescription drugs is often more than four times as much as the participating pharmacies: and

WHEREAS, the premium cost for employees and the county would be reduced by eliminating excessive prescription charges being made to the county Excellus Healthcare Plan: and

WHEREAS, the County Legislature wishes to affect this mutually beneficial change in order to save premiums costs for the County taxpayers, County employees and retirees; now, therefore be it

RESOLVED, effective upon the passage of this resolution, all non-bargaining employees, appointed and elected officials, including County Legislators, Sheriff, County Clerk, District Attorney, Coroner and retirees from said positions will no longer be able to purchase prescription medications and supplies at retail and mail-order pharmacies which do not have an agreement with Excellus Health Plan, Inc. or its subsidiaries to participate in their network of medical providers; and be it further

RESOLVED, that this resolution becomes effective the payroll period after Excellus Healthcare Plan is able to apply this change in policy and the premium rate for any and all applicable participants shall be reduced by one and one half percent.
Signed by Mitchell, Petrus, Axton, Lockwood, Palermo, Schuster, Tortorici.
Approved by voice vote, all in favor.

RESOLUTION NO. 514-08

8/26/08 Shr-LeaveBank rev4

**AUTHORIZING THE CREATION OF A TEMPORARY LEAVE BANK FOR A
CAYUGA COUNTY SHERIFF'S EMPLOYEE, CUSTODY DIVISION.**

BY: Mr. Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, an employee of the Cayuga County Sheriff's Department, Custody Division, has sustained an injury requiring surgery that will necessitate extended leave for this recovery; and

WHEREAS, this employee has worked for the Cayuga County Sheriff's Department, Custody Division, for approximately two years and has exhausted accruals due to this injury; and

WHEREAS, discussion has occurred over this issue with representatives of the County and the SEACC and both parties have agreed to allow the creation of a temporary leave bank at the request of fellow employees to address the immediate loss of income for the employee; now therefore be it

RESOLVED, that the Cayuga County Legislature hereby approves this temporary leave bank, subject also has approval of the SEACC officials; and be it further

RESOLVED, that the Cayuga County Legislature authorizes and directs all those steps that may be required to undertake this temporary leave bank in accordance with the following conditions:

All other leave shall have been exhausted by the employee. All County employees may be permitted to donate personal, vacation or compensation time in no less than full day increments, at any amount up to a grand total of seventy-five work days, all leave donations shall be in writing on a standardized leave bank form, leave time shall be used by the employee in accordance with the SEACC contract, using one full day from each donation before additional days are utilized from donors making multiple day donations; and be it further

RESOLVED, that the Cayuga County Legislature wishes the employee a speedy recovery and looks forward to their return to work with the County.

Signed by Mitchell, Petrus, Axton, Lockwood, Palermo, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 515-08

Action 8/26/08 MH FillMHTA-08-08

**AUTHORIZE THE FILLING OF A PART-TIME MENTAL HEALTH THERAPY
AIDE POSITION AT THE COMMUNITY MENTAL HEALTH CENTER OF
CAYUGA COUNTY**

By: Hon. Ann Petrus, Chair Health and Human Services Committee, and
Hon. Francis Mitchell, Chair Ways and Means Committee.

WHEREAS, there is a vacant part-time Mental Health Therapy Aide position in the Community Mental Health Center of Cayuga County as the result of a resignation; and

Tuesday, August 26, 2008

367

WHEREAS, this position is assigned to the Psychosocial Club Program which is 100% funded by the State with Community Support Services funds; and

WHEREAS, the position is necessary for the continued functioning of the program; now, therefore, be it

RESOLVED, that the Acting Director of Community Mental Health Services be authorized and is hereby directed to fill the position of one part-time Mental Health Therapy Aide in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Petrus, Cuddeback, Mahunik, Schuster, Sincebaugh, Tortorici, McIntosh, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 516-08

Action 8/26/08 MH FillMHTA2-08-08

AUTHORIZE THE FILLING OF A PART-TIME MENTAL HEALTH THERAPY AIDE POSITION AT THE COMMUNITY MENTAL HEALTH CENTER OF CAYUGA COUNTY

By: Hon. Ann Petrus, Chair Health and Human Services Committee, and Hon. Francis Mitchell, Chair Ways and Means Committee.

WHEREAS, there is a vacant part-time Mental Health Therapy Aide position in the Community Mental Health Center of Cayuga County; and

WHEREAS, this position is assigned to the Psychosocial Club Program which is 100% funded by the State with Community Support Services funds; and

WHEREAS, the position is reflected in the adopted 2008 Cayuga County Budget; and

WHEREAS, our intent is to use this position intermittently only at those times of peak attendance or when other staff are absent; now, therefore, be it

RESOLVED, that the Acting Director of Community Mental Health Services be authorized and is hereby directed to fill the position of one part-time Mental Health Therapy Aide in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Petrus, Cuddeback, Mahunik, Schuster, Sincebaugh, Tortorici, McIntosh, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 517-08

(August 26, 2008) HD HRI Bioterrorism Grant 2008

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH HEALTH RESEARCH, INC. (HRI) AND ACCEPT FUNDING

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, HRI has been awarded a grant from the Centers for Disease Control and Prevention; and

WHEREAS, part of the overall project involves "Public Health Preparedness/Response for Bioterrorism" which would involve building the public health infrastructure to respond to bioterrorism; and

WHEREAS, the Cayuga County Health Department has represented to HRI that it is knowledgeable, qualified, and experienced in the skills required for this project, and is willing and capable of performing the services required for Cayuga County; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Health Research, Inc. to accept funding in the amount of \$96,963 for the period 8/10/08 through 8/9/09 for the purpose of developing a "Public Health Preparedness/Response for Bioterrorism Plan" for Cayuga County; and be it further

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into all contracts necessary to execute this grant and that the Cayuga County Health Department through this 100% reimbursable grant be authorized to purchase equipment and supplies necessary to implement this grant; and be it also

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make all the necessary journal and accounting entries and to amend the Health Department's 2008 budget in the following manner:

Increase Revenue Account #3407.000	\$96,963
Increase Appropriation Account #4010.470	\$96,963

Signed by Petrus, Cuddeback, Mahunik, Schuster, Sincebaugh, Tortorici, McIntosh, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 518-08

(August 26, 2008) HD ATUPA 2008

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW THE AGREEMENT WITH THE STATE TO PARTICIPATE IN THE YOUTH TOBACCO ENFORCEMENT AND PREVENTION PROGRAM AND ACCEPT FUNDING

BY: Ann Petrus, Chairman of the Health & Human Services Committee

Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Health Department contracted with the State to participate in the 100% State funded Youth Tobacco Enforcement and Prevention Program (aka ATUPA) for the period October 1, 2007 through September 30, 2009; and

WHEREAS, the New York State Department of Health continues to make funds available to municipalities for the purpose of reducing the use and accessibility of tobacco to youth under 18 years of age; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into an agreement with the State to continue to participate in the 100% State funded Youth Tobacco Enforcement and Prevention Program for the period of October 1, 2008 through September 30, 2009 in the amount of \$37,562; and be it further

RESOLVED, that the Director of Health & Human Services be authorized to enter into subcontracts with agencies/individuals in order to accomplish the goals of this grant; and be it also

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make all the necessary journal and accounting entries to amend the Cayuga County Health Department 2008 Budget in the following manner:

Increase Appropriation Account #4010.418	\$37,562
Increase Revenue Account #3420	\$37,562

Signed by Petrus, Cuddeback, Mahunik, Schuster, Sincebaugh, Tortorici, McIntosh, Mitchell, Axton, Lockwood, Palermo.
Approved by voice vote, all in favor.

RESOLUTION NO. 519-08
(August 26, 2008) HD HRI Funding Breast Health 2008
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW CONTRACT
WITH HRI TO CONTINUE BREAST & CERVICAL CANCER EARLY
DETECTION PROGRAM.

BY: Ann R. Petrus, Chairman of the Health & Human Service Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, the Health Department's Healthy Women's Partnership (Breast & Cervical Cancer Early Detection Program) is partially funded by federal funding through Health Research, Inc.; and

WHEREAS, we have again been offered federal funding for this program through Health Research, Inc.; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Health Research, Inc. to accept federal funding for the Breast & Cervical Cancer Early Detection Program in the amount of \$22,438 for the period of June 30, 2008 through June 29, 2009; and be it further

RESOLVED, that the Director of Health & Human Services be authorized to enter into subcontracts with agencies/individuals in order to accomplish the goals of this grant; and be it also

RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the Health Department's 2008 Budget in the following manner:

Increase Appropriation Account #4010.423	\$22,438
Increase Revenue Account #3424.000	\$22,438

Signed by Petrus, Cuddeback, Mahunik, Schuster, Sincebaugh, Tortorici, McIntosh, Mitchell, Axton, Lockwood, Palermo.
Approved by voice vote, all in favor.

RESOLUTION NO. 520-08
(August 26, 2008) HS Partnership for Results (Amend)
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO AMEND THE CONTRACT
WITH PARTNERSHIP FOR RESULTS, INC. FOR THE PROVISION OF
PREVENTIVE SERVICES

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, the Department has evidenced that the Partnership for Results' contract for multi-dimensional preventive services has proven to be an effective intervention in supporting a child and family re-unification from foster care; and

WHEREAS, we now want to expand this clinical intervention to target families receiving preventive services in an effort to impact the number of children needing to come into foster care; and

WHEREAS, we have access to 100% Federal funds to fund this amendment; NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to amend the contract with Partnership for Results, Inc. in an amount not to exceed \$15,000 for the period September 1, 2008 to December 31, 2008 to expand this clinical intervention; and be it further

RESOLVED, that the charges for these services be paid out of account #6070.4, line item # .184 of the 2008 Health Department Budget.

Signed by Petrus, Cuddeback, Mahunik, Schuster, Sincebaugh, Tortorici, McIntosh, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 521-08
(August 26, 2008) HS FFFS Funding 2008
AMENDING THE HUMAN SERVICES 2008 BUDGET TO ACCEPT 100%
FEDERAL FUNDING FROM THE FLEXIBLE FUND
FOR FAMILY SERVICES (FFFS)

BY: Ann Petrus Chairman of the Health & Human Service Committee
Fran Mitchell, Chairman of the Ways & Means Committee

WHEREAS, the Human Services Division of Health & Human Services has received 100% Federal FFFS funding (Flexible Fund for Family Services) and of this fund \$230,000 will be used to support employment related services for TANF eligible applicants and recipients in order to assist them to stay off of public assistance or enable them to reduce the amount of assistance they are receiving; and

WHEREAS, it is necessary to amend the 2008 Human Services Budget in order to accept this funding; NOW, THEREFORE BE IT

RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the Human Services Department's 2008 Budget in the following manner, and make the necessary journal and accounting entries to accept the new FFFS funds:

Increase Acct. #6060.40	\$230,000
Increase Acct. #4615 FFFS	\$230,000

Tuesday, August 26, 2008

371

and be it further

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services be authorized to enter into any subcontracts that are necessary to implement this grant.

Signed by Petrus, Cuddeback, Mahunik, Schuster, Sincebaugh, Tortorici, McIntosh, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 522-08

(August 26, 2008) HS Cornell Coop Ext 2008

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A
CONTRACT WITH CORNELL COOPERATIVE EXTENSION OF CAYUGA
COUNTY FOR THE PROVISION OF "PLACEMENT IN ANOTHER PLANNED
PERMANENT LIVING ARRANGEMENT" SERVICES
(100% FEDERALLY FUNDED)**

BY: Ann Petrus, Chairman of the Health & Human Service Committee

Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, the Human Services Division of Health & Human Services is required to provide "Placement in Another Planned Permanent Living Arrangement" to children in Foster Care who have a goal of independent living; and

WHEREAS, Cornell Cooperative Extension has the expertise to provide these services to children in foster care; and

WHEREAS, the Human Services Division has established and maintains a good working relationship with Cornell Cooperative Extension for such services; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Cornell Cooperative Extension of Cayuga County for the contract period of 7/1/08 to 12/31/08 in the amount of \$12,390 (100% Federally funded) for "Placement in Another Planned Permanent Living Arrangement" services; and be it further

RESOLVED, that the charges for these services be paid out of account #6010.400, line item #.059 of the 2008 Human Services Budget.

Signed by Petrus, Cuddeback, Mahunik, Schuster, Sincebaugh, Tortorici, McIntosh, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 523-08

(August 26, 2008) HS Clinical Psychologists Contracts

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO
CONTRACTS WITH VARIOUS CLINICAL PSYCHOLOGISTS TO CONDUCT
CLINICAL PARENTAL AND CHILD ASSESSMENTS
FOR CHILD WELFARE CASES**

BY: Ann Petrus, Chairman of the Health & Human Service Committee

Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, the Human Services Department has need for the services of clinical

psychologists to conduct clinical parental and child assessments for determining appropriate permanency and service plans for children and families; and

WHEREAS, these clinical psychologists possess the knowledge and expertise to perform our work; and

WHEREAS, the Department desires to contract with the following Clinical Psychologists at the rates listed:

Dr. Robert Kohlbrenner @ \$125/hr.	Dr. Norman Lesswing @ \$110/hr.
Dr. Brian Thomson @ \$125/hr.	Dr. Richard Hoyt @ \$110/hr.
Dr. Philip Yorke @ \$125/hr.	Dr. Santo Bentivagnia @\$100/hr.

and

WHEREAS; these expenses are budgeted for in the 2008 Human Services budget and are reimbursed by the State at 75%; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services be authorized and directed to enter into contracts with the clinical psychologists listed above for the period

August 1, 2008 through July 31, 2009 at the scheduled rates.

Signed by Petrus, Cuddeback, Mahunik, Schuster, Sincebaugh, Tortorici, McIntosh, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 524-08

(August 26, 2008) HS FSNEP Cornell Coop 2008

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ACCEPT FUNDING FOR
THE FOOD STAMP NUTRITION EDUCATION PROGRAM (FSNEP) AND
CONTRACT WITH CORNELL COOPERATIVE EXTENSION
FOR SERVICES RELATED TO FSNEP**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Fran Mitchell, Chairman of the Ways & Means Committee

WHEREAS, the Human Services Department, a division of Health & Human Services, will act as the lead agency in regards to the claiming and reporting of the Food Stamp Nutrition Education Program to the State; and

WHEREAS, this program will provide nutrition education activities to any individual or household potentially eligible to participate in the Food Stamp Program, as well as current recipients; and

WHEREAS, the Department of Health and Human Services desires to renew their contract with Cornell Cooperative Extension which would allow the Human Services Division to reimburse Cornell Cooperative Extension and claim these expenditures at 100% Federal reimbursement; and

WHEREAS, the Human Services Department relies on Cornell Cooperative Extension to assist the above noted food stamp applicants and recipients, by providing them with nutritional education in order to help them adopt a more nutritional lifestyle as well as utilize their food stamp benefits more efficiently; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to accept 100% federal funding for the Food Stamp Nutrition Education Program for the period October 1, 2008 through September 30, 2009 in the amount of \$85,082, and enter into a contract for the above services with Cornell Cooperative Extension; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the Human Services 2008 budget in the following manner:

Increase Account A6070.400.227 Services to Recipients	\$85,082
Increase Account A4670 Federal Aide Client Services	\$85,082

Signed by Petrus, Cuddeback, Mahunik, Schuster, Sincebaugh, Tortorici, McIntosh, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 525-08

**(August 26, 2008) HS Early Outreach HEAP/Catholic Charities
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH AND HUMAN SERVICES TO ENTER INTO A
CONTRACT WITH CATHOLIC CHARITIES OF THE FINGERLAKES, INC.,
TO PERFORM OUTREACH ACTIVITIES FOR THE STATE MANDATED HEAP
PROGRAM, AND ACCEPT EARLY OUTREACH FUNDING
(100% FEDERALLY FUNDED), FOR THE PERIOD OF
SEPTEMBER 1, 2008 THROUGH DECEMBER 31, 2008**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, the Low Income Home Energy Assistance Act of 1981 (Title XXVI of the Omnibus Budget Reconciliation Act) was signed into law to assist eligible households to meet the costs of home energy, said costs being 100% federally funded; and

WHEREAS, the State of New York will oversee the Low Income Home Energy Assistance Act of 1981 in accordance with the requirements of Section 2605 of said Act; and

WHEREAS, the Governor of the State of New York designated County Social Services Departments to carry out the purpose, functions and administration of the Low Income Energy Assistance Act of 1981 in the State of New York, which includes performing outreach activities; and

WHEREAS, in order to administer this program it is necessary to contract with outside agencies to assume responsibility for outreach activities in connection with HEAP (which includes providing and manning outreach and intake sites for regular and emergency assistance) consistent with the State Plan and regulations; and

WHEREAS, in the past we have successfully contracted with Catholic Charities of the Fingerlakes, Inc., to provide these services; and

WHEREAS, this year there is an early start-up of the program and early administrative funds in the amount of \$29,392 are available to assist counties who open the program early; and

WHEREAS, we will be receiving another administrative allocation to cover the total cost of the contract; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services be authorized to enter into a contract (100% federally funded) with Catholic Charities of the Fingerlakes, Inc., in the amount of \$58,000; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the County's Human Services 2008 Budget in the following manner:

Increase Revenue Acct. #4610	\$29,392
Increase Expenditure Acct. #6010.42	\$29,392

Signed by Petrus, Cuddeback, Mahunik, Schuster, Sincebaugh, Tortorici, McIntosh, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

**RESOLUTION NO. 526-08 DATE: 08/26/08 OFAWrapContractAug08
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF THE OFFICE FOR THE AGING TO SIGN A CONTRACT WITH
CAYUGA COUNTY HOMESITE DEVELOPMENT CORPORATION FOR THE
WEATHERIZATION REFERRAL AND PACKAGING
LAST RESORT PROGRAM (WRAP).**

BY: Ms. Ann Petrus, Chair, Health & Human Services Committee, and
Mr. Francis Mitchell, Chair, Ways and Means Committee.

WHEREAS, appropriations were approved in the Cayuga County Budget for the year 2008 for various subcontractors (Line 6772.400.118A) for the County Office for the Aging in return for which these subcontractors agree to perform certain services for the benefit of Senior Citizens of the County of Cayuga; and

WHEREAS, an allocation of \$20,000 to Cayuga County for the period August 1, 2008 through July 31, 2009 is available to continue the Weatherization Referral And Packaging Last Resort Program with 100% reimbursement from the New York State Office for the Aging; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of the Office for the Aging are hereby authorized to sign on behalf of the County the contract for services with the Cayuga County Homesite Development Corporation:

Weatherization Referral And Packaging Last Resort Program	\$20,000
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And be it further

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

Signed by Petrus, Cuddeback, Mahunik, Schuster, Sincebaugh, Tortorici, McIntosh, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 527-08
DATE: 08/26/08 OFAamendbudgetAug08
AMEND THE YEAR 2008 CAYUGA COUNTY OFFICE FOR THE AGING
BUDGET AND AUTHORIZING THE ACCEPTANCE OF GRANTS.

BY: Ms. Ann Petrus, Chair, Health & Human Services Committee, and
Mr. Francis Mitchell, Chair, Ways and Means Committee.

WHEREAS, the Cayuga County Office for the Aging has received 100% grant funding from the Stardust Foundation of Central New York to fund a Project Lifesaver program in partnership with the Cayuga County Sheriff's Department to provide a rapid response rescue program in Cayuga County to locate individuals who have wandered and become lost because of dementia or other diseases that cause wandering; and

WHEREAS, the Office for the Aging has received a donation from the Stardust Foundation of Central New York in the amount of \$10,000, during the year 2008 that was not available to this Office when the year 2008 budget was prepared; and

WHEREAS, the Cayuga County Treasurer's Office will need to amend the year 2008 Office for the Aging budget to reflect the increased funding to be received; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of the County Office for the Aging are hereby authorized to accept funding in the amount of \$10,000 and to enter into all contracts necessary to execute this grant and that the Cayuga County Office for the Aging through this 100% reimbursable grant be authorized to purchase equipment and supplies necessary to implement these grants; and be it further

RESOLVED, that the County Treasurer be and he is authorized and directed to amend the Year 2008 Cayuga County Office for the Aging budget in the following manner:

Increase Revenue Account 1971.000.000-A Office for the Aging - Donations	\$10,000
Increase Equipment 6772.200.000-A Project Lifesaver Locator Equipment	8,500
Increase Training 6772.400.135-A	1,500

And be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make all necessary journal and accounting entries necessary to accomplish the same.

Signed by Petrus, Cuddeback, Mahunik, Schuster, Sincebaugh, Tortorici, McIntosh, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 528-08
Date: 08/26/08 OFAamendBudget&ReinstatePosition
AUTHORIZATION TO AMEND THE COUNTY 2008 BUDGET AND TO
REINSTATE ONE 100% FUNDED PART-TIME AGING SERVICES SPECIALIST
POSITION IN THE OFFICE FOR THE AGING DEPARTMENT.

BY: Ms. Ann Petrus, Chair, Health & Human Services Committee, and
Mr. Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, the Office for the Aging received additional funding for the Health Insurance Information Counseling and Assistance Program from the New York State Office for the Aging after the County Budget 2008 was adopted; and

WHEREAS, to carry out the intent of the aforementioned grant, it will be necessary to hire one Aging Services Specialist PT, to assist in providing the services of the Health Insurance Information Counseling and Assistance Program, a program for senior citizens in Cayuga County; now, therefore, be it

RESOLVED, that the County Budget 2008 be amended to increase line 6772.100.000-A Salaries by \$6155

And 6772.800.001-A Fringe Benefits Social Security by \$1231; and be it further

RESOLVED, that Revenue Account No. 3772.000.000 be hereby increased by the amount of the additional funding received in the amount of \$7386 to offset the additional expenses; and be it further

RESOLVED, that one part-time position of Aging Services Specialist previously created (position #6190) be hereby funded; and be it further

RESOLVED, that the rate of pay be set at \$19.54 per hour (step one) in accordance to the Cayuga County Compensation Plan, Part II, until changed by resolution of this legislature; and be it further

RESOLVED, that the Director of the Office for the Aging be hereby authorized to hire one part time Aging Services Specialist, effective 11/15/08 with no fringe benefits except what is mandatory under law; and be it further

RESOLVED, that the foregoing be accomplished in accordance with Cayuga County Civil Service Rules and Regulations and the Policies of the County of Cayuga; and be it further

RESOLVED, that the 100% funded position will be abolished should the funding be terminated for any reason.

Signed by Petrus, Cuddeback, Mahunik, Schuster, Sincebaugh, Tortorici, McIntosh, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 529-08

**(8/26/08) COA-AppAgrW-ExcellusHealthPlan,Inc.ReRetireeDrug SubsidyREV
AUTHORIZING THE CHAIRMAN OF THE COUNTY LEGISLATURE TO SIGN
RENEWAL AGREEMENT AND AMENDMENT TO AGREEMENT WITH
EXCELLUS HEALTH PLAN, INC., TO PROVIDE ADMINISTRATIVE
SERVICES FOR THE RETIREE DRUG SUBSIDY.**

BY: MRS. PETRUS, Chair, Health & Human Services Committee, and
MR. MITCHELL, Chair, Ways & Means Committee

WHEREAS, the County has received replacement of the original Agreement and Amendment to the Agreement to provide administrative services for the Retiree Drug Subsidy, a copy of which is annexed hereto; and

WHEREAS, this renewal is for a one-year period; and

WHEREAS, EXCELLUS intends to charge employers \$500.00 for the cost-reporting services; now, therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized to sign the Agreement and the Amendment to Agreement with EXCELLUS HEALTH PLAN, INC., to provide administrative services for the Retiree Drug Subsidy.

Signed by Petrus, Cuddeback, Mahunik, Sincebaugh, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 530-08

Action 8/26/08 MH FillSrClk-08-08

AUTHORIZE THE FILLING OF A FULL-TIME SENIOR CLERK POSITION AT THE COMMUNITY MENTAL HEALTH CENTER OF CAYUGA COUNTY

By: Hon. Ann Petrus, Chair Health and Human Services Committee, and
Hon. Francis Mitchell, Chair Ways and Means Committee.

WHEREAS, there is a vacant full-time Senior Clerk position in the Community Mental Health Center of Cayuga County as the result of a resignation; and

WHEREAS, this position is assigned solely to billing for services provided by the department; and

WHEREAS, much of the revenue must be billed within specified time constraints or else the revenue will be lost; now, therefore, be it

RESOLVED, that the Acting Director of Community Mental Health Services be authorized and is hereby directed to fill the position of one full-time Senior Clerk in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Petrus, Cuddeback, Mahunik, Schuster, Sincebaugh, Tortorici, McIntosh, Mitchell, Lockwood.

Approved by voice vote, all in favor.

RESOLUTION NO. 531-08

Date of Meeting: 8/26/08 nhadjsalary

AUTHORIZATION TO ADJUST THE SALARY OF THE POSITION OF A SUPERVISING NURSE AT THE CAYUGA COUNTY NURSING HOME.

BY: Francis Mitchell, Chairman, Ways and Means Committee

BY: Ann Petrus, Chairman, Health and Human Services Committee

WHEREAS, Julie McCarthy has agreed to accept a position at the Nursing Home due to a retirement; and

WHEREAS, Ms. McCarthy has been employed in supervisory roles in other long term care facilities for over 20 years; Now be it therefore

RESOLVED, that Ms. McCarthy be hereby placed on the fourth step of the salary plan of this particular position of Supervising Nurse at Cayuga County Nursing Home because of her experience and expertise; and be it further

RESOLVED, that Ms. McCarthy continue on the fourth step of Supervising Nurse pursuant to the Cayuga County Compensation Plan, Part II .

Signed by Petrus, Cuddeback, Mahunik, Schuster, Sincebaugh, Tortorici, McIntosh, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 532-08

(August 26, 2008) HD Sue Green Contract 2008-2009

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH SUE A. GREEN, RN, CERTIFIED WOUND, OSTOMY AND CONTINENCE NURSE

BY: Ann Petrus, Chairman of the Health & Human Service Committee

Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, the County's Certified Home Health Agency wishes to enter into a

contract with Sue A. Green to serve as a consultant to the home care nurses for a select number of patients identified by the agency; and

WHEREAS, it is our opinion that by utilizing this consultant, we will be able to improve patient outcomes and maximize Medicare revenue by reducing the overall costs of care per patient; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services enter into a contract with Sue A. Green for the time period September 1, 2008 through August 31, 2009 in the amount of \$38.50 per hour plus mileage at the current Cayuga County approved rate; and be it further

RESOLVED, that these expenses be paid out of account #4012.400, line item # .130 of the 2008 Health Department Budget.

Signed by Petrus, Cuddeback, Mahunik, Schuster, Sincebaugh, Tortorici, McIntosh, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 533-08

(August 26, 2008) HD Clark Contract

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A
CONTRACT WITH ELAINE C. CLARK TO PROVIDE
PHYSICAL THERAPY SERVICES**

BY: Ann Petrus, Chairman of the Health & Human Services Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, there exists in the Certified Home Health Agency (CHHA) a need to provide physical therapy services; and

WHEREAS, the Department relies to an extent on obtaining these services through certain professional independent contractors; and

WHEREAS, we have successfully contracted with Elaine Clark in the past for provision of these services; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Elaine C. Clark to provide physical therapy services for the contract period August 1, 2008 through July 31, 2010 at the following rates:

Physical Therapy:

	<u>8/1/08-7/31/09</u>	<u>8/1/09-7/31/10</u>
Evaluation	\$58.33	\$59.79
Repeat Visit	\$52.54	\$53.85
Orientation, Inservice, Training	\$15.00/hr.	\$15.00/hr.

and be it further

RESOLVED, that the charges for these services be paid out of account #4012.400, line item # .127 of the Health Department Budget.

Signed by Petrus, Cuddeback, Mahunik, Schuster, Sincebaugh, Tortorici, McIntosh, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 534-08
(August 26, 2008) HD Fill 2 PT RNs at CHHA
AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO FILL
TWO PART-TIME RN VACANCIES AT THE HOME CARE AGENCY
DUE TO RESIGNATIONS

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, there will be two Part-Time RN vacancies at the CHHA due to resignations; one effective July 29, 2008 and the other, August 26, 2008; and

WHEREAS, these part-time RN positions are utilized to cut down on overtime costs such as on weekends and holidays; these positions are necessary for the effective and efficient operation of the Department; and

WHEREAS, these positions are funded in the Health Department's 2008 Budget;
NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized to fill two Part-Time RN vacancies in a manner consistent with the rules and regulations of the County of Cayuga and the Cayuga County Civil Service Commission.

Signed by Petrus, Cuddeback, Mahunik, Schuster, Sincebaugh, Tortorici, McIntosh, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

Motion by Legislator Mahunik last resolved to read: RESOLVED, that the Nursing Home Administrator be hereby directed and authorized to hire two part time Clerks effective 9/1/08, and fund until 12-31-08, to provide the aforementioned services at Cayuga County Nursing Home and that the hire be in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

RESOLUTION NO. 535-08
Date of Meeting: 8/26/08 NHCreateClkPT08-08rev
AUTHORIZATION TO CREATE AND HIRE PART TIME CLERK POSITIONS
AT THE CAYUGA COUNTY NURSING HOME).

BY: Francis Mitchell, Chairman, Ways and Means Committee

BY: Ann Petrus, Chairman, Health and Human Services Committee

WHEREAS, Cayuga County Nursing Home is providing services to Cayuga County Nursing Home residents; and

WHEREAS, it is necessary to hire a part-time clerks to cover two (2) evening hours per day for a total of fourteen (14) hours per week; and

WHEREAS, Cayuga County Nursing Home will be able to recruit clerks for these part time hours; and

WHEREAS, the position will be created at minimum wage with no fringe benefits except those required by statute; now therefore be it

RESOLVED, that two positions of Clerk, PT be hereby created in the Nursing Home; and be it further

RESOLVED, that the rate of pay be set at \$ 7.15 in accordance to the appropriate Non-Bargaining Compensation Plan, Part II which shall be amended to include the title within the Nursing Home; and be it further

RESOLVED, that the Nursing Home Administrator be hereby directed and authorized to hire two part time Clerks effective 9/1/08, and fund until 12-31-08, to provide the aforementioned services at Cayuga County Nursing Home and that the hire be in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Mitchell, Axton, Lockwood, Palermo.
Approved by voice vote, all in favor.

RESOLUTION NO. 536-08

8.26.08 coacnfmaptcsrev3

ADOPTING THE RECOMMENDATION OF THE COMMUNITY SERVICES BOARD TO APPOINT KATHERINE O'CONNELL AS THE ACTING EXECUTIVE DIRECTOR TO THE COMMUNITY SERVICES BOARD AT A SALARY OF \$30,000 AND AMENDING 2008 BUDGET.

BY: Mrs. Ann Petrus, Chair, Health and Human Services Committee, and
Mr. Francis Mitchell, Chair, Ways and Means Committee.

WHEREAS, Section 41.09 of the Mental Hygiene Law provides in part, that the Executive Director to the Community Services Board is appointed by the Community Services Board; and

WHEREAS, it is also provided in that section that the salary and allowable expenses of the Director of Community Services is set by the appointing authority; and

WHEREAS, the salary, fringes and allowable expenses are budgeted by the Cayuga County Legislature; and

WHEREAS, the Community Services Board, by Resolution No. ____ adopted on ____ recommends to the Cayuga County Legislature that Katherine O'Connell be appointed as the Acting Executive Director to the Community Services Board at a salary of \$30,000 for a period of time not to exceed six (6) months; and

WHEREAS, there are sufficient monies in Account No. 4310.100.000-A and Account No. 4310.800-A to cover salaries and fringe benefits due to vacancies that were not filled for the entire year; now therefore be it

RESOLVED, the Cayuga County Legislature hereby adopts the recommendation of the Community Services Board to appoint Katharine O'Connell as the Acting Executive Director to the Community Services Board at a salary of (insert amount) for a period of time not to exceed six (6) months; and be it further

RESOLVED, that the temporary appointment be made in accordance to Cayuga County Civil Service Rules and Regulations and the Policies of the County of Cayuga; and be it further

RESOLVED, that the salary for the Executive Director to the CSB be set at \$30,000 and placed in Part IV of the Cayuga County Compensation Plan for Department Heads and Administrative Employee; and be it further

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

Signed by Petrus, Cuddeback, Mahunik, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 537-08

8.26.08 COAAPDIRCOMMTLHLTHSRVrev3

**AUTHORIZING THE FILLING OF THE TEMPORARY POSITION OF ACTING
DIRECTOR OF CAYUGA COUNTY COMMUNITY MENTAL HEALTH
SERVICES, SETTING SALARY AND AMENDING 2008 BUDGET.**

BY: Mrs. Ann Petrus, Chair, Health and Human Services Subcommittee, and
Mr. Francis Mitchell, Chair, Ways and Means Subcommittee.

WHEREAS, the County's Community Mental Health Department is going through a transition for management staff due to the retirements of the Deputy Director of Community Mental Health Services and Director of Community Mental Health Services; and

WHEREAS, Resolution No.172-08 appointed a temporary Acting Director of Community Mental Health Services; and

WHEREAS, the County's Health and Human Services Oversight Committee interviewed qualified candidates to fill the position of Acting Director of Community Mental Health Services;

WHEREAS, there are sufficient monies in Account No. 4310.100.000-A and Account No. 4310.800-A to cover salaries and fringe benefits due to vacancies that were not filled for the entire year; now therefore be it

RESOLVED, that Katharine O'Connell is hereby appointed to the temporary position of Acting Director of Community Mental Health Services for a period not to exceed six (6) months; and be it further

RESOLVED, that the salary for the department head position be hereby set at \$60,000 and placed in Part IV of the Cayuga County Compensation Plan for Department Heads and Administrative Employees; and be it further

RESOLVED, that the temporary appointment be made in accordance to Cayuga County Civil Service Rules and Regulations and the Policies of the County of Cayuga; and be it further

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

Signed by Petrus, Cuddeback, Mahunik, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 538-08

8/26/08 VETTRANSFER08

AUTHORIZATION TO AMEND THE 2008

CAYUGA COUNTY VETERANS SERVICE AGENCY BUDGET

BY: Mr. Christopher M. Palermo, Chair, Government Operations Committee

BY: Mr. Francis Mitchell, Chair, Ways and Means Committee

WHEREAS, the Cayuga County Veterans Service Agency is tasked with the transportation of Cayuga County veterans to the Syracuse Veterans Affairs Medical Center; and

WHEREAS, the cost of that transportation has risen dramatically due to the rise in gasoline prices and to increased usage by Cayuga County eligible veterans; and

WHEREAS, in order for the Cayuga County Veterans Service Agency to continue to provide this transportation service it will need to transfer funds within its Contractual Expense line items; and

WHEREAS, in order for the agency to successfully provide this service for the remainder of the current calendar year it will be necessary to initiate intra-fund transfers within the contractual expense account of the Agency; NOW THEREFORE BE IT

RESOLVED, that the Cayuga County Veterans Service Agency is hereby authorized to transfer the sum of \$800.00 from A6510.400.049 (Contractual Expense/Office Supplies) and \$800.00 from A6510.400.055 (Contractual Expense Postage) to A6510.400.008 (Contractual Expense/Auto Expense-Motor Pool); AND BE IT FURTHER

RESOLVED, that the Cayuga County Treasurer make the necessary journal and accounting entries to accomplish the same; AND BE IT FURTHER

RESOLVED, that the Chairman of the Cayuga County Legislator forward a letter to Congressman James Walsh and Congressman Michael Arcuri seeking financial assistance in the continuation of providing transportation for the Veteran's of Cayuga County.

Signed by Palermo, Mitchell, Petrus, Fearon, Murphy, Chapman, Sincebaugh, Lockwood, Tortorici, Schuster, Axton.

Approved by voice vote, all in favor.

RESOLUTION NO. 539-08

August 26, 2008 IT-ANTI-VIRUS-0808.doc

**AUTHORIZING THE INFORMATION TECHNOLOGY DEPARTMENT TO
RENEW ANTI-VIRUS SOFTWARE**

By: Christopher M. Palermo, Chairman, Government Operations Committee
Frances Mitchell, Chairman Ways and Means Committee

WHEREAS, the County utilizes anti-virus software on its workstations and servers to protect County networks and client data from viruses downloaded from the Internet; and

WHEREAS, The current anti-virus subscription is due to expire; and

WHEREAS, funds for this anti-virus subscription were included in the 2007 County budget (1020.400.074); now therefore, be it

RESOLVED, that the Information Technology Department is authorized to renew the annual anti-virus subscription; the annual cost on New York State Contract for the 12 month subscription being \$4,648.00; and be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to make the journal and accounting entries required to implement the intent of this resolution. Signed by Palermo, Mitchell, Petrus, Fearon, Murphy, Chapman, Sincebaugh, Lockwood, Tortorici, Schuster, Axton.

Approved by voice vote, all in favor.

RESOLUTION NO. 540-08

August 26, 2008 ITSERVERS0808.doc

**AUTHORIZING THE INFORMATION TECHNOLOGY DEPARTMENT TO
PURCHASE SERVERS**

By: Christopher M. Palermo, Chairman, Government Operations Committee
Frances Mitchell, Chairman Ways and Means Committee

WHEREAS, two servers currently in use are over five years old and due to be replaced; and

WHEREAS, the funds to replace these older servers is included in the 2008 Information Technology budget; therefore be it

RESOLVED, that the Information Technology Department is authorized to purchase two servers and related software on New York State contract in the amount of \$7,512.00 from Account No. A1020.200.000; and be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to make the journal and accounting entries required to implement the intent of this resolution. Signed by Palermo, Mitchell, Petrus, Fearon, Murphy, Chapman, Sincebaugh, Lockwood, Tortorici, Schuster, Axton.

Approved by voice vote, all in favor.

RESOLUTION NO. 541-08
(8/28/08) COAPURCSOMPT
AUTHORIZING THE PURCHASE OF AN OPTIPLEX 755 ENERGY SMART
MINITOWER COMPUTER FOR THE COUNTY ATTORNEY
OFFICE AND AMENDING 2008 BUDGET

BY: Christopher Palermo, Government Operations

BY: Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, the County Attorney Office is in need of a new computer to replace the computer that doesn't have the technological capabilities required to function efficiently with Munis Program; and

WHEREAS, funds are available in account 1420.100.000A, salaries, to cover the purchase of this computer; and

WHEREAS, the Cayuga County Computer Committee has already approved the purchase;

WHEREAS, DELL Company, has the state contract for computer equipment with a price of \$544.00; and now therefore be it

RESOLVED that the Office of County Attorney authorized to purchase a through state contract for \$544.00; and be it further

RESOLVED, that the sum of \$544.00 be transferred from account 1420.100.000A to account 1420.200.000-A and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the journal and accounting entries required to implement the intent of this resolution.

Signed by Palermo, Mitchell, Petrus, Fearon, Murphy, Chapman, Sincebaugh, Lockwood, Tortorici, Schuster, Axton.

Approved by voice vote, all in favor.

RESOLUTION NO. 542-08
(8.26.08) coalegestmlgrtreve4
ESTABLISHING A POLICY REQUIRING THE MILEAGE REIMBURSEMENT
RATE FOR NON-BARGAINING EMPLOYEES, APPOINTED AND ELECTED
OFFICIALS BE SET BY RESOLUTION OF THE CAYUGA COUNTY
LEGISLATURE AND ESTABLISHING THE MILEAGE REIMBURSEMENT RATE
FOR NON-BARGAINING EMPLOYEES, APPOINTED
AND ELECTED OFFICIALS.

BY: Hon. Christopher Palermo, Chairman Government Operations Committee

BY: Hon. Francis Mitchell, Chairman Ways & Means Committee

WHEREAS, New York State County Law, Article 5, §203 authorizes the payment of a reasonable mileage allowance; and

WHEREAS, the Internal Revenue Service sets a maximum reimbursement rate beyond which payments constitute taxable compensation; and

WHEREAS, unless otherwise set by contract with the bargaining units, the County has previously allowed the mileage reimbursement rate to automatically change to the IRS maximum rate without legislative consideration; and

WHEREAS, Resolution No. 402-08 adopted the Cayuga County Employee Handbook for Non-Bargaining Employees, wherein Section 17 set the mileage reimbursement rate equal to the IRS allowable deduction; and

WHEREAS, the County wishes to establish a policy wherein the mileage reimbursement rate for non-bargaining employees, appointed and elected officials shall be set by resolution of the Cayuga County Legislature; now therefore be it

RESOLVED, that the mileage reimbursement rate for non-bargaining employees, appointed and elected officials, including County Legislators, shall be set by resolution of the Cayuga County Legislature Cayuga; and be it further

RESOLVED, mileage reimbursement rate for non-bargaining employees appointed and elected officials, including County Legislators, shall be fifty- and- one- half cents (\$.505) per mile; and be it further

RESOLVED, that in order to obtain reimbursement for mileage, requests for reimbursement must be made within one-hundred and eighty (180) days after the end of a fiscal quarter; and be it further

RESOLVED, that Section 17 of the Cayuga County Employee Handbook for Non-Bargaining Employees shall be amended to read:

17. Mileage Allowance

A. The mileage reimbursement rate for non-bargaining employees, appointed and elected officials, including County Legislators, shall be set by resolution of the Cayuga County Legislature Cayuga. Resolution No. 542-08, adopted on August 26, 2008 set the mileage reimbursement rate for non-bargaining employees, appointed and elected officials, including County Legislators, shall at fifty and one-half cents (\$.505) per mile. In order to obtain reimbursement for mileage, requests for reimbursement must be made within one hundred and eighty (180) days after the end of a fiscal quarter.

Legislator Sincebaugh, why to we get mileage?

Fred Westphal Co. Attorney, County Law offers mileage reimbursement.

Motion by Lockwood to table, defeated by majority vote - Noes - Chapman, Mahunik, Palermo, Axton, Petrus, Tortorici, Murphy, Schuster. Ayes - Lockwood, Fearon, Mitchell, Cuddeback, Sincebaugh, Mills. Excused - McIntosh. 458/374/50.

Signed by Palermo, Mitchell, Petrus, Murphy, Lockwood, Tortorici, Axton, Schuster.

Approved by Majority vote. Ayes - Chapman, Mahunik, Palermo, Axton, Petrus, Mitchell, Tortorici, Murphy, Schuster. Noes - Lockwood, Fearon, Cuddeback, Sincebaugh, Mills. Excused McIntosh. 515/317/50

RESOLUTION NO. 543-08

**(8/26/08) COA-LLtoEnhPrivacy&IncFeesCoClk'sOff-FIX(Rev2)
FIXING DAY AND NOTICE OF A PUBLIC HEARING ON A PROPOSED
LOCAL LAW TO ENHANCE PERSONAL PRIVACY PROTECTION
FOR DOCUMENTS RECORDED IN THE CAYUGA COUNTY CLERK'S
OFFICE AND AUTHORIZING AN INCREASE IN FEES COLLECTED
FOR RECORDING, ENTERING, INDEXING AND ENDORSING A
CERTIFICATE ON ANY INSTRUMENT.**

BY: MR. PALERMO, Chairman, Government Operations Committee, and
MR. MITCHELL, Chairman, Ways & Means Committee.

WHEREAS, there has been duly presented and introduced at a meeting of this County
Legislature held on the August 5, 2008, a proposed Local Law entitled:

"A LOCAL LAW TO ENHANCE PERSONAL PRIVACY PROTECTION FOR
DOCUMENTS RECORDED IN THE CAYUGA COUNTY CLERK'S OFFICE
AND AUTHORIZING AN INCREASE IN FEES COLLECTED FOR RECORD-
ING, ENTERING, INDEXING AND ENDORSING A CERTIFICATE ON
ANY INSTRUMENT."

Now, therefore, be it

RESOLVED, that a public hearing shall be held concerning said Local Law before the
Cayuga County Legislature on September 23, 2008 at 6:30 P.M., at the Chambers of the
Cayuga County Legislature, County Office Building, 160 Genesee Street, Auburn, New
York, and the Clerk of the County Legislature is hereby directed to give due legal notice of
said public hearing as provided by statute.

Signed by Palermo, Mitchell, Petrus, Fearon, Murphy, Sincebaugh, Lockwood, Tortorici,
Schuster, Axton.

Approved by voice vote, all in favor.

RESOLUTION NO. 544-08

**8/26/08 PB-Submit 2008 PDR Farm Protection Applications
AUTHORIZING THE PREPARATION AND SUBMITTAL OF NEW YORK STATE
FARMLAND PROTECTION IMPLEMENTATION GRANT PROGRAM
APPLICATION TO NEW YORK STATE DEPARTMENT
OF AGRICULTURE AND MARKETS**

Mr. Daniel Schuster, Chairman, Planning & Economic Development

Mr. Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, the County of Cayuga is eligible to receive grant funds under the New
York State Department of Agriculture and Markets' Farmland Protection Implementation
Grant Program (FPIG); and

WHEREAS, this program includes among its objectives protection of farms with
prime, unique, or other productive soil through partial funding of the purchase of perma-
nent conservation easements on those lands; and

WHEREAS, a five (5) proposals that meet this objective have been received by the
Cayuga County Agriculture and Farmland Protection Board (AFPB) for the following
farms:

Allen Farm, headquartered in Town of Scipio with approximately 800 Acres
 Berry Farm, headquartered in Town of Genoa with approximately 215 Acres
 Dumond Farms, headquartered in Town of Fleming with approximately 775 Acres
 Hoskins Farms, headquartered in the Town of Aurelius with approximately 650 Acres; and
 Pinckney Farms, headquartered in the Town of Aurelius with approximately 149 Acres;
 and

WHEREAS, the AFPB has asked Cayuga County to serve as a sponsor on behalf of the five farms listed above and to apply directly to the State for FPIG funds to permanently protect these farms; and

WHEREAS, the individual farms shall be responsible for preparing or contracting for preparation of said FPIG proposals; and

WHEREAS, the Cayuga County Department of Planning and Economic Development has indicated that it will provide in-kind staff resources to serve as project manager should funds be awarded to Cayuga County for permanent protection of one or more of the five (5) farm applicants; now, therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to take such steps as may be required to submit the FPIG application for each of the five (5) farms identified, and if approved to sign such documents as may be needed to accept and administer these funds; and, be it further

RESOLVED, that the Cayuga County Treasurer be authorized to establish such accounts and make such journal entries as may be needed to receive and expend these funds and the Cayuga County Planning and Economic Development Department be authorized to administer the project(s) if awarded.

Signed by Schuster, Palermo, Axton, Fearon, Mahunik, Murphy, Tortorici, Mitchell, Lockwood, Petrus.

Approved by voice vote, all in favor, except Lockwood abstained.

RESOLUTION NO. 545-08

8/26/08 PB_HHW08_contract_award_rev1

**AUTHORIZING SIGNING OF CONTRACT FOR HOUSEHOLD HAZARDOUS
 WASTE CLEANUP PROJECT**

Mr. Daniel Schuster, Chairman, Planning & Economic Development

Mr. Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, the County of Cayuga has for many years conducted collections of household hazardous waste in an effort to remove potentially hazardous and toxic substances from the environment and by so doing protect the public health, remove potential threats to emergency workers who may respond to buildings where such materials are stored, and safeguard natural resources of Cayuga County; and

WHEREAS, the Cayuga County Planning and Economic Development Department has secured \$25,000 in grant funds from New York State Department of Environmental Conservation (2008 Budget Revenue Account 2118.000) for this project, which represents the required 50% reimbursement for holding such events; and

WHEREAS, an amount of \$50,000 has been properly budgeted for by the Cayuga County Planning and Economic Development Department (Account 8020.400.164); and

WHEREAS, as authorized by Resolution #467-08 the County released a Request for Proposals on July 23, 2008 to obtain the services of a hazardous waste collection contractor, which yielded the receipt of two proposals that were opened on August 14, 2008 and evaluated for responsiveness to the County's needs, resulting in the proposal from MXI Environmental Services, LLC located in Langhorne, PA and Abingdon, VA being found to be the best; now, therefore, be it

RESOLVED, that the Chairman of the County Legislature is hereby authorized to sign the necessary contract with MXI Environmental Services, LLC, to complete the required work in regard to said project in an amount not to exceed \$40,000.00; and be it further

RESOLVED, that the County Treasurer is hereby authorized to make the journal and accounting entries necessary to accomplish the same.

Signed by Schuster, Palermo, Axton, Tortorici, Mitchell, Lockwood, Petrus.

Approved by voice vote, all in favor, except Lockwood abstained.

RESOLUTION NO. 546-08

Date: 8/26/08 p&tBudgetTransferGasAndOil 8 08

AUTHORIZING THE TRANSFER OF FUNDS INTO THE GASOLINE AND OIL ACCOUNT FOR EMERSON PARK

By: David R. Axton, Chairperson, Public Works

By: Francis Mitchell, Chairperson, Ways & Means Committee

WHEREAS, in the 2008 Budget for Emerson Park, Account 7110.400.032-A, had \$7,000 for gasoline and oil; and

WHEREAS, the price of gasoline and oil have increased beyond our expectations; and

WHEREAS, fuel is required to operate the equipment that is used to maintain all of Cayuga County's Parks and Trail; now therefore be it

RESOLVED, the Cayuga County treasurer is hereby authorized and directed to transfer funds into Emerson Park Gasoline and Oil Account # 7110.400.032-A from the following Parks and Trails Accounts:

7110.400.052-A	Medical Supplies	\$300.00
7110.400.059-A	Professional Services	\$950.00
7110.400.070-A	Stationary and Forms	\$200.00
7110.400.088-A	Road Maint. Stone	\$686.00
7110.400.132-A	Promotion	\$2,000.00
	Total	\$4,136.00

Signed by Axton, Cuddeback, McIntosh, Mitchell, Lockwood, Chapman, Sincebaugh, Petrus, Schuster, Palermo, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 547-08**Date: 8/23/08 hwyfillightmeo****AUTHORIZATION FOR SUPERINTENDENT OF HIGHWAYS TO FILL A LIGHT MOTOR EQUIPMENT OPERATOR POSITION WITHIN THE HIGHWAY DEPARTMENT AND TO BACK FILL A POSITION CREATED BY PROMOTION**

BY: HON. DAVID AXTON, CHAIRMAN, PUBLIC WORKS COMMITTEE

Hon. Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, a current Light M.E.O. is retiring from their position on August 29, 2008 and the position will be vacant at that time; and

WHEREAS, this Light M.E.O. position is critical to the operation of the highway department; and

WHEREAS, this position has been budgeted for the entire year; now therefore be it

RESOLVED, to authorize the Highway Superintendent to fill this open position and be it further

RESOLVED, that the foregoing be accomplished in accordance with Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Axton, Cuddeback, McIntosh, Mitchell, Lockwood, Chapman, Sincebaugh, Petrus, Schuster, Palermo, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 548-08**8/26/08 BLDS COB HVAC Change orders****AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN CHANGE ORDERS FOR COUNTY OFFICE BUILDING HEATING PROJECT**

BY: Hon. David R. Axton, Chairman, Public Works Committee

Hon. Francis C. Mitchell, Chairman, Ways & Means Committee

WHEREAS, Cayuga County has adopted Resolution Number 695-06 that set up Capital H project #06-5 for the Heating modification to the Cayuga County Office building heating system; and

WHEREAS, with any project there are change orders to take care of unforeseen issues or missed items with in the project; and

WHEREAS, The following is a list of change orders

M-007	Transport air handling units and boiler to job site from storage	
	At soil and water	\$5,175.00
M-013	Install condensate drains (\$2,750.00 Covered by C&S)	\$0
M-014	Install 6" door frame in lieu of 8" door frame (\$410.00 Covered by C&S)	\$0
M-015	New configuration boiler breeching \$6,259.00(\$1,252 Covered by C&S)	\$5,007.00
	Total	\$10,182.00

WHEREAS, The total cost for the 4 change orders is \$10,182.00, there is sufficient means in the change order fund set up for this project to cover the cost of these change orders; Now there for let it be

RESOLVED, that the Chairman of Cayuga County is hereby authorized to sign the change orders, and be it further

RESOLVED, that the funds for these change orders not to exceed \$10,182.00 will come from the change order fund set up in Capital H project #06-5 project, and be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to make the journal and accounting entries required to implement the intent of this resolution. Signed by Axton, Cuddeback, McIntosh, Lockwood, Chapman, Sincebaugh, Petrus, Schuster, Palermo, Tortorici.

Approved by voice vote, all in favor, except Mitchell voting no.

**RESOLUTION NO. 549-08
(8/26/08) P&T PT HELP**

**HIRING OF PART-TIME AND SEASONAL POSITIONS
WITHIN THE PARKS & TRAILS DEPARTMENT**

By: Mr. David Axton, Chairman, Public Works

Mr. Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, Cayuga County Parks & Trails has vacant part-time and seasonal positions that are filled in the fall season to meet the operational and maintenance needs of the department; and

WHEREAS, the traditional season for The Parks and Trails Department is from Memorial Day to after Tomatofest; and

WHEREAS, it is anticipated that in order to accomplish this work one (1) Part Time Park Security Guard and up to fifteen (15) seasonal positions including four (4) Laborers, one (1) Maintenance Crew Leader, five (5) Park Security Guards, two (2) Building Maintenance Mechanics, two (2) Museum Aides and one (1) Museum Assistant will be needed; and

WHEREAS, the following positions have been placed in the County of Cayuga Compensation Plan, Part II, under Parks and Trails for the year 2008 and set at the following rates:

Part-time Park Security guard \$16.48, and

WHEREAS, fifteen (15) seasonal positions will be created and the salaries set as follows:

Laborers	\$7.15/hr.
Maintenance Crew Leaders	\$8.50/hr.
Park Security Guards	\$9.50/hr.
Building Maintenance Mechanic	\$10.50/hr.
Museum Aide	\$7.75/hr.
Museum Assistant	\$8.50/hr.;

Now, therefore, be it

RESOLVED, that the Park Maintenance Supervisor with the approval of the Public Works Committee is hereby directed and authorized to hire one (1) part-time position and up to fifteen (15) seasonal positions as stated above; and be it further

RESOLVED and understood that the funding for the above-stated positions shall not cause The Parks and Trails Department Accounts #7110.100.000 (Emerson Park Salaries) and #7111.000.000 (Ag Museum Salaries) to exceed the amounts budgeted for 2008. Signed by Axton, Cuddeback, McIntosh, Mitchell, Lockwood, Chapman, Sincebaugh, Petrus, Schuster, Palermo, Tortorici.
Approved by voice vote, all in favor.

RESOLUTION NO. 550-08

August 26, 2008 (P&T) MGR Scene Shop Sign

AUTHORIZING THE MERRY-GO-ROUND PLAYHOUSE TO PLACE A SIGN ON THE NORTH SIDE OF THE NEW SCENE SHOP AT EMERSON PARK

By: David R. Axton, Chair, Public Works

WHEREAS, the Merry-Go-Round Playhouse would like to acknowledge the generous charitable donation from the Allyn Foundation allowing construction of the new scene shop; and

WHEREAS, the Merry-Go-Round Playhouse has asked for permission to put a sign on the scene shop in honor of W.G. Allyn; and

WHEREAS, the sign would be placed on the north side of the building facing the entrance to the building and the maintenance parking lot; and

WHEREAS, the Merry-Go-Round Playhouse has provided a rendering of the proposed sign; and

WHEREAS, the Parks Commission is in support of this project, now, therefore, be it RESOLVED, that the Merry-Go-Round Playhouse is hereby authorized to place a sign on the new scene shop.

Signed by Axton, Cuddeback, McIntosh, Mitchell, Lockwood, Chapman, Sincebaugh.
Approved by voice vote, all in favor.

RESOLUTION NO. 551-08

(8/26/08) PB-AwardBidForUSTCclosure

AUTHORIZING THE CHAIRMAN OF THE COUNTY LEGISLATURE TO ENTER INTO AN AGREEMENT WITH OP-TECH ENVIRONMENTAL SERVICES, INC. TO REMOVE UNDERGROUND STORAGE TANKS.

BY: MR. AXTON, Chairman, Public Works Committee, and

MR. MITCHELL, Chairman, Ways and Means Committee.

WHEREAS, the Legislature, at its June 24, 2008 meeting, approved Resolution No. 411-08 authorizing the Legislature Clerk to advertise and seek sealed bids for removal of underground storage tanks located at the Mental Health Center, Sterling Nature Center and Emerson Park; and

WHEREAS, the Purchasing Agent of the Legislature sent out specification packages to Local, New York State and nationally-based firms in regard to this project; and

WHEREAS, nine firms attended the required pre-bid meeting and site tours on July 11, 2008; and

WHEREAS, five firms responded with proposals, as shown on the attached sheet; and

WHEREAS, Op-Tech Environmental Services, Inc. proposed to pull out-of-service petroleum tanks at the three above locations at the lowest price of \$6,160.00; and

WHEREAS, there are sufficient funds in Account No. 1620.420.000-A (Removal of Under Ground Tanks) to cover this expense; and

Tuesday, August 26, 2008

391

WHEREAS, a due diligence review of the five proposals was undertaken by Kleinfelder East, Inc., all five meeting the specifications of the bid; now, therefore, be it

RESOLVED, that the Chairman of the County Legislature is hereby authorized to sign an agreement with Op-tech Environmental Services, Inc. for said services at a cost of \$6,160.00; and be it further

RESOLVED that the Treasurer make the journal and accounting entries necessary to carry out the intent of this resolution.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici, Chapman, Cuddeback, Sincebaugh.

Approved by voice vote, all in favor.

RESOLUTION NO. 552-08

8/26/08 SHR-US MARSHAL REIMB

AUTHORIZING THE TREASURER'S DEPARTMENT TO AMEND THE 2008 SHERIFF'S BUDGET TO ACCEPT REIMBURSEMENT FOR OVERTIME FOR OPERATION FALCON

BY: Mr. Raymond Lockwood, Chair, Judicial and Public Safety Committee, and Mr. Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, THE Sheriff's Department was approached by the U S Marshals to assist in a special detail to pick up individuals with outstanding warrants and be reimbursed for the overtime up to \$2500.00; and

WHEREAS, 12 individuals were apprehended during the special detail, Operation Falcon; now, therefore, be it

RESOLVED, that the 2008 Cayuga County Sheriff's Law Enforcement Operating budget be amended to allow the following changes: an increase in the Revenue Line 1513.000.000A Sheriff/ Services to Other Governments of \$2439.60 and an increase in the Expenditure Account 3110.100.000A of \$2439.60 for overtime; and further be it

RESOLVED that the Cayuga County Treasurer is authorized to make the journal and accounting entries required to implement the intent of this resolution.

Signed by Lockwood, Fearon, Cuddeback, Murphy, Chapman, Mahunik, McIntosh, Mitchell, Petrus, Tortorici

Approved by voice vote, all in favor.

RESOLUTION NO. 553-08

Date: 8/26/08 SHR Fill CO Positions (9) - rev

AUTHORIZE THE SHERIFF TO FILL NINE (9) VACANT CORRECTIONS OFFICER POSITIONS IN THE CUSTODY DIVISION OF THE CAYUGA COUNTY SHERIFF'S OFFICE.

By: MR. RAYMOND LOCKWOOD, Chairman, Judicial & Public Safety Committee
MR. FRANCIS MITCHELL, Chairman, Ways & Means Committee

WHEREAS, there are currently nine (9) vacancies in the Custody Division of the Cayuga County Sheriff's Office due to resignations at the Cayuga County Jail over the last few months; and

WHEREAS, it is now necessary to select and fill these nine (9) vacant Corrections Officer Positions with candidates from the Civil Service list for Corrections Officer in preparation for the Fall Academy; and

WHEREAS, the services provided by these nine (9) positions are critical for maintaining staffing levels for the smooth and efficient operations of the Sheriff's Office Custody Division at the Cayuga County Jail; and

WHEREAS, these positions are clearly designated and approved in the 2008 Cayuga County Sheriff's Custody Division Salaries Operating Budget 3150.1 (Position Numbers 3199, 1977, 4703, 4708, 4713, 6308, 6522, 6523, 6306 - Positions Numbers 3199 and 6306 being contingent permanent appointments); now therefore be it

RESOLVED, that the Sheriff be hereby authorized and directed to fill the nine (9) vacant positions (Position Numbers 3199, 1977, 4703, 4708, 4713, 6308, 6522, 6523, 6306 - Positions Numbers 3199 and 6306 being contingent permanent appointments) at the entry level salary for Corrections Officer plus fringe benefits, and at the appropriate step within the SEACC compensation plan; and be it further

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

Signed by Lockwood, Fearon, Cuddeback, Murphy, Chapman, Mahunik, McIntosh, Mitchell, Petrus, Tortorici

Approved by voice vote, all in favor.

RESOLUTION NO. 554-08

Action Date 8/26/08 cc911agreementeasementlktwrstrev

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE
TO ENTER INTO AN EASEMENT AGREEMENT WITH ROY HORST
AND AN AGREEMENT TO CONSTRUCT AN ACCESS ROAD
TO THE LAKE TOWER SITE**

BY: Raymond Lockwood, Chairperson, Judicial & Public Safety Committee
Fran Mitchell, Chairperson, Ways & Means Committee

WHEREAS, the tower site, located in the Town of Aurelius, is currently located on property owned by Mr. Roy Horst; and

WHEREAS, the pathway is not feasible for winter travel or to handle large equipment; and

WHEREAS, Cayuga County has just agreed to purchase a new shelter for the tower site and the contractor will not be able to access the site with the current conditions; and

WHEREAS, Mr. Horst has agreed to allow for the construction of a road; and

WHEREAS, the Cayuga County Highway Department has submitted an estimate to perform the services at a cost not to exceed \$16,500.00; and

WHEREAS, there is monies in the E-911 budget 3020.200.000-A, Radio Upgrade, to cover the cost of this project; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to sign an agreement with the Roy Horst for an easement to the lake tower site; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to sign an agreement with Roy Horst to permit the County to construct the access road to the lake tower site; and be it further

RESOLVED, that the Cayuga County Highway Department to perform the services to accomplish the project and bill E-911 accordingly; and be it further

RESOLVED, that the Cayuga County Treasurer make the journal and accounting entries required to implement the intent of this resolution.

Signed by Lockwood, Fearon, Cuddeback, Murphy, Chapman, Mahunik, McIntosh, Mitchell, Petrus, Tortorici

Approved by voice vote, all in favor.

RESOLUTION NO. 555-08

Action Date 8/26/08 cc911agreementeasementcatotwrstrev2

AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO ENTER INTO AN EASEMENT AGREEMENT WITH THE VILLAGE OF CATO, THE TITUS CORPORATION AND ALLOW THE CAYUGA COUNTY HIGHWAY DEPARTMENT TO DESIGN AND CONSTRUCT AN ACCESS ROAD TO THE CATO TOWER SITE.

BY: Raymond Lockwood, Chairperson, Judicial & Public Safety Committee
Francis Mitchell, Chairperson, Ways & Means Committee

WHEREAS, the tower site, located in the Village of Cato, is currently located on property owned by the Village; and

WHEREAS, the pathway is not feasible for winter travel or to handle large equipment; and

WHEREAS, Cayuga County has just agreed to purchase a new shelter for the tower site and the contractor will not be able to access the site with the current conditions; and

WHEREAS, the Village of Cato has agreed to allow for the construction of a road; and

WHEREAS, the Titus Corporation has agreed to continue allowing accessibility to the tower site through their property; and

WHEREAS, the Cayuga County Highway Department has submitted an estimate to perform the services at a cost not to exceed \$1550.00; and

WHEREAS, there are monies in the E-911 budget 3020.200.000-A to cover the cost of this project; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to sign an agreement with the Village of Cato and the Titus Corporation establishing an easement to the Cato tower site; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to sign an agreement with Village of Cato to permit the County to construct the access road to the Cato tower site; and be it further

RESOLVED, that the Cayuga County Highway Department to perform the services to accomplish the project and bill E-911 accordingly; and be it further

RESOLVED, that the Cayuga County Treasurer make the journal and accounting entries required to implement the intent of this resolution.

Signed by Lockwood, Fearon, Cuddeback, Murphy, Chapman, Mahunik, McIntosh, Mitchell, Petrus, Tortorici

Approved by voice vote, all in favor.

RESOLUTION NO. 556-08**8.26.08 coaseacc08k****APPROVING COLLECTIVE BARGAINING AGREEMENT BETWEEN THE
SHERIFF'S EMPLOYEES ASSOCIATION OF CAYUGA, INC.
AND THE COUNTY OF CAYUGA.**

BY: Raymond Lockwood, Chairman Judicial & Public Safety

BY: Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, pursuant to Civil Service Law Section 204 (1) the New York State Public Employment Relations Board certified the Sheriff's Employees Association of Cayuga County, Inc. as the exclusive representative of certain non-law enforcement employees of the Sheriff's Department on November 1, 2006; and

WHEREAS, the County of Cayuga and the Sheriff's Employees Association of Cayuga County, Inc., have agreed on a new five year Collective Bargaining Agreement (summary attached) for 2007, 2008, 2009, 2010 and 2011 subject to approval by the Cayuga County Legislature; and

WHEREAS, the above new five year Collective Bargaining Agreement was ratified and approved by the Association's membership on August __, 2008 now, therefore, be it

RESOLVED, that the new five year Collective Bargaining Agreement between the County of Cayuga and Sheriff's Employees Association of Cayuga County, Inc., is hereby ratified and approved by the Cayuga County Legislature, and that the Chairman of the County Legislature and Chairman of the Ways & Means Committee are hereby authorized and directed to sign said Agreement on behalf of the County of Cayuga; and be it further

RESOLVED, that the County Treasurer be and he is hereby authorized to implement any necessary changes in his records and accounts in accordance with the said agreement when it is fully signed and delivered; and be it further

RESOLVED, that the Treasurer make any transfers, journal and accounting entries necessary to carry out the same.

Signed by Lockwood, Fearon, Cuddeback, Murphy, Chapman, Mahunik, Mitchell, Petrus, Tortorici

Approved by voice vote, all in favor.

Fearon, re: Deputy Clerk position part-time.

Palermo, add it to Government Op's next month.

Axton, I agreed last month if the position was needed bring it back.

Cuddeback, are we voting to bring it back to committee?

Chapman, can it be rewritten?

Fred Westphal Co. Attorney, for a different position.

Petrus if we don't make a decision, it won't have a positive or negative.

Fred Westphal Co. Attorney, you have to act on it tonight.

Lockwood, it can be brought up at the budget process, I call the question.

Tuesday, August 26, 2008

395

Defeated by majority vote, Noes- Chapman, Mahunik, Palermo, Petrus, Lockwood, Tortorici, Mills. Ayes - Axton, Fearon, Mitchell, Cuddeback, Murphy, Schuster, Sincebaugh. Excused - McIntosh. 434/398/50

Motion by Chapman to adjourn at 9:05PM, all in favor.

Minutes approved on 9-23-08, motion by Chapman, all in favor.

**MINUTES
SPECIAL MEETING
CAYUGA COUNTY LEGISLATURE
SEPTEMBER 15, 2008, 6:00 PM**

CALL TO ORDER: Hon Roger Mills Chairman, at 6:00PM

ROLL CALL: Mary Jones Clerk of the Legislature, all Legislator's present, except Chapman and Murphy excused.

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

TOPIC: AUBURN MEMORIAL HOSPITAL

Bill Marquardt Attorney for AMH
Approving COPS Modification Documents for AMH Financing. First step in SEQRA requires environmental review before type 2 action. Adoption of this resolution is an action.
Fearon, motion to divide the question, all in favor.

RESOLUTIONS:

**RESOLUTION NO. 557-08
CAYUGA COUNTY, NEW YORK
SEPTEMBER 15, 2008**

A [regular/special] meeting of the County Legislators of Cayuga County, New York was held at the Legislature Chamber on the 6th floor of the Cayuga County Office Building, 160 Genesee Street, Auburn, New York on September 15, 2008, at 6:00 P.M. (Prevailing Time).

There were present: (County Legislators)

Patrick Mahunik
Christopher Palermo
David Axton
Ann Petrus
Raymond Lockwood
George Fearon
Francis Mitchell
Steven Cuddeback
Peter Tortorici
Daniel Schuster
Daniel Sincebaugh
Patrick McIntosh
Roger Mills

Monday, September 15, 2008

397

There were Absent: (County Legislators)

Michael Chapman
Linda Murphy

Also Present:

Fred Westphal
Mary Jones
Sheila Smith
Steve Johnson
Bill Marquardt

The following resolution was offered Ann Petrus, who moved its adoption, and second by George Fearon to wit:

RESOLUTION NO. 557-08

**RESOLUTION OF CAYUGA COUNTY, NEW YORK, ADOPTED ON
SEPTEMBER 15, 2008, DECLARING LEAD AGENCY STATUS, DETERMINING
"TYPE II" ACTION AND DETERMINING NO FURTHER ENVIRONMENTAL
REVIEW OF THE PROPOSED ACTION IS REQUIRED**

WHEREAS, Section 215 of the County Law empowers the County Legislators of Cayuga County, New York (the "County") to adopt a resolution for the general care and control of real and personal property of the County; and

WHEREAS, on March 23, 1994, the Cayuga County Hospital Improvement Corporation (the "Issuer") issued its Cayuga County Hospital Improvement Corporation (Auburn Memorial Hospital Project) Certificates of Participation, Series 1994 in the aggregate principal amount of \$26,375,000 (the "Series 1994 Certificates") pursuant to the terms of a Trust Indenture dated as of February 1, 1994 (the "Original Indenture") to finance the costs of certain capital improvements to a hospital facility located at 17 Lansing Street, Auburn, New York 13021.

WHEREAS, pursuant to the terms of a Ground Lease dated as of February 1, 1994 (the "Ground Lease") by and between Auburn Memorial Hospital (the "Hospital") and the Issuer, the Hospital leased certain of its facilities (the "Hospital Facility") to the Issuer; and

WHEREAS, pursuant to the terms of a Lease Purchase Sublease Agreement dated as of February 1, 1994 (the "Sublease") by and between the Issuer and the County, the Issuer subleased the Hospital Facility to the County; and

WHEREAS, pursuant to the terms of a License and Operating Agreement dated as of February 1, 1994 (the "Original Operating Agreement") by and between the County and the Hospital, the Hospital undertook and completed a certain capital improvement project and has been operating the Hospital Facilities, as improved; and

WHEREAS, the Hospital has requested that the County modify certain terms of the Original Operating Agreement in accordance with the Hospital's approved Plan of Reorganization under Chapter 11 of the United States Bankruptcy Code (the "Plan of Reorganization"); and

WHEREAS, in order to consummate the aforesaid modifications, the County has been requested to execute and deliver a certain First Amendment to License and Operating

Agreement and a certain Amendment to Financing Documents (the execution and delivery of such documents and the undertaking of the transactions contemplated therein being collectively referred to herein as the "Project"); and

WHEREAS, the County is a local agency pursuant to the New York State Environmental Quality Review Act ("SEQRA"), ECL Section 8-0101, et seq., and implementing regulations, 6 NYCRR Part 617 (the "Regulations"); and

WHEREAS, undertaking the Project is an Action as defined by SEQRA; and

WHEREAS, the County has reviewed the classifications of actions contained in the Regulations; and

NOW, THEREFORE BE IT RESOLVED ON SEPTEMBER 15, 2008 BY THE COUNTY LEGISLATORS OF CAYUGA COUNTY, NEW YORK, AS FOLLOWS:

1. The County hereby determines that the Project constitutes a Type II Action pursuant to Part 617.5(c)(20) of the Regulations and as such is not subject to review under SEQRA.
2. This resolution shall take effect immediately.

WHEREFORE, the foregoing Resolution was put to a vote of the members of the County Legislators of the County on September 15, 2008, the result of which vote was as follows:

<u>COUNTY LEGISLATOR</u>	<u>VOTE</u>
Patrick Mahunik	yes
Christopher Palermo	yes
David Axton	yes
Ann Petrus	yes
Raymond Lockwood	yes
George Fearon	yes
Francis Mitchell	yes
Steven Cuddeback	yes
Peter Tortorici	yes
Daniel Schuster	yes
Daniel Sincebaugh	yes
Patrick McIntosh	yes
Roger Mills	yes
Michael Chapman	excused
Linda Murphy	excused

DATED: September 15, 2008

CERTIFICATE

I, the undersigned County Clerk of Cayuga County, State of New York, **HEREBY CERTIFY:**

That I have compared the annexed extract of the minutes of a meeting of the County Legislators of said County including the resolution contained therein, held on September 15, 2008, with the original thereof on file in my office, and that the same is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relates to the subject matters therein referred to.

Monday, September 15, 2008

399

I FURTHER CERTIFY that all members of said County Legislators had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law) proper notice was given relative to said meeting and said meeting was open to the general public.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Cayuga County, New York, this 15 day of September, 2008.

Susan M. Dwyer, County Clerk

[SEAL]

Bill Marquardt Attorney for AMH, operating agreement with County, back stop to financing, certain modification to COBS. Bond Insurance, Radian will make payment if Hospital or County does not. Fees of County and Radian clarified, reimburse County and Radian if bankruptcy comes up. You will be getting a month by month update.

Legislator Fearon, they are already doing that.

Bill Marquardt Attorney for AMH, Hospital has obligation to pay, restriction on more debt ness for the Hospital, operating fund, approved in bankruptcy plan.

Legislator Tortorici, is this approved in the budget.

Fred Westphal County Attorney, yes.

**RESOLUTION NO. 558-08
CAYUGA COUNTY, NEW YORK
SEPTEMBER 15, 2008**

A [regular/special] meeting of the County Legislators of Cayuga County, New York was held at the Legislature Chamber on the 6th floor of the Cayuga County Office Building, 160 Genesee Street, Auburn, New York on September 15, 2008, at 6:00 P.M. (Prevailing Time).

There were present: (County Legislators)

Patrick Mahunik
Christopher Palermo
David Axton
Ann Petrus
Raymond Lockwood
George Fearon
Francis Mitchell
Steven Cuddeback
Peter Tortorici
Daniel Schuster
Daniel Sincebaugh
Patrick McIntosh
Roger Mills

There were Absent: (County Legislators)

Michael Chapman
Linda Murphy

Also Present:

Fred Westphal
Mary Jones
Sheila Smith
Steve Johnson
Bill Marquardt

The following resolution was offered Ann Petrus, who moved its adoption, and second by George Fearon to wit

RESOLUTION NO. 558-08

**RESOLUTION OF CAYUGA COUNTY, NEW YORK, ADOPTED ON
SEPTEMBER 15, 2008 AUTHORIZING THE MODIFICATION OF CERTAIN
TERMS OF THE CAYUGA COUNTY HOSPITAL IMPROVEMENT
CORPORATION (AUBURN MEMORIAL HOSPITAL PROJECT)
CERTIFICATES OF PARTICIPATION, SERIES 1994 EVIDENCING
PROPORTIONATE INTERESTS IN BASE RENT TO BE PAID BY THE
COUNTY OF CAYUGA, NEW YORK AND THE EXECUTION
OF RELATED DOCUMENTS.**

WHEREAS, Section 215 of the County Law empowers the County Legislators of Cayuga County, New York (the "County") to adopt a resolution for the general care and control of real and personal property of the County; and

WHEREAS, on March 23, 1994, the Cayuga County Hospital Improvement Corporation (the "Issuer") issued its Cayuga County Hospital Improvement Corporation (Auburn Memorial Hospital Project) Certificates of Participation, Series 1994 in the aggregate principal amount of \$26,375,000 (the "Series 1994 Certificates") pursuant to the terms of a Trust Indenture dated as of February 1, 1994 (the "Original Indenture") to finance the costs of certain capital improvements to a hospital facility located at 17 Lansing Street, Auburn, New York 13021.

WHEREAS, pursuant to the terms of a Ground Lease dated as of February 1, 1994 (the "Ground Lease") by and between Auburn Memorial Hospital (the "Hospital") and the Issuer, the Hospital leased certain of its facilities (the "Hospital Facility") to the Issuer; and

WHEREAS, pursuant to the terms of a Lease Purchase Sublease Agreement dated as of February 1, 1994 (the "Sublease") by and between the Issuer and the County, the Issuer subleased the Hospital Facility to the County; and

WHEREAS, pursuant to the terms of a License and Operating Agreement dated as of February 1, 1994 (the "Original Operating Agreement") by and between the County and the Hospital, the Hospital undertook and completed a certain capital improvement project and has been operating the Hospital Facilities, as improved; and

WHEREAS, the Hospital has requested that the County modify certain terms of the Original Operating Agreement in accordance with the Hospital's approved Plan of Reorganization under Chapter 11 of the United States Bankruptcy Code (the "Plan of Reorganization"); and

WHEREAS, in order to consummate the aforesaid modifications, the County has been requested to execute and deliver a certain First Amendment to License and Operating Agreement and a certain Amendment to Financing Documents (the execution and delivery of such documents and the undertaking of the transactions contemplated therein being collectively referred to herein as the "Project"); and

WHEREAS, by resolution dated the date hereof, the County, a local agency pursuant to the New York State Environmental Quality Review Act ("SEQRA"), ECL Section 8-0101, et seq., and implementing regulations, 6 NYCRR Part 617 (the "Regulations"), determined that the Project constitutes a Type II Action pursuant to Part 617.5(c)(20) of the Regulations and as such is not subject to review under SEQRA; and

NOW, THEREFORE BE IT RESOLVED ON SEPTEMBER 15, 2008 BY THE COUNTY LEGISLATORS OF CAYUGA COUNTY, NEW YORK, AS FOLLOWS:

Section 1. The County hereby finds and determines that it is in the County's best interest to modify the terms of the Original Operating Agreement in order to assist the Hospital to implement the Plan of Reorganization.

Section 2. In consequence of the foregoing, the County hereby consents to the modification of the Original Operating Agreement and determines to execute and deliver (a) the First Amendment to License and Operating Agreement; (b) the Amendment to Financing Documents; and (c) all other agreements, certificates and documents as may be requested by the Hospital and the Trustee in connection with the modification of the financing documents relating to the Series 1994 Certificates (collectively, the "Modification Documents").

Section 3. The form and substance of the Modification Documents, copies of which are attached hereto, are hereby approved, subject to the approval of the officers of the County identified in Section 4 hereof.

Section 4. The Treasurer and the Chairman of the Legislature are each hereby authorized, on behalf of the County, to negotiate, approve, execute (by manual or facsimile signature) and deliver the Modification Documents and the County Clerk and the Deputy to the County Clerk are each hereby authorized to affix the seal (or a facsimile thereof) of the County to them and to attest to all of them, all in substantially the forms presented to this meeting with such changes, variations, omissions and insertions as the Treasurer or the Chairman of the Legislature shall approve. The execution of them by the Treasurer or the Chairman of the Legislature shall constitute conclusive evidence of that approval.

Section 5. The officers, employees and agents of the County are hereby authorized and directed for and in the name and on behalf of the County to do all acts and things required or provided for by any of the provisions of the Modification Documents, and to execute and deliver, all additional agreements, certificates, instruments and documents in connection therewith, and to pay all fees, charges and expenses and to do all other acts as may be necessary, or in the opinion of the officer, employee or agent, desirable or proper to effectuate the purposes of the foregoing resolution and to cause compliance by the County with all of the terms, covenants and provisions of the Modification Documents binding upon the County. None of the officers, employees or agents of the County, however, shall have any personal liability under the Modification Documents.

Section 6. This resolution shall take effect immediately.

WHEREFORE, the foregoing Resolution was put to a vote of the members of the County Legislators of the County on September 15, 2008, the result of which vote was as follows:

<u>COUNTY LEGISLATOR</u>	<u>VOTE</u>
Patrick Mahunik	yes
Christopher Palermo	yes
David Axton	yes
Ann Petrus	yes
Raymond Lockwood	yes
George Fearon	yes
Francis Mitchell	yes
Steven Cuddeback	yes
Peter Tortorici	yes
Daniel Schuster	yes
Daniel Sincebaugh	yes
Patrick McIntosh	yes
Roger Mills	yes
Michael Chapman	excused
Linda Murphy	excused

DATED: September 15, 2008

CERTIFICATE

I, the undersigned County Clerk of Cayuga County, State of New York, **HEREBY CERTIFY:**

That I have compared the annexed extract of the minutes of a meeting of the County Legislators of said County including the resolution contained therein, held on September 15, 2008, with the original thereof on file in my office, and that the same is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said County Legislators had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law) proper notice was given relative to said meeting and said meeting was open to the general public.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Cayuga County, New York, this 15 day of September, 2008.

Susan M. Dwyer, County Clerk

[SEAL]

Monday, September 15, 2008

403

And any other business that comes before the Board.

Motion by Fearon to go into executive session at 6:18PM re: possible Pending Litigation, all in favor.

Motion by Lockwood to come out of executive session at 6:25PM, all in favor.

Motion by Lockwood to adjourn at 6:26PM, all in favor.

Minutes approved on 9-23-08, motion by Chapman, all in favor.

**MINUTES
CAYUGA COUNTY LEGISLATURE
SEPTEMBER 23, 2008, 6:30 PM**

CALL TO ORDER: Hon. Roger Mills, Chairman, at 6:30PM.

ROLL CALL: Mary Jones, Clerk of the Legislature, all Legislators present.

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

Jerome C. Bell Jr., Port Byron, graduate of Port Byron School, Marine Sergeant 2nd Battalion, 7th Marine Regiment, and father of three. Legislator David Axton read letter of honor for Sergeant Jerome C. Bell.

PUBLIC HEARING: Opened at 6:38PM

**TO ADOPT LOCAL LAW NO. FOR THE YEAR 2008 TO ENHANCE
PERSONAL PRIVACY PROTECTION FOR DOCUMENTS RECORDED IN
THE CAYUGA COUNTY CLERK'S OFFICE AND AUTHORIZING AN
INCREASE IN FEES COLLECTED FOR RECORDING, ENTERING,
INDEXING AND ENDORSING A CERTIFICATE ON ANY INSTRUMENT.**

PROCLAMATION'S: United Way Day in Cayuga County, Wednesday September 24, 2008. Read by Clerk of the Legislature Mary Jones.

Cayuga County Salutes Travis Butts, Saturday September 20, 2008, Read by Clerk of the Legislature Mary Jones.

DEATHS: Marilyn Daly Cowen, Union Springs, NY a devoted employee of Cayuga County Health and Humans Services Department for 30 years, President of Cayuga County Unit 6250 of CSEA Local 806 for 10 years, secretary of Local 806 for 15 years, and civic leader. Legislator George Fearon spoke in honor of Marilyn Cowen.

PUBLIC BE HEARD:

If you wish to speak notify your Legislator, who will grant you privilege of the floor. You will be allowed to speak for 3 to 5 minutes. You must state your name and address.

Roger Mills for Harry Pettingill Jr., Seneca Falls, NY re: Facts on International Law, from Dr. Warren Hickman, who has a minor degree in International Law. Can be viewed at www.upstate-citizens.org, "A Cayuga Chronicle"

Tuesday, September 23, 2008

405

George Fearon for Andy Anderson, Union Springs, NY, re: A bill passed by The State Senate and sponsored by Senator Michael Nozzolio that would require sales tax be collected on cigarettes sold to non-Indians by retailers on Indian reservations. I would like to invite the Cayuga County Legislature to The Tribal Tax Collection Motorcade, 10/4/08, 9:00AM, Lott Farm, Rte. 414 South Seneca Falls, NY.

MINUTES: For Approval: 7-22-08 and 7-29-08, Motion by Chapman to approve, all in favor.

For Reading: 8-26-08 and 9-15-08

Emergency Authorization for Austerity Spending: Sheriff's Office

The Cayuga County Sheriff's Office was authorized to purchase GPS units for Sheriff and State Police vehicles pursuant to Resolution No. 78-08. Sufficient money exists in the Sheriff's 2008 Law Enforcement Equipment Budget Line (3110.2) to purchase and install the necessary GPS equipment. It is determined that additional equipment and items are required to install the GPS units in the sheriff vehicles. These vehicle locators have been determined to significantly improve officer safety and closest car dispatching. The Sheriff's Office has obtained quotes and prices by state bid of the equipment and additional items needed to install these GPS systems, as indicated in the attached memo. The following equipment and items are needed at this time to begin the installation process which starts Monday:

3 new Chevy Impalas will receive:

- Fujitsu Laptop and connection accessories
- Pentax Thermal printer and connection accessories
- TG3 USB rugged keyboard with touchpad
- LUND Adjustable 8" swingarm and "clamshell" mount
- D-Link USB 7 port hub with connection accessories

1 existing patrol unit will receive:

- Fujitsu Laptop and connection accessories
- LUNS "clamshell" mount

5 CID/Administrative vehicles will receive:

- Prohoist notebook car mount
- HP H470 mobile printer
- Lind 300W modified power inverter (to run notebook AC adapters and printer)
- D-Link USB 7 port hub with connection accessories (to facilitate AVL)

16 existing patrol units will receive the following upgrades:

- D-Link USB 7 port hub with connection accessories (to facilitate AVL)

Lind 300W modified power inverter (6 unites require this as outdated Xplore tablets continue to malfunction with power loss)

Signed by Lockwood, Mahunik, Mills, Mitchell.

EMERGENCY AUTHORIZATION FOR SPENDING: Highway Dept.

To replace the fuel oil fired boiler at the highway department administration building in order to empty and remove the UST. Not to exceed \$4887.10 for a replacement gas boiler, from funds in account Building Maintenance 5130.400.012 DM.

Signed by Axton, Mahunik, Mills, Mitchell, Co. Manager Wayne Allen.

EMERGENCY AUTHORIZATION FOR HIRING:**1. Health Dept.**

CHHA RN Position

Signed by Petrus, Mahunik, Mills, Mitchell and County Manager Wayne Allen.

2. Mental Health Dept.

Community Mental Health Nurse

Signed by Petrus, Mahunik, Mills, Mitchell and County Manager Wayne Allen.

CCC REPORT: Dr. Deborah Moeckel, VP Academic/Student Affairs

Budget Approval, thank you. Enrollment is stable. Greening of Cayuga, single stream recycling, paper reduction and browser-based information. Free Centro Bus Rides for Students at both Campuses, with College ID. Faculty Forum and College Update, we held our first annual and it was well attended. First Niagara to Fund Entrepreneurship Center Renovations, we have received \$150,000 to fund renovations at 2 State Street which will serve as the hub of our entrepreneurship outreach activities. Foundation to Present James and the Giant Peach by Sign Stage on Tour on 10/1/08 at 7:00PM in the Bisgrove Community Theatre.

COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS:

Legislator Chapman, September 5, 2008, represented Eagle Scouts in my District.

Chairman Roger Mills, congratulations to Legislator Linda Murphy on her award for Options for Independence.

MANAGER'S REPORT: Wayne Allen, impact on budgets deficit is growing every year. There is major changes in the State level which will have an impact on the County's budget. We may need to make adjustments after the budget is adopted.

CHAIRMAN'S REPORT: Roger Mills, I meet with Dan Young, Governor Staff, he is lobbying for 4% cap on school tax. Cayuga County is the recipient of the risk management award at the NYSAC Conference.

APPOINTMENTS AND RE-APPOINTMENTS:**Cayuga County WQMA:**

Bruce Ross, Memorial City Hall, 24 South St., Auburn, NY 13021 term - 9-23-08 to 12-31-08.

Cayuga County Parks & Trails Commission:

Gino Alberici, 58 Adams Ave. Auburn, NY 13021 term - 9-23-08 to 12-31-2010

Cayuga County Fire Advisory Board:

Tom Begley, PO Box 123, Jordan, NY 13080, term 5-27-08 to 4-30-09

Brian Dahl, 26 Liberty St., Auburn, NY 13021 term - 5-27-08 to 4-30-09

David Dixon, 85 Rochester St., Port Byron, NY 13140 term - 5-27-08 to 4-30-09

Tuesday, September 23, 2008

407

Larry Dygert, PO Box 279, Jordan, NY 13080 term - 5-27-08 to 4-30-09
David James, PO Box 749, Weedsport, NY 13166 term - 5-27-08 to 4-30-09
Patrick Meral, 1642 Rte. 38A, Auburn, NY 13021 term - 5-27-08 to 4-30-09
Jim Perkins, 2762 Center Rd., Scipio, NY 13147 term - 5-27-08 to 4-30-08
Cory Rooker, 15 River St., Port Byron, NY 13140 term 5-27-08 to 4-30-09
Denise Stayton, 181 Seymour St., Auburn, NY 13021 term 5-27-08 to 4-30-09
Motion by Axton, 2nd by Petrus to approve all appointments, all in favor

COMMUNICATIONS AND ANNOUNCEMENTS:

1. Received a letter from Kevin Crawford, New York Municipal Insurance Reciprocal, to inform Cayuga County has been selected to receive New York Municipal Insurance Reciprocal's Risk Management Award for 2008.
2. Received a letter from John D. Byrne, State of New York Executive Chamber, thanking the County for sending a copy of res.# 443-08, Worker's Compensation board Service Center in Auburn.
3. Received a letter from Oswego Valley ATV Club, Inc. re: thanking the Cayuga County Legislature for working with us and allowing us the use of the Hojack Trail and a portion of the Cayuga County Trail System.

Motion by Murphy to read aloud.

RESOLUTIONS

RESOLUTION NO. 559-08

AuditSept.08rev.doc

**AUTHORIZING THE COUNTY TREASURER
TO PAY AUGUST 2008 AUDIT OF CLAIMS**

BY: Hon. Francis Mitchell, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on September 23, 2008 audit claims against the County of Cayuga in the aggregate sum \$ 2,725,622.87 therefore be it

RESOLVED, that the Clerk of this Legislature file a certified list of claims so audited with the County Treasurer, and be it further

RESOLVED, that the County Treasurer be and he hereby is authorized and directed to pay the several claims so audited and charge the amounts to the several appropriations made therefore in the County Budget finalized on December 31, 2007.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 560-08

9/23/08

**AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS &
MEANS COMMITTEE FOR PAYMENT OF UTILITY BILLS.**

By: Hon. Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 50, adopted April 11, 1978, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Electric and Gas service, and Water and Sewer service, and

WHEREAS, this Legislature did by Resolution No. 184, adopted August 14, 1984, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for telephone service, and Landfill Service, and

WHEREAS, said Committee has audited and authorized payments as follows:

AUGUST 2008	
Gas & Electric	\$118,147.04
Telephone:	\$ 20,377.71
Water	\$ 17,464.81
Landfill/Rubbish	\$ 835.90
Total:	\$156,825.46

RESOLVED, that said payments be part and partial payment of the full audit of this Board.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 561-08

9/23/08 PURCHSVCSAUGUST

AUTHORIZING THE CAYUGA COUNTY TREASURER TO CHARGE DEPARTMENTS FOR CENTRAL SERVICES AND PURCHASES FOR THE MONTH OF AUGUST 2008

BY: Hon. Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, the Ways & Means Committee approved the payment of all Central Services,

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to credit the revenue account and charge the following departments' .40 Accounts (Contractual Expenditures) in accordance with attached schedules:

DEPARTMENT	CREDIT	AMOUNT
Central Purchasing	A1275	\$3,595.79
TOTAL		\$3,595.79

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 562-08

Date of meeting: September 23, 2008

AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE ADMINISTRATOR OF THE CAYUGA COUNTY NURSING HOME

By: Ann Petrus, Chairman Health & Human Services Committee

Francis Mitchell, Chairman Ways & Means Committee

WHEREAS, this legislature did by Resolution Number 70, duly adopted on the 20th day of March 1984, authorize the Nursing Home Committee of the County Legislature to audit all claims against the Cayuga County Nursing Home, and

WHEREAS, said Committee has audited and authorized payment in the amount of \$149,048.65 for the month of August 2008, now therefore be it

Tuesday, September 23, 2008

409

RESOLVED, that said payment be part and partial payment of the full audit of this Board.

Signed by Petrus, McIntosh, Schuster, Cuddeback, Sincebaugh, Tortorici, Mitchell, Palermo, Lockwood, Axton.

Approved by voice vote, all in favor.

RESOLUTION NO. 563-08

seniornutrition

**REPORT AND APPROVAL OF BILLS PAID BY THE COUNTY TREASURER
FOR OPERATION OF THE SENIOR NUTRITION PROGRAM
IN THE OFFICE FOR THE AGING.**

BY: Ann Petrus, Chair, Health & Human Service Committee

Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, The Director of the Office for the Aging presented bills for service providers in regard to operation of the Senior Nutrition Program, to the County Treasurer for payment pursuant to Resolution No. 297, duly adopted on June 21, 1994, which claims total \$11,700.00 covering the period through 8/29/08 and have been paid as set forth on the attached lists; now, therefore, be it

RESOLVED, that the aforesaid claims shall become part and parcel of the full legislative audit for the Office for the Aging.

Signed by Petrus, McIntosh, Schuster, Cuddeback, Sincebaugh, Tortorici, Mitchell, Palermo, Lockwood, Axton.

Approved by voice vote, all in favor.

RESOLUTION NO. 564-08

8/26/08

**AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS &
MEANS COMMITTEE FOR PAYMENT OF THRUWAY TOLLS.**

BY: Hon. Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 24-97, adopted January 21, 1997, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Thruway Tolls, and,

WHEREAS, said Committee has audited and authorized payments as follows:

JULY 2008 \$ 209.65

RESOLVED, that said payments be part and partial payment of the full audit of this Board.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 565-08

9/23/08

**AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS &
MEANS COMMITTEE FOR PAYMENT OF CREDIT CARD CHARGES.**

BY: Hon. Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 1-99, adopted January 01, 1999,

Tuesday, September 23, 2008

authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Credit Card Charges, and,

WHEREAS, said Committee has audited and authorized payments as follows:

AUGUST 2008	
First Niagara	\$ 1,111.62
AmExpress	\$ 1,888.02
Sunoco	\$ 110.34
Walmart	\$ 1,397.95
<u>Exxon</u>	<u>\$ 122.31</u>
Total:	\$ 4,630.24

RESOLVED, that said payments be part and partial payment of the full audit of this Board.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 566-08

9/23/08

**AUTHORIZING PAYMENT OF LEGAL NOTICE FEES
PRIOR TO THE LEGISLATIVE AUDIT.**

BY: Hon. Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, several county agencies are required by law to advertise legal notices in area media from time to time, and

WHEREAS, several of the officially designated newspapers offer a discount for prompt payment of legal Advertising invoices, and

WHEREAS, it would be in the best interest of the County to take advantage of the prompt payment discounts by paying these invoices prior to the legislative audit of claims, therefore be it

RESOLVED, that the Clerk of the Legislature is hereby authorized to process legal Advertising invoices for payment by the Cayuga County Treasurer prior to the monthly legislative audit, and be it further

RESOLVED, that a monthly report of said payments shall be provided to each legislator on a monthly basis.

AUGUST TOTAL \$2519.48

Signed by Mitchell, Axton, Lockwood, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor, except Palermo abstained.

RESOLUTION NO. 567-08

(9/23/08) COA-CAPH9PAY

**AUTHORIZING THE COUNTY TREASURER TO PAY
CLAIMS AGAINST VARIOUS CAPITAL "H" PROJECTS.**

BY: MR. MITCHELL, Chairman, Ways & Means Committee.

WHEREAS, claims have been received in regard to various Capital "H" Projects previously established by the County; and

WHEREAS, said claims have been reviewed and approved by the interested oversight committees; now, therefore, be it

RESOLVED, that the County Treasurer be and he is hereby authorized and directed to pay the following claims and charge the same to the appropriate Capital "H" Projects:

1. Project #03-7 (Phase 4/ Integration of Services (IOS):
PAR GOVERNMENT SYSTEMS CORP.:
Inv. No. 317309-01 \$ 2,078.56
2. Project #06-5 (Modification to the Cayuga County Office Bldg. Heating System):
C&S ENGINEERS, INC.:
Inv. No. 018702 - \$5,884.00, less
1,375.00 retainage \$ 4,509.00
Inv. No. 0110913 - \$ 782.00, less
100.00 retainage \$ 682.00
3. Project #07-1 (Erie Heritage Preservation):
KENT ENVIRONMENTAL:
Inv. No. 69 \$ 3,797.15
4. Project #07-3 (Ag Museum Courtyard):
CAYUGA COUNTY SOIL & WATER CONSERVATION DISTRICT:
Inv. No. 2322 (FINAL BILL) \$ 21,500.00
5. Project #07-5 (Tyler Software):
TYLER TECHNOLOGIES, INC.:
Inv. No. 133681 \$ 1,870.10
Inv. No. 134017 \$ 2,557.24
Inv. No. 124018 \$ 751.62
Inv. No. 134346 \$ 706.45
INN AT THE FINGERLAKES:
Inv. No. 3755 \$ 140.00
Inv. No. 3768 \$ 210.00
Inv. No. 3796 \$ 280.00
CDW GOVERNMENT, INC.:
Inv. No. LDP1471 \$ 2,502.00
6. Project #08-1 (Renovations - Mental Health, North Street):
C & S COMPANIES:
Inv. No. 0855 \$ 9,200.00

And be it further

RESOLVED, that the Treasurer make the journal and accounting entries necessary to accomplish the foregoing.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 568-08**9/23/08****AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF EQUIPMENT LEASE PAYMENTS.**

BY: Hon. Francis Mitchell, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 76-02, adopted February 26, 2002, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Equipment Leases, and

WHEREAS, said Committee has audited and authorized payment as follows:

AUGUST 2008	
Copier Leases and Maintenance:	\$ 10,987.02
Postage Leases:	\$ 1,030
Misc. Leases:	<u>\$ 7,114.31</u>
Total	\$ 19,131.33

RESOLVED, that said payment be part and partial payment of the full audit of this Board.

Signed by Mitchell, Axton, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 569-08**9/23/08****AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF PARCEL SERVICE PAYMENTS.**

BY: Hon. Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 03-03, adopted January 3, 2003, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Parcel Service Payments, and

WHEREAS, said Committee has audited and authorized payment as follows:

AUGUST 2008	\$ 282.89
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RESOLVED, that said payment be part and partial payment of the full audit of this Board.

Signed by Mitchell, Axton, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 570-08**(9/23/08) COA-MOADMVrev****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO ENTER INTO AN AGREEMENT BETWEEN THE CIVIL SERVICE EMPLOYEES ASSOCIATION (CSEA) AND THE COUNTY OF CAYUGA COUNTY**

BY: Hon. Francis Mitchell, Chairman - Ways and Means Committee

WHEREAS, by Resolution No. 303-06, the County of Cayuga and the Cayuga County Unit of Cayuga Local 806, Civil Service Employees Association, Inc., Local 1000, AFSCME,

AFL-CIO entered into a Collective Bargaining Agreement governing terms and conditions of employment for certain employees of the County for the period of January 1, 2005 through December 31, 2008; and

WHEREAS, on April 9, 2008, the County Clerk received a letter from Kent W. Gray, State of New York Department of Motor Vehicles, regarding enhanced driver's licenses and non-driver identification cards; and

WHEREAS, to ensure the security, integrity, and trust in the New York State Enhanced Drivers License and Non-Driver Identification Cards and to comply with Section 7209 of the Intelligence reform and Terrorism Prevention Act of Two Thousand Four, Public Law 108-458, and procedures promulgated thereto by the United States Department of Homeland Security for issuance of these documents, the Department of Motor Vehicles (DMV) will perform citizenship verifications and criminal history checks for all covered employees; and

WHEREAS, covered employees must provide certain documentation and background checks for employment eligibility verification required by law; and

WHEREAS, all new employees in the Cayuga County Department of Motor Vehicles and all new employees in the Cayuga County Clerk's Office who would be considered to be covered employees or employees in a covered position shall be required to undergo a background check at the time of employment in accordance with the requirements of the State of New York and the United States Department of Homeland Security; now, therefore be it

RESOLVED, that the Cayuga County Legislature hereby takes action to approve and authorized the signing of said Memorandum of Agreement by the Chairman of the County Legislature; and be it further

RESOLVED, that the County will assume the cost of the background check for employees; and, be it further

RESOLVED, that this resolution shall take effect immediately.

Signed by Mitchell, Axton, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 571-08

**(9/23/08) COA-ReqSuppFMAPIncorCoTxpayerPropTaxRelief
CALLING ON THE NEW YORK CONGRESSIONAL DELEGATION TO
SUPPORT AN INCREASE IN THE FEDERAL MEDICAL ASSISTANCE
PERCENTAGE (FMAP) TO PROVIDE NEW YORK COUNTIES WITH
PROPERTY TAX RELIEF.**

BY: MR. MITCHELL, Chairman, Ways & Means Committee.

WHEREAS, under Federal Law, local governments are not responsible for any portion of Medicaid funding; however, Congress has given states the ability to require local governments to share in financing the non-federal share of Medicaid costs; and

WHEREAS, the United States Centers for Medicare & Medicaid Services, date demonstrates that no other state in the country financially burdens its localities like New York State; and

WHEREAS, Medicaid represents the largest single program expense in every county budget and siphons away the limited resources needed to fund other critical budgetary needs at the county level; and

WHEREAS, the National Governor's Association (NGA), including Governor Paterson, have supported a proposal for a temporary increase in the federal medical assistance percentage (FMAP) as an economic stimulus option that would provide more federal funding for state Medicaid programs; and

WHEREAS, the NGA has indicated that it would both help to stimulate the nation's economy and shore up the safety net for low-income families; and

WHEREAS, this proposal would provide nearly \$1.6 billion in fiscal relief to New York State, including \$480 million in relief to county government; and

WHEREAS, this FMAP increase would reduce the local Medicaid burden and provide immediate property tax relief to the residents of New York State; now, therefore, be it

RESOLVED, that the New York State Association of Counties (NYSAC) calls upon the New York Congressional Delegation to support an increase in the federal medical assistance percentage (FMAP) to provide New York's local taxpayers with relief from the crushing financial burden of the Medicaid program; and be it further

RESOLVED, that the New York State Association of Counties shall forward copies of this Resolution to the New York State Congressional Delegation, Governor Paterson and all others deemed necessary and proper.

Signed by Mitchell, Axton, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 572-08

Action 9/23/08 MH FillsWA-09-08

AUTHORIZE THE FILLING OF A FULL-TIME SOCIAL WORK ASSISTANT (MH) POSITION AT THE COMMUNITY MENTAL HEALTH CENTER OF CAYUGA COUNTY

By: Hon. Ann Petrus, Chair Health and Human Services Committee, and
Hon. Francis Mitchell, Chair Ways and Means Committee.

WHEREAS, there is a vacant full-time Social Work Assistant (MH) position in the Community Mental Health Center of Cayuga County as the result of a resignation; and

WHEREAS, this position is necessary to the continued operations of the department; and

WHEREAS, the position is reflected in the 2008 County Budget as a 100% funded position, therefore, be it

RESOLVED, that the Acting Director of Community Mental Health Services be authorized and is hereby directed to fill the position of one full-time Social Work Assistant (MH) in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, McIntosh, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 573-08
(September 23, 2008) HD WIC Contract 2008
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW WIC CONTRACT
WITH THE NYS DEPARTMENT OF HEALTH

BY: Ann R. Petrus, Chairman of the Health & Human Service Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, the NYS Department of Health administers the 100% federally funded WIC program for the State of New York; and

WHEREAS, funding has been made available for the Cayuga County Health Department in an amount up to \$431,108 to continue to run the WIC program for the period October 1, 2008 through September 30, 2009; and

WHEREAS, this funding has already been budgeted in the Health Department's 2008 budget in accounts #4011.1, #4011.8, and #4011.4; now, therefore be it

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to renew the contract with the NYS Department of Health in an amount up to \$431,108 to continue the 100% federally funded WIC program and to accept any additional COLA adjustments relative to this Program.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, McIntosh, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 574-08
(September 23, 2008) HD Fill PT LPN CHHA2
AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO FILL
ONE PART-TIME LPN VACANCY AT CHHA

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, there is one Part-Time LPN vacancy at the Home Care Agency due to resignation effective August 30, 2008; and

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

WHEREAS, sufficient funding exists in the Health Department's 2008 Budget to support this position; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized to fill the Part-Time LPN vacancy in a manner consistent with the rules and regulations of the County of Cayuga and the Cayuga County Civil Service Commission.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, McIntosh, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 575-08
(September 23, 2008) HD Fill PT HHA CHHA2
AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO FILL
PART-TIME HOME HEALTHAIDE VACANCY AT THE CHHA
DUE TO RESIGNATION

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, there is a Part-Time Home Health Aide vacancy at the CHHA due to a resignation effective August 29, 2008; and

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

WHEREAS, sufficient funding exists in the Health Department's Budget to support this position; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized to fill the Part-Time Home Health Aide vacancy in a manner consistent with the rules and regulations of the County of Cayuga and the Cayuga County Civil Service Commission.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, McIntosh, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 576-08
(September 23, 2008) HD Trapani Contract
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A SERVICE
CONTRACT WITH ROBERT TRAPANI, OT TO PROVIDE OCCUPATIONAL
THERAPY SERVICES FOR THE CHHA

BY: Ann Petrus, Chairman of the Health & Human Services Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, there exists in the Certified Home Health Agency (CHHA) a need to provide occupational therapy services; and

WHEREAS, the Department at this time relies solely on independent contracts for their services; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Robert Trapani to provide the needed services for the period of August 26, 2008 through August 31, 2009 at the following rates:

Occupational Therapy:
\$65.79 per Visit
\$15.00 Orientation/Inservice

and be it further

RESOLVED, that the charges for these services be paid out of account #4012.400, line item # .220 of the Health Department Budget.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, McIntosh, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 577-08
(September 23, 2008) HD Create/Fill PT Home Care Asst
AUTHORIZING THE CAYUGA COUNTY LEGISLATURE TO CREATE ONE
PART-TIME HOME CARE ASSISTANT POSITION, ABOLISH ONE PT LPN
POSITION, AND AUTHORIZE THE DIRECTOR OF HEALTH & HUMAN
SERVICES TO FILL THE NEWLY CREATED HOME CARE
ASSISTANT POSITION

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, in an effort to have more flexibility with assignments of Home Health Aides and LPN's at the Health Department's Home Care Agency and better meet the needs of the Agency, the Department requests to create one part-time hybrid position which include the combine duties of a PT LPN and a PT Home Health Aide and title it PT Home Care Assistant; and

WHEREAS, the Cayuga County Civil Service Commission has reviewed the New Position Duties Statement submitted for this part-time position and has classified it as a PT Home Care Assistant with the jurisdictional class allocation being Non-Competitive; NOW, THEREFORE, BE IT

RESOLVED, that the Cayuga County Legislature create a Part-Time Home Care Assistant Position at the CHHA and place it in the Cayuga County Compensation Plan, Part II, for Non-Bargaining, grade 3, at a rate of \$14.98 (probation) and \$15.13 (1st Step); and be it further

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill this newly created position and any fill behinds that may occur in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga; and be it also

RESOLVED, that upon creation of the Part-Time Home Care Assistant position that one Part-Time LPN position be abolished.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, McIntosh, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 578-08
(September 23, 2008) HS Chapel House
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A
CONTRACT WITH CHAPEL HOUSE (TEMPORARY HOMELESS SHELTER)

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, Chapel House has opened a facility that will offer temporary shelter to those in need; and

WHEREAS, this shelter has provided service to those income eligible individuals in need of shelter; and

WHEREAS, in accordance with Social Services Regulations, local DSS is required to provide temporary shelter for eligible homeless families and individuals who are financially eligible and have no housing resources available to them; and

WHEREAS, the costs incurred by the local district are reimbursed at a minimum of 50% depending on the type of case; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services enter into a contract with Chapel House for the period April 1, 2008 through December 31, 2009 at a rate of \$20/day, per person; and be it further

RESOLVED, that these expenditures will be paid out of account #6140 of the Human Services Budget.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, McIntosh, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor, except Sincebaugh abstained

RESOLUTION NO. 579-08

September 23, 2008 Nhrprdrvwyrev

AUTHORIZING THE ADMINISTRATOR OF THE NURSING HOME TO TRANSFER FUNDS TO THE CAYUGA COUNTY HIGHWAY DEPARTMENT FOR REPAIR OF THE DRIVEWAY AND ADDITION OF THE PARKING SPACES AT THE CAYUGA COUNTY NURSING HOME.

BY: Ann Petrus , Health and Human Service

Francis Mitchell , Ways and Means

WHEREAS, the Cayuga County Nursing Home requires repair the driveway and 6 (six) additional parking spaces at the Nursing Home, and

WHEREAS, a capital fund has been established that includes the repair of the driveway; and

WHEREAS, the Cayuga County Highway Department has estimated that the repairs and new spaces can be completed for no more than \$27,000; now therefore be it

RESOLVED, that the Administrator of the Cayuga County Nursing Home is authorized to arrange for repairs and new spaces with the Highway Department for no more than \$27,000 (Twenty-seven thousand dollars).

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, McIntosh, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 580-08

Date of Meeting: 9/23/08 nhotbrickner

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ENTER INTO AN AGREEMENT WITH JOAN BRICKNER TO PROVIDE OCCUPATIONAL THERAPY SERVICE TO CAYUGA COUNTY NURSING HOME RESIDENTS.

BY: Francis Mitchell, Chairman, Ways and Means Committee

BY: Ann Petrus, Chairman, Health and Human Services Committee

WHEREAS, Joan M. Brickner has the required experience and wishes to provide occupational therapy service to Cayuga County Nursing Home; and

WHEREAS, Cayuga County Nursing Home has been unable to recruit other occupational therapists and is required by New York State Health Department regulation to provide occupational therapy service; and

WHEREAS, Joan Brickner will be paid for her services to Cayuga County Nursing Home residents at a rate of \$ 60/hour; now therefore be it

RESOLVED that the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home be authorized to sign an agreement with Joan M. Brickner to provide occupational therapy service at Cayuga County Nursing Home effective September 24, 2008 for one year at a rate of \$ 60/hour.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, McIntosh, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 581-08

Date of Meeting: 9/23/08 nhptraymond

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ENTER INTO AN AGREEMENT WITH MELANIE RAYMOND TO PROVIDE PHYSICAL THERAPY SERVICE TO CAYUGA COUNTY NURSING HOME RESIDENTS.

BY: Francis Mitchell, Chairman, Ways and Means Committee

BY: Ann Petrus, Chairman, Health and Human Services Committee

WHEREAS, Melanie J Raymond has the required experience and wishes to provide physical therapy service to Cayuga County Nursing Home; and

WHEREAS, Cayuga County Nursing Home has been unable to recruit other physical therapists and is required by New York State Health Department regulation to provide physical therapy service; and

WHEREAS, Melanie J Raymond will be paid for her services to Cayuga County Nursing Home residents at a rate of \$ 65/hour; now therefore be it

RESOLVED that the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home be authorized to sign an agreement with Melanie J. Raymond to provide physical therapy service at Cayuga County Nursing Home effective September 24, 2008 for one year at a rate of \$ 65/hour.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, McIntosh, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 582-08

Date of Meeting: 9/23/08 nhchngordrfiresystemrev

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ACCEPT A CHANGE TO THE PROPOSAL FOR REPLACEMENT OF THE FIRE SYSTEM.

BY: Ann Petrus, Chairman, Health & Human Services Committee

BY: Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, Resolution No. 54-07 authorized the issuance of an RFP to obtain proposals for replacement of the fire control system at the Cayuga County Nursing Home; and

WHEREAS, Resolution No. 386-08 awarded the proposal to Binder Electric Corporation; and,

WHEREAS, specifications of the drawings were not accurate and that the confirming codes enforcement officer is requiring additional smoke and heat detectors; and,

WHEREAS, Binder Electric Corporation has submitted an updated proposal that contains all of the above stipulations for an additional cost of \$ 30, 610; and

WHEREAS, Binder Electric Corporation has offered to discount that price by \$8,000 if our Buildings and Grounds Department takes care of the finishing work; and

WHEREAS, nursing Home Buildings Department is able to complete the finish work; and

WHEREAS, Binder Electric Corporation will accept a 2% prompt payment discount that will save an additional \$2475.20; and

WHEREAS, the proposal has been approved by the engineering firm Erdman Anthony Associates; now therefore be it,

RESOLVED, that the proposal be changed to include the above costs for an amount not to exceed \$20,134.80 (Twenty thousand one hundred thirty-four dollars and eighty cents); and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature and the Administrator of the Nursing Home are hereby authorized and directed to sign any and all documents required to implement this resolution.

Signed by Petrus, Mahunik, Cuddeback, Schuster, Sincebaugh, Tortorici, McIntosh, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 583-08

9-23-08 COLstudentgovtsunset08

AUTHORIZING THE COUNTY TREASURER TO PAY THE SUNSET RESTAURANT FOR STUDENT GOVERNMENT DAY LUNCHESES.

By: Christopher Palermo, Chairperson Government Operations

WHEREAS, The Cayuga County Legislature will hold the annual Student Government Day on Tuesday October 28, 2008; and

WHEREAS, selected students attending Cayuga County High Schools will attend and observe the County Legislature and County Departments in operation; and

WHEREAS, funds have been appropriated in the adopted 2008 County Budget to pay for the lunches of the students and the School Chaperones attending Student Government Day; and

WHEREAS, the Sunset Restaurant requires payment at the conclusion of the luncheon on Student Government Day; and

WHEREAS, the members of the Legislature, Department Heads and other members of the public attending the Student Government Day Luncheon will pay for their own luncheon and said funds collected will be deposited in the Cayuga County Treasurer's Office; now therefore be it

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to pay the Sunset Restaurant for the Student Government Day Luncheon upon submission of an invoice certified by the Clerk of the Legislature and the Chairman of the Legislature out of account A1010.400.071; and be it further

RESOLVED, That the County Treasurer make all necessary journal and accounting entries to accomplish same.

Signed by Palermo, Chapman, Fearon, Mitchell, Murphy, Petrus, Sincebaugh.

Approved by voice vote, all in favor.

Tuesday, September 23, 2008

421

RESOLUTION NO. 584-08
September 23, 2008 colworkplacebidrev
AUTHORIZATION FOR THE REJECTION OF THE RFP, THE NEW YORK
STATE WORKPLACE VIOLENCE PREVENTION ACT.

BY: Christopher Palermo, Chair, Government Operations
Francis Mitchell, Chair, Ways & Means

WHEREAS, Resolution No. 208-08 authorized the Purchasing Agent and the clerk of the Legislature to send out a Request for Proposal for services in connection with the Workplace Violence Prevention Act, and

WHEREAS, the following response was received:

- 1.) Practical Consultants LLC responded with the following options:
Option #1 \$ 9,800.00
Option #2 \$14,000.00
Option #3 \$ 6,500.00
Option #4 \$27,270.00

Now, therefore, it is

RESOLVED, that the Chairman of the Legislature be authorized and directed to reject this contract with Practical Consultants, LLC.

Signed by Palermo, Chapman, Mitchell, Fearon, Petrus, Murphy, Sincebaugh, Axton, Lockwood, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 585-08
Action Date 9/23/08 VETDriverPT2008-rev
CREATE TWO PART TIME DRIVER POSITIONS WITHIN THE VETERAN'S
OFFICE AND TRANSFER FUNDS TO ACCOMPLISH THE SAME.

BY: Christopher Palermo, Government Operations Committee
Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, the Cayuga County Veteran's Office has used independent contractors to drive Veterans to medical appointments; and

WHEREAS, the Veteran's Service Agency has discovered that this service should be within the county payroll system to be in compliance with internal revenue service statutes and labor law; and

WHEREAS, the positions and the service is needed to allow our veterans to have access to the medical care that they need; and

WHEREAS, there are not enough contractual funds left in the professional line item to transfer the amount needed to pay the Drivers for the remaining three months of 2008; now therefore be it

RESOLVED, that two positions of Driver, part-time be created in the Veteran's Service Agency and added to the Cayuga County Compensation Plan, Part II for non-bargaining employees at a rate of \$10.00 per hour; and, be it further

RESOLVED, that the Director of the Veteran's Service Agency be hereby authorized to fill these two positions in accordance with the 2008 Compensation Plan (Part II) and in a manner consistent with Civil Service Rules and Regulations and the policies of the County of Cayuga; and be it further

RESOLVED, that the County Treasurer be authorized to transfer the amount of \$2,900 from Account No. A6510.400.059 and the sum of \$2,903 from Contingent Fund Account No. A1990 and transfer the amount of \$5,390 into Veteran's Salary Account No. A6510.100 the amount of \$413. into Veteran's Fringe Benefits Account No. A6510.800.001 for the remainder of 2008; and, be it further

RESOLVED, that the County Treasurer make the journal and accounting entries necessary to accomplish the foregoing in the Veteran's Service Agency Budget for the year of 2008.

Signed by Palermo, Chapman, Mitchell, Fearon, Petrus, Murphy, Sincebaugh, Axton, Lockwood, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 586-08

9-23-08 RECRETGRANT.08

**AUTHORIZING ACCEPTANCE OF GRANT FUNDS AND
AMENDING THE 2008 COUNTY BUDGET**

BY: Christopher Palermo, Chairman, Government Operations Committee, and Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, the Coordinator of Records Retention has been notified of the awarding of a 2008-2009 State Grant for Records Retention Storage Shelving, now, therefore, be it

RESOLVED, that the aforesaid Grant be accepted, and be it further

RESOLVED, that the County Treasure is hereby directed to establish a revenue line, 3061.000.000 State Aid Records Grant in which the grant funds of \$8578.00 shall be deposited, and be it further

RESOLVED, that \$8578.00 be added to the Cayuga County 2008 budget line #1413.200.000 Shelving, and be it further

RESOVED, that the County Treasurer be directed to make the necessary journal and accounting entries to carry out the intent of this resolution, and be it further

RESOVED, that the Chairman of the Legislature is hereby authorized and directed to sign necessary documents and reports required to accomplish the aforesaid Grant.

Signed by Palermo, Chapman, Mitchell, Fearon, Petrus, Murphy, Sincebaugh, Axton, Lockwood, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 587-08

**AUTHORIZES CAYUGA COUNTY CLERK TO OBTAIN
TWO COMPUTER WORK STATIONS**

BY: MR. CHRISTOPHER PALERMO, Chairperson, Government Operations Committee

MR. FRANCIS MITCHELL, Chairperson, Ways and Means Committee

WHEREAS, there is a new Supervisor in the Department of Motor Vehicles and a new Senior Clerk position in the Cayuga County Recording Office; and

WHEREAS, these two staff people require a workstation at their desk to perform their day to day duties; and

WHEREAS, there is funding for workstations included in the 2008 Information Technology budget; therefore be it

RESOLVED, that the Information Technology Department is authorized to purchase workstations and related software on New York State contract in the amount of \$950 each (\$1900. total) from Account No. A1020.200.000; and be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to make the journal and accounting entries required to implement the intent of this resolution. Signed by Palermo, Chapman, Mitchell, Fearon, Petrus, Murphy, Sincebaugh, Axton, Lockwood, Schuster, Tortorici.
Approved by voice vote, all in favor.

RESOLUTION NO. 588-08

SEPTEMBER30, 2008 BOECARPETRESOrev

A RESOLUTION TO PURCHASE CARPET FOR THE BOARD OF ELECTIONS

BY: Mr. Palermo, Chair, Government Operations Committee, and
Mr. Mitchell, Chair, Ways & Means Committee

WHEREAS, the Board of Elections wishes to utilize the basement of its office at 10 Court Street for election inspector training, demonstrations, and other election-related activities; and,

WHEREAS, the floor is bare and carpeting would eliminate noise in the room and make for a more comfortable working environment; such carpeting can be installed by Maintenance staff; and,

WHEREAS, sufficient funds exist within the Board of Elections Contracts (Digitization) account 1450.100.073-A; now therefore, be it

RESOLVED, that the sum of \$1,700 be transferred from Board of Elections' Contracts (Digitization) account 1450.100.073-A to 1450.200 (Equipment), and said sum shall be expended for this purpose.

Signed by Palermo, Chapman, Mitchell, Fearon, Petrus, Murphy, Sincebaugh, Axton, Lockwood, Schuster, Tortorici.
Approved by voice vote, all in favor.

RESOLUTION NO. 589-08

Sept 23, 2008 PB_AmendWQMABudgetrev2

AUTHORIZING THE TREASURER TO AMEND THE 2008 BUDGET ON BEHALF OF THE PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT TO RECEIVE THE GRANT FUNDS FROM THE FINGER LAKES/LAKE ONTARIO WATERSHED PROTECTION ALLIANCE, SFY 2007 - 2008 SPECIAL PROJECTS FUND AS AUTHORIZED BY COUNTY RESOLUTION 409-08

BY: Mr. Daniel Schuster, Chair, Planning and Economic Development Committee
Mr. Francis Mitchell, Chair, Ways and Means Committee

WHEREAS, as authorized by County Resolution #409-08, a contract has been signed with the Finger Lakes Association to access grant funds in the amount of \$15,000 for the "Feasibility Study and Preliminary Cost Benefit Analysis for the Owasco Inlet Channel and Owasco Flats Wetland Restoration"; and

WHEREAS, this project requires an in-kind match of \$6,345 in staff time and labor, for a total project budget of \$21,345, and

WHEREAS, Cayuga County has been awarded the funding and a budget amendment must be made to the departmental budget to accept and expend the grant funds; NOW, therefore, be it

RESOLVED, that the Cayuga County Treasurer is hereby authorized to amend the Planning and Economic Development Department's budget so as to add \$15,000.00 to the Department's 3994.000.000 - A- State-Aid-FL_LOWPA Grant Revenue account, and the WQMA 2008 budget is hereby amended so as to add \$15,000.00 to the agency's 8740.410.00-A FL_LOWPA Grant expenses account, with no net change in the Planning Department budget to accommodate this project; and, be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to sign such documents as may be necessary to implement this project so long as costs do not exceed the available budget; and, be it further

RESOLVED, that the County Treasurer is hereby authorized to make the journal and accounting entries necessary to accomplish the same, and, be it further

RESOLVED, that this resolution take effect immediately.

Signed by Schuster, Palermo, Axton, Fearon, Mahunik, Murphy, Tortorici, Mitchell, Petrus, Axton, Lockwood.

Approved by voice vote, all in favor.

RESOLUTION NO. 590-08

September, 23, 2008 PB-NutriBar_HUD_Grant_Auth

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO EXECUTE GRANT FUNDING CONTRACTS BETWEEN CAYUGA COUNTY AND NYS HOUSING TRUST FUNDS CORPORATION, OFFICE OF COMMUNITY RENEWAL, FOR ECONOMIC DEVELOPMENT FUNDS SECURED IN SUPPORT OF NUTRITIONAL BAR CONFECTIONERS, LLC. ECONOMIC DEVELOPMENT PROJECT IN THE TOWN OF IRA AND AUTHORIZING THE PLANNING DEPARTMENT TO ADMINISTER SUCH FUNDS

BY: Mr. Daniel Schuster, Chair, Planning and Economic Development Committee

Mr. Francis Mitchell, Chair, Ways and Means Committee

WHEREAS, Nutrition Bar Confectioners, LLC., a small manufacturing business located in the Town of Ira, has prepared a business plan that projects the employment of fifty (50) full time employees over a five-year time frame and identifies various equipment needed at the facility to implement the business plan, at a cost to the business entity of approximately \$375,000.00 (the "Project"); and

WHEREAS, the Cayuga County Department of Planning & Economic Development has worked with Nutrition Bar Confectioners LLC on a preliminary loan application to the New York State Governor's Office of Small Cities for \$375,000.00 in economic development grant funds for the proposed project that requires a municipal application to the state, followed by administration of the grant award and monitoring of the funds and the job creation requirements associated with the grant award; and

WHEREAS, Cayuga County is eligible to receive grant funds for economic development projects under the U.S. Department of Housing and Urban Development's Community Development Small Cities Block Grant program administered by the NYS Office of Small Cities through itself or on behalf of County municipalities such as the Town of Ira where the Project is located; and

WHEREAS, the Cayuga County Department of Planning & Economic Development has the staff and the administrative capacity to apply for, administer and monitor this grant award on behalf of the Town of Ira and has offered to act as the Town of Ira's agent with

regard to applying for the grant, administering the funds and monitoring compliance with all statutory requirements associated with the grant at no cost or obligation to the Town of Ira; and

WHEREAS, the Town Board of Ira has unanimously approved a Resolution authorizing Cayuga County and the County Department of Planning & Economic Development to act as its agent in securing, distributing and administering Small Cities funds for this project and has conducted the required Public Hearings with regard to the proposed economic development projects; and

WHEREAS, the Department of Planning & Economic Development has been notified by the NYS Office of Small Cities that \$375,000.00 in Small Cities Community Development Block Grant (CDBG) funding has been secured for the Project; and

WHEREAS, the CDBG program includes among its objectives creating and retaining jobs available to low- and moderate income persons, and the County of Cayuga supports this objective, now, therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby directed and authorized to sign such documents as may be necessary to obtain and disperse these funds and the Cayuga County Planning & Economic Development Department is hereby authorized to administer same; and be it further

RESOLVED, that the Treasurer make the journal and accounting entries necessary to carry out the project.

Signed by Schuster, Palermo, Axton, Fearon, Tortorici, Mitchell, Petrus, Axton, Lockwood.
Approved by voice vote, all in favor.

RESOLUTION NO. 591-08
(8-26-08) P&T Multi Day Park Fees 8 08
ADJUSTMENT OF FEE FOR MULTIPLE DAY RENTALS
OF EMERSON PARK FACILITIES

By: David R. Axton, Chair, Public Works

Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Parks & Trails Department has facilities to rent; and

WHEREAS, the Cayuga County Legislature has established fees and policies for the rental of these facilities; and

WHEREAS, the Parks Commission has agreed that there should be a reduced charge for renting these facilities on multiple days (3-days or more) in the same calendar year; and

WHEREAS, the Public Works Committee has agreed that the fee should be calculated the same as the three day rental fee for the pavilion was calculated; and

WHEREAS, that fee was established to be 2/3rds of the regularly established fee rounded to the nearest dollar; now, therefore, be it

RESOLVED, that the daily fee for multiple day rental (3-days or more) of the facilities at Emerson Park in the same calendar year shall be established at 2/3rds of the regular fee rounded to the nearest dollar.

Signed by Axton, McIntosh, Mitchell, Lockwood, Chapman, Sincebaugh, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 592-08**Date: 9/30/08 hwyfillightmeorev****AUTHORIZATION FOR SUPERINTENDENT OF HIGHWAYS TO FILL
A LABORER POSITION WITHIN THE HIGHWAY DEPARTMENT**

BY: Hon. David Axton, Chairman, Public Works Committee

Hon. Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, a current laborer is retiring from their position on August 30, 2008 and the position will be vacant at that time; and

WHEREAS, this Laborer position is critical to the operation of the Highway Department; and

WHEREAS, this position has been budgeted for the entire year; now therefore be it

RESOLVED, to authorize the Highway Superintendent to fill this open position and be it further

RESOLVED, that the foregoing be accomplished in accordance with Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Axton, Cuddeback, Lockwood, Chapman, Sincebaugh, Petrus, Schuster, Palermo, Tortorici.

Approved by voice vote, all in favor, except McIntosh and Mitchell voting No.

RESOLUTION NO. 593-08**Action: 9/30/08 hwyfillhmeopositionrev****AUTHORIZATION TO FILL A HEAVY M.E.O. POSITION WITHIN THE
HIGHWAY DEPARTMENT & BACKFILL BEHIND THE POSITION**

BY: Hon. Dave Axton, Chairman, Public Works Committee

Hon. Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, a current Heavy Motor Equipment Operator is retiring from that position on September 27, 2008 and the position will be vacant at that time; and

WHEREAS, this Heavy M.E.O. position is critical to operation of the highway department; and

WHEREAS, the position has been budgeted for the entire year; now therefore be it

RESOLVED, to authorize the Highway Superintendent to fill this open position by promotion from within the department and also backfill any positions created by upward promotion from within the department; and be it further

RESOLVED, that the foregoing be accomplished in accordance with Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Axton, Cuddeback, McIntosh, Mitchell, Lockwood, Chapman, Sincebaugh, Petrus, Schuster, Palermo, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 594-08**9/23/08 BLDS Salt/Sand Spreader****AUTHORIZING THE SUPERINTENDENT OF BUILDINGS AND GROUNDS TO
PURCHASE A TRUCK MOUNTED SALT/SAND SPREADER
FOR ICE AND SNOW REMOVAL**

BY: Hon. David R. Axton, Chairman, Public Works Committee

Hon. Francis C. Mitchell, Chairman, Ways & Means Committee

WHEREAS, the current truck mounted Salt/Sand Spreader for the Buildings and Grounds Department is over 12 years old and is constantly in need of repaired; and

Tuesday, September 23, 2008

427

WHEREAS, The department needs reliable truck mounted Salt/Sand Spreader to keep the 9 parking lots in the down town office complex clear of ice and snow for the safety of Tax Payers and County Personnel; and

WHEREAS, sufficient funds are available in the 2008 equipment budget 1620.200.000 to purchase a new truck mounted Salt/Sand Spreader; now therefore be it

RESOLVED, that the Superintendent of Buildings and Grounds be authorized to purchase a new truck mounted Salt/Sand Spreader not to exceed \$2,800.00 from the State bid; and be it further

RESOLVED, that the current truck mounted Salt/Sand Spreader be surrendered to the Clerk of the Cayuga County Legislature for sale or transfer upon the acceptance of the new truck mounted Salt/Sand Spreader; and be it further

RESOLVED, that this expense be covered from the Cayuga County Buildings fund Account No. 1620.200.000 and be it further

RESOLVED, that the Cayuga County Treasurer be authorized to make the journal entries appropriate and necessary to implement the intent of this resolution.

Signed by Axton, Cuddeback, McIntosh, Mitchell, Lockwood, Chapman, Sincebaugh, Petrus, Schuster, Palermo, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 595-08

Action Date 9/23/08 PSAPptESDfill-rev

**AUTHORIZATION TO FILL A VACANT PART - TIME
EMERGENCY SERVICES DISPATCHER POSITION**

BY: Mr. Raymond Lockwood, Chairperson, Judicial and Public Safety Committee
Mr. Francis Mitchell, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County 911 Center currently has one vacant Emergency Services Dispatcher; Part Time (sub); and

WHEREAS, it is necessary to select a candidate and fill the Part-Time Emergency Services Dispatcher position for continuity of services; now therefore be it

RESOLVED, that the position (#001873) be re-titled to Emergency Services Dispatcher, PT and that the 911 Administrator be hereby authorized to fill the vacant Emergency Services Dispatcher PT position from the existing Civil Service list; and be it further

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

Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, Murphy, McIntosh, Mitchell, Axton, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

Amendment made by Frances Mitchell to amend the third Whereas clause by replacing four with three new vehicles. All voted in favor of the amendment.

RESOLUTION NO. 596-08**9/23/08 SHR-Retain Patrol Cars.rev2****AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO RETAIN THREE (3) MARKED PATROL VEHICLES THAT WERE TO BE TURNED IN FOR AUCTION PURSUANT TO RESOLUTION NO. 228-08.**

BY: Mr. Raymond Lockwood, Chair, Judicial and Public Safety Committee, and
Mr. Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, Resolution No. 228-08 resolved that six vehicles utilized by the Cayuga County Sheriff's Office be turned in for auction, including a 2002 Ford Crown Victorian, VIN 2FAPF71W12X128713; a 2003 Ford Crown Victorian, VIN 2FAHP71W33X201945; and a 2003 Ford Crown Victorian, VIN 2FAHP71W33X201946; and

WHEREAS, the Cayuga County Sheriff's Office has continued need for the three aforementioned vehicles, for the SRO's; and

WHEREAS, it is economically favorable for the Sheriff's Office to retain these three of the six used vehicles as it limits the Sheriff's 2009 request to only three new vehicles which will be a savings of \$40,000.00 to \$60,000.00; and

WHEREAS, auctioning these vehicles does not generate a significant income as historically they sell for less than \$500.00, and

WHEREAS, to continue insuring these three vehicles would be at a cost of no more than \$900.00 annually; now therefore be it

RESOLVED, that the following vehicles scheduled to be turned in for auction shall be retained by the Cayuga County Sheriff's Office for continued use by the SROs": (1) 2002 Ford Crown Victorian, VIN 2FAPF71W12X128713; (2) 2003 Ford Crown Victorian, VIN 2FAHP71W33X201945; and (3) 2003 Ford Crown Victorian, VIN 2FAHP71W33X201946; and be it further

RESOLVED, that upon termination of the SRO contract, the vehicle will be returned to the Clerk of the Legislature as required by Resolution No. 228-08, resolution No. 173-05 and Resolution No. 364-98, as amended.

Signed by Lockwood, Chapman, Cuddeback, Mahunik, Murphy, McIntosh, Axton, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 597-08**9/23/08 SHR-Transfer Monies (Law Library)****AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO TRANSFER MONIES FROM THE SHERIFF'S 2008 CUSTODY CONSTRUCTION/RENOVATION BUDGET LINE (3150.400.178) TO THE SHERIFF'S 2008 CUSTODY LAW BOOKS BUDGET LINE (3150.400.122).**

BY: Mr. Raymond Lockwood, Chair, Judicial and Public Safety Committee, and
Mr. Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, there is an insufficient amount of money in the Sheriff's 2008 Custody Law Books Budget Line (3150.400.122) to cover the cost of books mandated by New York State to be maintained in the jail's law library; and

WHEREAS, there is enough money in the Sheriff's 2008 Custody Construction/Renovation Budget Line (3150.400.178) to compensate the shortfall in the Sheriff's 2008 Custody Law Books Budget Line (3150.400.122); now therefore be it

Tuesday, September 23, 2008

429

RESOLVED, that the Cayuga County Treasurer be authorized to transfer \$3,000.00 from the Sheriff's 2008 Custody Construction/Renovation Budget Line (3150.400.178) to the Sheriff's 2008 Custody Law Books Budget Line (3150.400.122); and further be it

RESOLVED that the Cayuga County Treasurer make the necessary accounting and journal entries to accomplish the intent of this Resolution.

Signed by Lockwood, Chapman, Fearon, Mahunik, Murphy, McIntosh, Mitchell, Axton, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

Close Public Hearing at 7:35PM, all in favor.

RESOLUTION NO. 598-08

9/23/08 SHR-Transfer Monies (Salaries/OT)

AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO TRANSFER MONIES FROM THE SHERIFF'S 2008 CUSTODY JAIL EQUIPMENT BUDGET LINE (3150.200.000) TO THE SHERIFF'S 2008 LAW ENFORCEMENT SALARIES/OVERTIME BUDGET LINE (3110.100.000).

BY: Mr. Raymond Lockwood, Chair, Judicial and Public Safety Committee, and Mr. Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, there is an insufficient amount of money in the Sheriff's 2008 Law Enforcement Salaries/Overtime Budget Line (3110.100.000) to cover the cost of overtime accumulated by the Road Deputies employed by the Cayuga County Sheriff's Department; and

WHEREAS, there is a surplus amount of money in the Sheriff's 2008 Custody Jail Equipment Budget Line (3150.200.000) to compensate the shortage in the Sheriff's 2008 Law Enforcement Salaries/Overtime Budget Line (3110.100.000); now therefore be it

RESOLVED, that the Cayuga County Treasurer be authorized to transfer \$15,000.00 from the Sheriff's 2008 Custody Jail Equipment Budget Line (3150.200.000) to the Sheriff's 2008 Law Enforcement Salaries/Overtime Budget Line (3110.100.000); and further be it

RESOLVED that the Cayuga County Treasurer make the necessary accounting and journal entries to accomplish the intent of this Resolution.

Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, Murphy, McIntosh, Mitchell, Axton, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 599-08

9/23/08 SHR-Pur. 24/7 Chairs

AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO PURCHASE 24/7 CHAIRS FOR USE BY THE CORRECTION OFFICERS AT THE COUNTY PUBLIC SAFETY BUILDING.

BY: Mr. Raymond Lockwood, Chair, Judicial and Public Safety Committee, and Mr. Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, all of the 24/7 chairs presently utilized by the Correction Officers at the County Public Safety Building are in need of replacing as their condition is dilapidating, they are unsafe and are not ergonomically correct; and

WHEREAS, there is money in the Sheriff's 2008 Custody Jail Equipment Budget Line (3150.200.000) to purchase new 24/7 chairs; now therefore be it

RESOLVED, that the Cayuga County Sheriff is authorized to purchase new 24/7 chairs not to exceed \$10,000.00; and further be it

RESOLVED, that the purchase will be made in accordance with the existing purchasing policies of Cayuga County.

Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, Murphy, McIntosh, Mitchell, Axton, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 600-08

9/23/08 SHR-Bulletproof Vestsrev

AUTHORIZING THE CAYUGA COUNTY SHERIFF TO PURCHASE BODY ARMOR/BALLISTIC VESTS FOR USE BY THE ROAD PATROL AND LAW ENFORCEMENT OFFICERS OF THE CAYUGA COUNTY SHERIFF'S OFFICE AND ACCEPT GRANT.

By: MR. RAYMOND LOCKWOOD, Chairman, Judicial & Public Safety Committee
MR. FRANCIS MITCHELL, Chairman, Ways & Means Committee

WHEREAS, body armor/ballistic vests utilized to maintain an officer's safety during the line of duty have a useful life span of approximately five years and the body armor/ballistic vests presently owned and worn by the deputies and law enforcement officers of the Sheriff's Office are outdated, unsafe and showing signs of deterioration; and

WHEREAS, body armor/ballistic vests have been proven to be an absolute necessity of having effective protection to help ensure the safety of the officers wearing these vests; and

WHEREAS, the purchase price of the 24 body armor/ballistic vests will be \$15,600.00 and the Cayuga County Sheriff's Office has been awarded grant money through the Bulletproof Vest Partnership, an agency that provides reimbursement to law enforcement agencies for approximately 50% of the cost of purchasing such body armor/ballistic vests upon the submission of receipts, bringing the total cost of the vests to the county of approximately \$7800.00; and

WHEREAS, the source of funding would be a transfer from the Cayuga County Contingency Fund Account No. A-1990; now therefore be it

RESOLVED, that the Sheriff of Cayuga County and the Chairman of the Cayuga County Legislature are hereby authorized and directed to purchase twenty-four new PACA Body Armor Concealable Vests; and further be it

RESOLVED, that the sum of \$15,600.00 be transferred from the Cayuga County Contingency Fund, Account No. A-1990 and disbursed to the 2008 Sheriff's Law Enforcement Budget Line 3110.400.062 for purchase of said vests and when reimbursed by the Bulletproof Vest Partnership approximately \$7,800.00, that these funds will be put back into the Contingency Fund; and further be it

RESOLVED, that the Cayuga County Sheriff is authorized to purchase twenty-four new PACA Body Armor Concealable Vests; and further be it

RESOLVED, the Cayuga County sheriff and the Chairman of the Cayuga County Legislature are hereby authorized and directed to sign any and all documents associated with the grant application and its acceptance; and be it further and

RESOLVED, that the purchase will be made in accordance with the existing purchasing policies of Cayuga County and that the Cayuga County Treasurer is hereby authorized and directed to make the necessary journal entries to accomplish the foregoing.
Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, Murphy, McIntosh, Mitchell, Axton, Petrus, Schuster, Tortorici.
Approved by voice vote, all in favor.

RESOLUTION NO. 601-08
9/23/08 SHR-CORRECT 2008 SALARIESrev
AUTHORIZING THE TREASURER'S DEPARTMENT TO TRANSFER MONIES FROM THE PROVISION FOR SALARY ADJUSTMENT ACCOUNT TO THE 2008 SHERIFF'S BUDGET DUE TO THE RATIFICATION OF THE DEPUTY SHERIFF'S POLICE ASSOCIATION CONTRACT.

BY: Mr. Raymond Lockwood, Chair, Judicial and Public Safety Committee, and
Mr. Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, the contract between Cayuga County and the Deputy Sheriff's Police Association was ratified in January 2008 and retro payments were made to the union employees in February 2008; and

WHEREAS, this Agreement has resulted in payment of back wages, including overtime of \$148,336 for 2007 and an increase in the base salaries of \$165,547 for 2008, as well as an overtime adjustment for 2008 of \$850 for wages paid to date; now therefore be it

RESOLVED, that Cayuga County transfer \$314,733 from the Provision for Salary Adjustment Account Line No. 1991.000.000-A to the 2008 Sheriff's Law Enforcement Operating Budget Line No. 3110.100.000A; and be it further

RESOLVED that the Cayuga County Treasurer is authorized to make the journal and accounting entries required to implement the intent of this resolution.

Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, Murphy, McIntosh, Mitchell, Axton, Petrus, Schuster, Tortorici.
Approved by voice vote, all in favor.

RESOLUTION NO. 602-08
Action Date 9/23/08 EMOcreatefillFireInvest08rev4
AUTHORIZATION TO CREATE AND FILL SIX POSITIONS OF FIRE INVESTIGATOR, PT and TRANSFER FUNDS FROM CONTINGENT ACCOUNT FOR SAME.

BY: Mr. Raymond Lockwood, Chairperson, Judicial and Public Safety Committee
Mr. Francis Mitchell, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County Emergency Management Office has oversight of the fire investigation team members; and

WHEREAS, the team members are currently not compensated for the extended hours that are worked to provide this service for the county; and

WHEREAS, the Judicial and Public Safety Committee has recommended that the Fire Investigation Team Members be compensated; now, therefore be it

RESOLVED, that six positions of Fire Investigator PT be hereby created retro-active from January 1, 2008; and be it further

RESOLVED, that the Cayuga County Compensation Plan, Part II, for non-bargaining employees be hereby amended to include the title of Fire Investigator PT under Fire Control at the following rates of pay:

Certification as Fire Investigator I:	\$750.00 per year
Certification as Fire Investigator II:	\$1,250.00 per year
International Certification as a Fire Investigator:	\$1,250.00 per year;

And be it further

RESOLVED, that the Director of Emergency Services be hereby authorized to fill the six part-time positions of Fire Investigator in accordance to the Cayuga County Civil Service Rules and Regulations and the Policies of the County of Cayuga; and be it further

RESOLVED, that the part-time positions shall receive no fringe benefits except those that are statutorily required; and be it further

RESOLVED, that the County Treasurer by hereby authorized and directed to make the appropriate journal and accounting entries to carry out the intent of this resolution by transferring funds from contingent account A1990 in the amount of \$6997.25 to Emergency Management Account A3640.100 in the amount of \$6,500 and to A3640.800.001 in the amount of \$497.25.

Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, Murphy, McIntosh, Mitchell, Axton, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

(TABLED)

RESOLUTION NO. 602A-08

9/23/08 Coroner-Create/fill Investigator

**AUTHORIZATION TO CREATE AND FILL THE FOURTH POSITION OF
CORONER INVESTIGATOR, PART TIME WITHIN THE COUNTY
CORONER/MEDICAL EXAMINER'S OFFICE**

BY: Mr. Raymond Lockwood, Chairperson, Judicial and Public Safety Committee
Mr. Francis Mitchell, and Chairman of Ways and Means Committee

WHEREAS, the Coroner's Office budgeted for a fourth part-time Coroner Investigator position in the 2008 budget which was approved in the budget process and

WHEREAS, due to the difficulty of scheduling on call coverage for 24/7/365 days requirement of the department and the fourth position of Investigator part time, must be filled and

WHEREAS, the current Coroner and part time Coroner's Investigators have full time employment and do not have the flexibility within their employment as was allowed before by their employers; and

WHEREAS, these positions are difficult to fill due to the commitment of the position, therefore, be it

RESOLVED, that the part-time position of Coroner Investigator #4 be created and filled within the Coroner/Medical Examiner's Office, with a salary not to exceed \$5085 with no fringe benefits except those mandated by law; and be it further

RESOLVED, that the position be placed in the Cayuga County Compensation Plan, Part II for non-bargaining employees at the appropriate rate within the Coroner's Office and be it further.

RESOLVED, the position be filled in accordance with Civil Service and Rules and Regulations.

Motion by Petrus to table, all in favor except Fearon and Mitchell voting no.

RESOLUTION NO. 603-08

Action Date 9/23/08 EMO purchaser rescue vehicle rev1

**AUTHORIZATION TO PURCHASE 1991 INTERNATIONAL RESCUE VEHICLE
TRANSFER FUNDS FROM CONTINGENT ACCOUNT FOR SAME.**

BY: Mr. Raymond Lockwood, Chairperson, Judicial and Public Safety Committee
Mr. Francis Mitchell, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County Emergency Management Office has oversight of the Fire Investigation team members; and

WHEREAS, the current Cayuga County Fire Investigation vehicle is in need of desperate replacement due to mechanical failures; and

WHEREAS; the Judicial and Public Safety Committee has recommended that the Director of Emergency Services attempt to locate a good quality used vehicle; and

WHEREAS; the Director of Emergency Services has located a rescue vehicle that is being replaced at the Cato Fire Department and the vehicle is for sale; and

WHEREAS; the Cato Fire Department is selling the 1991 International Rescue Vehicle for the total sale amount of \$15,000; and

WHEREAS, the Judicial and Public Safety Committee has recommended that the Director of Emergency services be authorized to purchase the 1991 Rescue Vehicle from the Cato Fire Department for the amount not to exceed \$15,000 out of contingent account A1990 in the amount of \$15,000; now, therefore be it

RESOLVED, that the Director of Emergency Services be authorized to purchase from the Cato Fire Department one 1991 International Rescue Vehicle; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is here by authorized to sign any and all documents required to effect the transfer of the vehicle; and be it further

RESOLVED, that the sum of \$15,000 be transferred from contingent account No. A1990, to account No. 3640.200.000, Equipment; and be it further

RESOLVED, that the County Treasurer be hereby authorized and directed to make the appropriate journal and accounting entries to carry out the intent of this resolution; and be it further

RESOLVED, that the 1979 fire investigation vehicle be surrendered to the Clerk of the Legislature for the eventual disposal

Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, Murphy, McIntosh, Mitchell, Axton, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 604-08

(9/23/08) COA-LLtoEnhPrivacy&IncFeesCoCk'sOff-ADP)

**TO ADOPT LOCAL LAW NO. 3 FOR THE YEAR 2008 TO ENHANCE
PERSONAL PRIVACY PROTECTION FOR DOCUMENTS RECORDED IN
THE CAYUGA COUNTY CLERK'S OFFICE AND AUTHORIZING AN
INCREASE IN FEES COLLECTED FOR RECORDING, ENTERING,
INDEXING AND ENDORSING A CERTIFICATE ON ANY INSTRUMENT.**

BY: MR. PALERMO, Chairman, Government Operations Committee, and
MR. MITCHELL, Chairman, Ways & Means Committee.

WHEREAS, Local Law No. 3 for the year 2008 was presented to the Cayuga County Legislature on the 5th day of August, 2008; and

WHEREAS, pursuant to law and after proper notice having been given, the County Legislature held a public hearing on said Local Law No. 3 for 2008 on September 23, 2008 at 6:30 P.M.; now, therefore be it

ENACTED, that the Cayuga County Legislature does hereby adopt Local Law No. 3 for 2008 to enhance personal privacy protection for documents recorded in the Cayuga County Clerk's Office and authorizing an increase in fees collected for recording, entering, indexing and endorsing a certificate on any instrument.

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

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici, Palermo, Chapman, Fearon, Murphy, Sincebaugh.

Approved by voice vote, all in favor.

**STATE OF NEW YORK
COUNTY OF CAYUGA**

LOCAL LAW NO. 3 FOR THE YEAR 2008

**A LOCAL LAW TO ENHANCE PERSONAL PRIVACY PROTECTION FOR
DOCUMENTS RECORDED IN THE CAYUGA COUNTY CLERK'S OFFICE
AND AUTHORIZING AN INCREASE IN FEES COLLECTED FOR RECORDING,
ENTERING, INDEXING AND ENDORSING A CERTIFICATE
ON ANY INSTRUMENT.**

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

Section 1. Purpose. The reason for this Local Law is to provide enhanced personal privacy protection for recorded documents.

Section 2. Intent. In accordance with subparagraph (2) of paragraph 4 of subdivision (a) of section 8021 of the Civil Practice Law and Rules, as amended by Chapter 78 of the Laws of 1989, the Cayuga County Legislature intends to authorize the Cayuga County Clerk to increase the fees charged for certain documents recorded with the County Clerk's office.

Section 3. Fees for Recording Documents. For recording, entering, indexing and endorsing a certificate on any instrument, the fee is increased from five dollars to twenty dollars and, in addition thereto, is increased from three dollars to five dollars for each page or portion of a page. For the purpose of determining the appropriate recording fee, the fee for any cover page shall be deemed an additional page of the instrument. A cover page shall not include any social security account number or date of birth. To the extent that the Cayuga County Clerk has placed an image of such cover page on line, the County Clerk shall make a good faith effort to redact such information.

Section 4. Severability. If any section, subsection, sentence, clause, phrase or other portion of this Local Law is for any reason declared unconstitutional, or invalid or in

Tuesday, September 23, 2008

435

whole or in part by any court of competent jurisdiction, such portion shall be deemed severable and such unconstitutionality or invalidation shall not affect the validity of the remaining portions of this law which remaining portions shall remain in full force and effect.

Section 5. Effective Date. This Local Law shall take effect thirty days after filing in the office of the Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.

Motion by Chapman to go into executive session at 7:43PM re: Personnel Issue, all in favor.

Motion by Lockwood to come out of executive session at 8:08PM, all in favor.

Reminder by Palermo that Government Operations Committee will meet Tuesday, October 7th at 7:00PM.

Motion by Chapman to adjourn at 8:10PM, all in favor.

Minutes approved 11-25-08, Motion by Chapman, 2nd Sincebaugh, all in favor

MINUTES
SPECIAL MEETING COMMITTEE OF THE WHOLE
TUESDAY, SEPTEMBER 30, 2008, 6:00 PM
160 GENESEE ST., 6TH FLOOR, CHAMBERS

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

CHAIR APPOINTMENT OF CHAIRMAN TO PRESIDE (Rule #29 Cayuga County Rules of Order)

Chairman Roger Mills appoints Legislator Dan Schuster to preside, called to order at 6:01PM., all Legislators present except excused Fearon and McIntosh.

TOPIC: Economic Developer - Board Structure and Contractual Relationship with Cayuga County. Handout attached to original minutes.

Legislator Schuster, re-cap - end of July meeting at BOCES agreement for funding for first stop Economic Program.

Draft of contract and agency this is how we expect the money to be spent. Board of Directors, how it is made up.

Steve Lynch, Director of Planning and Economic Development, Planning Dept. Meeting on 9-2-08, directed but not adopted draft for services based on the Cortland Model.

Legislator Cuddeback, where is the money coming from?

Legislator Schuster, 5 year contract with County, funding amount left blank in contract. Members of the IDA have offered \$50,000. per year for 3 years. As it moves forward additional funding maybe available.

Legislator Axton, where does the IDA help out.?

Legislator Schuster, there would be revenue in their budget.

Steve Lynch, Director of Planning and Economic Development, \$87,000. in Economic Development Position, take out of Planning budget and put in 1010 budget.

Legislator Axton is this passes maybe we can get private funding.

Legislator Schuster, agency would be looking for funds. We are looking for a consensus before we move forward.

Legislator Petrus, 13 member board, how, who, and why, could it be inside the Cayuga County Office Bld?

Tuesday, September 30, 2008, 2008

437

Legislator Schuster, no space. First step, staff and department established.

Legislator Lockwood, I think we should start with money first, has this been budgeted?

Legislator Schuster, not in the Planning budget, we need to bring in more companies.

Legislator Lockwood, we need to see money in the budget.

Legislator Axton, budget \$50,000. from IDA and \$87,000. from Planning.

Wayne Allen County Manager, Promotion for Industry has funds appropriated \$225,000. offset revenue \$50,000. plus \$17,000. equals \$67,000. per year.

Legislator Palermo, projection of increase?

Wayne Allen County Manager, 1. Spending, 2. appropriate fund balance, 2. increase in levy.

Legislator Palermo, do you have a number for increase in appropriations?

Wayne Allen County Manager, no yet, tentative budget out by end of October.

Legislator Schuster, move forward with the structure, this is an investment that other departments can use. The board would be a model from Cortland Co.

Legislator Lockwood, I wouldn't support any appointment unless it was by the full Legislature, Petrus and Schuster agree. We appoint boards every year, we approve them we don't dictate them.

Legislator Mahunik, we can't control it entirely, need a team not micro manage.

Legislator Axton, we won't get private funding if we try to take control.

Legislator Palermo, what is the difference from an appointment verses a County Dept?

Legislator Schuster, outside agency, more flexibility, no civil service. County department not looked at the same way.

Roger Mills Chairman, support the board, private sector will be diligent how money is spent.

Legislator Cuddeback, any group or individual in private sector doing this work right now?

Steve Lynch, Director of Planning and Economic Development, we don't believe there is anyone in the County that does this.

Legislator Mahunik, are the 10 agencies going to be involved.

Steve Lynch, Director of Planning and Economic Development, agencies will continue to work with the County.

Legislator Chapman, why would you exclude Towns and Villages, we should have both, also someone from Water & Sewer and NYSEG.

Legislator Schuster, board members will work with various agencies, open to putting more on the board.

Legislator Chapman, I will contact Cortland County.

Legislator Schuster opens the floor to IDA members.

Vijay Mital, structuring , County Budget, funding are the main concerns.. County Legislature allocating funds to succeed.

Herb Marshall, our board is appointed by the Legislature and we agree with full time position that works for the entire County. Bad budget time, up to the Legislature to provide funding.

David Miller, agrees with Legislature appointing the board, needs a little tweaking.

Vijay Mital, discuss budget first, if there's no money why go forward.

Legislator Schuster, would like to fund if details ate worked out. How many people are OK as laid out

Appoint by Legislature seven legislators' in favor

Appoint by Board Members three legislator's in favor.

Legislator Mahunik, we need to get this going, work with agencies, how board is made up is secondary.

Legislator Schuster, do we go forward with the \$225,000. in the 09 Budget to fund this. Legislature appoints Board Members.

Legislator Axton, send draft copy to the 10 agencies, with Legislature appointing members.

Legislator Tortorici, NYSAC is concerned with funding, why are we in such a rush. Put an RFP together to see what agencies are out there to help. Tough to support this now.

Legislator Axton and Murphy support this now.

Legislator Schuster, it will be put in the 09 Budget and see if there is support to fund it.

**Motion by Legislator Petrus to adjourn at 7:28PM, 2nd by Palermo, all in favor.
Minutes approved 11-25-08, Motion by Chapman, 2nd Sincebaugh, all in favor**

**MINUTES
SPECIAL MEETING
CAYUGA COUNTY LEGISLATURE
OCTOBER 20, 2008, 6:00 PM**

CALL TO ORDER: Hon Roger Mills Chairman called the meeting to order at 6:00PM.

ROLL CALL: Mary Jones Clerk of the Legislature, all Legislators present, except Axton and Mahunik excused.

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

Roger Mills Chairman welcomes Seneca County, Frank Fisher, Dave Dresser, Chuck Lafler, Peter Same, Bob Shipley and Bob Hayssen

Motion by Chapman, 2nd by Tortorici to go into Executive Session at 6:03PM re: Pending Litigation, all in favor.

Roger Mills Chairman, invites Seneca County representatives to come into the executive session.

Motion by Chapman, 2nd by Palermo to come out of Executive Session at 6:23PM, all in favor.

Motion by Chapman, 2nd by Lockwood to go back into Executive Session at 6:31PM, all in favor.

Motion by Chapman to come out of Executive Session at 7:43PM, all in favor.

Motion by Lockwood, 2nd by Chapman for the County to remain with Harris Beach Attorneys at Law PLLC, all in favor.

Wayne Allen County Manager, handed out a copy of the New York State Budget Report, things have changed and gotten worse, you need to review it. Mental Health project has a new design that reduces the space by 1,000 square feet which should save about \$80,000. maybe more. The lobby will be set up like a doctors office, this will be better for staff and patients. We need acquire a lease from the Hospital for additional parking, hopefully 80 spots.

Fred Westphal County Attorney, SEQA is nearly complete. We need to know who will be the lead agency is City or State. Get 2 Park Ave ready, asbestos survey needs to be completed.

Legislator Schuster, has CSB seen update?

Wayne Allen County Manager, no it's a County project.

Legislator Petrus, parking provides privacy for patients, one entrance for adults one for children.

Wayne Allen, there will be a Department Head Office and a DCS Office in the plan.

Legislator Sincebaugh, put in the lease for hospital parking lot, if they sell we get first option to buy.

Fred Westphal County Attorney, I will take care of that.

Legislator Sincebaugh, will we still be able to expand?

Wayne Allen County Manager, yes.

Motion by Chapman, 2nd by Tortorici to go into Executive Session at 7:57PM, re: Personnel Issue, all in favor.

Motion by Chapman, 2nd by Sincebaugh to come out of Executive Session at 8:25PM, all in favor.

Motion by Petrus, 2nd by Sincebaugh to accept revised plan, all in favor.

Motion by Chapman to adjourn at 8:26PM, all in favor.

MINUTES: For Approval: 10-20-08, 10-28-08, and 10-30-08, Motion by Chapman 2nd by Tortorici to approve, all in favor.

**MINUTES
CAYUGA COUNTY LEGISLATURE
OCTOBER 28, 2008, 10:00 AM
STUDENT GOVERNMENT DAY**

WELCOME:

CALL TO ORDER: Hon. Roger Mills, Chairman, At 10:00AM

ROLL CALL: Mary Jones, Clerk of the Legislature, All Legislator's present, except McIntosh excused.

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

STUDENTS ASSIGNED TO LEGISLATORS:

<u>Legislator</u>	<u>Student</u>	<u>School</u>
Roger Mills Chair, District 6	Liz Mahoney	Auburn High School, New Vision Program
Christopher Palermo, District 1	Paul Jones	Cato Meridian High School
Michael Chapman, District 2	Vince Giannone	Auburn High School
David Axton, District 3	Carlos Lozada	Port Byron High School
Ann Petrus, District 4	Samanta Tanner	Port Byron High School
Raymond Lockwood, District 5	Michael Miller	Southern Cayuga High School
George Fearon, District 7	Jaime Jones	Union Springs, New Visions Program
Frances Mitchell, District 8	Natalie McNabb	Southern Cayuga, New Visions Program
Steven Cuddeback, District 9	Jessica Ryerson	Moravia High School
Peter Tortorici, District 10	Abby Valentino	Auburn High School
Linda Murphy, District 11	J'nelle Oxford	Skaneateles High School
Patrick Mahunik, District 12	Tom Ryan	Auburn High School
Daniel Schuster, District 13	Kate Dellonte	Auburn High School, New Visions Program
Daniel Sincebaugh, District 14	Erin Meier	Auburn High School, New Visions Program
Patrick McIntosh, District 15		
Mary Jones, Clk. Of Legislature	Katie Deluca	Auburn High School, New Visions Program
Wayne Allen, Co. Manager	Brad Anderson	Port Byron High School

PRESENTATION: United Way Campaign, 2008 Campaign Chair Jim Courtney, showed a short video on services available in Cayuga County.

PROCLAMATION'S: Cayuga County Salutes the Cayuga County Sheriff's Dept. in Recognition of Sheriff's Week, October 5 through October 11, 2008, read by Katie Deluca, Auburn High School, Roger Mills, Chairman presented to David Gould, Cayuga County Sheriff.

Domestic Violence Awareness Month in Cayuga County October 2008, read by Katie Deluca, Auburn High School, presented by David Gould, Cayuga County Sheriff to Roger Mills, Chairman.

Cayuga County Salutes Brandon J. Wilmot, November 29, 2008, read by Katie Deluca, will be presented at a letter date.

Cayuga County Salutes David J. Chappell, November 29, 2008, read by Katie Deluca, will be presented at a letter date.

PUBLIC BE HEARD:

If you wish to speak notify your Legislator, who will grant you privilege of the floor. You will be allowed to speak for 3 to 5 minutes. You must state your name and address.

MINUTES: For Approval: 8-26-08 and 9-15-08, **Motion by Chapman, 2nd by Palermo all in favor.**

For Reading: 9-23-08 and 9-30-08

CCC REPORT: Dr. Daniel Larson, President, Enrollment and Transfer Events, open house held Saturday mornings during November. Voter Registration, the College encouraged participation during the current election season. Distance Learning Upgrade, between Auburn and Fulton Campuses has been upgraded. Mental Health Awareness, two programs were held in October. Cultural Highlights, Notes to the Motherland was held at the Bisgrove Theatre and The Humanities Division presented a talk by two Authors re: the Wizard of Oz Lore. Alumni Note, Jason Roche premiered his new film, Willard Chapel in September.

COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS:

Petrus, status of Mental Health Project, is moving forward.

Lockwood, Radio Committee now has a consultant onboard and moving forward.

Axton, Sergeant Bell was laid to rest, a very touching tribute, monumental moment.

MANAGER'S REPORT: Wayne Allen, the 2009 Tentative Budget and the 2009-2014 Capital Improvement Plan will be released on Thursday October 30, 2008 at 5:00PM.

CHAIRMAN'S REPORT: Roger Mills, Cayuga County is the recipient of The Risk Management Award, which was present a few weeks ago at the NYSAC Conference, (Risk Management Award, Cayuga County in Recognition of a Commitment to Sound Risk Management, Safety and Training. A new President for NYSAC was elected Sarah Purdy. Since that time I have received a letter from her requesting applicants for Legislator's to serve on various committees, I have put the applications in each Legislator's box. Also

about a week ago, myself, county manager, attended a session on what to do in the event of an emergency, the Emergency Operations Center has been rebuilt in the basement and is fully functional, and a training session is being scheduled for the near future, to see how much we have learned, and how well we function in an emergency.

APPOINTMENTS AND RE-APPOINTMENTS:

Mental Health Subcommittee:

Robert M. Godbout, Route 90, King Ferry, NY, Term: 1/01/08 - 12/31/11

Cayuga County Water and Sewer Authority

Bruce Ross, Assistant Engineer, City of Auburn, term 1/1/09 to 12/31/2011

Robert Bower, 1644 State Route 326, Auburn, term 1/1/09 to 12/31/2011

Benjamin Vitale, Townsend Road, Auburn, term 1/1/09 to 12/31/2011

Motion by Petrus, 2nd by Tortorici to approve all appointments, all in favor.

COMMUNICATIONS AND ANNOUNCEMENTS:

1. Received letters from, Weedsport School District, Town of Owasco, Town of Ira, Town of Brutus, Wells College, Montezuma Historical Society and Syracuse University Dept. of Public Safety, thanking the Sheriff's Dept. for their help with various programs.
2. Received a letter from Katie McDermott and Mark Landeryou, thanking the Sheriff's Dept. for their help when they were broke down on the NYS Thruway.
3. Received a letter from Carl Griffin, thanking the Deputy Michael Beck, for his investigation work involving an accident.
4. Received a letter from the Town of Cato, re: Cayuga County Sales and Use Tax. Motion by Lockwood to waive reading of correspondence, all in favor.

RESOLUTIONS:

RESOLUTION NO. 605-08

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**AUTHORIZING THE COUNTY TREASURER
TO PAY SEPTEMBER 2008 AUDIT OF CLAIMS**

BY: Hon. Francis Mitchell, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on September 23, 2008 audit claims against the County of Cayuga in the aggregate sum \$1,900,298.58, therefore be it

RESOLVED, that the Clerk of this Legislature file a certified list of claims so audited with the County Treasurer, and be it further

RESOLVED, that the County Treasurer be and he hereby is authorized and directed to pay the several claims so audited and charge the amounts to the several appropriations made therefore in the County Budget finalized on December 31, 2007.

Signed by Lockwood, Mitchell, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 606-08
10/28/08

AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF UTILITY BILLS.

By: Hon. Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 50, adopted April 11, 1978, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Electric and Gas service, and Water and Sewer service, and

WHEREAS, this Legislature did by Resolution No. 184, adopted August 14, 1984, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for telephone service, and Landfill Service, and

WHEREAS, said Committee has audited and authorized payments as follows:

SEPTEMBER 2008	
Gas & Electric:	\$ 11,090.08
Telephone:	\$ 21,502.70
Water	\$ 11,511.31
Landfill/Rubbish	<u>\$ 836.92</u>
Total:	\$ 44,941.01

RESOLVED, that said payments be part and partial payment of the full audit of this Board.

Signed by Mitchell, Palermo, Lockwood, Tortorici, Petrus, Schuster.

Approved by voice vote, all in favor.

RESOLUTION NO. 607-08
10/28/08 PURCHSVCSEPTMBER

AUTHORIZING THE CAYUGA COUNTY TREASURER TO CHARGE DEPARTMENTS FOR CENTRAL SERVICES AND PURCHASES FOR THE MONTH OF AUGUST 2008

BY: Hon. Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, the Ways & Means Committee approved the payment of all Central Services,

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to credit the revenue account and charge the following departments' .40 Accounts (Contractual Expenditures) in accordance with attached schedules:

DEPARTMENT	CREDIT	AMOUNT
Central Purchasing	A1275	\$18,711.93
TOTAL		\$18,711.93

Signed by Mitchell, Palermo, Lockwood, Tortorici, Petrus, Schuster.

Approved by voice vote, all in favor.

RESOLUTION NO. 608-08

Date of meeting: October 28, 2008

**AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE
ADMINISTRATOR OF THE CAYUGA COUNTY NURSING HOME**

By: Ann Petrus, Chairman Health & Human Services Committee
Francis Mitchell, Chairman Ways & Means Committee

WHEREAS, this legislature did by Resolution Number 70, duly adopted on the 20th day of March 1984, authorize the Nursing Home Committee of the County Legislature to audit all claims against the Cayuga County Nursing Home, and

WHEREAS, said Committee has audited and authorized payment in the amount of \$183,816.41 for the month of September 2008, now therefore be it

RESOLVED, that said payment be part and partial payment of the full audit of this Board.

Signed by Petrus, McIntosh, Mahunik, Schuster, Cuddeback, Sincebaugh, Tortorici, Mitchell, Palermo, Lockwood.

Approved by voice vote, all in favor.

RESOLUTION NO. 609-08

seniornutrition

**REPORT AND APPROVAL OF BILLS PAID BY THE COUNTY TREASURER
FOR OPERATION OF THE SENIOR NUTRITION PROGRAM
IN THE OFFICE FOR THE AGING.**

BY: Ann Petrus, Chair, Health & Human Service Committee
Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, The Director of the Office for the Aging presented bills for service providers in regard to operation of the Senior Nutrition Program, to the County Treasurer for payment pursuant to Resolution No. 297, duly adopted on June 21, 1994, which claims total \$11,031.33 covering the period through 9-26-08 and have been paid as set forth on the attached lists; now, therefore, be it

RESOLVED, that the aforesaid claims shall become part and parcel of the full legislative audit for the Office for the Aging.

Signed by Petrus, McIntosh, Mahunik, Schuster, Cuddeback, Sincebaugh, Tortorici, Mitchell, Palermo, Lockwood.

Approved by voice vote, all in favor.

RESOLUTION NO. 610-08

10/28/08

**AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS &
MEANS COMMITTEE FOR PAYMENT OF THRUWAY TOLLS.**

BY: Hon. Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 24-97, adopted January 21, 1997, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Thruway Tolls, and,

WHEREAS, said Committee has audited and authorized payments as follows:

SEPTEMBER 2008 \$ 225.95

RESOLVED, that said payments be part and partial payment of the full audit of this Board.

Signed by Mitchell, Palermo, Lockwood, Tortorici, Petrus, Schuster.

Approved by voice vote, all in favor.

RESOLUTION NO. 611-08

10/28/08

AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF CREDIT CARD CHARGES.

BY: Hon. Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 1-99, adopted January 01, 1999, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Credit Card Charges, and,

WHEREAS, said Committee has audited and authorized payments as follows:

SEPTEMBER 2008	
First Niagara	\$ 106.62
AmExpress	\$2,900.00
Sunoco	\$ 155.45
Walmart	\$ 259.46
<u>Exxon</u>	<u>\$ 136.29</u>
Total:	\$3,557.82

RESOLVED, that said payments be part and partial payment of the full audit of this Board.

Signed by Mitchell, Palermo, Lockwood, Tortorici, Petrus, Schuster.

Approved by voice vote, all in favor.

RESOLUTION NO. 612-08

10/28/08

**AUTHORIZING PAYMENT OF LEGAL NOTICE FEES
PRIOR TO THE LEGISLATIVE AUDIT.**

BY: Hon. Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, several county agencies are required by law to advertise legal notices in area media from time to time, and

WHEREAS, several of the officially designated newspapers offer a discount for prompt payment of legal Advertising invoices, and

WHEREAS, it would be in the best interest of the County to take advantage of the prompt payment discounts by paying these invoices prior to the legislative audit of claims, therefore be it

RESOLVED, that the Clerk of the Legislature is hereby authorized to process legal Advertising invoices for payment by the Cayuga County Treasurer prior to the monthly legislative audit, and be it further

RESOLVED, that a monthly report of said payments shall be provided to each legislator on a monthly basis.

SEPTEMBER TOTAL \$3253.52

Signed by Mitchell, Tortorici, Petrus, Schuster.

Approved by voice vote, all in favor, except Palermo abstained.

**RESOLUTION NO. 613-08
(10/28/08) COA-CAPH10PAY(Rev2)
AUTHORIZING THE COUNTY TREASURER TO PAY CLAIMS AGAINST
VARIOUS CAPITAL "H" PROJECTS.**

BY: MR. MITCHELL, Chairman, Ways & Means Committee.

WHEREAS, claims have been received in regard to various Capital "H" Projects previously established by the County; and

WHEREAS, said claims have been reviewed and approved by the interested oversight committees; now, therefore, be it

RESOLVED, that the County Treasurer be and he is hereby authorized and directed to pay the following claims and charge the same to the appropriate Capital "H" Projects:

1. Project #06-5 (Modification to the Cayuga County Office Bldg. Heating System):
THE HAMILTON GROUP:
 Inv. No. 1111421 \$ 2,250.00
2. Project #07-1 (Erie Heritage Preservation):
KENT ENVIRONMENTAL:
 Inv. No. 70 \$ 2,279.44
3. Project #07-5 (Tyler Software):
TYLER TECHNOLOGIES, INC.:
 Inv. No. 135273... \$ 2,778.10
 Inv. No. 135332 \$ 1,669.61
 Inv. No. 135344 \$ 3,000.00
 Inv. No. 136045 \$ 1,480.60
 Inv. No. 135486 \$ 3,000.00
 Inv. No. 137088 \$ 1,500.00
 Inv. No. 136481 \$ 558.85
 Inv. No. 137102 \$ 2,500.00
 Inv. No. 137310 \$ 745.18
INN AT THE FINGERLAKES:
 Inv. No. 3852 \$ 140.00
 Inv. No. 3882 \$ 280.00
 Inv. No. 3895 \$ 210.00
4. Project #08-1 (Renovations - Mental Health, North Street):
CME ASSOCIATES, INC.:
 Inv. No. 36028 \$ 4,700.00
C & S COMPANIES:
 Inv. No. 0860 \$ 29,855.04
5. Project #08-2 (Repairs & Maintenance to Emerson Park Pavilion):
LOWE'S:
 Inv. No. 978430 \$ 179.44

And be it further

RESOLVED, that the Treasurer make the journal and accounting entries necessary to accomplish the foregoing.

Signed by Mitchell, Palermo, Tortorici, Petrus, Schuster.

Approved by voice vote, all in favor.

RESOLUTION NO. 614-08**10/28/08****AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF EQUIPMENT LEASE PAYMENTS.**

BY: Hon. Francis Mitchell, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 76-02, adopted February 26, 2002, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Equipment Leases, and

WHEREAS, said Committee has audited and authorized payment as follows:

SEPTEMBER 2008	
Copier Leases and Maintenance:	\$ 9,536.23
Postage Leases:	\$ 478.00
Misc. Leases:	<u>\$ 7,331.31</u>
Total	\$17,345.54

RESOLVED, that said payment be part and partial payment of the full audit of this Board.

Signed by Mitchell, Palermo, Tortorici, Petrus, Schuster.

Approved by voice vote, all in favor.

RESOLUTION NO. 615-08**10/28/08****AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF PARCEL SERVICE PAYMENTS.**

BY: Hon. Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 03-03, adopted January 3, 2003, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Parcel Service Payments, and

WHEREAS, said Committee has audited and authorized payment as follows:

SEPTEMBER 2008	\$ 276.67
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RESOLVED, that said payment be part and partial payment of the full audit of this Board.

Signed by Mitchell, Palermo, Tortorici, Petrus, Schuster.

Approved by voice vote, all in favor.

RESOLUTION NO. 616-08**(10/28/08) rpsadoptequalizationrates****TO ADOPT EQUALIZATION RATES FOR THE APPORTIONMENT OF THE 2009 COUNTY TAX LEVY**

By: Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, it is recommended that the following equalization rates, which have been set by the NYS Board of Real Property Services for the City of Auburn and the several Towns, be adopted for the 2007 Cayuga County tax levy.

Tuesday, October 28, 2008

449

City of Auburn	95.00	Town of Moravia	60.00
Town of Aurelius	92.50	Town of Niles	78.00
Town of Brutus	97.00	Town of Owasco	81.75
Town of Cato	88.00	Town of Scipio	88.00
Town of Conquest	81.00	Town of Sempronius	32.00
Town of Fleming	41.52	Town of Sennett	79.00
Town of Genoa	74.00	Town of Springport	89.99
Town of Ira	100.00	Town of Sterling	100.00
Town of Ledyard	63.00	Town of Summerhill	65.00
Town of Locke	89.00	Town of Throop	100.00
Town of Mentz	71.97	Town of Venice	76.00
Town of Montezuma	92.00	Town of Victory	100.00

Now, therefore, be it

RESOLVED, that the above equalization rates be fixed, determined, approved and adopted as the percentages on which the assessed value of the real property in the several tax districts of Cayuga County bear to the full value thereof, and that the equalization of the real property for the purpose of appropriating the amount to be levied and raised by taxes for County purposes for the year 2009 be obtained and made on the basis of such percentages.

Signed by Mitchell, Petrus, Schuster, Lockwood, Palermo, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 617-08
(October 28, 2008) rptscorrtxrollOct08

AUTHORIZING CORRECTION OF TAX ERRORS IN SEVERAL TOWNS

BY: Francis Mitchell, Chairperson, Ways & Means Committee.

WHEREAS, petitions for corrections have been received by the Director of Real Property Tax, from the Town Assessors to correct clerical errors or an error in essential fact as specified below, as existed on the 2008 Tax Roll, and;

WHEREAS, The petitions for correction were received too late to make the necessary adjustments before the extension of taxes, and;

WHEREAS, the Director of Real Property Tax Services has reviewed the petitions and found them to be correct; now therefore be it

RESOLVED, that the Director of Real Property Tax Services under Real Property Tax Law 553-554 and 556A be authorized to make the change set forth hereafter; and be it further

RESOLVED, that the County Treasurer is authorized and directed to correct the 2008 County and Town Tax Roll; and be it further

RESOLVED, that a corrected tax statement shall be prepared, or a refund of any overpayment of taxes be made, as is applicable; and be it further

RESOLVED, that the 2007/2008 School Tax Roll shall also be corrected as follows:

Town of Montezuma: Tax Map #'s 91.00-1-1.12 this parcel transferred to the United States of America on May 31, 2007 and should have become immediately exempt from further taxation. The 2008 county/town tax bill in the amount of 4,119.20 should be deleted and any liens that may have been filed in association with this bill should also be deleted.

Signed by Mitchell, Petrus, Lockwood, Schuster, Palermo, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 618-08
(10/28/08) rpsprobatecostsofservice

PRORATE COSTS OF SERVICE PROVIDED TO TOWNS

By: Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, the County Legislature did by adoption of Local Law No. 1 of 1968, as amended by Local Law No. 3 of the year 1991, initiate a program of Tax Installment Collection; and

WHEREAS, the County of Cayuga does prepare the necessary forms to institute this installment collection service, as well as the machine preparation of new assessment rolls and extension of taxes on a yearly basis, and to cover computer expenses; and

WHEREAS, tabulating expenses in preparing Town and School Assessment Rolls is a Town charge; now therefore be it

RESOLVED that the Office of Real Property Services is hereby authorized to prorate the cost back to the Towns on service performed by the County in the amount of \$57,896.11 (\$34,528.30 to the Office of Real Property Services, and \$23,367.80 to the Treasurers office.) This total is computed on one-third salary of the Supervising RPTS Specialist (\$ 52,944.88), the Sr. GIS/Tax Map Technician (\$50,640.04), and the Sr. Computer Systems Technician (\$70,103.40). This cost is then prorated back to the towns by the number of parcels per town; and it is

RESOLVED that the Office of Real Property Services is hereby authorized to charge the cost back to the Towns for the annual licensing fee for users of the New York State Real Property System, in the amount of \$21,850. This licensing fee has been established in accordance with Section 190-5.4(B) of the Rules for Real Property Tax Administration.

Signed by Mitchell, Petrus, Lockwood, Schuster, Palermo, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 619-08

10/28/08 Treas/DP/pur.equip

**AUTHORIZING THE COUNTY TREASURER
(DATA PROCESSING) TO PURCHASE 2 COMPUTERS**

By: Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, the current PC's used by the Sr. Computer Systems Technician and the Computer Systems Technician of the Treasurer's Data Processing Division are from 2002 and are running Windows2000; and

WHEREAS, these PC's are used in the maintenance of the NYS RPS V4 system, as well as the maintenance of the new Munis software and are slow running and need to be replaced, and

WHEREAS, funding for this position is available in the Treasurer's Office 2008 budget 2 Munis Org# A16802- Object # 52000 (1680.200.000A), therefore be it

RESOLVED, that the County Treasurer (Data Processing) is hereby authorized to purchase two PC's and monitors.

Signed by Mitchell, Tortorici, Lockwood, Schuster, Petrus.

Approved by voice vote, all in favor.

RESOLUTION NO. 620-08
10/28/08 Treas/DP/pur.equip

AUTHORIZING THE COUNTY TREASURER TO PURCHASE 2 COMPUTERS

By: Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, the current PC's used in the processing of tax payments and recording of fees are from 2002 and are running Windows2000; and

WHEREAS, these PC's need to be upgraded to work efficiently with the new Munis software, and

WHEREAS, funding for this position is available in the Treasurer's Office 2008 budget Munis Org# A13252- Object # 52000 (1325.200.000A), therefore be it

RESOLVED, that the County Treasurer is hereby authorized to purchase two PC's and monitors.

Signed by Mitchell, Tortorici, Lockwood, Schuster, Petrus.

Approved by voice vote, all in favor.

RESOLUTION NO. 621-08

Date of Meeting: 10/28/08 nhagmtlinenrev

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ENTER INTO AN AGREEMENT WITH NEW YORK STATE INDUSTRIES FOR THE DISABLED (BATES TROY LAUNDRY) TO PROVIDE CONTRACT LINEN SERVICE TO THE NURSING HOME.

BY: Ann Petrus, Chairman, Health & Human Services Committee

BY: Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, the Nursing Home has had linen service provided by New York State Industries for the Disabled for the past 3 years; and,

WHEREAS, those services have been provided in a satisfactory manner; and

WHEREAS, the agreement allows for an extension of 1 year, Now therefore be it

RESOLVED that the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home be authorized to sign an agreement for an extension of one year with New York State Industries (Bates Troy Laundry) for said services at an estimated cost of \$79,394.00 (Seventy-Nine Thousand Three Hundred Ninety-Four dollars), depending on actual usage.

Signed by Petrus, Cuddeback, Mahunik, McIntosh, Schuster, Tortorici, Sincebaugh, Mitchell, Palermo, Lockwood.

Approved by voice vote, all in favor.

RESOLUTION NO. 622-08

Date of Meeting: 10/28/08 nhrenewmeddiragmentrev

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO RENEW AN AGREEMENT WITH SAUL ROSENBLUM, M.D.P.C. AS MEDICAL DIRECTOR OF CAYUGA COUNTY NURSING HOME.

BY: Francis Mitchell, Chairman, Ways and Means Committee

BY: Ann Petrus, Chairman, Health and Human Services Committee

WHEREAS, Cayuga County Nursing Home is required to provide the residents of the facility with a medical director; and

WHEREAS, It is necessary to contract with a medical doctor from outside the facility to provide this service; and

WHEREAS, Cayuga County Nursing Home has been able to identify a medical doctor willing to provide the service as set forth in the attached agreement for provision of services; and

WHEREAS, the compensation for the services of Saul Rosenblum, M.D. shall be at a rate of \$1326.00 (One Thousand Three hundred twenty-six Dollars) on a monthly basis after submission of a voucher for services amounting to 3 (three) hours per each week of the calendar; employee physical examinations will be \$40.00 (Forty Dollars) per examination, separately invoiced to the Cayuga County Nursing Home monthly; Now therefore be it

RESOLVED that the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home be authorized to enter into an agreement with Saul Rosenblum, MD for a period of 2 years, from November 1, 2008 to October 31, 2010.

Signed by Petrus, Cuddeback, Mahunik, McIntosh, Schuster, Tortorici, Sincebaugh, Mitchell, Palermo, Lockwood.

Approved by voice vote, all in favor.

RESOLUTION NO. 623-08

Date of Meeting: 10/28/08 nhagmntkaradiorev

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO SIGN AN AGREEMENT WITH K & A RADIOLOGY SERVICES FOR 1 YEAR.

BY: Ann Petrus, Chairman, Health and Human Services Committee

BY: Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, the Cayuga County Nursing Home has the need to have an agreement for the provision of radiology services; and,

WHEREAS K & A Radiologic Technology Services has provided those services for many years satisfactorily; and,

WHEREAS services are billed to third party payers whenever possible; and,

WHEREAS the services that are the responsibility of the facility are discounted at a rate of 20% of the allowable fee schedule if paid within 45 days of the invoice; and; Now therefore be it

RESOLVED that the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home be authorized to sign the agreement with K & A Radiologic Technology Services.

Signed by Petrus, Cuddeback, Mahunik, McIntosh, Schuster, Tortorici, Sincebaugh, Mitchell, Palermo, Lockwood.

Approved by voice vote, all in favor.

RESOLUTION NO. 624-08

10-28-08

AUTHORIZING THE TREASURER OF CAYUGA COUNTY TO TRANSFER FUNDS TO THE CAYUGA COUNTY NURSING HOME ACCOUNT DERIVED THROUGH THE INTER-GOVERNMENTAL TRANSFER PROCESS (IGT)

BY: Francis Mitchell, Chairman, Ways & Means Committee

BY: Ann Petrus, Chairman, Health & Human Services Committee

WHEREAS, the Cayuga County Nursing Home has the need for funding the operations of the facility; and

Tuesday, October 28, 2008

453

WHEREAS, the New York State Health Department in conjunction with the federal Centers for Medicaid and Medicare has derived a formula for compensating public nursing homes for costs in the years 2006, 2007 and 2008; and

WHEREAS, the County of Cayuga must match the funds provided by the federal government in an account to be issued by New York State to the Nursing Home; Now therefore be it

RESOLVED, that the Treasurer of Cayuga County be authorized and directed to transfer the amount of \$200,000 from Account Number 9903 (orgA99005 object54603) and \$1,344,062 from Account 0909 (org A object 19090) for a total of \$1,544,062 to Account 6100.4 (org A61004 object 54000) to be deposited in an account with New York State; and be it further

RESOLVED, that the Nursing Home will receive a total of \$2,832,010 in a November 2008 payment and \$256,114 in a March 2009 payment from New York State Health Department.

Signed by Petrus, Cuddeback, Mahunik, McIntosh, Schuster, Tortorici, Sincebaugh, Mitchell, Palermo, Lockwood.

Approved by voice vote, all in favor.

RESOLUTION NO. 625-08

(October 28, 2008) HD MOA NYSNA

AUTHORIZING THE COUNTY MANAGER, THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO SIGN A "MEMORANDUM OF AGREEMENT" WITH AN EMPLOYEE OF THE COUNTY HEALTH & HUMAN SERVICES DEPARTMENT AND NYSNA

BY: Ann Petrus, Chairman of the Health & Human Service Committee

Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, a "Memorandum of Agreement" has been drawn up by the County of Cayuga in the matter of the employment relationship between the County of Cayuga, the Cayuga County Department of Health and Human Services and an Employee of the Cayuga County Department of Health & Human Services, and the New York State Nurses Association (hereinafter referred to as "NYSNA"); NOW, THEREFORE, BE IT

RESOLVED, that the Legislature of the County of Cayuga hereby approves the "Memorandum of Agreement" presented by NYSNA, and authorizes and directs the County Manager, the Chairman of the Legislature and the Director of Health and Human Services to sign the aforementioned "Memorandum of Agreement" with the "Employee" of the Cayuga County Department of Health and Human Services and NYSNA.

Signed by Petrus, Cuddeback, Mahunik, McIntosh, Schuster, Tortorici, Sincebaugh, Mitchell, Palermo, Lockwood.

Approved by voice vote, all in favor.

RESOLUTION NO. 626-08
(October 28, 2008) HD Enhanced Peer Counseling Grant WIC
AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO
ACCEPT ADDITIONAL WIC FUNDING FOR THE ENHANCED PEER
COUNSELING GRANT

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, the NYS WIC Program has made funds available to initiate programming to further promote breast feeding among WIC participants; NOW, THEREFORE, BE IT RESOLVED, that the Director of Health & Human Services be authorized to accept this additional funding for Enhanced Peer Counseling in the amount of \$6,192 for the period October 1, 2008 through September 30, 2009; and be it further

RESOLVED, that the County Treasurer amend the 2008 WIC Budget in the following manner:

Munis

<u>Org</u>	<u>Object</u>				
A40821	51001	Increase 4011.1000A	Salaries		\$6,192
A40820	43411	Increase 3411.000000A	Revenue (State Aid WIC)		\$6,192

Signed by Petrus, Cuddeback, Mahunik, McIntosh, Schuster, Tortorici, Sincebaugh, Mitchell, Palermo, Lockwood.

Approved by voice vote, all in favor.

RESOLUTION NO. 627-08
(October 28, 2008) HD Mandel Therapy Group
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW THE CONTRACT
WITH MANDEL THERAPY GROUP

BY: Ann Petrus, Chairman of the Health & Human Services Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, there exists in the Certified Home Health Agency (CHHA) and LTHHCP a need to provide therapy services; and

WHEREAS, the Department relies to an extent on obtaining services through certain professional independent contractor providers; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Mandel Therapy Group at the following rates:

<u>Disciplines</u>	<u>Effective 10/1/08-9/30/09</u>
Physical, Occupational and Speech Therapy	\$74.25/visit within 10 mi. radius of Auburn \$74.97/visit greater than 10 mi. radius of Auburn
Inservice/Training	\$15.30/hr.
	<u>Effective 10/1/09-9/30/10</u>
	\$75.74/visit within 10 mi. radius of Auburn \$76.47/visit greater than 10 mi. radius of Auburn
Inservice/Training	\$15.61/hr.

and be it further

RESOLVED, that the costs of the above services be paid out of account #4012.400, line item numbers .127 (Physical Therapy), .220 (Occupational Therapy), and .221 (Speech Therapy) of the Health Department Budget.

Signed by Petrus, Cuddeback, Mahunik, McIntosh, Schuster, Tortorici, Sincebaugh, Mitchell, Palermo, Lockwood.

Approved by voice vote, all in favor.

**RESOLUTION NO. 628-08
(October 28, 2008) HD Raymond Physical Therapy
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO CONTRACT WITH
RAYMOND PHYSICAL THERAPY, PLLC**

BY: Ann Petrus, Chairman of the Health & Human Services Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, there exists in the Certified Home Health Agency (CHHA) and LTHHCP a need to provide therapy services; and

WHEREAS, the Department relies to an extent on obtaining services through certain professional independent contractor providers; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Raymond Physical Therapy, PLLC at the following rates:

Disciplines	<u>10/1/08 - 9/30/09</u>
Evaluation	\$68.98
Revisit	\$61.55
Revisit (if >10 mi. radius	\$63.67
Of Weedsport)	
Conference Fee	\$31.83

and be it further

RESOLVED, that the costs of the above services be paid out of account #4012.400, line item #.127 of the Health Department Budget.

Signed by Petrus, Cuddeback, Mahunik, McIntosh, Schuster, Tortorici, Sincebaugh, Mitchell, Palermo, Lockwood.

Approved by voice vote, all in favor.

**RESOLUTION NO. 629-08
(October 28, 2008) HD Jill Garcia Contract
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A
CONTRACT WITH JILL GARCIA, SPEECH THERAPIST**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, there is a need to provide speech language therapy to clients of the County's Certified Home Health Agency (CHHA) who require these services based on their plan of care; and

WHEREAS, Jill Garcia has satisfactorily provided these services for the CHHA in the past; NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Jill Garcia to provide speech language therapy for the period 10/01/08 through 9/30/10 at the following rates;

	<u>10/1/08 - 9/30/09</u>	<u>10/1/09 - 9/30/10</u>
Visit	\$67.11/visit	\$68.45/visit
Inservice/Training .	\$15.61/hr.	\$15.92/hr.

and be it further

RESOLVED, that payment for these services will be from account #4012.400, line item #.221, of the Health Department's Budget.

Signed by Petrus, Cuddeback, Mahunik, McIntosh, Schuster, Tortorici, Sincebaugh, Mitchell, Palermo, Lockwood.

Approved by voice vote, all in favor.

RESOLUTION NO. 630-08

(October 28, 2008) HD Daley Physical Therapy

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO CONTRACT WITH LINDA DALEY TO PROVIDE PHYSICAL THERAPY SERVICES FOR CHHA

BY: Ann Petrus, Chairman of the Health & Human Services Committee

Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, there exists in the Certified Home Health Agency (CHHA) and LTHHCP a need to provide therapy services; and

WHEREAS, the Department relies to an extent on obtaining services through certain professional independent contractor providers; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a 2-year contract with Linda Daley at the following rates:

<u>Disciplines</u>	<u>Effective</u> <u>10/1/08-9/30/09</u>	<u>Effective</u> <u>10/1/09-9/30/10</u>
Initial Visit	\$63.67	\$64.94
Revisit	\$58.36	\$59.53
Inservice/Training	\$25.50/hr.	\$26.01/hr.

and be it further

RESOLVED, that the costs of the above services be paid out of account #4012.400, line item #.127 of the Health Department Budget.

Signed by Petrus, Cuddeback, Mahunik, McIntosh, Schuster, Tortorici, Sincebaugh, Mitchell, Palermo, Lockwood.

Approved by voice vote, all in favor.

RESOLUTION NO. 631-08
(October 28, 2008) HD Wolff-Evans Contractrev
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A SERVICE
CONTRACT WITH ELIZABETH WOLFF-EVANS, PT TO PROVIDE
PHYSICAL THERAPY SERVICES FOR THE CHHA

BY: Ann Petrus, Chairman of the Health & Human Services Committee
Francis Mitchell, Chairman of the Ways & Means Committee
WHEREAS, there exists in the Certified Home Health Agency (CHHA) a need to provide physical therapy services; and
WHEREAS, the Department at this time relies in part on independent contractors for their services; now, therefore, be it
RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Elizabeth Wolff-Evans to provide the needed services for the period of October 1, 2008 through September 30, 2009 at the following rates:

Physical Therapy:
\$61.95 Initial Visit
\$56.95 Revisit
\$28.00 Orientation/Inservice

and be it further
RESOLVED, that the charges for these services be paid out of account #4012.400, line item # .127 of the Health Department Budget.
Signed by Petrus, Cuddeback, Mahunik, McIntosh, Schuster, Tortorici, Sincebaugh, Mitchell, Palermo, Lockwood.
Approved by voice vote, all in favor.

RESOLUTION NO. 632-08
(October 28, 2008) HD Amend CHHA Budget 2008rev
AUTHORIZING THE COUNTY TREASURER TO AMEND THE 2008 CAYUGA
COUNTY HEALTH DEPARTMENT'S CHHA BUDGET

BY: Ann Petrus, Chairman of the Health & Human Services Committee
Francis Mitchell, Chairman of the Ways and Means Committee
WHEREAS, after the submission of the 2008 Health Department Budget, it has been determined that due to an increase in caseload at the CHHA, there is an unanticipated increase in expenses and it follows that there is also an unanticipated increase in revenue;
NOW, THEREFORE, BE IT
RESOLVED, that the County Treasurer be authorized and directed to amend the Health Department's 2008 CHHA Budget in the following manner:

Munis

<u>Org</u>	<u>Object</u>				
A40120	41601	Increase	1601.000.000	Home Health Fees	\$105,000
A40121	51000	Increase	4012.100.000	Salaries	\$ 40,000
A40124	54008	Increase	4012.400.008	Auto Exp/Motor Pool	\$ 10,000
A40124	54129	Increase	4012.410.000	HHA	\$ 35,000

A40124	54019	Increase	4012.400.019	Computer Support	\$ 7,000
A40124	54218	Increase	4012.400.221	Speech Therap	\$ 3,000
A40124	54127	Increase	4012.400.127	Physical Therapy	\$ 5,000
A40124	54128	Increase	4012.400.130	Nurses/Contract	\$ 5,000

and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the necessary journal and accounting entries to accomplish the same.

Signed by Petrus, Cuddeback, Mahunik, McIntosh, Schuster, Tortorici, Sincebaugh, Mitchell, Palermo, Lockwood.

Approved by voice vote, all in favor.

RESOLUTION NO. 633-08

(October 28, 2008) HS Fill Staff Development Supervisor Amended

AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO FILL THE STAFF DEVELOPMENT SUPERVISOR IN HUMAN SERVICES DUE TO RETIREMENT OF INCUMBENT

BY: Ann Petrus, Chairman of the Health & Human Service Committee

Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, there will be a Staff Development Supervisor vacancy in Human Services due to retirement of the incumbent effective October 30, 2008; and

WHEREAS, the Staff Development Supervisor plans all needs assessments related to staffing and training; coordinates the completion of the Department of Social Services Annual Report; maintains the STARS (Statewide Training and Registration System) data base which registers staff for state training and maintains the employee training history; monitors CPS worker compliance with State training mandates; and conducts orientation for new employees; and

WHEREAS, this position is reimbursed at 86% (state and federal funds); and

WHEREAS, sufficient funding exists in the Human Services Department's 2008 budget to support this position; NOW, THEREFORE BE IT

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the Staff Development Supervisor vacancy, and any fill behind that may occur, in accordance with Civil Services Rules and Regulations and the policies of the County of Cayuga; and be it further

RESOLVED, that due to the complexity of this position, the Director of Health & Human Services be authorized to provide 14 days of cross training for the successor; and be it also

RESOLVED, that if the State/Federal reimbursement for this position gets withdrawn at the current level, the position will be brought before the County Legislature to be re-evaluated.

Signed by Petrus, Cuddeback, Mahunik,, Schuster, Tortorici, Sincebaugh, Mitchell, Axton, Palermo, Lockwood.

Approved by voice vote, all in favor.

RESOLUTION NO. 634-08

(October 28, 2008) HS Fill 2 Sr. Typists Vacancies Amended

AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO FILL TWO SR. TYPIST VACANCIES IN THE HUMAN SERVICES DIVISION DUE TO RETIREMENT AND ABOLISH ONE TYPIST VACANCY

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, effective September 29, 2008 there will be two Sr. Typist vacancies in Human Services due to retirement of the incumbents, one from Human Services Administration and one from Temporary Assistance; and

WHEREAS, the Department has evaluated those retiring and made recommendations on consolidation of duties where possible, and based on the evaluation and consolidation of duties, has determined that one typist vacancy (also due to retirement) can be abolished; and

WHEREAS, these Sr. Typist positions are necessary for the effective and efficient operation of the Department and are reimbursed at 75%; and

WHEREAS, sufficient funding exists in the 2008 Human Services Budget to support these positions; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized to fill the two Sr. Typist vacancies in Human Services, and any fill behinds that may occur, in a manner consistent with the rules and regulations of the County of Cayuga and the Cayuga County Civil Service Commission; and if the State/Federal reimbursement for these positions gets withdrawn at the current level, the positions will be brought before the County Legislature to be re-evaluated; and be it further

RESOLVED, that one full-time typist position in Human Services, Control #002201, be abolished.

Signed by Petrus, Cuddeback, Mahunik,, Schuster, Tortorici, Sincebaugh, Mitchell, Axton, Palermo, Lockwood.

Approved by voice vote, all in favor.

RESOLUTION 635-08

AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO FILL A FULL-TIME CLERK POSITION IN THE FSMA UNIT OF HUMAN SERVICES

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, there is a Full-Time Clerk position vacancy in the FSMA (Food Stamp/Medicaid) Unit of Human Services due to resignation of the incumbent, effective September 12, 2008;

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

WHEREAS, this position is 100% funded through Food Stamps and Medicaid; and

WHEREAS, sufficient funding exists in the 2008 Human Services' Budget to support this position; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized to fill the Full-Time Clerk vacancy in the FSMA Unit of Human 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; and be it further

RESOLVED, that if the State/Federal reimbursement for this position gets withdrawn at the current level, the position will be brought before the County Legislature to be re-evaluated.

Signed by Petrus, Cuddeback, Mahunik,, Schuster, Tortorici, Sincebaugh, Mitchell, Axton, Palermo, Lockwood.

Approved by voice vote, all in favor.

RESOLUTION NO. 636-08
(October 28, 2008) HS Amend 2008 Budget & Med Ans Serv
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND
THE DIRECTOR OF HEALTH & HUMAN SERVICES TO CONTRACT
WITH MEDICAL ANSWERING SERVICES, LLC FOR A NON-EMERGENCY
MEDICAID TRANSPORTATION MANAGEMENT SYSTEM
AND AMEND 2008 HS BUDGET

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, in an effort to save labor, technology, communication, and management costs while improving the control of the Medicaid Transportation System that the Human Services Division of Health & Human Services has in place, the Department desires to contract with a provider of such services; and

WHEREAS, in order to identify a vendor to support this work, the Clerk of the Legislature advertised for, and received requests for proposals for a Non-Emergency Medicaid Transportation Management System; and

WHEREAS, it was determined that of the respondents, the Medical Answering Services, LLC best met the needs of the Department; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a 100% State and federally funded contract with Medical Answering Services, LLC for a Non-Emergency Medicaid Transportation Management System for the period November 1, 2008 through December 31, 2009 in the amount of \$69,300 paid in equal monthly installments of \$4,950; and be it further

RESOLVED, that the 2008 Human Services budget be amended in the following manner to reflect the cost of the transportation management system:

Munis					
<u>Org</u>	<u>Object</u>				
A60104	54059	Increase	6010.400.059	Contractual	\$69,300
A60100	43610	Increase	3610	Revenue (State Aid DSS Admin)	\$34,650
A60100	44610	Increase	4610	Revenue	
				(Federal Aid DSS Admin)	\$34,650

Signed by Petrus, Cuddeback, Mahunik, McIntosh, Schuster, Tortorici, Sincebaugh, Mitchell, Palermo, Lockwood.

Approved by voice vote, all in favor.

**RESOLUTION NO. 637-08
(October 28, 2008) HS WRAP 2008-2009**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ACCEPT 100% FUNDING
FOR THE PROVISION OF SERVICES RELATED TO THE HOME ENERGY
ASSISTANCE PROGRAM (HEAP) WEATHERIZATION REFERRAL AND
PACKAGING (WRAP) AND CONTRACT WITH CAYUGA/SENECA**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, the Department of Health and Human Services (Human Services Division) has received a 100% federally funded WRAP allocation in the amount of \$10,299; and

WHEREAS, these funds are for the provision of home energy assessments to help low income HEAP eligible individuals who are at risk because they are unable to heat or cool their homes adequately; and

WHEREAS, the Department of Health & Human Services has in the past relied on the Cayuga/Seneca Community Action Agency, Inc. to identify eligible families to receive these services; now, therefore, be it

RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the Cayuga County Human Services 2008 Budget in the following manner:

Munis					
<u>Org</u>	<u>Object</u>				
A60104	54260	Increase	6010.42	Appropriations	\$10,299
A60100	44610	Increase	4610	Revenue	\$10,299

and be it further

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to enter into a contract with Cayuga/Seneca Community Action Agency, Inc. for the period October 1, 2008 - September 30, 2009.

Signed by Petrus, Cuddeback, Mahunik, McIntosh, Schuster, Tortorici, Sincebaugh, Palermo.
Approved by voice vote, all in favor.

**RESOLUTION NO. 638-08
(October 28, 2008) HS NYSOFA Contract POE
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A
CONTRACT WITH NYS OFFICE FOR THE AGING
AND ACCEPT 100% FUNDING**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, the State requires every county to operate a Long Term Care Point of Entry Program and Cayuga County, through its Long Term Care Access Office, has again been approved to operate this "Point of Entry" program for the time period October 1, 2008 through September 30, 2009, and accept funds to meet the program mandates; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services enter into a contract with NYS Office for the Aging to operate the Long Term Care Point of Entry Program in Cayuga County and accept funding in the amount of \$64,000 for the period of October 1, 2008 - September 30, 2009, and that the Cayuga County Treasurer be authorized and directed to make the necessary journal and accounting entries to amend the 2007 Human Services budget in the following manner:

Munis					
Org	Object				
A60101	51002	Increase	Appropriations	6010.100	\$21,000
A60104	54264	Increase	Appropriations	6010.470	\$43,000
A60100	43650	Increase	Revenue	3650	\$64,000

and be it further

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to subcontract for services necessary to implement this program.

RESOLUTION NO. 639-08
(October 28, 2008) HS Employment & Training 2008-2009
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO
CONTRACTS WITH CAYUGA COUNTY EMPLOYMENT & TRAINING
DEPARTMENT FOR PROVISION OF SERVICES

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, the Human Services Division of Health & Human Services has need to provide employment and training services to public assistance recipients to meet the obligations of the Work Requirement Program; and

WHEREAS, Human Services also has need of a Job Search Program for non-public assistance and Safety Net Food Stamp recipients; and

WHEREAS, our Human Services Division has successfully contracted with Cayuga County Employment and Training Department in the past for provision of these services; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Cayuga County Employment and Training to provide employment and training services to public assistance recipients for a period 10/1/08 to 9/30/09 at a cost of \$90,000; and be it further

RESOLVED, that the charges for these services be paid out of account #6010.400, line item # .0189 of the 2008 Human Services Budget; and be it also

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Cayuga County Employment and Training to provide a job search program for non-public assistance recipients and Safety Net Food Stamp recipients for the period 10/1/08 to 9/30/09 at a cost of \$18,000; and be it also

RESOLVED, that the charges for these services be paid out of account #6010.400, line item # .0188 of the 2008 Human Services Budget.

Signed by Petrus, Cuddeback, Mahunik, McIntosh, Schuster, Tortorici, Sincebaugh, Mitchell, Palermo, Lockwood.

Approved by voice vote, all in favor.

RESOLUTION NO. 640-08

(10.28.08) MHtransfundsoc08Rev.

AUTHORIZING CIVIL SERVICE/HUMAN RESOURCES DEPARTMENT TO ADVERTISE FOR FILLING THE POSITION OF DIRECTOR OF COMMUNITY MENTAL HEALTH SERVICES AND EXECUTIVE DIRECTOR TO THE CSB; AND TRANSFERRING FUNDING FROM CONTINGENT TO CIVIL SERVICE/HUMAN RESOURCES DEPARTMENT

BY: Hon. Francis Mitchell, Chairman Ways and Means Committee

Hon. Ann Petrus, Chairperson Health and Human Services Committee

WHEREAS, Resolution No. 536-08 and Resolution No. 537-08 filled the positions of the Director of Community Mental Health Services and Executive Director of the Community Services Board for a period not to exceed six (6) months; and

WHEREAS, the positions need to be filled at the expiration of the six (6) month period; and

WHEREAS, the Cayuga County Legislature is desirous of filling these important positions of Director of Community Mental Health Services/Executive Director of the CSB; and

WHEREAS, at the present time there are no funds available to advertise for these positions; now, therefore be it

RESOLVED, that the Civil Service/Human Resources Department is authorized to solicit resumes from qualified individuals to fill the position of Director of Community Mental Health Services/Executive Director to the CSB; and, be it further

RESOLVED, that \$5,000.00 be transferred from Contingent Account A10164 54000 (A1990) to Civil Service/Human Resources Department Contractual Expense, Publishing Notices Account A14304 54061 (A1430.400.061) to accomplish the advertising for this position; and, be it further

RESOLVED, that the County Treasurer be authorized and directed to make the necessary journal and accounting entries to accomplish the same.

Signed by Petrus, Cuddeback, Sincebaugh, Tortorici, Axton, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 641-08

(10-28-08) IT soundsystem.doc

AUTHORIZE INFORMATION TECHNOLOGY TO PURCHASE PORTABLE SOUND SYSTEM

BY: MR. CHRISTOPHER PALERMO, Chairperson, Government Operations Committee

MR. FRANCIS MITCHELL, Chairperson, Ways and Means Committee

WHEREAS, the County Legislature utilizes a rented sound system for meetings and special events; and

WHEREAS, a rented sound system is not always available on short term notice for needed County functions; therefore be it

RESOLVED, that the Information Technology Department is authorized to purchase a portable sound system, microphones, cables, and stands at a cost not to exceed \$2,500.00; from Account No. A16102 52007 (A1020.200.000); and be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to make the journal and accounting entries required to implement the intent of this resolution. Signed by Palermo, Petrus, Chapman, Fearon, Murphy, Sincebaugh, Mitchell, Schuster, Lockwood, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 642-08

October 28, 2008 ITworkstations1008revb.doc

AUTHORIZING THE INFORMATION TECHNOLOGY DEPARTMENT TO PURCHASE WORKSTATIONS

By: Christopher M. Palermo, Chairman, Government Operations Committee
Frances Mitchell, Chairman Ways and Means Committee

WHEREAS, the County is replacing County Department workstations that are due to be replaced; and

WHEREAS, there are 18 workstations and 2 laptops used by County Department employees that are over 5 years old and are due to be replaced in 2008, and

WHEREAS, the funds to replace these older workstations and laptops is included in the 2008 Information Technology budget; therefore be it

RESOLVED, that the Information Technology Department is authorized to purchase 18 workstations, 2 laptops, and related software on New York State contract in the amount of \$16,427.84 from Account No. No. A16102 52007 (A1020.200.000); and be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to make the journal and accounting entries required to implement the intent of this resolution. Signed by Palermo, Petrus, Chapman, Fearon, Murphy, Sincebaugh, Mitchell, Schuster, Lockwood, Tortorici, Axton.

Approved by voice vote, all in favor.

RESOLUTION NO. 643-08

(10/28/08) COA-ToExtDueDatesOfRPTforDepMilitaryrev

AUTHORIZING THE COUNTY TREASURER TO EXTEND THE DUE DATES OF REAL PROPERTY TAXES FOR THE DEPLOYED MILITARY.

BY: MR. PALERMO, Chairman, Government Operations Committee, and
MR. MITCHELL, Chairman, Ways & Means Committee.

WHEREAS, section 925-d of the Real Property Tax Law allows municipal corporations to adopt a local resolution authorizing the extension of due dates on real property taxes for a person deployed by the military, with the deadlines to be extended for a period of Ninety (90) days after the end of such deployment; and

WHEREAS, the County Legislature recognizes that the individuals who are members of the military make a tremendous sacrifice, especially in times like these when our military personnel are in so many locations throughout the world and here, in New York, fighting terrorism; and

WHEREAS, the Legislature also recognizes that personnel who are called to active duty still face the obligations to their own well-being and the well-being of their families, but still need to focus their energy on defending our Country; and

WHEREAS, in order to fully offer this benefit to service men and women deployed by the military, all Cayuga County towns, villages, school districts, and the City of Auburn should be encouraged to offer this extension as well; now, therefore, be it

RESOLVED, that, pursuant to section 925-d of the Real Property Tax Law, the County of Cayuga hereby authorizes the extension of due dates on real property taxes for a person deployed by the military, with the deadlines to be extended for a period of Ninety (90) days after the end of such deployment; and be it further

RESOLVED, that a copy of this resolution be sent to all towns, villages, school districts and the City of Auburn, and be it further

RESOLVED, that the County Treasurer be and hereby is charged with administration of said extensions.

Signed by Palermo, Petrus, Chapman, Fearon, Murphy, Sincebaugh, Mitchell, Schuster, Lockwood, Tortorici, Axton.

Approved by voice vote, all in favor.

RESOLUTION NO. 644-08

(10/28/08) COA-EstReserveAcctForTrsptnOfAreaVetsrev3

**AUTHORIZING ESTABLISHMENT OF A TRUST AND AGENCY ACCOUNT
FOR TRANSPORTATION OF AREA VETERANS
TO MEDICAL APPOINTMENTS.**

BY: Hon. Christopher Palermo, Chair, Government Operations Committee

Hon. Francis Mitchell, Chair, Ways and Means Committee

WHEREAS, the Cayuga County Veterans Service Agency Transportation Program has met with difficult times; and

WHEREAS, since its inception, the Agency has serviced approximately 260 annual riders in each of the 10 years it has operated; and

WHEREAS, currently the Cayuga County Veterans Service Agency services approximately 326 veterans with transportation to veterans medical centers for medical appointments; and

WHEREAS, there is a shortfall in the 2008 Budget for the County Veterans Agency due to increased gasoline and driver costs for the Transportation Program, which could run as much as \$5,000.00; and

WHEREAS, the County wishes to seek contributions for the Transportation Program and to earmark those contributions in a dedicated Trust and Agency Account and to pay for expenses associated with the Transportation Program, which funds may not be utilized for any other contractual expenses or other budgetary uses; now, therefore, be it

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to establish a dedicated Trust and Agency Account and to pay for expenses associated with the Cayuga County Veterans Service Agency Transportation Program, which funds may not be utilized for any other contractual expenses or other budgetary uses; and be it further

RESOLVED, that contributions to the Trust and Agency Account Accounts will not be utilized for any other purpose than by the Cayuga County Veterans Service Agency for the Transportation Program; and be it further

RESOLVED, that the County Treasurer is authorized and directed to make any journal and accounting entries necessary to accomplish the intent of this resolution.

Signed by Axton, Palermo, Petrus, Tortorici, Chapman, Fearon, Murphy, Sincebaugh.

Approved by voice vote, all in favor.

RESOLUTION NO. 645-08
(10/28/08) IT-Internetconnectionrev10-28-08.doc

**AUTHORIZING THE CHAIRMAN TO SIGN AN AGREEMENT
WITH VERIZON FOR A DEDICATED INTERNET CONNECTION**

By: Christopher M. Palermo, Chairman, Government Operations Committee
Frances Mitchell, Chairman Ways and Means Committee

WHEREAS, Cayuga County currently has email with a hosted service; and
WHEREAS, moving email in house will allow more control over email support and
allow the County to reduce support time; and

WHEREAS, to increase security of the County network, a separate Internet connection for email and web servers is required; and

WHEREAS, all proposals received from a recent RFP were higher than Verizon's standard two year business package which has become available to the County; and,

WHEREAS, The Ways and Means Committee previously rejected all proposals received for a dedicated Internet connection, therefore, be it

RESOLVED, that the Chairman of the County Legislature is authorized to sign an agreement with Verizon for a dedicated Internet connection for email; the annual cost per year being \$2,279.88 from Information Technology Account No. A16104 540747 (A1020.200.000); and be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to make the journal and accounting entries required to implement the intent of this resolution. Signed by Palermo, Mitchell, Petrus, Chapman, Fearon, Murphy, Sincebaugh, Lockwood, Tortorici, Axton, Schuster.

Approved by voice vote, all in favor.

RESOLUTION NO. 646-08

10.28.08 comirrevintent rev3

**PERMITTING EMPLOYEES TO RESCIND THEIR IRREVOCABLE INTENT TO
RETIRE UPON PAYMENT OF PREVIOUSLY UNPAID
HEALTH INSURANCE PREMIUM.**

BY: Christopher Palermo, Government Operations Committee
Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, Resolution No. 148-06 and Resolution No.303-06 authorized the modification of both the bargaining non-bargaining health insurance coverage and permitted any County non-bargaining employee to retire with certain health benefits effective December 31, 2008; and

WHEREAS, several employees who have not yet retired would like to continue to work for Cayuga County after their announced date of retirement; and

WHEREAS, it is in the County's best interest to permit those individuals who wish to rescind their retirement to continue with employment with the County; now therefore be it

RESOLVED, the Cayuga County does hereby permit any employee not yet retired, with the consent of the employee's bargaining unit (if applicable), to rescind their intent to retire and to continue employment with the County of Cayuga upon payment to the County of the additional health insurance premium not previously paid due to their previously announcement of retirement; and be it further

Tuesday, October 28, 2008

467

RESOLVED, that the premium repayment must be paid by the earlier of 52 weeks from January 1, 2008 or the date of retirement.

Signed by Palermo, Mitchell, Petrus, Chapman, Fearon, Murphy, Sincebaugh, Lockwood, Tortorici, Axton, Schuster.

Approved by voice vote, all in favor.

RESOLUTION NO. 647-08

**October 28, 2008 PB_Budget Amend FY08 EquipPurch
AMENDING THE FY 2008 PLANNING BUDGET TO TRANSFER FUNDS
FROM .400 LINE TO .200 LINE TO PURCHASE EQUIPMENT
AND REDUCE FY09 EQUIPMENT REQUEST TO \$0**

BY: Mr. Daniel Schuster, Chair, Planning and Economic Development
Mr. Francis Mitchell, Chair, Ways and Means Committee

WHEREAS, the proposed Planning Department FY 2009 Planning Budget requested an allocation of \$1,010.00 in the .200 Equipment Line to allow the department to purchase required vertical and lateral files utilized by the department for document management and storage; and

WHEREAS, the Budget Officer requested that the Director of Planning utilize funding available within the FY 2008 Planning Department budget to purchase the requested equipment and revise the FY 2009 equipment request to \$0.00; and

WHEREAS, the Planning Department has identified FY08 funding in the A80204.54085 (8020.400.085A) budget line (Tuition Reimbursement) available to transfer from the .400 contractual expense line to the .200 equipment line in the FY 2008 budget to purchase the required equipment and reduce the FY09 Planning Department Equipment Budget Line to \$0; and

WHEREAS, it is necessary to amend the FY 2008 Planning Department budget in order to purchase this equipment in fiscal year 2008; now

THEREFORE, BE IT RESOLVED, that the County Treasurer be and is hereby authorized and directed to transfer funds in the amount of \$1010.00 from the Contractual Expense Account A80204 54085 (8020.400.085A) to the Equipment Account A80202.52000 (8020.200.000A) in the Cayuga County Department of Planning and Economic Development FY 2008 Budget; and

BE IT FURTHER RESOLVED, that the County Treasurer be and is hereby authorized and directed to make the necessary journal and accounting entries to accomplish the same.

Signed by Schuster, Palermo, Axton, Fearon, Mahunik, Murphy, Tortorici, Mitchell, Petrus, Lockwood.

Approved by voice vote, all in favor.

RESOLUTION NO. 648-08

10.28.08 S&W roof loan

**AUTHORIZING A LOAN OF \$65,000.00 FROM THE COUNTY OF CAYUGA TO
THE CAYUGA COUNTY SOIL AND WATER DISTRICT FOR THE
INSTALLATION OF A ROOF ON A SOIL AND WATER DISTRICT BUILDING**

BY: Mr. Daniel Schuster, Chair, Planning and Economic Development Committee
Mr. Francis Mitchell, Chair, Ways and Means Committee

WHEREAS, the Soil and Water District has determined the need to replace the existing roof due to numerous water leaks; and

WHEREAS, the Soil and Water District has solicited bids for the replacement of the existing roof and has by resolution awarded the bid to: Pine Ridge Construction; and

WHEREAS, the Soil and Water District needs \$65,000.00 to complete the replacement of the roof, repair gutters and drains; and

WHEREAS the County had provided funding for the Soil and Water District to construct this building and provided a loan with the an outstanding balance of the loan of \$ 68,135.16; and

WHEREAS the Soil and Water District pays the County \$2,977.09 per month for the existing loan; and

WHEREAS the Soil and Water District wishes to continue this payment schedule for the additional loan amount of \$65,000.00 and agrees the extend the payment schedule to pay off the additional borrowings; now therefore be it

RESOLVED, that the County Legislature does hereby approve the loan of \$65,000.00 to the Soil and Water District for their roof, repair gutters and drains project pursuant to the terms and conditions of the County Legislature; and be it further

RESOLVED, that the funding for this project will come from Account No. AA1381 (AS0381.000.000); and be it further

RESOLVED, that the Cayuga County Treasurer make the journal and accounting entries required to implement the intent of this resolution; and be it further

RESOLVED, that the chairman of the Cayuga County legislature is hereby authorized to sign any and all documents required to implement this resolution.

Signed by Schuster, Palermo, Axton, Fearon, Mahunik, Murphy, Tortorici, Mitchell, Petrus, Lockwood.

Approved by voice vote, all in favor.

RESOLUTION NO. 649-08

(10/28/08) COA-SupportingPartnershipForWater&SewerServices

SUPPORTING THE PARTNERSHIP OF THE CITY OF AUBURN, CURRENT PARTICIPATING TOWNS AND THE CAYUGA COUNTY WATER AND SEWER AUTHORITY IN THEIR EFFORTS TO DETERMINE FEASIBILITY AND BENEFITS OF SHARING OR CONSOLIDATING WATER AND SEWER SYSTEM SERVICES AMONG THE COMMUNITIES IN CAYUGA COUNTY.

BY: MR. SCHUSTER, Chairman, Planning & Economic Development Committee, and MR. MITCHELL, Chairman, Ways & Means Committee.

WHEREAS, the City of Auburn has undertaken an evaluation to determine its water and sewer system capital investment needs for the next ten years, including any system impacts which may result from growth in the outlying communities; and

WHEREAS, various towns and villages in Cayuga County provide water and sewer services to their residents and businesses from services provided by the City of Auburn; and

WHEREAS, in addition to determining capital needs, the purpose of the evaluation is to develop ten-year cash flow projections and the proposed allocation of costs to provide that service to the City of Auburn and the surrounding communities; and

WHEREAS, the evaluation will result in a reasonable plan for infrastructure investment in order for the City of Auburn to meet its regulatory obligations, and support redevelopment as well as enhance new development in the region; and

WHEREAS, such an analysis would include an investigation to determine the value of each municipal entity's infrastructure assets, the condition of those assets and the exploration of institutional, statutory and financing alternatives, including, but not necessarily limited to the formation of a water and sewer authority; and

WHEREAS, various municipalities are attempting to obtain funding to conduct the analysis through a New York State Local Government Efficiency Grant Program; and

WHEREAS, the County Legislature wishes to express its unqualified support for the analysis and the grant application for funding; now, therefore, be it

RESOLVED, that the County of Cayuga supports the commitment among the City of Auburn, Towns of Aurelius, Fleming, Owasco, Sennett, Throop and the Cayuga County Water and Sewer Authority to determine the feasibility and benefits of sharing and for consolidating water and sewer system services among the communities.

Signed by Schuster, Axton, Fearon, Mahunik, Murphy, Tortorici, Petrus, Lockwood.

Approved by voice vote, all in favor.

RESOLUTION NO. 650-08

(10/28/08) P&TRevSnowmobileFundBalanceRes352-08 10 08

**REVISING RESOLUTION #352-08 AUTHORIZING TRANSFER OF
REMAINING SNOWMOBILE GRANT FUNDS FROM THE SNOWMOBILE
TRAIL ACCOUNT NO.7112.420.074A TO THE CAPITAL "H"
NO. 07-02 FOR THE CATO/BRUTUS TRAIL**

By: David R. Axton, Chairperson, Public Works

Francis Mitchell, Chairperson, Ways & Means Committee

WHEREAS, Cayuga County is an annual recipient of NYS Office of Parks, Recreation and Historic Preservation grant funds to assist the snowmobile clubs in Cayuga County in their efforts to develop and maintain the county snowmobile trails; and

WHEREAS, many years ago funds were received and not entirely distributed to the clubs resulting in the remaining money, currently \$3,600, being carried forward year after year by resolution in the park Account No. A 71165 54000 (7112.420.074-A); and

WHEREAS, Resolution No. 352-08 was to transfer the remaining \$3,600 in snowmobile grant funds to Capital H #07-02 for the Cato/Brutus Trail; and

WHEREAS, the treasurers office, because of the way Resolution 352-08 was written, transferred money from the current snowmobile grant funds rather than the funds that have been carried over year to year, and

WHEREAS, those funds are now in the unappropriated fund balance, Account # A0909, and

WHEREAS, the \$3,600 can only be used for snowmobile trail development and maintenance or must be returned to NYS Office of Parks, Recreation and Historic Preservation; now therefore be it

RESOLVED, that the Cayuga County Treasurer be directed to transfer the \$3,600 from the unappropriated fund balance to Expense Account No. A 71165 54000 (7112.420.074-A), Snowmobile Trails, to correct this error.

Signed by Axton, Cuddeback, McIntosh, Mitchell, Lockwood, Chapman, Sincebaugh, Petrus, Schuster, Palermo, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 651-08
October 28, 2008 Hwybudtraoct08rev
AUTHORIZATION TO AMEND
THE 2008 CAYUGA COUNTY HIGHWAY BUDGET

BY: David Axton Chairman, Public Works Committee

Francis Mitchell Chairman, Ways and Means Committee

WHEREAS, after the submission of the 2008 Cayuga County Highway Budget, it appears that the usage of Highway equipment has been different than originally predicted; and

WHEREAS, the funds to pay for these expenditures were originally budgeted in several other Highway accounts; and

WHEREAS, it is necessary to amend the 2008 Highway Budget to more accurately reflect the usage of equipment; now, therefore, be it

RESOLVED, that the County Treasurer be and is hereby authorized and directed to provide for transfer of funds in the following manner:

<u>Appropriation Accounts</u>	<u>Increase</u>	<u>Decrease</u>
D5110.400.093 Maintenance of Roads and Bridges	\$ 312,000	
D51104 54093 Machinery rental		
D5113.400.093 Capital Improvements		\$ 312,000
D51134 54093 Machinery rental		

AND BE IT FURTHER

RESOLVED, that the Cayuga County Treasurer be and is hereby authorized and directed to make the necessary journal and accounting entries to accomplish the same.

Signed by Axton, Cuddeback, McIntosh, Mitchell, Lockwood, Chapman, Sincebaugh, Petrus, Schuster, Palermo, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 652-08
10-28-08 Hwyssremvland

AUTHORIZING THE COUNTY CHAIRMAN TO SIGN A CONTRACT
AMENDMENT FOR WINTER SEVERITY INDEX FOR THE 2008/2009 NYS DOT
SNOW AND ICE REMOVAL CONTRACT.

By: David Axton, Chairman Public Works Committee

Francis Mitchell, Chairman Ways & Means Committee

WHEREAS, the County of Cayuga was under contract with the NYS DOT for Snow and Ice removal under Contract Agreement D009816 for the 2008/2009 Season; and

WHEREAS, the NYS DOT is allowing a Winter Severity Index via Amendment B to Contract Agreement Doo9816 for the 2008/2009 season; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to sign the Amendment B to Contract D009816 for the 2008/2009 season; and be it further

RESOLVED, that the Cayuga County Treasurer is authorized and directed to make the necessary journal entries and accounting entries to accomplish the foregoing.

Signed by Axton, Cuddeback, McIntosh, Mitchell, Lockwood, Chapman, Sincebaugh, Petrus, Schuster, Palermo, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 653-08

October 28, 2008 hwyssremovalagreerev

AUTHORIZING THE COUNTY CHAIRMAN TO SIGN THE SNOW REMOVAL AGREEMENT WITH THE NYS DOT FOR THE 2009-2010 SEASON

By: David Axton, Chairman Public Works Committee

By: Francis Mitchell, Chairman Ways and Means Committee

WHEREAS, the Public Works Committee has recommended that the County Highway Department continue to conduct snow removal operations on the State Highways; and

WHEREAS, the present agreement (Agreement No. D009816) expires on June 30, 2009; now therefore be it

RESOLVED, to authorize the Chairman of the Cayuga County Legislature to sign the Agreement to Extend Municipal Snow and Ice Control Agreement with the State of New York for the 2009-2010 season.

Signed by Axton, Cuddeback, McIntosh, Mitchell, Lockwood, Chapman, Sincebaugh, Petrus, Schuster, Palermo, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 654-08

Date: 10/28/08 hwyfillsrengtech

AUTHORIZATION FOR THE SUPERINTENDENT OF HIGHWAYS TO FILL A SR. ENGINEERING TECHNICIAN POSITION WITHIN THE HIGHWAY DEPARTMENT

BY: Hon. David Axton, Chairman, Public Works Committee

Hon. Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, the current Sr. Engineering Technician is retiring from their position on October 31, 2008 and the position will be vacant at that time; and

WHEREAS, this Sr. Engineering Technician position is critical to the operation of the highway department; and

WHEREAS, this position has been budgeted for the entire year; now therefore be it

RESOLVED, to authorize the Highway Superintendent to fill this open position and be it further

RESOLVED, that the foregoing be accomplished in accordance with Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Axton, Cuddeback, McIntosh, Mitchell, Lockwood, Chapman, Sincebaugh, Petrus, Schuster, Palermo, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 655-08

Date October 28, 2008 HWYwntrwrtchmn

AUTHORIZATION TO HIRE PART TIME SEASONAL LABORERS

BY: Hon. David Axton, Chairman, Public Works Committee

Hon. Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, during the past several winter seasons individuals have been hired to cover the phones and radios during weekends and holidays; and

WHEREAS, it is more cost effective to staff the weekends and holidays with temporary personnel as compared to paying permanent personnel overtime; and

WHEREAS, seasonal laborers required from mid-November to the middle to end of April for weekends and holidays; now therefore be it

RESOLVED, that the County Highway Superintendent be authorized hire seasonal Laborer employees for the mid-November to the end of April time frame, and be it further

RESOLVED, that these personnel be paid at an hourly rate of \$9.00 for 1st&2nd shift and not to exceed \$10.00 per hour for 3rd shift, without benefits; from Account No.5142.100-D; and be it further

RESOLVED, that the foregoing be accomplished in accordance with Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Axton, Cuddeback, McIntosh, Mitchell, Lockwood, Chapman, Sincebaugh, Petrus, Schuster, Palermo, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 656-08

October 28, 2008 hwytransferegreaserev1

**BUDGET TRANSFER OF THE 2008 CAYUGA COUNTY
HIGHWAY BUDGET FOR GREASE AND OIL**

BY: Dave Axton, Chairman, Public Works Committee

Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, in the 2008 Highway Budget (Motor pool), a total of \$3,900 was budgeted for Grease and Oil; and,

WHEREAS, it is necessary to amend the 2008 Highway Budget to more accurately reflect the increased cost of grease and oil; now, therefore, be it

RESOLVED, that the County Treasurer be and is hereby authorized and directed to provide for transfer of funds in the following manner:

<u>Appropriation Accounts</u>	<u>Old Amount</u>	<u>New Amount</u>	<u>Increase</u>	<u>Decrease</u>
DM51314 54021(DM 1640.400.010)	\$58,000	\$56,200		\$1,800
DM51314 54033(DM 1640.400.033)	\$3,900	\$5,700	\$1,800	

AND BE IT FURTHER

RESOLVED, that the Cayuga County Treasurer be and is hereby authorized and directed to make the necessary journal and accounting entries to accomplish the same.

Signed by Axton, Cuddeback, McIntosh, Mitchell, Lockwood, Chapman, Sincebaugh, Petrus, Schuster, Palermo, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 657-08

10/28/08 BLDS Door Hardenburg

**AUTHORIZING THE SUPERINTENDENT OF BUILDINGS AND GROUNDS TO
REPLACE THE HANDICAP DOOR AT THE HARDENBURG BUILDING
95 GENESEE ST.**

BY: Hon. David R. Axton, Chairman, Public Works Committee

Hon. Francis C. Mitchell, Chairman, Ways & Means Committee

WHEREAS, the current front handicap door at the Hardenburg Building is constantly in need of repaired; and

WHEREAS, sufficient funds are available in the 2008 budget account number A16204 54012 (1622.400.012) to replace the door; now therefore be it

RESOLVED, that the Superintendent of Buildings and Grounds be authorized to have the handicap door replaced at the Hardenburg Building not to exceed \$7,400.00; and be it further

RESOLVED, that this expense be covered from the Cayuga County Buildings fund Account A16204 54012 (1622.400.012) Building Maintenance and be it further

RESOLVED, that the Cayuga County Treasurer be authorized to make the journal entries appropriate and necessary to implement the intent of this resolution.

Signed by Axton, Cuddeback, McIntosh, Mitchell, Lockwood, Chapman, Sincebaugh, Petrus, Schuster, Palermo, Tortorici.

Approved by voice vote, all in favor.

RRESOLUTION NO. 658-08
(10/28/08) P&T ATV Insurance 10 08
CLARIFYING THE LIMITS OF THE INSURANCE COVERAGE
PROVIDED BY THE OSWEGO VALLEY ATV CLUB

By: David R. Axton, Chairperson, Public Works

Francis Mitchell, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County Legislature approved Resolution Number 496-08 in August authorizing the Chairman of the Cayuga County Legislature to sign an agreement with the Oswego Valley ATV Club allowing ATV use of the Cayuga County Hojack Trail from Oswego County west to the Cato/Fair Haven Trail north to Fair Haven Road on a one year trial basis; and

WHEREAS, the Oswego Valley ATV Club had provided a sample agreement indicating that the insurance coverage was to be 2 Million Dollars (\$2,000,000) Combined Single Limit, and

WHEREAS, the actual insurance provided is 1 Million Dollars (\$1,000,000) each occurrence and 2 Million Dollars (\$2,000,000) General Aggregate, and

WHEREAS, this level of coverage has been established as acceptable to the county for other events and activities and is acceptable to our insurance carrier, now, therefore, be it

RESOLVED, that the Cayuga County Legislature does hereby acknowledge that the insurance provided by the Oswego Valley ATV Club as part of their agreement is as stated above.

Signed by Axton, Cuddeback, McIntosh, Mitchell, Lockwood, Chapman, Sincebaugh, Petrus, Schuster, Palermo, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 659-08**10. 28 .08 COA146NOADDALSRVCrev2****AUTHORIZING THE CHAIRMAN TO SIGN AN AGREEMENT WITH C & S COMPANIES FOR ADDITIONAL SERVICES AT 2 PARK AVENUE, AUBURN, NEW YORK FOR ADDITIONAL WORK ASSOCIATED WITH IN CORPORATING THE PARCEL INTO PARKING SPACE AND SITE WORK ASSOCIATED WITH THE 146 NORTH STREET PROJECT FOR A LUMP SUM OF \$6,900.00 AND TRANSFERRING MONIES.**

BY: MR. AXTON, Chairman, Public Works Committee, and
MR. MITCHELL, Chairman, Ways & Means Committee.

WHEREAS, Resolution No. 186-08 authorized the hiring of an architectural and engineering firm for the purpose of the renovation and construction of new space at 146 North Street, Auburn, New York; and

WHEREAS, Resolution No. 356-08 authorized the purchase of 2 Park Avenue, Auburn, New York for the purpose of converting the lot into parking space for employees, staff and consumers utilizing services at 146 North Street; and

WHEREAS, the scope of work of the mental health project is thereby expanded to include 2 Park Avenue and the associated work involved to incorporate the new parking lot and site work; and

WHEREAS, these additional services are beyond the scope of the original agreement with C&S Companies; and

WHEREAS, the County wishes to move forward with the project, including the additional associated work involved to incorporate the new parking lot and site work; and

WHEREAS, C & S Companies submitted an additional proposal for the additional services for a lump sum of \$6,900.00, copy attached; and

WHEREAS, Account No. A16204-54059 (1620.400.059-A), Professional Services, does not contain sufficient monies to pay for the additional work; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature be authorized to enter into a contract for additional services with C & S Companies for the associated work at 2 Park Place to incorporate a new parking lot and site work at 2 Park Place for a lump sum of \$6,900.00; and be it further

RESOLVED, that the sum of \$6,900.00 be transferred from Account No. A10164-54000 (1990-A), Contingency into Account No. A16204-54059 (1620.400.059-A), Professional Services; and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to make the journal and accounting entries required to implement the intent of this resolution.

Signed by Axton, Lockwood, Mitchell, Sincebaugh, Mitchell, Lockwood, Palermo, Schuster, Tortorici, Petrus.

Approved by voice vote, all in favor.

RESOLUTION NO. 660-08
(10/28/08) COA-AppChgsToDesignOfMHBldgPrj146NorthSt.
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO SIGN
AMENDMENT TO AGREEMENT WITH C&S COMPANIES FOR ADDITIONAL
WORK ASSOCIATED WITH DESIGN CHANGES TO
THE 146 NORTH STREET MENTAL HEALTH PROJECT.

BY: MR. AXTON, Chairman, Public Works Committee, and
MR. MITCHELL, Chairman, Ways & Means Committee.

WHEREAS, the County entered into an Agreement with C&S Companies for the purpose of the renovation and construction of new space at 146 North Street, Auburn, New York; and

WHEREAS, C&S Companies had completed their program design work and received approval to proceed with the project; and

WHEREAS, the interim department head and Director of Community Services hired by the County had an opportunity to review the program design and recommended changes which would cause the size of the new extension to be reduced by 1000 square feet, resulting in potential savings of between \$80,000.00 and \$150,000.00 for construction of the project, and would also save dollars on future maintenance of the building; and

WHEREAS, these additional services are beyond the scope of the original agreement; and

WHEREAS, C & S Companies submitted an additional proposal for the additional services not to exceed \$11,500.00; and

WHEREAS, Account No. A16204-54059 (1620.400.059-A), Professional Services, does not contain sufficient monies to pay for the additional work; now there fore be it

RESOLVED, that the Chairman of the Cayuga County Legislature be authorized to sign an amendment to the original Agreement with C & S Companies for additional services related to the work at 146 North Street, Auburn, New York; and be it further

RESOLVED, that the sum of \$11,500.00 be transferred from Account No. A10164-54000 (1990-A), Contingency into Account No. A16204-54059 (1620.400.059-A), Professional Services; and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to make the journal and accounting entries required to implement the intent of this resolution.

Signed by Mitchell, Axton, Lockwood, Palermo, Schuster, Tortorici, Petrus, Lockwood, Sincebaugh.

Approved by voice vote, all in favor.

RESOLUTION NO. 661-08
(10-28-08) COA-EstablishCaphProjectNo.08-2
AUTHORIZING ESTABLISHMENT OF CAPITAL "H" PROJECT NO. 08-2
(EMERSON PARK PAVILION RENOVATION) AND AMENDING
RESOLUTION NO. 289-08.

BY: MR. AXTON, Chairman, Public Works Committee, and
MR. MITCHELL, Chairman, Ways & Means Committee.

WHEREAS, Resolution No. 289-08 authorized the Parks & Trails Department to renovate Emerson Park Pavilion as recommended in the Crawford and Stearns Report in 2007 in an amount not to exceed \$67,000.00; and

WHEREAS, Resolution No. 289-08 authorized and directed the establishment of the Capital "H" Account, but did not assign a Capital "H" Project number to the Account; and

WHEREAS, Resolution No. 289-08 directed the County Treasurer to transfer the sum of \$67,000.00 from Kclient No. 7110.200.000-A (Munis Account No. A71102 52000) to the Capital "H" Account; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized and directed to establish Capital "H" Project Account No. 08-2 (Emerson Park Pavilion Renovation) in an amount not to exceed \$67,000, the source of funding to be by transfer from Account No. 7110.200.000-A (Munis Account No. A71102 52000); and be it further

RESOLVED, that Resolution No. 289-08 is amended as herein set forth; and be it further

RESOLVED, that the County Treasurer is hereby authorized and directed to make the journal and accounting entries necessary to implement the intent of this Resolution.

Signed by Mitchell, Axton, Lockwood, Palermo, Schuster, Tortorici, Petrus, Lockwood, Sincebaugh.

Approved by voice vote, all in favor.

RESOLUTION NO. 662-08

Action Date 10/28/08 PSAPptESDfill

AUTHORIZATION TO FILL A VACANT PART - TIME

EMERGENCY SERVICES DISPATCHER POSITION

BY: Mr. Raymond Lockwood, Chairperson, Judicial and Public Safety Committee
Mr. Francis Mitchell, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County 911 Center currently has one vacant Emergency Services Dispatcher; Part Time position; and

WHEREAS, it is necessary to select a candidate and fill the Part-Time Emergency Services Dispatcher position for continuity of services; now therefore be it

RESOLVED, that the position (#001914) be filled, and that the 911 Administrator be hereby authorized to fill the vacant Emergency Services Dispatcher PT position from the existing Civil Service list; and be it further

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

Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, Murphy, McIntosh, Mitchell, Axton, Petrus, Schuster, Tortorici.

Approved by voice, vote all in favor.

RESOLUTION NO. 663-08

Action Date 10/28/08 PSAPftESDfillrev

AUTHORIZATION TO FILL TWO (2) FULL TIME VACANT

EMERGENCY SERVICES DISPATCHER POSITIONS.

BY: Mr. Raymond Lockwood, Chairperson, Judicial and Public Safety Committee
Mr. Francis Mitchell, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County 911 Center currently will have two (2) vacant Emergency Services Dispatcher positions, effective November 18, 2008 and November 21, 2008 due to a resignation; and

WHEREAS, it is necessary to select candidates and fill the Emergency Services Dispatcher positions for continuity of services; now therefore be it

RESOLVED, that the positions (#001875 and #001922) be filled, and that the 911 Administrator be hereby authorized to fill the two (2) full time vacant Emergency Services Dispatcher positions from the existing Civil Service list; and be it further

RESOLVED, that the positions be filled in accordance to the Cayuga County Civil Service Rules and Regulations and the Policies of the County of Cayuga.
Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, Murphy, Mitchell, Axton, Petrus, Schuster.
Approved by voice, vote all in favor.

RESOLUTION NO. 664-08

10/28/08 SHR-Pur.SaltDogg Spreader

AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO PURCHASE A SALTDogg SPREADER FOR USE AT THE CAYUGA COUNTY PUBLIC SAFETY BUILDING TO CONTROL ICE AND SNOW.

BY: Mr. Raymond Lockwood, Chair, Judicial and Public Safety Committee, and
Mr. Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, the vehicles utilized by the Cayuga County Highway Department to control ice and snow do not sufficiently and safely prevent the build-up of ice and snow in the driveway of the Cayuga County Public Safety Building due to their large size and the difficulty in maneuvering said vehicles around said driveway; and

WHEREAS, to safely and effectively control ice and snow build-up in the driveway of the Cayuga County Safety Building, a spreader designed for medium commercial applications that can be easily mounted upon a pick-up truck would ideally maintain safe, ice and snow-cleared passage ways at the jail; and

WHEREAS, there is sufficient money in the 2008 Sheriff Custody Equipment Budget A31502 52000 (3150.200.000A) to purchase this item; now therefore be it

RESOLVED, the Cayuga County Sheriff is authorized to purchase a SaltDogg 7-1/2" Poly Electric Spreader in the amount of \$2,796,00 from General Welding & Fabricating, Inc. (State Contract No. PC63864); and further be it

RESOLVED, that the purchase will be made in accordance with the existing purchasing policies of Cayuga County.

Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, Murphy, McIntosh, Mitchell, Axton, Petrus, Schuster, Tortorici.

Approved by voice, vote all in favor.

RESOLUTION NO. 665-08

10/28/08 SHR-Transfer Monies (Veh.Loc.Proj.)

AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO TRANSFER MONIES FROM THE SHERIFF'S 2008 CUSTODY JAIL EQUIPMENT BUDGET LINE A31502 52000 (3150.200.000A) TO THE SHERIFF'S 2008 LAW ENFORCEMENT EQUIPMENT BUDGET LINE A31102.52000 (3110.200.000A)

BY: Mr. Raymond Lockwood, Chair, Judicial and Public Safety Committee, and
Mr. Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, there is an insufficient amount of money in the Sheriff's 2008 Law Enforcement Equipment Budget Line A31102 52000 (3110.200.000A) to cover the cost of additional computer equipment required to upgrade the Vehicle Locator Project; and

WHEREAS, there is a surplus amount of money in the Sheriff's 2008 Custody Jail Equipment Budget Line A31502 52000 (3150.200.000A) to compensate the shortage in the Sheriff's 2008 Law Enforcement Equipment Budget Line A31102 52000 (3110.200.000A); now therefore be it

RESOLVED, that the Cayuga County Treasurer be authorized to transfer \$3,500.00 from the Sheriff's 2008 Custody Jail Equipment Budget Line A31502 52000 (3150.200.000A) to the Sheriff's 2008 Law Enforcement Equipment Budget Line A31102 52000 (3110.200.000A); and further be it

RESOLVED that the Cayuga County Treasurer make the necessary accounting and journal entries to accomplish the intent of this Resolution.

Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, Murphy, McIntosh, Mitchell, Axton, Petrus, Schuster, Tortorici.

Approved by voice, vote all in favor.

RESOLUTION NO. 666-08
10/28/08 SHR-Pur.Port.Radios.rev
AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO
PURCHASE 10 PORTABLE RADIOS FOR USE AT
THE CAYUGA COUNTY PUBLIC SAFETY BUILDING.

BY: Mr. Raymond Lockwood, Chair, Judicial and Public Safety Committee, and
 Mr. Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, the Jail is in need new portable radios to replace old and defective radios;
 and

WHEREAS, the portable radios utilized by the Corrections Officers at the Sheriff's Office are purchased at Fingerlakes Communications; and

WHEREAS, there is sufficient money in the 2008 Sheriff Custody Equipment Budget A31502 52000 (3150.200.000A) to purchase these items; now therefore be it

RESOLVED, the Cayuga County Sheriff is authorized to purchase ten portable radios not to exceed \$7,000.00; and further be it

RESOLVED, that the purchase will be made in accordance with the existing purchasing policies of Cayuga County.

Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, Murphy, Mitchell, Axton, Petrus, Schuster.

Approved by voice, vote all in favor.

RESOLUTION NO. 667-08
(October 28, 2008) DA.contractual transfer.08rev
AUTHORIZING THE DISTRICT ATTORNEY OF CAYUGA COUNTY TO
TRANSFER FUNDS WITHIN THE 2008 DISTRICT ATTORNEY A11654
[A.1165.400] CONTRACTUAL EXPENSE ACCOUNT (FROM A11654 54086
[A.1165.400.086] WITNESS & TESTIMONY FEES TO A11654 54059
[A.1165.400.059] PROFESSIONAL SERVICES)

By: Raymond E. Lockwood, Chairman, Judicial & Public Safety, and
 Francis Mitchell, Chairman, Ways and Means

WHEREAS, recently professional services, included a psychiatric examination of a defendant & finalization of report, as well as the testimony of an Expert Witness at trial were required; and

WHEREAS, the District Attorney 2008 Budget has insufficient funds in the 2008 A11654 [A.1165.400] Contractual Expense Account Budget Line A11654 54059 Professional Services to pay an invoice for Professional Services rendered by an Expert Witness;
 and

WHEREAS, there are sufficient funds in the 2008 A11654 [A.1165.400] Contractual Expense Account Budget Line A11654 54086 [A.1165.400.086] Witness & Testimony Fees to cover the cost of said invoice; now therefore be it

RESOLVED, that the Cayuga County Treasurer be authorized to transfer \$4,532 from A11654 [A.1165.400] Contractual Expense Account Budget Line A11654 54086 [A.1165.400.086] Witness & Testimony Fees to A11654 [A.1165.400] Contractual Expense Account Budget Line A11654 54059 Professional Services; and be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to make the necessary journal and accounting entries to accomplish same.

Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, Murphy, McIntosh, Mitchell, Axton, Palermo, Petrus, Schuster, Tortorici.

Approved by voice, vote all in favor.

RESOLUTION NO. 668-08

**(OCTOBER 28, 2008) DA.ADA SALARY ADJUSTMENTS.2REV
REDUCING THE SALARY OF THE VACANT ASSISTANT DISTRICT
ATTORNEY POSITION IN THE DISTRICT ATTORNEY'S OFFICE AND
AUTHORIZING SALARY ADJUSTMENTS AMONG FIVE (5) SENIOR
ASSISTANT DISTRICT ATTORNEYS TO REFLECT EXPERIENCE,
CASELOAD AND COURT ASSIGNMENTS (NO INCREASE
IN BUDGET OR COUNTY SHARE)**

By: Raymond E. Lockwood, Chairman, Judicial & Public Safety, and
Francis Mitchell, Chairman, Ways and Means

WHEREAS, by Resolution No.832-07, District Attorney Jon E. Budelmann received Legislative approval on December 18, 2007 to fill the Chief Assistant District Attorney vacancy in his office by an outside applicant or by promotion from within; and

WHEREAS, effective February 26, 2008 a full-time senior Assistant District Attorney was appointed to Chief Assistant District Attorney; and

WHEREAS, by Resolution No. 155-08, District Attorney Jon E. Budelmann also received Legislative approval on February 26, 2008 adjusting various responsibilities for the Assistant District Attorney positions and authorizing salary adjustments among the Assistant District Attorneys to reflect experience, caseload and assignments; and

WHEREAS, after several months of interviewing candidates, the District Attorney has been unsuccessful in filling the vacancy with an experienced candidate; and

WHEREAS, in order to accurately reflect legal/prosecutorial experience, caseload, job responsibilities, oversight and court assignments, the District Attorney has deemed it necessary to reduce the salary of the vacant Assistant District Attorney position by \$14,800.00 and adjust the salaries of the five (5) senior Assistant District Attorneys; and

WHEREAS, the District Attorney proposes the following adjustments in Part IV of the Cayuga County 2008 Compensation Plan:

DISTRICT ATTORNEY:

Position #001785-SYS (Chief Assistant District Attorney)	\$80,000 increase to \$80,795
Position #003095-SYS (Assistant District Attorney)	\$65,000 increase to \$66,500
Position #001795-SYS (Vacant Assistant District Attorney)	\$60,000 decrease to \$45,200

Position #001797-SYS (STOP DWI ADA)	\$55,000 increase to \$61,208
Position #001784-SYS (STOP VAW ADA)	\$49,948 increase to \$53,005
Position #005202-SYS (Assistant District Attorney)	\$47,000 increase to \$50,240

WHEREAS, the Legislature is desirous about retaining experienced prosecutors and making certain the salaries within the District Attorney's Office accurately reflect legal/prosecutorial experience, caseload, job responsibilities, oversight and court assignments, and in order to retain the experienced prosecutors in the office; and

WHEREAS, the proposed allocations do not raise the District Attorney's 2008 Budget or county share therein; now therefore be it

RESOLVED, that the Assistant District Attorney salary adjustments are hereby amended effective 1-1-09 as follows:

DISTRICT ATTORNEY:

Position #001785-SYS (Chief Assistant District Attorney)	\$80,000 increase to \$80,795
Position #003095-SYS (Assistant District Attorney)	\$65,000 increase to \$66,500
Position #001795-SYS (Vacant Assistant District Attorney)	\$60,000 decrease to \$45,200
Position #001797-SYS (STOP DWI ADA)	\$55,000 increase to \$61,208
Position #001784-SYS (STOP VAW ADA)	\$49,948 increase to \$53,005
Position #005202-SYS (Assistant District Attorney)	\$47,000 increase to \$50,240

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to make the necessary journal and accounting entries to accomplish the foregoing; and it is further

RESOLVED, that the foregoing be accomplished in accordance with Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga, and that Part IV of the 2008 Cayuga County Compensation Plan are amended to reflect the adjustments herein.

Discussion: Fearon, difficult times, I don't support, needs to fail of be tabled until we know budget.

Chapman, I did the research, DA Jon Budelmann is adjusting salaries, comparable with other counties. He is moving money within his budget, other department also do this, I support this.

Axton, this is promoting from within and creating entry level position, I support.

Cuddeback, enter level attorney will help with workload.

Mahunik, I don't think resolution accomplishes the problem, it will come back.

Palermo, not an increase in budget.

Lockwood, need to vote.

Cuddeback, let departments use the money.

Mitchell, we can adjust fund balance to correct, not helpful in the long run.
Signed by Lockwood, Chapman, Cuddeback, Murphy, Axton, Petrus, Schuster.
Approved by majority voice vote, voting yes Chapman, Palermo, Axton, Petrus, Lockwood, Cuddeback, Tortorici, Murphy, Schuster, Sincebaugh, Mills. Voting no, Mahunik, Fearon, Mitchell. Excused McIntosh.

RESOLUTION NO. 669-08

**10/28/08 SHR-Transfer Monies (Auto Exp./Motor Pool & Auto Exp. Other)
AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO TRANSFER
MONIES FROM THE SHERIFF'S 2008 CUSTODY GAS HEAT BUDGET LINE
A31504 54024 (3150.400.024) AND SHERIFF'S 2008 CUSTODY ELECTRICAL
SERVICE BUDGET LINE A31504 54023 (3150.400.023) TO THE SHERIFF'S 2008
LAW ENFORCEMENT AUTO EXPENSE/MOTOR POOL BUDGET LINE A31104
54008 (3110.400.008) AND AUTHORIZING THE SHERIFF OF CAYUGA
COUNTY TO TRANSFER MONIES FROM THE SHERIFF'S 2008 CUSTODY
WATER SERVICE BUDGET LINE A31504 54068 (3150.400.068) TO THE
SHERIFF'S 2008 LAW ENFORCEMENT AUTO EXPENSE/OTHER BUDGET
LINE A31104 54009 (3110.400.009).**

BY: Mr. Raymond Lockwood, Chair, Judicial and Public Safety Committee, and
Mr. Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, there is an insufficient amount of money in the Sheriff's 2008 Law
Enforcement Auto Expense/Motor Pool Budget Line A31104 54008 (3110.400.008) to
cover the cost of motor fuel due to the significant increase in gasoline prices; and

WHEREAS, there is an insufficient amount of money in the Sheriff's 2008 Law
Enforcement Auto Expense/Other A31104 54009 (3110.400.009) to cover the cost of
repairs, etc. needed for the Sheriff's Office patrol vehicles; and

WHEREAS, there is enough money in the Sheriff's 2008 Custody Gas Heat Budget
Line A31504 54024 (3150.400.024) and Sheriff's 2008 Custody Electrical Service Budget
Line A31504 54023 (3150.400.023) to compensate the shortfall in the Sheriff's 2008 Law
Enforcement Auto Expense/Motor Pool Budget Line A31104 54008 (3110.400.008); and

WHEREAS, there is enough money in the Sheriff's 2008 Custody Water Service
Budget Line A31504 54068 (3150.400.068) to compensate the shortfall in the Sheriff's
2008 Law Enforcement Auto Expense/Other Budget Line A31104 54009 (3110.400.009);
now therefore be it

RESOLVED, that the Cayuga County Treasurer be authorized to transfer \$10,000.00
from the Sheriff's 2008 Custody Gas Heat Budget Line A31504 54024 (3150.400.024) and
\$10,000 from the Sheriff's 2008 Custody Electrical Service Budget Line, totaling a \$20,000.00
transfer, to the Sheriff's 2008 Law Enforcement Auto Expense/Motor Pool Budget Line
A31104 54008 (3110.400.008); and further be it

RESOLVED, that the Cayuga County Treasurer be authorized to transfer \$5,000.00
from the Sheriff's 2008 Custody Water Service Budget Line A31504 54068 (3150.400.068)
to the Sheriff's 2008 Law Enforcement Auto Expense/Other Budget Line A31104 54009
(3110.400.009); and further be it

RESOLVED that the Cayuga County Treasurer make the necessary accounting and
journal entries to accomplish the intent of this Resolution.

Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, Murphy, McIntosh,
Mitchell, Axton, Petrus, Schuster, Tortorici.

Approved by voice, vote all in favor.

RESOLUTION NO. 670-08
10/28/08 SHR-Pur.SteamTable.rev
AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO PURCHASE A FOUR
HOT WELL CORRECTIONAL-STYLE STEAM TABLE WITH AN ENCLOSED
HEATED BASE FOR FOOD SERVICE AT THE CAYUGA COUNTY
PUBLIC SAFETY BUILDING.

BY: Mr. Raymond Lockwood, Chair, Judicial and Public Safety Committee, and
Mr. Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, the Jail is in need of a new steam table for food service at the Cayuga County Public Safety Building that contains an enclosed heated base to hold additional trays of warm food; and

WHEREAS, the Sheriff's Office contacted the following companies to obtain quotes for a steam table with an enclosed heated based: (1) Syracuse Restaurant Supply, (2) Buffalo Hotel Supply Co., Inc., (3) Cook's, (4) Central Restaurant Products, (5) Gerharz Equipment, Inc., and (6) B & W Supply Company; and

WHEREAS, the Sheriff's Office was only able to receive quotes from half of the companies contacted as the other companies did not carry the particular four hot well correctional-style steam table with an enclosed heated base as needed by the Jail; and

WHEREAS, the prices obtained for the steam table were as follows: (1) Buffalo Hotel Supply Co., Inc. - \$8,457.43, including freight and delivery, (2) B&W Supply Company - \$5,537.00 and (3) Gerharz Equipment, Inc. - \$7,542.20, including freight and delivery; and

WHEREAS, the lowest quote obtained from B&W Supply Company is for a product made from a lesser grade gauge of steel causing concern that it will not be able withstand the frequency it will need to be used (seven days a week, three times a day); and

WHEREAS, the steam tables offered through Buffalo Hotel Supply Co., Inc. and Gerharz Equipment, Inc. are made well and will sufficiently meet the needs of the kitchen at the Cayuga County Public Safety Building; and

WHEREAS, there is sufficient money in the 2008 Sheriff Custody Equipment Budget A31502 52000 (3150.200.000A) to purchase the steam table through Gerharz Equipment, Inc. in the amount of \$7,542.20; now therefore be it

RESOLVED, that the Cayuga County Sheriff is authorized to purchase a four hot well correctional-style steam table with an enclosed heated base from Gerharz Equipment, Inc., Inc. for \$7,542.20; and further be it

RESOLVED, that the purchase will be made in accordance with the existing purchasing policies of Cayuga County.

Signed by Lockwood, Fearon, Cuddeback, Murphy, Chapman, Mahunik, Mitchell, Petrus, Schuster, Axton.

Approved by voice vote, all in favor.

RESOLUTION NO. 671-08
Date of Meeting: 10/28/08 Amicus Curiae Brief
REQUESTING HARRIS BEACH, PLLC, TO PREPARE AND SUBMIT AN
AMICUS CURIAE BRIEF SUPPORTING MADISON AND ONEIDA COUNTIES
IN OPPOSITION TO LAND BEING TAKEN INTO FEDERAL TRUST FOR THE
ONEIDA INDIAN NATION

BY: George Fearon

BY: Ray Lockwood

BY: David Axton

WHEREAS, the Oneida Indian Nation has applied for land to be placed in federal trust for it in Madison and Oneida counties, and

WHEREAS, the United States Secretary of the Interior has issued a Record of Decision indicating that department's intent to take 13,003 acres in those counties into federal trust for the Oneida Indian Nation, and

WHEREAS, the counties of Madison and Oneida have until November 18, 2008, to file their objection to title to such land being taken by the federal government, and

WHEREAS, the counties of Cayuga and Seneca are facing land into trust applications filed by the Cayuga Indian Nation, and

WHEREAS, the taking of any land in the State of New York for any Indian tribe would set a precedent disadvantageous to the counties of Cayuga and Seneca, and

WHEREAS, the law firm of Harris Beach currently represents the counties of Cayuga and Seneca in land into trust matters, be it therefore

RESOLVED, the Cayuga County Legislature hereby directs Harris Beach, PLLC, to prepare and submit to the Federal District Court of Northern New York an amicus curiae brief in support of the counties of Madison and Oneida in opposition to the taking of land into trust by the U. S. Department of Interior for the Oneida Indian Nation.

Signed by Fearon, Lockwood, Axton.

Approved by voice vote, all in favor.

Motion by Chapman to recess at 11:25AM, all in favor, to reconvene at 2:00PM

Legislator Murphy excused from afternoon session.

Motion by Chapman to go into Executive Session at 1:56PM re: Personnel Issue, all in favor. Invited in Jeff Edwards Commissioner of Civil Service and Fred Westphal County Attorney.

Motion by to come out of Executive Session at 3:09PM, all in favor.

Motion by Chapman to adjourn at 3:10PM, all in favor.

MINUTES: For Approval: 10-20-08, 10-28-08, and 10-30-08, Motion by Chapman 2nd by Tortorici to approve, all in favor.

**MINUTES
SPECIAL MEETING
CAYUGA COUNTY LEGISLATURE
THURSDAY, OCTOBER 30, 2008, 5:00 PM**

CALL TO ORDER: Hon Roger Mills Chairman, At 5:00PM

ROLL CALL: Mary Jones Clerk of the Legislature, all Legislators present, Legislator Sincebaugh arrived at 5:02PM, Mahunik at 5:16PM, and Axton at 5:18PM.

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

**TOPIC: 1. Releasing the 2009 Tentative Budget and 2009-2014 Capital Plan
2. Executive Session, re: Personnel**

Wayne Allen County Manager presented the 2009 Tentative Budget and the 2009-2014 Capital Improvement Plan. I would like to recognize Andrea Seamans, Lynn Marinelli, Donna Traver, Francis Mitchell, and Marla Connelly.

The Capital Program is a plan, when would be the best time to bond for projects, County Treasurer will be the person to let us know. For 2009-2010 5 million was put in for Public Safety (Lockwood), Buildings Department needs 2 million to bring Buildings up to code, Mental Health is a big capital project for the future.

Wayne Allen handed out a Briefing Book, which detailed 5 year comparisons.

You have 15 days to review tentative budget, make changes, on 12/20/08 it becomes the official budget.

Andrea Seamans, explained how the tentative budget is set up and how it was put together.

Lynn Marinelli, salaries are grouped together. No contribution to Nursing Home it is done separately.

Francis Mitchell, Sales Tax, using net figures instead of gross, Treasurer should use gross figures.

Wayne Allen, my recommendations are three new employees, 1-Auditor, 2-Highway, principal Account Clerk, 3- Mental Health. On November 18, 2008 the state will reconvene to discuss the budget further. I will schedule budget hearings for Moravia, Ira and Auburn.

George Fearon, we need the tax rates e-mailed to us, last year we were over budgeted Sales Tax.

Thursday, October 30, 2008

485

Fred Westphal, bonding for Mental Health, no more than 7 million, set up Capital "H" .

On November 18, 2008, there will be a Special Meeting of the Cayuga County Legislature at 5:45PM to set date for Public Hearing on Tentative Budget.

Motion by Chapman to go into executive session at 5:34PM re: Personnel Issue, all in favor.

Motion to come out of Executive session by Chapman at 6:08PM, all in favor.

Motion by Chapman to adjourn at 6:09PM, all in favor.

MINUTES: For Approval: 10-20-08, 10-28-08, and 10-30-08, **Motion by Chapman2nd by Tortorici to approve, all in favor.**

**MINUTES
SPECIAL MEETING
CAYUGA COUNTY LEGISLATURE
NOVEMBER 18, 2008, 5:45 PM**

CALL TO ORDER: By Hon Roger Mills Chairman, at 5:45PM

ROLL CALL: Mary Jones Clerk of the Legislature, all Legislator's present, except absent Palermo and excused McIntosh, Palermo arrived at 6:42PM.

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

PROCLAMATIONS: Ed Meier Day in Cayuga County, Thursday, November 20, 2008

Cayuga County Salutes the Vanguard, November 17-23, 2008

Mary Jones Clerk of the Legislature read both proclamations, Linda Townsend will present latter this week.

Wayne Allen County Manager, recognized Andrea Seamans, Lynn Marinelli, Francis Mitchell and other members of the Ways & Means Committee for their help with the budget.

Legislator Mitchell, 3.1 tax levy increase and holding. Motion by Mitchell, 2nd by Lockwood to move suggestions for Tentative Budget.

RESOLUTIONS

RESOLUTION NO. 672-08

(11/18/08) COA-BudgetRecommendations09.W&M

**WAYS AND MEANS RECOMMENDATION ON 2009 BUDGET OFFICER'S
TENTATIVE BUDGET.**

BY: MR. MITCHELL, Chairman Ways and Means Committee

WHEREAS, the Ways and Means Committee has reviewed the 2009 County Tentative Budget that was filed with the Clerk of the Cayuga County Legislature; and

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

RESOLVED, that the Ways & Means Committee hereby submits the attached, as its proposed changes, alterations or revisions to the Budget Officer's 2009 Tentative Budget, to the County Legislature for its consideration.

CHANGES FOR TENTATIVE BUDGET

#16, page 122 Cayuga Museum of History (A7450)

Increase A74504-54000 (Contractual Expense)
 From \$0 to \$13,000.00 +13,000.00

Motion by George Fearon, 2nd by Schuster to decrease amount to 11,700.00, Motion defeated by Majority vote. Ayes - Chapman (81), Fearon (63), Mitchell (57), Cuddeback (64), Schuster (47) Sincebaugh (48), Mills (79) Noes - Mahunik (49), Axton (68), Petrus (53) Lockwood (63) Tortorici (51), Murphy (51). Absent - Palermo (58) and excused McIntosh (50) 439/335/108

#19 page 124 Arts Council (A7560)

Increase A75604-54000 (Contractual Expense)
 From \$0 to \$4,000.00 +4,000.00

Motion by Fearon, 2nd by Mitchell to cut to \$3,600.00, Motion defeated by majority vote. Noes - Chapman (81), Mahunik (49), Axton (68), Petrus (53), Lockwood (63), Cuddeback (64), Tortorici(51), Murphy(51), Schuster(47), Sincebaugh(48), Mills(79). Ayes - Fearon (63), Mitchell(57). Absent- Palermo (58) excused McIntosh (50) 654/120/108

Motion by Mitchell to move suggestions for tentative budget majority vote, all in favor, except Fearon voting no and absent Palermo, excused McIntosh. 711/63/108

SUGGESTIONS FOR TENTATIVE BUDGET

10/29/08

1. EMPLOYMENT & TRAINING (A6370) Page 105

INCREASE A63704 54118 (Contractual Agreements)
 From \$164,286.00 to \$166,858.00
 County Share should be \$7,385.00 (Cost of Retirees Health Insurance) +2,572.00

2. DA VICTIM/WITNESS PROGRAM (A1167) Page 11

INCREASE A11674 54084 (Travel Out of County)
 From \$400.00 to \$1,000.00 +600.00 (Grant)

3. DATA PROCESSING (A1680) Page 40

CONTRACTUAL
 From A16804 54045 (Mach Maint) \$70,770.00
 \$75,000.00 to \$4,230.00
 To A16804 54019 (Cmpt Suprt) \$70,770.00
 \$3,500.00 to \$74,270.00

4. MENTAL HEALTH (A4355) Page 96

PERSONAL SERVICESFRINGES
 From \$162,226.00 to \$153,991.00 - 8,235.00

11/3/08 WAYS AND MEANS COMMITTEE MEETING

5. SOIL & WATER CONSERVATION DISTRICT (A8730)	Page 130
DECREASE A87304 54000 (Contractual)	
From \$756,151.00 to \$751,563.00	- 4,588.00
6. LEGISLATIVE BOARD (A1010)	Page 1
INCREASED A10104 54067 (Conference Fees)	
From \$5,000.00 to \$10,000.00	+ 5,000.00
7. PROVISION FOR SALARY ADJUSTMENT (A1017)	Page 4
DECREASED A10174 54000 (Contractual)	
From \$350,000.00 to \$ 0	- 350,000.00

11/5/08 WAYS AND MEANS COMMITTEE MEETING

8. UNIFIED COURT (A1162)	Page 7
COUNTY MUST PAY FOR RETIREES HEALTH INSURANCE	
UNIFIED COURT WILL PAY FOR RETIREMENT SYSTEM COSTS	
COUNTY SHARE SHOULD BE \$14,769.00	
REVENUE	
A11620 43330 (UNIF COURT)	
From \$446,406.00 to \$447,040.00	-\$ 634.00
SALARIESFRINGE BENEFITS	
A11621 51002 (Salaries, PT)	\$400,375.00
A11621 58001 (Social Security)	\$ 30,629.00
A11621 58002 (Retirement)	\$ 3,620.00
A11621 58005 (Worker's Comp)	\$ 12,416.00
	-\$ 3,010.00
9. SHERIFF (A3110)	Page 44
INCREASE A31101 51003 (Salaries, Overtime)	
From \$130,000.00 to \$150,000.00	+ 20,000.00
CONTRACTUAL	
Decrease A31104 54008 (Auto Expense)	
From \$200,000.00 to \$180,000.00	-20,000.00
Decrease A31104 54045 (Mach Maint)	
From \$3,658.00 to \$1,800.00	- 1,858.00
Increase A31104 54046 (Equipment Rental)	
From \$8,000.00 to \$9,000.00	+ 1,000.00
Increase A31104 54214 (Ammun)	
From \$10,000.00 to \$12,500.00	+ 2,500.00

Tuesday, November 18, 2008

489

10. SHERIFF - NAVIGATION (A3111)	Page 47
SALARIES	
Increase A3111 54002 (Salaries, Part Time)	
From \$50,000.00 to \$55,000.00	+ 5,000.00
Increase A3111 58001 (Social Security)	
From \$3,825.00 to \$4,208.00	+ 383.00
11. JAIL (A3150)	Page 52
CONTRACTUAL	
A3150 54012 (Bld Maint)	
From \$70,000.00 to \$80,000.00	+10,000.00
A31504 54056 (Pre & Drg)	
From \$170,000.00 to \$150,000.00	-20,000.00
A31504 54062 (Purch Clth)	
From \$70,000.00 to \$75,000.00	+ 5,000.00
A3150 54178 (Constctn)	
From \$30,000.00 to \$110,000.00	+80,000.00
12. PUBLIC HEATHLH (A4101)	Page 63
CONTRACTUAL	
A40104 54008 (Auto Expense)	
From \$19,000.00 to \$17,000.00	- 2,000.00
A40104 54052 (Med Suppl)	
From \$3,500.00 to \$3,000.00	- 500.00
A40104 54112 (Mileage)	
From \$3,500.00 to \$3,000.00	- 500.00
A40104 54124 (Pool Program)	
From \$ 0 to \$23,000.00	+23,000.00
13. PUBLIC HEALTH - CHHA (A4012)	Page 66
CONTRACTUAL	
A40124 54008 (Auto Expense)	
From \$55,000.00 to \$50,000.00	- 5,000.00
14. MENTAL HEALTH - INTENSIVE CASE MANAGEMENT (A4313)	Page 86
REVENUE	
A4313 41624 (MH, INT, CS)	
From \$517,482.00 to \$523,962.00	- 6,480.00
CONTRACTUAL	
A43134 54065 (Rent)	
From \$ 0 to \$ 6,480.00	+ 6,480.00
15. HIGHWAY - ROAD MACHINERY FUND (DM)	Page 139
REVENUE	
DM51300 41272 (Dept Reim)	
From \$429,750.00 to \$400,000.00	+ 29,750.00
DM51300 41273 (Soil & W)	

From \$28,000.00 to \$25,000.00	+ 3,000.00
DM51300 41282 (High Agenc)	
From \$485,000 to \$450,000.00	+ 35,000.00
CONSTRUCTUAL	
DM51314 54032 (Gas)	
From \$840,000.00 to \$785,000.00	- 55,000.00
DM51304 54031 (Fuel Oil)	
From \$750,000.00 to \$700,000.00	- 50,000.00
11/1108 WAYS AND MEANS COMMITTEE MEETING	
16. CAYUGA MUSEUM OF HISTORY (A7450)	Page 122
CONTRACTUAL	
Increase A74504-54000 (Contractual Expense)	
From \$0 to \$13,000.00	+ 13,000.00
17. CORNELL COOPERATIVE EXTENSION (A2980)	Page 42
CONTRACTUAL	
Increase A29804-54000 (Contractual Expense)	
From \$250,000.00 to \$273,245.00	+ 23,245.00
18. HISTORICAL PROPERTY (A7520)	Page 124
CONTRACTUAL	
Increase A75204-54000 (Contractual Expense)	
From \$0 to \$3,500.00	+ 3,500.00
19. ARTS COUNCIL (A7560)	Page 125
CONTRATUAL	
Increase A75604-54000 (Contractual Expense)	
From \$0 to \$4,000.00	+ 4,000.00
20. INFORMATION TECHNOLOGY (A1610)	Page 32
EQUIPMENT	
Increase A16102-52003 (Computers)	
From \$12,500.00 to \$21,846.00	
CONTRACTUAL	
Increase A16804-54059 (Professional Services)	
From \$2,000.00 to \$9,374.00	
Increase A16804-54074 (Department Expense)	
From \$15,515.00 to \$17,795.00	+ \$ 19,000.00
21. BOARD OF ELECTIONS (A1450)	Page 29
SALARIESFRINGE BENEFITS	
Increase A14501-51001 (Salaries, FT)	
From \$75,530.00 to 82,530.00	+ \$ 7,000.00
Decrease A14501-51001 (Salaries, Over Time)	
From \$18,000.00 to \$11,000.00	- \$ 7,000.00

22. MENTAL HEALTH (A4310)

Page 80

REVENUE

A43100-41620 (MH Fees)

Increase from \$1,015,000.00 to \$1,019,047.00- \$ 4,047.00

SALARIESFRINGE BENEFITS

Increase A43101-51001 (Salaries, FT)

From \$2,110,820.00 to \$2,114,320.00

Increase A43108-58001 (Social Security)

From \$183,313.00 to \$183,580.00

Increase A43101-58002 (Retirement)

From \$183,788.00 to \$184,068.00

+ \$ 4,047.00

23. SALARY INCREASE FOR NON-BARGAINING

All Non-Bargaining employees in Part II and Part IV of the County's Compensation Plan shall receive a 2% cost of living adjustment effective January 1, 2009 with the exception of all elected and appointed officials and the following titles: Deputy Director of Community Health Services, Deputy Commissioner of Board of Election, Assistant District Attorneys, Staff Psychiatrist, Deputy Clerk of Legislature

Exclude: Any employee who has not completed one year of service during the calendar year 2008

A1040 (CLERK OF LEGISLATURE)	Page 4		
A10401-51001 (Salaries, FT)	\$	1,718.00	
A10401-58001 (Social Security)	\$	131.00	
A10401-58002 (Retirement)	\$	137.00	\$ 1,986.00
A1165 (DISTRICT ATTORNEY)	Page 8		
A11651-51001 (Salaries, FT)	\$	4,756.00	
A11651-58001 (Social Security)	\$	363.00	
A11651-58002 (Retirement)	\$	310.00	\$ 5,429.00
A1167 (DISTRICT ATTORNEY, VWP)	Page 11		
A11671-51001 (Salaries, FT)	\$	717.00	
A11671-58001 (Social Security)	\$	55.00	
A11671-58002 (Retirement)	\$	57.00	\$ 829.00
A1185 (CORONER)	Page 14		
A11851-51001 (Salaries, FT)	\$	562.00	
A11851-58001 (Social Security)	\$	43.00	
A11851.58002 (Retirement)	\$	21.00	\$ 626.00
A1230 (COUNTY MANAGER)	Page 15		
A12301-51001 (Salaries, FT)	\$	1,690.00	
A12301-58001 (Social Security)	\$	130.00	
A12301-58002 (Retirement)	\$	135.00	\$ 1,955.00

A1325 (COUNTY TREASURER)	Page 17		
A13251.-51001 (Salaries, FT)	\$ 3,776.00		
A13251-58001 (Social Security)	\$ 289.00		
A13251-58002 (Retirement)	\$ 206.00	\$ 4,271.00	
A1410 (COUNTY CLERK)	Page 22		
A14101-51001 (Salaries, FT)	\$ 3,112.00		
A14101-58001 (Social Security)	\$ 239.00		
A14101-58002 (Retirement)	\$ 227.00	\$ 3,578.00	
A1411 (MOTOR VEHICLE)	Page 24		
A141101-51001 (Salaries, FT)	\$ 654.00		
A141101-58001 (Social Security)	\$ 50.00		
A141101-58002 (Retirement)	\$ 26.00	\$ 730.00	
A1460 (RECORDS RETENTION)	Page 30		
A146001-51001 (Salaries, FT)	\$ 110.00		
A146001-58001 (Social Security)	\$ 8.00		
A146001-58002 (Retirement)	\$ 9.00	\$ 127.00	
A1420 (COUNTY ATTORNEY)	Page 25		
A14201-51001 (Salaries, FT)	\$ 5,658.00		
A14201-58001 (Social Security)	\$ 433.00		
A14201-58002 (Retirement)	\$ 480.00	\$ 6,571.00	
A1430 (CIVIL SERVICE, HUMAN RESOURCE)	Page 27		
A14301-51001 (Salaries, FT)	\$ 2,003.00		
A14301-58001 (Social Security)	\$ 153.00		
A14301-58002 (Retirement)	\$ 182.00	\$ 2,338.00	
A1450 (BOARD OF ELECTION)	Page 29		
A14501-51001 (Salaries, FT)	\$ 626.00		
A14501-58001 (Social Security)	\$ 48.00		
A14501-58002 (Retirement)	\$ 25.00	\$ 699.00	
A1620 (BUILDINGS)	Page 34		
A16201-51001 (Salaries, FT)	\$ 3,148.00		
A16201-58001 (Social Security)	\$ 241.00		
A16201-58002 (Retirement)	\$ 255.00	\$ 3,644.00	
A1610 (INFORMATION TECHNOLOGY)	Page 32		
A16101-51001 (Salaries, FT) increase	\$ 1,404.00		
A16108-58001 (Social Security) increase	\$ 107.00		
A16108-58002 (Retirement) increase	\$ 112.00	\$ 1,623.00	

Tuesday, November 18, 2008

493

A3020 (E-911)	Page 42		
A30201-51001 (Salaries, FT)	\$ 1,836.00		
A30201-58001 (Social Security)	\$ 140.00		
A30201-58002 (Retirement)	\$ 147.00	\$ 2,123.00	
A3110 (SHERIFF)	Page 44		
A31101-51001 (Salaries, FT)	\$ 2,254.00		
A31101-58001 (Social Security)	\$ 172.00		
A31101-58002 (Retirement)	\$ 86.00	\$ 2,512.00	
A3140 (PROBATION)	Page 50		
A31401-51001 (Salaries, FT)	\$ 1,587.00		
A31401-58001 (Social Security)	\$ 121.00		
A31401-58002 (Retirement)	\$ 163.00	\$ 1,871.00	
A3315 (STOP DWI ADMINISTRATION)	Page 55		
A331501-51001 (Salaries, FT)	\$ 110.00		
A331501-58001 (Social Security)	\$ 9.00		
A331501-58002 (Retirement)	\$ 11.00	\$ 130.00	
A3640 (EMERGENCY MANAGEMENT OFFICE)	Page 58		
A364001-51001 (Salaries, FT)	\$ 1,251.00		
A364001-58001 (Social Security)	\$ 96.00		
A364001-58002 (Retirement)	\$ 87.00	\$ 1,434.00	
A4010 (PUBLIC HEALTH)	Page 63		
A40101-51001 (Salaries, FT)	\$ 8,820.00		
A40101-58001 (Social Security)	\$ 675.00		
A40101-58002 (Retirement)	\$ 672.00	\$ 10,167.00	
A4082 (WIC)	Page 79		
A40821-51001 (Salaries, FT)	\$ 282.00		
A40821-58001 (Social Security)	\$ 22.00		
A40821-58002 (Retirement)	\$.00	\$ 304.00	
A4012 (CCHA)	Page 66		
A40121-51001 (Salaries, FT)	\$ 6,033.00		
A40121-58001 (Social Security)	\$ 462.00		
A40121-58002 (Retirement)	\$ 282.00	\$ 6,777.00	
A4072 (EMS)	Page 77		
A40721-51001 (Salaries, FT)	\$ 445.00		
A40721-58001 (Social Security)	\$ 34.00		
A40721-58002 (Retirement)	\$ 36.00	\$ 515.00	
A4310 (MENTAL HEALTH ADMINISTRATION)	Page 80		
A43101-51001 (Salaries, FT)	\$ 3,543.00		

494

Tuesday, November 18, 2008

A43101-58001 (Social Security)	\$ 271.00	
A43101-58002 (Retirement)	\$ 239.00	\$ 4,053.00
A4311 (MENTAL HEALTH, CSS)	Page 83	
A43111-51001 (Salaries, FT)	\$ 1,395.00	
A43111-58001 (Social Security)	\$ 106.00	
A43111-58002 (Retirement)	\$ 67.00	\$ 1,568.00
A6010 (SOCIAL SERVICES)	Page 96	
A60101-51001 (Salaries, FT)	\$ 5,813.00	
A60101-58001 (Social Security)	\$ 445.00	
A60101-58002 (Retirement)	\$ 487.00	\$ 6,745.00
A6370 (EMPLOYMENT & TRAINING)	Page 105	
A63701-51001 (Salaries, FT)	\$ 2,014.00	
A63701-58001 (Social Security)	\$ 154.00	
A63701-58002 (Retirement)	\$ 162.00	\$ 2,330.00
A6510 (VETERANS)	Page 107	
A65101-51001 (Salaries, FT)	\$ 1,043.00	
A65101-58001 (Social Security)	\$ 80.00	
A65101-58002 (Retirement)	\$ 73.00	\$ 1,196.00
A6610 (WEIGHTS & MEASURES)	Page 109	
A66101-51001 (Salaries, FT)	\$ 896.00	
A66101-58001 (Social Security)	\$ 68.00	
A66101-58002 (Retirement)	\$ 72.00	\$ 1,036.00
A6772 (OFFICE FOR THE AGING)	Page 110	
A67721-51001 (Salaries, FT)	\$ 1,693.00	
A67721-58001 (Social Security)	\$ 129.00	
A67721-58002 (Retirement)	\$ 99.00	\$ 1,921.00
A7310 (YOUTH BUREAU)	Page 120	
A73101-51001 (Salaries, FT)	\$ 984.00	
A73101-58001 (Social Security)	\$ 75.00	
A73101-58002 (Retirement)	\$ 98.00	\$ 1,157.00
A7110 (PARKS & TRAILS)	Page 114	
A71101-51001 (Salaries, FT)	\$ 2,886.00	
A71101-58001 (Social Security)	\$ 221.00	
A71101-58002 (Retirement)	\$ 231.00	\$ 3,338.00
A7510 (COUNTY HISTORIAN)	Page 123	
A75101-51001 (Salaries, PT)	\$ 803.00	
A75101-58001 (Social Security)	\$ 62.00	
A75101-58002 (Retirement)	\$ 21.00	\$ 886.00

Tuesday, November 18, 2008

495

A8020 (PLANNING)	Page 125	
A90201-51001 (Salaries, FT)	\$ 4,104.00	
A80201-58001 (Social Security)	\$ 314.00	
A80201-58002 (Retirement)	\$ 328.00	\$ 4,746.00
D5010 (HIGHWAY, ADMINISTRATION)	Page 134	
D50101-51001 (Salaries, FT)	\$ 1,080.00	
D90101-58001 (Social Security)	\$ 83.00	
D90101-58002 (Retirement)	\$ 86.00	\$ 1,249.00
DM5130 (HIGHWAY, DM FUND)	Page 141	
DM51301-51001 (Salaries, FT)	\$ 1,070.00	
DM90101-58001 (Social Security)	\$ 82.00	
DM90101-51201-58002 (Retirement)	\$ 85.00	\$ 1,237.00
		+\$91,701.00
COUNTY ATTORNEY (A1420)	Page 25	
REVENUE A14200-41264 (LEG SUPP)		
Increase from \$281,325.00 to \$284,611.00		- \$3,286.00
STOP DWI ADMINISTRATION (A3315)	Page 55	
REVENUE A33150-42615 (DWI PROG)		
Increase \$109,596.00 to \$109,726.00		- \$130.00
PUBLIC HEALTH (A4010)	Page 63	
REVENUE A40100-43401		
Increase \$1,450,000.00 to \$1,452,911.00		-\$2,911.00
SOCIAL SERVICES (A6010)	Page 96	
REVENUE A6010-44610		
Increase \$3,460,000.00 to \$3,464,047.00		-\$ 4,047.00
EMPLOYMENT & TRAINING (A6370)	Page 105	
Decrease A63704-54118 (Contractual Agreements)		
From \$166,858.00 to \$164,528		- \$2,330.00
(change)		
24. INTERFUND TRANSFER	Page 133	
CONTRIBUTION TO CASUALTY AND LIABILITY (A99005-5407)		
Reduction from \$200,000.00 to \$121,003.00		-\$ 78,997.00
(change of amount)		
25. CONTINGENT ACCOUNT (A1016)	Page 4	
CONTRACTUAL		
Reduction from \$550,000.00 to \$450,000.00		- \$100,000.00

26. WATER & SEWER AUTHORITY

Create A10114-5406 (Water & Sewer Authority)
 Increase from \$0 to \$20,000.00 + \$ 20,000.00

HIGHWAY - D FUND**Page 134**

27. Decrease D50100-45031 (Trans Gen)
 Increase use of fund balance by \$100,000.00
 Decrease A99005-54601 (Interfund Transfer) - \$100,000.00
 Increase Contingent Account (A1016) by \$100,000.00 +\$100,000.00
 Contingent Account \$550,000.00

28. Eliminate Data Entry Machinery Operator (#2369)**Page 134**

Decrease D50101-51000 (Salaries, FT)
 From \$245,321.00 to \$214,899.00 -\$ 30,422.00
 Decrease D50101-58001 (Social Security)
 From \$18,187.00 to \$16,440.00 - \$ 2,327.00
 Decrease D50101-58002 (Retirement)
 From \$19,626.00 to \$17,192.00 -\$ 2,434.00

Reduction in A (General) Fund 181,021.00
 Reduction in D (Highway) Fund 133,934.00
 Reduction in DM (Road Mach) Fund 36,013.00

Savings of \$350,986.00

Signed by Mitchell, Axton, Lockwood, Petrus, Schuster, Tortorici.
 Approved by majority vote, all voting aye, except Fearon voting no, and absent Palermo,
 excused McIntosh. 711/63/108

Changes to Budget made at Legislative Meeting 11/18/08**Motion No. 673-08**

Motion by Schuster, 2nd by Lockwood to increase amount to \$10,500.00, Approved by
 Majority vote, all in favor.
 Account No. A75404-54000 (Merry-Go-Round Playhouse, Contractual Expense)
 From \$8,000.00 to \$10,500.00

Motion No. 674-08

Motion by Mahunik, 2nd by Tortorici, to take \$25,000 out of Contingency and Restore
 Music Festival Fund, defeated by voice vote, all present voting no.

Motion by Mitchell, 2nd by Schuster to table, defeated by majority vote Noes -
 Chapman(81), Mahunik(49), Axton(68), Petrus(53), Lockwood(63), Fearon(63),
 Tortorici(51), Murphy(51), Sincebaugh(48). Ayes - Mitchell(57), Cuddeback(64),
 Schuster(47). Abstained Mills(79). Absent - Palermo(58) excused McIntosh(50) 527/
 168/79/108

Motion by Mahunik, 2nd by Chapman to put into next years budget, approved by major-
 ity vote. Ayes - Chapman(81), Mahunik(49), Axton(68), Petrus(53) Lockwood(63),
 Fearon(63), Tortorici(51), Murphy(51), Schuster(47), Sincebaugh(48). Noes Mitchell(57)

Tuesday, November 18, 2008

497

and Cuddeback(64). Abstained - Mills(79) Absent - Palermo(58) excused McIntosh(50).
574/121/79/108

Account No. A75414-54000 (Music Festival, Contractual Expense)
From \$0 to \$25,000.00

Motion No. 675-08

Motion by Tortorici, 2nd by Chapman to remove \$225,000.00 from budget, line A10104-54229 economic development. Defeated by majority vote. Noes - Axton(68), Petrus(53) Lockwood(63), Fearon(63), Mitchell(57), Murphy(51), Schuster(47), Mills(79). Ayes - Chapman(81), Mahunik(49), Cuddeback(64), Tortorici(51), Sincebaugh(48). Absent - Palermo(58) excused McIntosh(50). 481/293/108

Motion No. 676-08

Account No. A10104-54059 (Legislative Board, Contractual Expense, Professional Services)

From \$48,900.00 to \$0

Motion by Tortorici, 2nd by Mahunik to reduce line item to \$0, approved by majority vote. Ayes - Chapman(81), Mahunik(49), Petrus(53), Fearon(63), Mitchell(57), Cuddeback(64), Tortorici(51), Murphy(51), Schuster(47), Sincebaugh(48), Mills(79). Noes - Axton(68), Lockwood(63). Absent - Palermo(58), excused McIntosh(50) 643/131/108

Motion No. 677-08

Motion by Tortorici, 2nd by Sincebaugh to reduce Auditor position from full time to part time. Motion defeated by majority vote. Noes - Axton((68), Petrus(53), Lockwood(63), Fearon(63), Mitchell(57), Cuddeback(64), Murphy(51), Schuster(47), Mills(79). Ayes - Chapman(81), Mahunik(49), Palermo(58), Tortorici(51), Sincebaugh(48). Excused- McIntosh(50). 545/287/50

Motion No. 678-08

Motion by Sincebaugh, 2nd by Tortorici to but \$15,000.00 back into the Cayuga Ag. Museum budget for building fund.

Motion by Lockwood, 2nd by Palermo to table, all present voting aye, except Sincebaugh voting no.

Motion No. 679-08

Motion by Axton, 2nd by Tortorici to reduce all un-mandated budget lines by 2%.

Change motion by Axton to: un-mandated budget pertaining to expenses, excluding salaries.

Motion pulled by Axton.

Motion No. 680-08

Motion by Sincebaugh, 2nd by Schuster to reduce Legislator's salaries to \$9,000.00.

Motion by Lockwood, 2nd by Petrus to table, all in favor, except Sincebaugh and Schuster voting no.

Motion No. 681-08

Motion by Schuster, 2nd by Mahunik to unfund the vacancy in the DA's Office for (ADA) position.

Motion by Lockwood, 2nd by Axton to table, all in favor, except Sincebaugh voting no.

RESOLUTION NO. 682-08

(11/18/08) COA-Set Public Hearing to Adopt Budget 09(REV)

SETTING DATE FOR PUBLIC HEARING ON TENTATIVE COUNTY BUDGET.

BY: MR. MITCHELL, Chairman, Ways & Means Committee

WHEREAS, a tentative County Budget for the year 2009 has been prepared and is hereby presented by the Budget Officer of the County of Cayuga; now, therefore, be it

RESOLVED, that the tentative budget as amended or revised by Resolution No. -, reflecting appropriations, revenues and resultant effects for the year 2009, shall be submitted to a public hearing as required by Section 359 of the County Law and that the Clerk of the Legislature is hereby authorized to prepare 100 copies of the budget pursuant to law; and be it further

RESOLVED, that the salaries for the Legislators shall be as follows:

Legislative Chairperson	\$30,000
Deputy Chairperson	11,600
Majority and Minority Leaders	10,850
Legislators	10,100
Additional for Chairs of standing Committees	2,000

And be it further

RESOLVED, that a public hearing on the budget for the year 2009 is set for November 25, 2008 at 6:30 PM, at the County Legislative Chambers and that the Legislature Clerk is hereby instructed to advertise same pursuant to law.

Official Elected or Appointed Positions - 2009

Assessment & Taxation:	
Director of Real Property tax Services	\$58,209
Civil Services Commission:	
Commissioner, Chairperson, part time	11,255
Commissioner, part time (2)	9,478
Clerk - Legislative Board:	45,000
Coroner:	15,000
County Attorney:	97,500
County Clerk:	61,821
County Highway Superintendent:	61,000
County Treasurer:	65,000
District Attorney:	122,700
Elections, Commissioner (2):	9,478
Indigent Defendant:	
Administrator	12,293
Deputy Administrator	6,456
Sheriff:	72,000

Tuesday, November 18, 2008

499

Health & Human Services:
 Director 86,000
County Manager: 97,500
Bold need 2009 figures.
Signed by Mitchell, Axton, Lockwood, Petrus, Schuster, Tortorici.
Approved by voice vote, all in favor.

RESOLUTION NO. 683-08
11/18/08 AuditNov.08.EBoard.doc
AUTHORIZING THE COUNTY TREASURER
TO PAY NOVEMBER 2008 ELECTION WORKERS

BY: Hon. Francis Mitchell, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its special meeting on November 18, 2008 audit claims against the County of Cayuga Board of Elections in the aggregate sum \$62,850.00, therefore be it

RESOLVED, that the Clerk of this Legislature file a certified list of claims so audited with the County Treasurer, and be it further

RESOLVED, that the County Treasurer be and he hereby is authorized and directed to pay the several claims so audited and charge the amounts to the several appropriations made therefore in the County Budget finalized on December 31, 2007.

Signed by Mitchell, Axton, Lockwood, Petrus, Schuster, Tortorici.
Approved by voice vote, all in favor.

RESOLUTION NO. 684-08
11-18-08 coacngetentativebdgt09rev
CHANGES, ALTERATIONS AND REVISIONS TO THE 2009 TENTATIVE
BUDGET FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2009.

By: Hon. Francis Mitchell, Chairman Ways and Means Committee

WHEREAS, the Cayuga County Budget Officer (the "County"), on October 30, 2008, duly filed the 2009 tentative budget of said County for the fiscal year beginning January 1, 2009, with the Clerk of the Cayuga County Legislature; and

WHEREAS, the Ways and Means Committee reviewed the tentative budget of the County for the 2009 fiscal year beginning January 1, 2009, duly filed its report on November 14, 2008 with the Clerk of the Cayuga County Legislature; and

WHEREAS, the Cayuga County Legislature, after due deliberation, has made a proposal for changes, alterations or revisions in the tentative budget as set forth on attachment 1 annexed hereto and made a part hereof; and

WHEREAS, the Ways and Means Committee has decreased the anticipated 2009 sales tax revenues based on projections provided by the Cayuga County Treasurer; NOW, THEREFORE, BE IT

RESOLVED that the tentative budget for the fiscal year beginning January 1, 2009 be changed, altered and revised as set forth on attachment 1 annexed hereto and made a part hereof; and be it further

Signed by Mitchell, Axton, Lockwood, Petrus, Tortorici.
Approved by voice vote, all in favor, except Fearon voting no.

RESOLUTION NO. 685-08**11/18/08 COLstatelegredspendrev****RESOLUTION URGING THE GOVERNOR AND THE STATE LEGISLATURE
TO REDUCE STATE SPENDING WITHOUT SHIFTING COSTS FOR STATE
PROGRAMS TO COUNTY GOVERNMENT**

By: Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, Cayuga County and all Counties in New York have long served as principal partners in administering the State's most critical programs in areas such as health, human services and public protection; and

WHEREAS, as part of administering these programs, the State mandates that counties fund a significant portion of these programs through the county budget; and

WHEREAS, these State mandates are the root cause of high property taxes at the county level; and

WHEREAS, the enacted budget for State Fiscal Year 2008-09, included an across the board 2 percent reduction that affected over 100 county programs; and

WHEREAS, the majority of the programs affected by this across the board reduction are State mandated, thus, significantly limiting a county's ability to mitigate the fiscal burden of this State action; and

WHEREAS, as the State policy makers continue to address looming State budget deficits it is critical that they draw a clear distinction between "cuts" in State funding and simple cost shifting that requires counties to fund a larger share of State mandated services; and

WHEREAS, as experienced managers who must balance their own budgets, county officials understand and support the need for spending restraint, especially in difficult times; and

WHEREAS, counties believe that it is preferable to restructure and eliminate unnecessary and wasteful spending than to implement across the board reductions without examining the merits of each program and service; and now, therefore, be it

RESOLVED, that the Cayuga County Legislature and the New York State Association of Counties (NYSAC) call on the Governor and State Legislature to reduce State spending without shifting the costs for State programs to county government; and be it further

RESOLVED, that Cayuga County and NYSAC believe that by working together, the State and its counties can fashion program efficiencies and changes that provide real timely, and mutual fiscal benefit, while minimizing the impact on taxpayers; and be it further

RESOLVED, that the Clerk of the Cayuga County Legislature shall forward copies of this Resolution to Governor Paterson, the leadership of the New York State Legislature, all Cayuga County representatives to the New York State Legislature, NYSAC and any others deemed necessary and proper.

Signed by Tortorici, Axton.

Approved by voice vote, all in favor.

Motion by Chapman to go into Executive Session at 7:08PM re: Personnel Issue, all in favor.**Motion by Chapman to come out of Executive Session at 7:54PM, all in favor.**

Tuesday, November 18, 2008

501

Legislator Tortorici, Legislator Chapman, Legislator Cuddeback and Elane Daly Director of H&HS, went to Syracuse and met with the fraud unit of Onondaga County to compare how they investigate fraud in their county verses how we do in Cayuga County. We need to look at our departments and strengthen our fraud unit.

Motion by Chapman to Adjourn at 7:56PM, all in favor.

**MINUTES
CAYUGA COUNTY LEGISLATURE
NOVEMBER 25, 2008, 6:30 PM**

WELCOME:**CALL TO ORDER:** Hon. Roger Mills, Chairman, at 6:30PM**ROLL CALL:** Mary Jones, Clerk of the Legislature, all Legislator's present.**PLEDGE OF ALLEGIANCE:****MOMENT OF PRAYER:****PUBLIC HEARING:** 6:30PM To Adopt the County Budget for 2009, Opened at 6:33PM

Legislator Fearon, e-mail from Lyn Odell: I Understand the County will be meeting on their budget tonight and that it includes County funding for the ill conceived methane digester located at the Soil & Water Conservation office. The project was promoted at the onset as something that would cost Cayuga County Tax payer nothing...ever! It is apparently turning into the money pit that the County has been warned about since day one. Still on we go pouring scarce funds down a potential rat hole! It needs to stop now. The next excuse for additional future funding will be "look at all the money we are going to throw away if we don't finish the project that has been started"
Do the legislators in this County understand the need to reduce spending! Thanks

PRESENTATION: Independent Auditors, Toski, Schaefer & Co., P.C., David Spara and Joseph Klimek gave a summary of the Financial Statement Highlights for the year ending December 31, 2007. Statement attached to original minutes.**PROCLAMATION'S:** Jane T. Cabal Day in Cayuga County, Thursday, December 4, 2008, read by Mary Jones Clerk of the Legislature**EMERGENCY AUTHORIZATION FOR HIRING:**

Health Department (CHHA)

2 (Two) RN's

Signed by Ann Petrus Patrick Mahunik, Roger Mills, Wayne Allen and Francis Mitchell on 11-7-08

EMERGENCY AUTHORIZATION FOR SPENDING (Nursing Home)

Reason for emergency spending:

The Dish Machine at the Nursing Home has been in need of replacement for some time. Proposals were received however since they exceed the amount required for bids, the process was initiated to go to formal bid. In the interim, the heating component now leaks so much water that the appropriate temperature cannot be maintained to meet the sanitary code.

Tuesday, November 25, 2008

503

The County Legislature does hereby authorize the purchase of the aforementioned equipment and items and any other associated components/equipment that may be needed to complete the installation of the dish machine. The cost will be paid out of the Nursing Home fund balance.

Signed by Petrus, Mahunik, Mills and Mitchell, 11-21-08

PUBLIC BE HEARD:

If you wish to speak notify your Legislator, who will grant you privilege of the floor. You will be allowed to speak for 3 to 5 minutes. You must state your name and address.

MINUTES: For Approval: 9-23-08 and 9-30-08, Motion by Chapman, 2nd by Sincebaugh, all in favor.

For Reading: 10-20-08, 10-28-08, and 10-30-08

CCC REPORT: Dr. Daniel Larson, Fall enrollment is up eight FTEs pver Fall 2007. New Trustees, Officers, Jeffrey Edwards, Chair, John Camardo, Vice Chair, Dr. Linda Van Buuskirk, Stanley Kott. Veterans Day Events, both campuses held events. Kevin Rivoli Book Event, gave a presentation on his book, In Search of Norman Rockwell's America, at the Bisgrove Theatre. Harlequin Honors, an entry by the College Harlequin Productions was one of eight plays chosen. Spartan Classic, the men's basketball team won the 2008 Spartan Classic. Program Highlights, the new Dean, Carla DeShaw, joned us in October, Our Nursing Program again had a outstanding pass rate, the National Association for the Education of Young Children, announced the College meets the standards necessary to gain associate degree accreditation. Student Club News, a blood drive was held on November 13, 2008, the annual Leadership Weekend field trip was held this month, the Fulton Student Activities Board held a catered Thanksgiving meal today, and the Early Childhood Club held a fundraising event and raised \$650.00.

COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS:

Legislator Lockwood, we are moving forward on the Radio System Project and will meet again in December.

MANAGER'S REPORT: Wayne Allen, no report.

CHAIRMAN'S REPORT: Roger Mills, thanks Mary Jones, Clerk of the Legislature for the beautiful wreath that was donated by Dickmans Farms.

APPOINTMENTS AND RE-APPOINTMENTS:

Health Insurance Consortium Board of Directors:

Francis Mitchell, 355 State Rte 34B, King Ferry, NY 13081 term - 1-1-09 to 12-31-09

Jim Orman, PO Box 86, Aurora, NY 13026-0174 term - 1-1-09 to 12-31-09

Jeff Edwards, 1986 Rte. 34, Genoa, NY 13071 term - 1-1-09 to 12-31-09

Pam Kirkwood, 22 Willowbrook Dr., Auburn, NY 13021 term - 1-1-09 to 12-31-09

Motion by Sincebaugh, 2nd by Tortorici to add two names:

Ron Paddolik and Wanda Jakaubs

Fearon, Director of Soil and Water should not be on committee, should be someone else.

Motion by Fearon to reconsider appointments.

Schuster, not appropriate for Director of Soil and Water.
 Fearon withdrew motion
 Motion by Chapman, all in favor.

COMMUNICATIONS AND ANNOUNCEMENTS:

1. Received a Letter from The Town of Moravia, re: there intent to join the New York State Municipal Workers' Comp. Alliance, effective 10-15-08.
 2. Notice, The Downtown Auburn BID's 22nd Annual Holiday Parade & Family Fun Day Saturday, November 29, 2008, activities begin at 3:30PM, Parade begins at 6:00PM
 3. Received a letter of thanks from NYSAC Stephen Acquario Executive Director, re: Student Government Day, educating the public and youth on the role of Cayuga County Government.
 4. Received a letter form Tom Prystal Jr., Secretary Cayuga County Republican Committee, re: on November 4, 2008, Cheryl Heary was reappointed as Republican Elections Commissioner.
 5. Received Certificate of Recommendation for Appointment of Democratic Election Commissioner, Katie Lacey, Auburn, NY as the Democratic Election Commissioner for a term of four years, from James Dacey, Presiding Officer and Patricia Hunter, Secretary CC Democratic Committee.
 6. Received a letter from Liz Mahoney, Auburn High School thanking Roger Mills Chairman, for the opportunity to take part in Student Government Day, and take on the role of Chairperson for the meeting.
- Motion by Lockwood, 2nd by Cuddeback to waive reading of the communications and announcements, all in favor.
 Motion by Chapamn to have #4 go to Government Operations Committee for December.

RECESS:

RESOLUTIONS:

RESOLUTION NO. 686-08

AuditNov.08.doc

**AUTHORIZING THE COUNTY TREASURER
 TO PAY NOVEMBER 2008 AUDIT OF CLAIMS**

BY: Hon. Francis Mitchell, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on November 25, 2008 audit claims against the County of Cayuga in the aggregate sum \$1,803,219.34, therefore be it
 RESOLVED, that the Clerk of this Legislature file a certified list of claims so audited with the County Treasurer, and be it further

RESOLVED, that the County Treasurer be and he hereby is authorized and directed to pay the several claims so audited and charge the amounts to the several appropriations made therefore in the County Budget finalized on December 31, 2007.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 687-08

11/25/08

**AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE
WAYS & MEANS COMMITTEE FOR PAYMENT OF UTILITY BILLS.**

By: Hon. Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 50, adopted April 11, 1978, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Electric and Gas service, and Water and Sewer service, and

WHEREAS, this Legislature did by Resolution No. 184, adopted August 14, 1984, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for telephone service, and Landfill Service, and

WHEREAS, said Committee has audited and authorized payments as follows:

OCTOBER 2008

Gas & Electric :	\$114,757.97
Telephone:	\$ 21,190.05
Water	\$ 9,134.52
Landfill/Rubbish	\$ 369.90
Total:	\$145,452.44

RESOLVED, that said payments be part and partial payment of the full audit of this Board.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 688-08

11/25/08 PURCHSVCSOCTOBER

**AUTHORIZING THE CAYUGA COUNTY TREASURER TO CHARGE
DEPARTMENTS FOR CENTRAL SERVICES AND PURCHASES FOR THE
MONTH OF OCTOBER 2008**

BY: Hon. Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, the Ways & Means Committee approved the payment of all Central Services, RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to credit the revenue account and charge the following departments' .40 Accounts (Contractual Expenditures) in accordance with attached schedules:

DEPARTMENT	CREDIT	AMOUNT
Central Purchasing	A1275	\$2,148.01
TOTAL		2,148.01

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster.

Approved by voice vote, all in favor.

RESOLUTION NO. 689-08**Date of meeting: December 16, 2008****AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE ADMINISTRATOR OF THE CAYUGA COUNTY NURSING HOME**

By: Ann Petrus, Chairman Health & Human Services Committee
Francis Mitchell, Chairman Ways & Means Committee

WHEREAS, this legislature did by Resolution Number 70, duly adopted on the 20th day of March 1984, authorize the Nursing Home Committee of the County Legislature to audit all claims against the Cayuga County Nursing Home, and

WHEREAS, said Committee has audited and authorized payment in the amount of \$249,277.58 for the month of October 2008, now therefore be it

RESOLVED, that said payment be part and partial payment of the full audit of this Board.

Signed by Petrus, Mahunik, Schuster, Cuddeback, Sincebaugh, Tortorici, Mitchell, Palermo, Lockwood, Axton.

Approved by voice vote, all in favor.

RESOLUTION NO. 690-08**seniornutrition****REPORT AND APPROVAL OF BILLS PAID BY THE COUNTY TREASURER FOR OPERATION OF THE SENIOR NUTRITION PROGRAM IN THE OFFICE FOR THE AGING.**

BY: Ann Petrus, Chair, Health & Human Service Committee
Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, The Director of the Office for the Aging presented bills for service providers in regard to operation of the Senior Nutrition Program, to the County Treasurer for payment pursuant to Resolution No. 297, duly adopted on June 21, 1994, which claims total \$14,350.83 covering the period through 10-31-08 and have been paid as set forth on the attached lists; now, therefore, be it

RESOLVED, that the aforesaid claims shall become part and parcel of the full legislative audit for the Office for the Aging.

Signed by Petrus, Cuddeback, Mahunik, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 691-08**11/25/08****AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF THRUWAY TOLLS.**

BY: Hon. Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 24-97, adopted January 21, 1997, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Thruway Tolls, and,

WHEREAS, said Committee has audited and authorized payments as follows:

OCTOBER 2008

\$ 203.14

Tuesday, November 25, 2008

507

RESOLVED, that said payments be part and partial payment of the full audit of this Board.

Signed by Mitchell, Axton, Palermo, Lockwood, Tortorici, Petrus, Schuster.

Approved by voice vote, all in favor.

RESOLUTION NO. 692-08

11/25/08

AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF CREDIT CARD CHARGES.

BY: Hon. Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 1-99, adopted January 01, 1999, authorize the

Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Credit Card Charges, and,

WHEREAS, said Committee has audited and authorized payments as follows:

OCTOBER 2008	
First Niagara	\$ 227.63
AmExpress	\$ 5,069.62
Sunoco	\$ 103.87
Walmart	\$ 4,570.09
<u>Exxon</u>	<u>\$ 111.93</u>
Total:	\$10,083.14

RESOLVED, that said payments be part and partial payment of the full audit of this Board.

Signed by Mitchell, Axton, Palermo, Lockwood, Tortorici, Petrus, Schuster.

Approved by voice vote, all in favor.

RESOLUTION NO. 693-08

11/25/08

AUTHORIZING PAYMENT OF LEGAL NOTICE FEES PRIOR TO THE LEGISLATIVE AUDIT.

BY: Hon. Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, several county agencies are required by law to advertise legal notices in area media from time to time, and

WHEREAS, several of the officially designated newspapers offer a discount for prompt payment of legal Advertising invoices, and

WHEREAS, it would be in the best interest of the County to take advantage of the prompt payment discounts by paying these invoices prior to the legislative audit of claims, therefore be it

RESOLVED, that the Clerk of the Legislature is hereby authorized to process legal Advertising invoices for payment by the Cayuga County Treasurer prior to the monthly legislative audit, and be it further

RESOLVED, that a monthly report of said payments shall be provided to each legislator on a monthly basis.

OCTOBER TOTAL \$6278.30

Signed by Mitchell, Axton, Palermo, Lockwood, Tortorici, Petrus, Schuster.
Approved by voice vote, all in favor, Palermo abstained

RESOLUTION NO. 694-08
(11/25/08) COA-CAPH11PAY
AUTHORIZING THE COUNTY TREASURER TO PAY CLAIMS AGAINST
VARIOUS CAPITAL "H" PROJECTS.

BY: MR. MITCHELL, Chairman, Ways & Means Committee.

WHEREAS, claims have been received in regard to various Capital "H" Projects previously established by the County; and

WHEREAS, said claims have been reviewed and approved by the interested oversight committees; now, therefore, be it

RESOLVED, that the County Treasurer be and he is hereby authorized and directed to pay the following claims and charge the same to the appropriate Capital "H" Projects:

1. Project #03-7 (Phase 4/ Integration of Services (IOS):
PAR GOVERNMENT SYSTEMS CORP.:
 Inv. No. 317309-03 \$ 1,586.10
ESRI:
 Inv. No. 91865234 \$ 898.00
 Inv. No. 91865235 \$ 898.00
 Inv. No. 91865236 \$ 898.00
2. Project #07-1 (Erie Heritage Preservation):
KENT ENVIRONMENTAL:
 Inv. No. 71 \$ 3,192.10
3. Project #07-5 (Tyler Software):
TYLER TECHNOLOGIES, INC.:
 Inv. No. 137715 \$ 34,100.00
 Inv. No. 138250 \$ 10,336.40
INN AT THE FINGERLAKES:
 Inv. No. 3901 \$ 210.00
 Inv. No. 3911 \$ 140.00

And be it further

RESOLVED, that the Treasurer make the journal and accounting entries necessary to accomplish the foregoing.

Signed by Mitchell, Axton, Palermo, Lockwood, Tortorici, Petrus, Schuster.
Approved by voice vote, all in favor.

**RESOLUTION NO. 695-08
11/25/08**

AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF EQUIPMENT LEASE PAYMENTS.

BY: Hon. Francis Mitchell, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 76-02, adopted February 26, 2002, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Equipment Leases, and

WHEREAS, said Committee has audited and authorized payment as follows:

OCTOBER 2008

Copier Leases and Maintenance:	\$14,966.23
Postage Leases:	\$ 478.00
Misc. Leases:	<u>\$ 7,114.31</u>
Total	\$22,558.54

RESOLVED, that said payment be part and partial payment of the full audit of this Board.

Signed by Mitchell, Axton, Palermo, Lockwood, Tortorici, Petrus, Schuster.

Approved by voice vote, all in favor.

**RESOLUTION NO. 696-08
11/25/08**

AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF PARCEL SERVICE PAYMENTS.

BY: Hon. Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 03-03, adopted January 3, 2003, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Parcel Service Payments, and

WHEREAS, said Committee has audited and authorized payment as follows:

OCTOBER 2008 \$ 310.18

RESOLVED, that said payment be part and partial payment of the full audit of this Board.

Signed by Mitchell, Axton, Palermo, Lockwood, Tortorici, Petrus, Schuster.

Approved by voice vote, all in favor.

**RESOLUTION NO. 697-08
11/25/08 COL annexfinalmeet08**

DESIGNATING DECEMBER 16, 2008, AS THE DATE OF THE FINAL MEETING OF THE CAYUGA COUNTY LEGISLATURE FOR THE FISCAL YEAR 2008(M).

BY: Hon. Francis Mitchell, Chairman, Ways and Means Committee.

WHEREAS, at the November 25, 2008 meeting of the Cayuga County Legislature, it was agreed that the final meeting of the year be held, December 16, 2008; now, therefore, be it

RESOLVED, that it is hereby confirmed that this December 16, 2008 meeting is hereby designated to be the final meeting of the Cayuga County Legislature for the fiscal year 2008, subject to the right of the Chairman to call a special meeting if necessary.
Signed by Mitchell, Axton, Palermo, Lockwood, Tortorici, Petrus, Schuster.
Approved by voice vote, all in favor.

RESOLUTION NO. 698-08

(11/25/08 rpsmortgagetaxpymtapr

AUTHORIZE THE COUNTY TREASURER TO PAY MORTGAGE TAX

By: Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS it appears from the final report of Sue Dwyer, as County Clerk of Cayuga County, that there has been paid to the County Treasurer the sum of \$580,801.48, the same being the net amount collected from the taxation of mortgages for the period April 1, 2008, to Sept 30, 2008; and

WHEREAS there is in the County Treasurer's Account No. T-58, the amount of \$580,801.48 which should be distributed among the City of Auburn and the Towns and Villages of the County; therefore be it

RESOLVED that the County Treasurer be directed and required to pay the sum of \$580,801.48 to the City of Auburn and the several Towns and Villages of the County of Cayuga in the following amounts:

City of Auburn	140,054.79	Montezuma	6,874.52
Aurelius	23,135.85	Moravia	11,446.70
Vlg Cayuga	1,853.06	Vlg Moravia	5,964.04
Brutus	26,607.24	Niles	17,841.00
Vlg Weedsport	14,077.76	Owasco	40,187.57
Cato	18,148.18	Scipio	9,717.18
Vlg Cato	747.86	Sempronius	3,873.32
Vlg Meridian	785.17	Sennett	34,224.09
Conquest	10,059.67	Springport	17,353.24
Fleming	26,901.16	Vlg Union Springs	6,306.16
Genoa	21,835.43	Sterling	16,769.77
Ira	15,681.58	Vlg Fair Haven	11,984.58
Vlg Cato	866.09	Summerhill	7,008.80
Ledyard	25,923.57	Throop	19,992.12
Vlg Aurora	5,857.80	Venice	6,181.81
Locke	11,045.35	Victory	7,603.79
Mentz	8,548.95		
Vlg Port Byron	5,343.28		
		Grand Total	580,801.48

Signed by Mitchell, Axton, Palermo, Lockwood, Tortorici, Petrus, Schuster.
Approved by voice vote, all in favor.

Tuesday, November 25, 2008

511

RESOLUTION NO. 699-08

11/25/08 DPunderbudget

AUTHORIZING THE DATA PROCESSING BUDGET TRANSFERS

By: Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, Data Processing is under budgeted for Health Insurance by \$5,200.00 and Dental Insurance by \$400.00 and

WHEREAS, there are sufficient funds in Computer Lease (1680.400.017-A) and Forms (1680.400.070-A) the above; now, therefore, be it

RESOLVED, Data Processing is hereby authorized to transfer the following:

From:	Computer Lease (1680.400.017-A)	\$4,500.00
	Forms (1680.400.070-A)	\$1,100.00
To:	Health Insurance: (1680.800.003-A)	\$ 5,200.00
	Dental Insurance: (1680.800.004-A)	\$ 400.00

Signed by Mitchell, Axton, Palermo, Lockwood, Tortorici, Petrus, Schuster.

Approved by voice vote, all in favor.

RESOLUTION NO. 700-08

11/25/08 Treasunderbudget

AUTHORIZING THE COUNTY TREASURER BUDGET TRANSFERS

By: Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, the Treasurer is under budgeted for Health Insurance by \$6,100.00, Dental Insurance by \$700.00, Retiree Health Insurance by \$800.00 and Fiscal Agent Fees by \$7100.00 and

WHEREAS, there are sufficient funds in Computer Support (1325.400.019-A) to cover the above; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to transfer the following:

From:	Computer Support (1325.400.019-A)	\$14,700.00
To:	Health Insurance: (1325.800.003-A)	\$ 6,100.00
	Dental Insurance: (1325.800.004-A)	\$ 700.00
	Retiree's Health Insurance (1325.400.006-A)	\$ 800.00
	Fiscal Agent Fees (1380.400.59-A)	\$ 7,100.00

Signed by Mitchell, Axton, Palermo, Lockwood, Tortorici, Petrus, Schuster.

Approved by voice vote, all in favor.

RESOLUTION NO. 701-08

11/25/08 tresAwardAuditingSves

TO AWARD THE PROPOSALS FOR VARIOUS AUDITING AND ACCOUNTING SERVICES

Mr. Francis Mitchell, Chairman Ways and Means Committee

WHEREAS, Cayuga County is in need of the following auditing and accounting services: 1) Preparation of Cayuga County's Single Audit Report, 2) Preparation of Cayuga

County's Central Services Cost Allocation Plan, 3) Preparation of the Cayuga County Nursing Home's Annual Financial Statements and opinion on the RCHF-4 , and 4) Certification of the Cayuga County Mental Health Department's consolidated fiscal report; and

WHEREAS, Resolution #383-05 authorized a request for proposals and proposals were received for these services from several service providers for the fiscal years 2005, 2006 and 2007: and

WHEREAS, the County is allowed to extend the following contracts (under General Municipal Law 104-b), as a Professional Service:

1. Toski, Schaefer & Co., PC - Preparation of Cayuga County Single Audit Report CY 2008 \$50,700 (no increase)
2. Venesky & Company - Preparation of Cayuga County's Central Services Cost Allocation Plan CY 2008 \$12,000 (\$1,000 increase)
3. BMC, LLC (formerly Fagliarone Group) - Preparation of the Cayuga County Nursing Home's Annual Financial Statements and opinion on the RCHF-4 CY 2008 \$12,600 (no increase)
4. Cuddy and Ward, LLP - Certification of the Cayuga County Mental Health Department's consolidate fiscal report CY 2007 \$5,600 (no increase)

RESOLVED, that the Chairman of the Legislature and the Director of each respective department, for each applicable service, be authorized to enter into a contract with the above service providers at the amounts stated above.

Signed by Mitchell, Axton, Palermo, Lockwood, Tortorici, Petrus, Schuster.

Approved by voice vote, all in favor.

RESOLUTION NO. 702-08

(11/25/08) COA-LLSalIncForCoTreasurerFor2009FIX

FIXING DAY AND NOTICE OF PUBLIC HEARING ON A PROPOSED LOCAL LAW PROVIDING FOR A SALARY INCREASE FOR THE COUNTY TREASURER, WHO IS APPOINTED FOR A FIXED-TERM, DURING HIS TERM.

BY: MR. PALERMO, Chairman, Government Operations Committee, and MR. MITCHELL, Chairman, Ways & Means Committee.

WHEREAS, there has been duly presented and introduced at a meeting of this County Legislature held on November 25, 2008, a proposed Local Law entitled:

"A LOCAL LAW PROVIDING FOR A SALARY INCREASE FOR THE COUNTY TREASURER, WHO IS APPOINTED FOR A FIXED-TERM, DURING HIS TERM."

Now, therefore, be it

RESOLVED, that a public hearing shall be held concerning said Local Law before the Cayuga County Legislature on December 16, 2008 at 6:30 P.M., at the Chambers of the Cayuga County Legislature, County Office Building, 160 Genesee Street, Auburn, New York, and the Clerk of the Cayuga County Legislature is hereby directed to give due legal notice of said public hearing as provided by statute.

Signed by Mitchell, Axton, Palermo, Lockwood, Tortorici, Petrus, Schuster.

Approved by voice vote, all in favor.

**RESOLUTION NO. 703-08
(11/25/08) WM-MOA-CSEA**

AUTHORIZING THE COUNTY MANAGER, THE CHAIRPERSON OF THE LEGISLATURE, THE DIRECTOR OF CMH SERVICES AND THE COUNTY HIGHWAY SUPERINTENDENT TO SIGN A "MEMORANDUM OF AGREEMENT" WITH AN EMPLOYEE OF THE CMH SERVICES AND AN EMPLOYEE OF THE COUNTY HIGHWAY DEPARTMENT AND CSEA.

BY: Francis Mitchell, Chairperson, Ways and Means Committee

WHEREAS, Resolution Number 646-08 authorized and permitted employees to rescind their "Irrevocable Intent to Retire on or before 12/31/08" upon payment of previously unpaid health insurance premiums and the consent of their bargaining unit; and

WHEREAS, a "Memorandum of Agreement" has been drawn up by the County of Cayuga in the matter of the employment relationship between two employees within the CSEA bargaining unit, and their respective departments, Community Mental Health Services and County Highway Department, and the Civil Service Employees Association (hereinafter referred to as "CSEA"); NOW, THEREFORE, BE IT

RESOLVED, that the Legislature of the County of Cayuga hereby approves the "Memorandum of Agreement" for the two employees presented by CSEA, and authorizes and directs the County Manager, the Chairperson of the County Legislature, the Director of Community Mental Health Services, and the County Highway Superintendent to sign any aforementioned "Memorandum of Agreement(s)" with the two "Employee (s)" represented by CSEA.

Signed by Mitchell, Axton, Palermo, Lockwood, Tortorici, Petrus, Schuster.

Approved by voice vote, all in favor.

RESOLUTION NO. 704-08

(November 25, 2008) HD Budget Adjustments

AUTHORIZING THE CAYUGA COUNTY TREASURER TO AMEND THE 2008 HEALTH DEPARTMENT BUDGET

BY: Ann Petrus, Chairman of the Health & Human Service Committee

Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, after the submission of the 2008 Health Department Budget, it has been determined that additional funding is needed for unanticipated expenses based on increased utilization in Account #4012.400.175 related to providing services in the Long Term Home Health Care Program; and

WHEREAS, these services will generate increased billings/revenues; and

WHEREAS, the Department has been approved and able to generate additional revenue due to school-based dental billing to cover additional dental program costs; NOW, THEREFORE, BE IT

RESOLVED, that the Cayuga County Treasurer be authorized and directed to provide for the transfer of funds in the following manner:

MUNIS

<u>Org</u>	<u>Object</u>		
A40124	54175	Increase Expenditure Acct. #4012.400.175	\$10,000
A40120	41601	Increase Revenue (CHHA Fees) Acct. #1601	\$10,000
A40294	54000	Increase Expenditure Acct. #4010.460.059	\$ 2,600
A40100	41612	Increase Revenue Acct. #1612.000.000	\$ 2,600

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the necessary journal and accounting entries to accomplish the same.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 705-08

(November 25, 2008) HS Facilitated Enrollment 2009

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW ITS CONTRACT
WITH THE STATE TO ACCEPT FUNDING FOR THE FACILITATED
ENROLLMENT GRANT**

BY: Ann Petrus, Chairman of the Health & Human Service Committee

Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, Cayuga County Department of Health & Human Services wishes to renew its contract with the NYS Department of Health by accepting a third year of funding for the purpose of managing the 100% funded Facilitated Enrollment Program for the period January 1, 2009 through December 31, 2009; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to renew the contract with NYS Department of Health in order to continue participation in the 100% funded Facilitated Enrollment Program and to authorize them to enter into any subcontracts necessary to implement this grant; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make all the necessary journal and accounting entries as follows:

MUNIS

<u>Org</u>	<u>Object</u>		
A60104	54265	Increase Account #6010.48	\$149,800
A60100	43651	Increase Account #3651	\$149,800

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, Mitchell, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 706-08

(November 28, 2008) HS Accept OCFS Funding 2008

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ACCEPT \$93,700
FUNDING FROM NYS OCFS FOR ALTERNATIVES TO DETENTION FOR
PINS AND JD YOUTH AND CONTRACT WITH CAYUGA HOME FOR
CHILDREN TO IMPLEMENT THIS PROGRAM**

BY: Ann Petrus, Chairman of the Health & Human Service Committee

Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, the NYS Office of Children and Family Services (OCFS) has approved Cayuga County Human Services' application for SFY 2008-2009 Funding for Prevention of Detention and Services to Youth at Risk of Becoming a PINS or Entering the Juvenile Justice System in the amount of \$93,700 (100% funding); and

WHEREAS, in order to implement this program, we desire to partner with Cayuga Home for Children using a multi-systemic therapy (MST) approach, the primary goals of which are (a) reduce youth criminal activity; (b) reduce other types of antisocial behavior such as drug abuse; and (c) achieve these outcomes at a cost savings by decreasing rates of out-of-home placements and detention; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of the Health and Human Services Department be authorized to accept \$93,700 from NYS OCFS and to enter into a contract with Cayuga Home for Children to implement this program; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the necessary journal and accounting entries to the Human Services 2008 Budget as follows:

MUNIS

<u>Org</u>	<u>Object</u>		
A60700	43624	Increase Revenue Account #3624.000.000	\$93,700
A60704	54151	Increase Expenditure Account #6070.400.151	\$93,700

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, Mitchell, Lockwood, Palermo.
Approved by voice vote, all in favor.

RESOLUTION NO. 707-08
(Nov. 25, 2008) HS Amend HEAP/Catholic Charities 2008
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH AND HUMAN SERVICES TO AMEND THE
CONTRACT WITH CATHOLIC CHARITIES OF THE FINGERLAKES, INC.,
TO PERFORM OUTREACH ACTIVITIES FOR THE STATE
MANDATED HEAP PROGRAM

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, the Governor of the State of New York designated County Social Services Departments to carry out the purpose, functions and administration of the Low Income Energy Assistance Act of 1981 in the State of New York, which includes performing outreach activities; and

WHEREAS, an early start-up of the program and early administrative funds (100% Federal Funds) had been made available to assist our Human Services Department in opening the program early; and

WHEREAS, in order to administer this program, we contracted with Catholic Charities (Resolution #525-08) to assume responsibility for outreach activities in connection with HEAP (which includes providing and manning outreach and intake sites for regular and emergency assistance) consistent with the State Plan and regulations; and

WHEREAS, we have received another administrative allocation to cover the total cost of the contract in the amount of \$43,733; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services be authorized to amend the contract (100% federally funded) with Catholic Charities of the Fingerlakes, Inc., to be in the amount of \$65,000; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the County's Human Services 2008 Budget in the following manner:

MUNIS

Org	Object		
A60100	44610	Increase Revenue Acct. #4610	\$43,733
A60104	54260	Increase Expenditure Acct. #6010.42	\$43,733

and make any necessary journal and accounting entries to reflect this additional HEAP funding.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, Mitchell, Lockwood, Palermo.
Approved by voice vote, all in favor.

RESOLUTION NO. 708-08**DATE: 11/25/08 OFANewsletterBidNov08**

**AUTHORIZING THE CLERK OF THE LEGISLATURE AND THE PURCHASING
AGENT TO ADVERTISE FOR SEALED PROPOSALS FOR THE PRINTING OF
THE CAYUGA COUNTY OFFICE FOR THE AGING SENIOR CITIZEN
QUARTERLY NEWSLETTER AND AUTHORIZING THE CHAIRMAN
OF THE LEGISLATURE TO AWARD BID TO THE LOWEST
QUALIFIED, RESPONSIBLE BIDDER.**

BY: Ms. Ann Petrus, Chair, Health & Human Services Committee, and
Mr. Francis Mitchell, Chair, Ways and Means Committee.

WHEREAS, The Cayuga County Office for the Aging publishes a quarterly newsletter for the benefit of 9,000 Senior Citizen residents of Cayuga County; and

WHEREAS, funds have been received from the New York State Office for the Aging to continue this publication; and

WHEREAS, the Health and Human Services Committee of this legislature has reviewed and approved the attached bid specifications for the printing of a quarterly newsletter; now, therefore be it

RESOLVED, that the Clerk of the Legislature and Deputy Clerk/Purchasing Agent be authorized and directed to advertise and receive sealed bids in accordance with General Municipal Law, Section 103, for the quarterly printing of the Cayuga County Office for the Aging ?Senior Citizen Newsletter; and be it further

RESOLVED, that the Chairman of the Legislature be authorized to award said bid to the lowest qualified, responsible bidder.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 709-08**(November 25, 2008) HD Jennifer Balliette Contract**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A
CONTRACT WITH JENNIFER BALLIETTE, SPEECH THERAPIST**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, there is a need to provide speech language therapy to clients of the County's Certified Home Health Agency (CHHA) who require these services based on their plan of care; and

WHEREAS, Jennifer Balliette, Speech Therapist, has agreed to provide these services for the CHHA; NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Jennifer Balliette to provide speech language therapy for the period 11/26/08 through 12/31/09 at the following rates;

	<u>11/25/08 - 12/31/09</u>	
Visit		\$60/visit
Inservice/Training		\$20/hr.

and be it further

RESOLVED, that payment for these services will be from account #4012.400, line item #.221, of the Health Department's Budget.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 710-08

Action 11/25/08 MHNPContract11-08

**AUTHORIZE THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE
AND THE INTERIM DIRECTOR OF COMMUNITY MENTAL
HEALTH SERVICES TO ENTER INTO AN AGREEMENT WITH
SANDRA ZAMBELLO, MSN, NPP, TO PROVIDE
PSYCHIATRIC NURSE PRACTITIONER SERVICES**

By: Hon. Ann Petrus, Chair Health and Human Services Committee, and
Hon. Francis Mitchell, Chair Ways and Means Committee.

WHEREAS, the Community Mental Health Center of Cayuga County (CMHCCC) is required to provide psychiatric services; and

WHEREAS, one part-time psychiatrist has resigned and a full-time psychiatrist has significantly reduced his hours resulting in a need to replace those services; and

WHEREAS, a nurse practitioner can provide many of those needed services; therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature and the Interim Director of Community Mental Health Services, be hereby authorized to enter into an agreement with Sandra Zambello, MSN, NPP, for the provision of psychiatric nurse practitioner services at a cost of \$75.00 per hour, for the period of December 1, 2008 through December 31, 2009; and be it further

RESOLVED, that the charges for these services be paid out of account 4310.420.000, Medicaid Eligible Services, which is Org #A43104 Object #54330 in Munis, in the Mental Health Budget.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 711-08**Date of Meeting: 11/25/08 NHpurcarpet****AUTHORIZING THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO REPLACE CARPETING AT THE NURSING HOME.**

BY: Francis Mitchell, Chairman, Ways and Means Committee

BY: Ann Petrus, Chairman, Health and Human Services Committee

WHEREAS, the Cayuga County Nursing Home has the need to replace carpet in the conference room; and

WHEREAS several vendors were contacted to submit quotes to install and replace the carpeting; and

WHEREAS proposals were received from three vendors including:

Tile and Carpet at \$1,373

Baker Carpet House at \$1,318

ProCarpet at \$1,857.18

Balian's at \$ 1,196; and

WHEREAS, Balian's is able to provide the necessary carpeting at the lowest price; now therefore be it

RESOLVED that the Administrator of the Nursing Home arrange for replacement carpet in the conference room from Balian's for \$1,196, (One thousand one hundred ninety-six dollars).

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 712-08**11.25.08 coacaychladvcyctrrev4****AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO ENTER INTO AN AGREEMENT WITH CAYUGA COUNSELING SERVICES AND TRANSFER MONIES.**

BY: Ann Petrus, Chairman of the Health & Human Service Committee

Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, it has been identified that there is a need in Cayuga County to have a one-stop, child-friendly, safe building for children and families that have experienced abuse/neglect, or sexual assault; and

WHEREAS, Cayuga Counseling Services has initiated a project to acquire a property in the City of Auburn to establish a child advocacy center; and

WHEREAS, Cayuga Counseling Services is securing funding from various public and private institutions so this project will come to fruition; and

WHEREAS, the Child Advocacy Center will need funds to assist in the acquisition and renovation of this building; now there fore be it

RESOLVED, the Cayuga County Legislature does hereby approve the allocation of \$30,000.00 to assist in the purchase and development of the Child Advocacy Center of Cayuga County; and be it further

RESOLVED, that the sum of \$25,160.00 be transferred from Account No. A10164.54000 (A-1990), Contingency, to Account No. A-7310.400.305 (A10144 54513), Child Advocacy Account; and be it further

RESOLVED, that the sum of \$4,840.00 be transferred from Account No., A 7310.400.118 (A10144 54502), SANE Grant to Account No. A-7310.400.305 (A10144 54513), Child Advocacy Account; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute a contract with Cayuga Counseling Services to assist in the purchase and development of the Child Advocacy Center of Cayuga County; and be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to make the journal and accounting entries required to implement the intent of this resolution. Signed by Petrus, Cuddeback, Mahunik, McIntosh, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor, except Murphy Abstained.

RESOLUTION NO. 713-08

11.25.08 coaagmtchapelhserev2

AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO ENTER INTO AN AGREEMENT WITH HOLY FAMILY CHURCH TO SUPPORT CHAPEL HOUSE HOMELESS SHELTER AND TRANSFER MONIES.

BY: Ann Petrus, Chairman of the Health & Human Service Committee

Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, the Chapel House Homeless Shelter has been operating out of the Holy Family Church gymnasium to serve the homeless for approximately 11 months; and

WHEREAS, there is a growing need for homeless shelter and beds in Cayuga County; and

WHEREAS, the Chapel House Homeless Shelter provides shelter for no more than 19 individuals; and

WHEREAS, the Chapel House Homeless Shelter wishes to expand its' facilities to address the temporary need for shelter for women and children in Cayuga County

WHEREAS, the Chapel House Homeless Shelter wished to acquire a property on Franklin Street for the purpose of expanding their services; now therefore be it

RESOLVED, the Cayuga County Legislature does thereby provide \$5,000.00 to the Chapel House Homeless Shelter for this expansion project to acquire a property on Franklin Street in Auburn; and be it further

RESOLVED, that the sum of \$5,000.00 be transferred from Account No. A-1990, Contingency, to Account No. A-6410.430.000; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute a contract with Holy Family Church to support Chapel House Homeless Shelter; and be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to make the journal and accounting entries required to implement the intent of this resolution. Signed by Petrus, Cuddeback, Mahunik, McIntosh, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor, except Sincebaugh Abstained.

RESOLUTION NO. 714-08**Date of Meeting: 11/25/08 NHCNGCSCOREV****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ACCEPT A CHANGE TO THE PROPOSAL FOR REPLACEMENT OF THE FIRE SYSTEM (C&SCOMPANIES).**

BY: Ann Petrus, Chairman, Health & Human Services Committee

BY: Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, Resolution No. 54-07 authorized the issuance of an RFP to obtain proposals for replacement of the fire control system at the Cayuga County Nursing Home; and

WHEREAS, Resolution No. 386-08 awarded the proposal to C & S Companies; and, WHEREAS, specifications of the drawings were not accurate and that additional work is required to finish the project in compliance with codes; and,

WHEREAS, C & S Companies has submitted an updated proposal that contains all of the above stipulations for an additional cost of \$ 12,500; and

WHEREAS, the proposal has been approved by the engineering firm Erdman Anthony Associates; now therefore be it,

RESOLVED, that the proposal be changed to include the above costs for an amount not to exceed \$12,500.00 (Twelve thousand five hundred dollars); and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature and the Administrator of the Nursing Home are hereby authorized and directed to sign any and all documents required to implement this resolution.

Signed by Petrus, Cuddeback, Mahunik, McIntosh, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 715-08**Date of Meeting: 11/25/08 nhcngebinderrev****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ACCEPT A CHANGE TO THE PROPOSAL FOR REPLACEMENT OF THE FIRE SYSTEM (BINDER ELECTRIC CORPORATION).**

BY: Ann Petrus, Chairman, Health & Human Services Committee

BY: Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, Resolution No. 54-07 authorized the issuance of an RFP to obtain proposals for replacement of the fire control system at the Cayuga County Nursing Home; and

WHEREAS, Resolution No. 386-08 awarded the proposal to Binder Electric Corporation; and,

WHEREAS, specifications of the drawings were not accurate and that additional work is required to finish the project in compliance with codes; and,

WHEREAS, Binder Electric Corporation has submitted an updated proposal that contains all of the above stipulations for an additional cost of \$ 25,490; and

WHEREAS, the proposal has been approved by the engineering firm Erdman Anthony Associates; now therefore be it,

Tuesday, November 25, 2008

521

RESOLVED, that the proposal be changed to include the above costs for an amount not to exceed \$25,490.00 (Twenty-Five thousand four hundred ninety dollars); and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature and the Administrator of the Nursing Home are hereby authorized and directed to sign any and all documents required to implement this resolution.

Signed by Petrus, Cuddeback, Mahunik, McIntosh, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

Close Public Hearing at 7:47PM.

(PULLED) RESOLUTION NO. 716-08
Date of Meeting: 11/25/08 nhcngcmpln
AUTHORIZING A CHANGE IN THE COMPENSATION PLAN TO ALLOW A
RETIRING NURSE TO CONTINUE TO WORK PART TIME FOR THE
COUNTY AT THE SAME RATE OF BASE PAY.

BY: Francis Mitchell, Chairman, Ways and Means Committee

BY: Ann Petrus, Chairman, Health and Human Services Committee

WHEREAS, there is a significant shortage of qualified nurses to serve in the capacity of Licensed Practical Nurse for the Cayuga County Nursing Home; and

WHEREAS, Cayuga County Nursing Home has nurses that are willing to come out of retirement to fulfill this role that have been dependable employees with at least 15 years of service; and

WHEREAS, the current Compensation Plan would require those individuals who come back to the work force be paid at a reduced pay rate; now therefore be it

RESOLVED that an individual licensed practical nurse who is willing to work after their retirement may be compensated at the same base rate of pay without longevity as the base rate of pay when they terminated their relationship with the County by retirement; and be it further

RESOLVED, that the decision would be based on a review of their work record by the Nursing Home Administrator or designee and that they had been in the employ of the County for at least 15 years.

Motion by Ann Petrus to Pull HH-7(**Resolution No.716-08**), all in favor.

Motion by Chapman to go into executive Session at 7:55PM re: Pending Litigation. Legislator Petrus asked DA, Jon Budelmann, Sheriff, David Gould, and Mental Health Director, Kate O'Connell to go into Executive Session, all in favor.

Motion by Lockwood, 2nd by Chapman to come out of Executive Session at 8:33PM, all in favor.

RESOLUTION NO. 717-08
11/25/08 COL dogquarantine09
DECLARING A 24 HOUR DOG QUARANTINE
DURING THE WINTER SEASON.

BY: Hon. Christopher Palermo, Chairman Government Operations.

WHEREAS, the deer population in Cayuga County is suffering depredation due to dogs pursuing and killing deer, therefore be it

RESOLVED, that this Cayuga County Legislature hereby orders that all dogs in the County of Cayuga be securely confined for a period of twenty four hours per day, effective immediately and until April 30, 2009, pursuant to Article 7, Section 122 and 123 of the New York Agriculture Markets Law, and be it further,

RESOLVED, that the Clerk of the Legislature shall file a certified copy of this resolution with the New York State Commissioner of Agriculture and Markets and with the City Clerk of the City of Auburn and with the twenty three town clerks in Cayuga County. The Clerk of the Legislature shall also publish a copy of this resolution once in the officially designated newspapers in the county.

Signed by Palermo, Mitchell, Chapman, Fearon, Murphy, Sincebaugh.

Approved by voice vote, all in favor.

RESOLUTION NO. 718-08

11/25/08 COL NightQuarantineDogs09

**AUTHORIZING THE CONTINUATION OF THE NIGHT
QUARANTINE ON DOGS IN CAYUGA COUNTY.**

BY: Hon. Christopher Palermo, Chair, Government Operations Committee.

WHEREAS, the present night quarantine on dogs will soon expire, and

WHEREAS, it is the desire of this committee and the Cayuga County Legislature to have the night quarantine on dogs continued; therefore be it

RESOLVED, that this Legislature hereby orders that the night quarantine on dogs be continued until December 31, 2009 in accordance with Section 123 of the New York State Agriculture and Markets Law which defines "night" as between sunset and one hour after sunrise; and be it further

RESOLVED, that a certified copy of this resolution be forwarded to the New York State Commissioner of Agriculture and Markets, the Town Clerks of the twenty three Towns of the county and the City Clerk of the City of Auburn; and be it further,

RESOLVED, that the Clerk of the Legislature shall publish a copy of this resolution in our officially designated newspapers.

Signed by Palermo, Mitchell, Chapman, Fearon, Murphy, Sincebaugh.

Approved by voice vote, all in favor.

RESOLUTION NO. 719-08

11/25/08 veteransweedsportagr2008rev

**ALLOW THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF
THE CAYUGA COUNTY VETERANS SERVICE AGENCY TO SIGN AN
AGREEMENT WITH THE VILLAGE OF WEEDSPORT FOR THE PURPOSE OF
ACCEPTING A DONATION TO PROVIDE NEEDED SERVICES FOR
MILITARY VETERANS**

BY: Mr. Christopher M. Palermo, Chairperson, Government Operations Committee

Mr. Francis Mitchell, Chairperson, Ways and Means Committee

WHEREAS, the Cayuga County Legislature needs to approve the signing of all agreements between the County of Cayuga and other parties; and

WHEREAS, the Village of Weedsport, pursuant to Section 541-546 of Article 19-J of the Executive Law of New York State needs to have a signed agreement for the purpose of contracting to provide needed services for military veterans; and

WHEREAS, Resolution No. 644-08 created a Trust Account for the Cayuga county Veterans Services Agency for the purpose of accepting donations in support of the maintenance and driver cost associated with the provision of transportation services for Cayuga County Veterans.

WHEREAS, the Chairman of the Cayuga County Legislature and the Director of the Cayuga County Veterans Service Agency are the responsible signers on behalf of Cayuga County; now therefore be it

RESOLVED, that the Chairman of the Legislature and the Director of the Cayuga County Veterans Service Agency be authorized and directed to sign the agreement associated with the provision of ambulatory services for military veterans; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized to accept the donation amount of \$500.00 into the appropriate budgetary accounts of the Cayuga County Veterans Service Agency as well as make any journal and accounting entries that may be required. Signed by Palermo, Mitchell, Fearon, Petrus, Murphy, Chapman, Sincebaugh, Lockwood, Axton, Tortorici, Schuster.

Approved by voice vote, all in favor.

RESOLUTION NO. 720-08
(11-25-08) DMV CASHIER-rev1
AUTHORIZES CAYUGA COUNTY CLERK TO FILL
PART TIME MOTOR VEHICLE CASHIER.

BY: MR. CHRISTOPHER PALERMO, Chairman, Government Operations Committee
MR. FRANCIS MITCHELL, Chairperson, Ways and Means Committee

WHEREAS, there is a Full Time Motor Vehicle Cashier position (#1833) vacancy in the Motor Vehicle Bureau due to a retirement effective 12-27-08 and this full time position provides essential services to the County; and

WHEREAS, the position must be filled on a permanent basis from the certified candidates on the civil service eligible list established by the Cayuga County Civil Service Commission; and

WHEREAS, the funding for the Full Time Motor Vehicle Cashier position has been appropriated in the 2008 Motor Vehicle Bureau salary account in the amount of \$36,738; Now, be it therefore

RESOLVED, that Cayuga County Clerk Susan Dwyer and Motor Vehicle Supervisor Shereen Androsko be authorized to fill the position of Full Time Motor Vehicle Cashier; and be it further

RESOLVED, that the position be paid in accordance to the Cayuga County Compensation Plan, Part I for Bargaining Employees, for the title of Motor Vehicle Cashier not to exceed \$32,664; and be it further

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

Signed by Palermo, Mitchell, Fearon, Petrus, Murphy, Chapman, Sincebaugh, Lockwood, Axton, Tortorici, Schuster.

Approved by voice vote, all in favor.

RESOLUTION NO. 721-08
11/25/08 veteransmainagr2008

**ALLOW THE CHAIRMAN OF THE LEGISLATURE TO SIGN A RENEWAL
 MAINTENANCE AGREEMENT ON A COPIER FOR THE CAYUGA COUNTY
 VETERANS SERVICE AGENCY**

BY: Mr. Christopher Palermo, Chairperson, Government Operations Committee
 Mr. Francis Mitchell, Chairperson, Ways and Means Committee

WHEREAS, the Cayuga County Legislature has passed annual resolutions authorizing the Chairman of the Legislature to sign a maintenance agreement associated with the purchase of a used copier; and

WHEREAS, the copier was a 100% funded purchase; and

WHEREAS, a renewal for the maintenance agreement has come due in the amount of \$511.97 for the year December 1, 2008 - November 30, 2009; and

WHEREAS, each year of the maintenance agreement a renewal needs to be approved by the Legislature before the Chairman can sign it; now therefore be it

RESOLVED, that the Chairman of the Legislature be authorized and directed to sign the maintenance agreement associated with the used copier; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized to charge appropriations account A6510.400.045 as well as make any journal and accounting entries that may be required.

Signed by Palermo, Mitchell, Fearon, Petrus, Murphy, Chapman, Sincebaugh, Lockwood, Axton, Tortorici, Schuster.

Approved by voice vote, all in favor.

RESOLUTION NO. 722-08
11/25/08 veteransbrutusagr2008rev

**ALLOW THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF
 THE CAYUGA COUNTY VETERANS SERVICE AGENCY TO SIGN AN
 AGREEMENT WITH THE TOWN OF BRUTUS FOR THE PURPOSE OF
 ACCEPTING A DONATION TO PROVIDE NEEDED SERVICES FOR
 MILITARY VETERANS**

BY: Mr. Christopher M. Palermo, Chairperson, Government Operations Committee
 Mr. Francis Mitchell, Chairperson, Ways and Means Committee

WHEREAS, the Cayuga County Legislature needs to approve the signing of all agreements between the County of Cayuga and other parties; and

WHEREAS, the Town of Brutus, pursuant to Section 541-546 of Article 19-J of the Executive Law of New York State needs to have a signed agreement for the purpose of contracting to provide needed services for military veterans; and

WHEREAS, Resolution No. 644-08 created a Trust Account for the Cayuga county Veterans Services Agency for the purpose of accepting donations in support of the maintenance and driver cost associated with the provision of transportation services for Cayuga County Veterans.

WHEREAS, the Chairman of the Cayuga County Legislature and the Director of the Cayuga County Veterans Service Agency are the responsible signers on behalf of Cayuga County; now therefore be it

RESOLVED, that the Chairman of the Legislature and the Director of the Cayuga County Veterans Service Agency be authorized and directed to sign the agreement associated with the provision of ambulatory services for military veterans; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized to accept the donation amount of \$500.00 into the appropriate budgetary accounts of the Cayuga County Veterans Service Agency as well as make any journal and accounting entries that may be required. Signed by Palermo, Mitchell, Fearon, Petrus, Murphy, Chapman, Sincebaugh, Lockwood, Axton, Tortorici, Schuster.
Approved by voice vote, all in favor.

RESOLUTION NO. 723-08
(11/25/08) COA-LLSaIncForCoAttyFor2009FIX
FIXING DAY AND NOTICE OF PUBLIC HEARING ON A PROPOSED LOCAL
LAW PROVIDING FOR A SALARY INCREASE FOR THE COUNTY
ATTORNEY, WHO IS APPOINTED FOR A FIXED-TERM,
DURING HIS TERM.

BY: MR. PALERMO, Chairman, Government Operations Committee, and
MR. MITCHELL, Chairman, Ways & Means Committee.

WHEREAS, there has been duly presented and introduced at a meeting of this County Legislature held on November 25, 2008, a proposed Local Law entitled:

"A LOCAL LAW PROVIDING FOR A SALARY INCREASE FOR THE COUNTY ATTORNEY, WHO IS APPOINTED FOR A FIXED-TERM, DURING HIS TERM.
Now, therefore, be it

RESOLVED, that a public hearing shall be held concerning said Local Law before the Cayuga County Legislature on December 16, 2008 at 6:30 P.M., at the Chambers of the Cayuga County Legislature, County Office Building, 160 Genesee Street, Auburn, New York, and the Clerk of the Cayuga County Legislature is hereby directed to give due legal notice of said public hearing as provided by statute.

Signed by Palermo, Mitchell, Fearon, Petrus, Murphy, Chapman, Sincebaugh, Lockwood, Axton, Tortorici, Schuster.

Approved by voice vote, all in favor.

RESOLUTION NO. 724-08
(11/25/08) e&tfios
AUTHORIZING THE CHAIRMAN TO SIGN AN AGREEMENT
WITH VERIZON FOR A DEDICATED INTERNET CONNECTION

By: Daniel Schuster, Chairman, Planning & Economic Development Committee
Frances Mitchell, Chairman Ways and Means Committee

WHEREAS, Cayuga County Employment & Training Department currently has internet connection with a hosted service; and

WHEREAS, Cayuga County Employment & Training Department received a cost proposal from Verizon for internet connectivity at a much lower price and increased bandwidth that would increase our internet capabilities; and

WHEREAS, all proposals received from a recent RFP were higher than Verizon's standard two year business package which has become available to the County; and,

WHEREAS, The Cayuga County Employment & Training Department would be paying \$ 139.99 per month, for a yearly cost of \$1,679.88 compared to the present monthly cost of \$ 235.24, or a yearly cost of \$ 2,822.88, for an overall yearly savings of \$ 1,143.00, therefore, be it

RESOLVED, that the Chairman of the County Legislature is authorized to sign an agreement with Verizon for a dedicated Internet connection for internet services; the annual cost per year being \$1,679.88 from Employment & Training Account No. A63704-54210 (6370.400.210A); and be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to make the journal and accounting entries required to implement the intent of this resolution. Signed by Schuster, Axton, Fearon, Palermo, Palermo, Tortorici, Mitchell, Petrus, Lockwood.

Approved by voice vote, all in favor.

RESOLUTION NO. 725-08

(11/25/08) e&ttermmanpwrlaserev

**AUTHORIZING THE TERMINATION OF A SUB-LEASE AGREEMENT
BETWEEN CAYUGA COUNTY EMPLOYMENT AND TRAINING DEPARTMENT
AND MANPOWER, INC.**

By: Daniel Schuster, Chairman, Planning & Economic Development Committee
Frances Mitchell, Chairman Ways and Means Committee

WHEREAS, Cayuga County Employment and Training Department and Manpower, Inc. enter into a Sub-Lease Agreement on or about August 7, 2008; and

WHEREAS, the term of the Sub-Lease Agreement is from August 1, 2008 until July 31, 2009; and

WHEREAS, Manpower, Inc. requests that the Sub-Lease Agreement be terminated due to a change in the economic conditions; now there fore be it

RESOLVED, that the Sub-Lease Agreement between County Employment and Training Department and Manpower, Inc. dated August 7, 2008 may be terminated upon 90 days written notice from Manpower, Inc. to the County of Cayuga and payment of three months rent.

Signed by Schuster, Axton, Palermo, Tortorici, Mitchell, Petrus, Lockwood.

Approved by voice vote, all in favor.

RESOLUTION NO. 726-08

Date: 11/25/08 P&T Renter Radio Refund 11 08

**AUTHORIZING REFUND OF CHARGE AGAINST
RENTER FOR LOST PORTABLE RADIO**

By: By: David R. Axton, Chair, Public Works
Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, in June of 2007 a renter of the Emerson Park pavilion was provided with a portable radio as a means of contacting park security if needed and at the end of the event the renter could not find the radio; and

WHEREAS, a deduction of \$343.00 was made from their security deposit for the expense of replacing the lost radio; and

WHEREAS, the renter recently obtained the radio and returned it to the Parks Department and is requesting reimbursement for the expense of the radio; and

WHEREAS, the radio works properly but needs a new battery which costs \$55.00; and

WHEREAS, the Parks Department has neither the equipment funds available, nor provisions for this type of refund; now therefore be it

RESOLVED, that the Cayuga County Treasurer is hereby directed to make the refund in the amount of \$288.00 (cost of the radio minus cost of the replacement battery) from the County Contingency Account # A1990.000.000 (Munis Account # A10164.54000).
Signed by Axton, Cuddeback, McIntosh, Mitchell, Lockwood, Chapman, Sincebaugh, Petrus, Schuster, Palermo, Tortorici.
Approved by voice vote, all in favor.

RESOLUTION NO. 727-08

(11/25/08) P&TSterlingRoofAndSiding 11 08Rev4

**AUTHORIZING THE CLERK OF THE CAYUGA COUNTY LEGISLATURE
ADVERTISE FOR SEALED BIDS FOR ENCAPSULATING AND/OR REMOVING
THE ASBESTOS SIDING FLASHING AND CAULK ON THE STERLING
NATURE CENTER BUILDING AND TO PROVIDE NEW SIDING (INCLUDING
TRIM), FLASHING AND ROOFING AS NEEDED FOR THE STERLING
NATURE CENTER BUILDING TO MAKE THE EXTERIOR MAINTENANCE
FREE; AND AUTHORIZING CAYUGA COUNTY TREASURER TO ENCUMBER
THE MONEY BUDGETED FOR THIS PROJECT INTO 2009.**

By: David R. Axton, Chairperson, Public Works

Francis Mitchell, Chairperson, Ways & Means Committee

WHEREAS, The Parks and Trails Department equipment budget account A7110.25200 (A7110.200.000) did include \$6,660 for a paved handicapped parking area and \$14,000 for a new roof on the building for a total of \$20,660; and

WHEREAS, it has been determined that the problems with the building are not isolated to the roof but are also the result of poor siding and flashing; and

WHEREAS, the Parks Department, the Parks Commission and the Public Works Committee agree that we should correct this problem as soon as possible to prevent further deterioration of the building, and

WHEREAS, it has been estimated that the cost to remove the asbestos siding and flashing from the building will be approximately \$25,000 adding substantially to the cost of the project, and

WHEREAS, the entire building would cost substantially more than is currently available we will break the project down into stages; and be it further

WHEREAS, the Parks Department would request that the Clerk of the Cayuga County Legislature advertise for sealed bids for encapsulating and/or removing the asbestos siding flashing and caulk on the Sterling Nature Center building and to provide new siding (including trim), flashing and roofing as needed for the Sterling Nature Center building to make the exterior maintenance free; and authorizing Cayuga County Treasurer to encumber the money budgeted for this project into 2009; now therefore, be it

RESOLVED, that the Clerk of the Cayuga County Legislature advertise for sealed bids for encapsulating and/or removing the asbestos siding flashing and caulk on the Sterling Nature Center building and to provide new siding (including trim), flashing and roofing as needed for the Sterling Nature Center building to make the exterior maintenance free; and be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to encumber the \$20,660 in the 2008 parks budget Account Number A7110.25200 (A7110.200.000) insuring that money is available next year toward encapsulating and/or removing the asbestos and installing siding, flashing and roofing as required for the structure and; be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to make the journal and accounting entries required to implement the intent of this resolution. Signed by Axton, Cuddeback, McIntosh, Mitchell, Lockwood, Chapman, Sincebaugh, Petrus, Schuster, Tortorici.
Approved by voice vote, all in favor.

RESOLUTION NO. 728-08

Date: 11/25/08 P&T Budget Transfer 11 08

**AUTHORIZING TRANSFER OF 2008 BUDGETARY FUNDS
FROM GAS SERVICE TO WATER AND SEWER**

By: By: David R. Axton, Chair, Public Works
Francis Mitchell, Chair, Ways & Means Committee
WHEREAS, the 2008 Emerson Park Budget included \$7,828 in account 7110.400.068 Munis # A71104.54068) for water and sewer; and
WHEREAS, the Town of Owasco has increased their fees for water and sewer; and
WHEREAS, the increase took place after the adoption of the 2008 budget; and
WHEREAS, the remaining funds in 7110.400.068 will neither pay the current bill from the Town of Owasco, nor remaining anticipated bills, now therefore be
RESOLVED, that the Cayuga County Treasurer be directed to transfer within the 2008 Emerson Park budget, \$5,000 from 7110.400.024 (Munis # A71104.54024) Gas Service to 7110.400.068 (Munis # A71104. 54068) Water and Sewer.
Signed by Axton, Cuddeback, McIntosh, Mitchell, Lockwood, Chapman, Sincebaugh, Petrus, Schuster, Palermo, Tortorici.
Approved by voice vote, all in favor.

RESOLUTION NO. 729-08

Date: November 25, 2008 hwyfundtransferD-DMrev3

**AUTHORIZATION FOR THE HIGHWAY DEPARTMENT TO TRANSFER PART
OF ITS INTER FUND TRANSFER FROM D FUND TO DM FUND**

By: David Axton , Chairman Public Works Committee
Francis Mitchell, Chairman Ways and Means Committee
WHEREAS, the 2008 Budget included an inter-fund transfer from the General Fund to D Fund in the Amount of \$6,861,632.00; and
WHEREAS, the 2008 Budget included an inter-fund transfer from the General Fund to DM Fund \$391,280.00; and
WHEREAS, funds are needed in the Highway Departments DM Fund to establish a permanent increase in Fund Balance to operate each year; now therefore be it
RESOLVED, that the sum of \$400,000.00 be transferred from A-9905, Transfer to County Road Fund, to A-9906, Transfer to Road Machinery; and be it further
RESOLVED, that the County Highway Road Fund (D) and the County Machinery Fund (DM) be restored to a balance condition consistent with the 2008 budget; and be it further
RESOLVED, that the Cayuga County Treasurer be and is hereby authorized and directed to make the necessary journal and accounting entries to accomplish the same.
Signed by Axton, Cuddeback, McIntosh, Mitchell, Lockwood, Chapman, Sincebaugh, Petrus, Schuster, Palermo, Tortorici.
Approved by voice vote, all in favor.

RESOLUTION NO. 730-08
November 25, 2008 hwytransfertires
BUDGET TRANSFER OF THE 2008 CAYUGA COUNTY
HIGHWAY BUDGET FOR TIRES

BY: Dave Axton, Chairman, Public Works Committee

Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, in the 2008 Highway Budget (Motor pool), a total of \$8,250 was budgeted for Tires and,

WHEREAS, it is necessary to amend the 2008 Highway Budget (Motor pool) to more accurately reflect the increased cost of tires; now, therefore, be it

RESOLVED, that the County Treasurer be and is hereby authorized and directed to provide for transfer of funds in the following manner:

<u>Appropriation Accounts</u>	<u>Old Amount</u>	<u>New Amount</u>	<u>Increase</u>	<u>Decrease</u>
DM51314 54013				
(DM 1640.400.013)alarm	\$600	\$0		\$600
DM513145 54047				
(DM 1640.400.045) mach	\$250	\$0		\$250
DM51134 54048				
(DM 1640.400.048)books	\$100	\$0		\$100
DM51134 54195				
(DM 1640.400.195)whlalgn	\$200	\$0		\$200
DM51134 54049				
(DM 1640.400.049)offsup	\$750	\$250		\$500
DM51134 54110				
(DM 1640.400.078)tires	\$8250	\$9,900	\$1,650	

AND BE IT FURTHER

RESOLVED, that the Cayuga County Treasurer be and is hereby authorized and directed to make the necessary journal and accounting entries to accomplish the same.

Signed by Axton, Cuddeback, McIntosh, Mitchell, Lockwood, Chapman, Sincebaugh, Petrus, Schuster, Palermo, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 731-08
November 25, 2008 hwytransfergasoline
BUDGET TRANSFER OF THE 2008 CAYUGA COUNTY HIGHWAY BUDGET
FOR GASOLINE

BY: Dave Axton, Chairman, Public Works Committee

Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, in the 2008 Highway Budget (Motor pool), a total of \$785,000 was budgeted for Gasoline and,

WHEREAS, it is necessary to amend the 2008 Highway Budget to more accurately reflect the increased cost of gasoline; now, therefore, be it

RESOLVED, that the County Treasurer be and is hereby authorized and directed to provide for transfer of funds in the following manner:

<u>Appropriation Accounts</u>	<u>Old Amount</u>	<u>New Amount</u>	<u>Increase</u>	<u>Decrease</u>
DM51314 54021 (DM 1640.400.010)	\$56,000	\$52,500		\$3,500
DM513145 54012 (DM 1640.400.012)	\$2,000	\$500		\$1,500
DM51134 54032 (DM 1640.400.032)	\$785,000	\$790,000	\$5,000	

AND BE IT FURTHER

RESOLVED, that the Cayuga County Treasurer be and is hereby authorized and directed to make the necessary journal and accounting entries to accomplish the same.
Signed by Axton, Cuddeback, McIntosh, Mitchell, Lockwood, Chapman, Sincebaugh, Petrus, Schuster, Palermo, Tortorici.
Approved by voice vote, all in favor.

RESOLUTON NO. 732-08**November 25, 2008 hwyondsremovalagree****AUTHORIZING THE COUNTY CHAIRMAN TO SIGN THE SNOW REMOVAL AGREEMENT WITH ONONDAGA COUNTY FOR 2008-2011**

By: David Axton, Chairman Public Works Committee

By: Francis Mitchell, Chairman Ways and Means Committee

WHEREAS, the Public Works Committee has recommended that the County Highway Department continue to conduct snow removal operations on the State Highways, and

WHEREAS, the present agreement expired on May 31, 2008; now therefore be it

RESOLVED, to authorize the Chairman of the Cayuga County Legislature to sign the Snow and Ice Control Agreement with Onondaga County for 2008-2011.

Signed by Axton, Cuddeback, McIntosh, Mitchell, Lockwood, Chapman, Sincebaugh, Petrus, Schuster, Palermo, Tortorici.
Approved by voice vote, all in favor.

RESOLUTION NO.733-08**11/25/08 Blds-Compliance Workrev****AUTHORIZATION TO PAY FOR COMPLIANCE WORK DONE ON COUNTY BUILDINGS**

BY: Hon. David R. Axton, Chairman, Public Works Committee

Hon. Francis C. Mitchell, Chairman, Ways & Means Committee

WHEREAS, the County has been working correcting the life safety issues in Cayuga County; and

WHEREAS, the County authorized Kleinfelder to be our Compliance Officer; and

WHEREAS, Kleinfelder was called to do some investigation on a pre-demolition survey on a boiler replacement at Highway and an investigation at the Records Building, and

WHEREAS, currently there are not enough funds in the Account No. A16204 54059 (1620.400.059a) to pay this invoice; now therefore let it be,

RESOLVED, that the sum of \$3695.41 be transferred from Account No. A1990 to Buildings Account No. A16204 54059 (1620.400.059a), to be used to pay the invoice from Kleinfelder for work performed; and be it further

Tuesday, November 25, 2008

531

RESOLVED, that the Superintendent of Buildings and Grounds be authorized and directed to complete the necessary documents required to accomplish this payment; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized to make the journal entries appropriate and necessary to implement the intent of this resolution.

Signed by Axton, Cuddeback, McIntosh, Mitchell, Lockwood, Chapman, Sincebaugh, Petrus, Schuster, Palermo.

Approved by voice vote, all in favor.

**RESOLUTION NO. 734-08
COUNTY OF CAYUGA, NEW YORK
November 25, 2008**

A regular meeting of the County Legislators of the County of Cayuga, New York (the "County") was held at the Legislature Chamber on the 6th floor of the Cayuga County Office Building, 160 Genesee Street, Auburn, New York on November 25, 2008, at 6:30 P.M. (Prevailing Time).

There were present: (County Legislators)

Roger Mills, Chairman
David Axton
Michael Chapman
Steven Cuddeback
Raymond Lockwood
Patrick Mahunik
Patrick McIntosh
Francis Mitchell
Linda Murphy
Christopher Palermo
Ann Petrus
Daniel Schuster
Daniel Sincebaugh
Peter Tortorici

There were Absent: (County Legislators)

None

Also Present:

Fred Westphal, Wayne Allen, Andrea Seamans, Lynn Marinelli, Mary Jones, Sheila Smith, David Gould, Mike Pawlenko, Brian Dahl, Jon Budelmann, Ted Herrling, George Wethey, Elane Daly, Steve Johnson, Deb English, Nancy Siefka, Gary Duckett, Steve Lynch, Cynthia Aikman, Ed Salyes, George Daniels, Bernie Newcomb, Sue Dwyer, Dr. Daniel Larson, Denise Stayton, Jim Orman, Nick Valenti, Lloyd Hoskins, Cheryl Heary, David Spara, Joe Klimek, Bob Westover, Scott Rapp and Gitana Mirochnik.

The following resolution was offered by David Axton, who moved its adoption, approved by voice vote, all in favor to wit:

RESOLUTION NO. 734-08
11.25.08 (COA146NorthStreetSEQRA)
SEQRA RESOLUTION OF THE COUNTY OF CAYUGA, NEW YORK,
ADOPTED ON NOVEMBER 25, 2008 RELATING TO A PROJECT
CONSISTING OF THE RENOVATION AND EXPANSION OF THE COUNTY'S
EXISTING MENTAL HEALTH FACILITY LOCATED AT 146 NORTH STREET IN
AUBURN, NEW YORK

WHEREAS, the County Legislators of the County have determined that it is necessary for the County to undertake a project (the "Project") consisting of certain additions, renovations and improvements to the County's existing mental health facility located at 146 North Street in Auburn, New York, including the acquisition of certain real property adjacent to the existing facility as well as all related construction, renovations, site improvements, furnishings, fixtures and equipment required for such purposes, architectural, legal and engineering fees, and all other necessary costs incidental to such work; and

WHEREAS, the County is a local agency pursuant to the New York State Environmental Quality Review Act ("SEQRA"), ECL Section 8-0101, et seq., and implementing regulations, 6 NYCRR Part 617 (the "Regulations"); and

WHEREAS, the Cayuga County Planning Department tentatively classified the Project as an "unlisted action" as defined under the Regulations and caused the preparation of a short form Environmental Assessment Form, dated October 7, 2009 and attached hereto as Exhibit A (the "EAF") by C&S Companies, an engineering firm retained by the County, to facilitate a review of the potential environmental impacts of the Project; and

WHEREAS, on October 7, 2008 the County Attorney circulated to potential Involved Agencies (as defined in the Regulations) a notice of the County's intent to act as the SEQRA lead agency for environmental review of the Project; and

WHEREAS, the period for Involved Agencies to object to the County's intention to assume the role of SEQRA's lead agency has expired without such objection; and

WHEREAS, the County Legislature has carefully considered the nature and scope of the proposed Project, as set forth in the EAF prepared by the engineering firm retained by the County and makes the following determinations.

NOW, THEREFORE BE IT RESOLVED ON NOVEMBER 25, 2008 BY THE COUNTY LEGISLATORS OF CAYUGA COUNTY, NEW YORK, AS FOLLOWS:

1. The Project is classified under SEQRA as an Unlisted Action within the meaning of the Regulations.
2. The County declares itself lead agency with respect to the environmental review of the Project.
3. Upon consideration of the action, review of the EAF, the criteria contained in Section 617.7(c) of the Regulations, and all other supporting information and recommendations supplied by C&S Companies, the County Legislature identifies the following relevant areas of environmental concern, as set forth hereafter, and analyzes whether the Project may have a significant adverse impact on the environment.
 - a. The development and use of the property may result in a physical change to the project site. This is determined to be a small to moderate impact due to planned mitigation measures.

- b. The proposed development and use of the property will not have a significant adverse affect on any unusual land forms found on the site.
 - c. The proposed development use of the property will not have an impact upon non-NYSDEC identified fresh water wetlands.
 - d. The proposed development and use of the property will not adversely affect any non-protected existing or new body of water.
 - e. The proposed development and use of the property will not require a NYSDEC stormwater discharge permit.
 - f. The proposed development and use of the property may increase impervious areas which will create more storm water run-off which will be addressed during construction. This is identified as a small to moderate impact.
 - g. The proposed development and use of the property will not have a significant adverse affect on air quality.
 - h. The proposed development and use of the property will not result in the removal of existing underdeveloped land which is habitat to various species of wildlife.
 - i. The proposed development and use of the property will not have a significant adverse affect upon non-threatened or non-endangered species.
 - j. The proposed development and use of the property will not have a significant adverse affect upon agricultural land resources.
 - k. The proposed development and use of the property will not have a significant adverse impact upon aesthetic resources.
 - l. The proposed development and use of the property will not occur in an area designated as sensitive for archeological sites on the New York State site inventory.
 - m. The proposed development and use of the property will not have a significant adverse affect upon exceptional or unique characteristics of a Critical Environmental Area.
 - n. The proposed development and use of the property will not result in the alterations of present patterns of movement of people and or goods.
 - o. The proposed development and use of the property will not adversely affect existing community resources of fuel or energy supply.
 - p. The proposed development and use of the property may result in a small to moderate impact on noise and odor due to removal of natural barriers, temporary construction noise and bus/vehicle traffic.
 - q. The proposed development and use of the property will not adversely affect public health and safety.
 - r. The proposed development and use of the property will have a small to moderate impact upon the characteristics of the existing community by changing the land density.
- 4. The County finds and concludes that the Project will not result in any significant adverse impacts to the environment.
 - 5. The County hereby issues a Negative Declaration with respect to the Project.
 - 6. Pursuant to § 617.12(b)(2) of the Regulations, the County Attorney is hereby directed to prepare and maintain on file a copy of the Negative Declaration.

WHEREFORE, the foregoing Resolution was put to a vote of the members of the County Legislators of the County on November 25, 2008, the result of which vote was as follows:

<u>COUNTY LEGISLATOR</u>	<u>VOTE</u>
Roger Mills, Chairman	Yes
David Axton	Yes
Michael Chapman	Yes
Steven Cuddeback	Yes
Raymond Lockwood	Yes
Patrick Mahunik	Yes
Patrick McIntosh	Yes
Francis Mitchell	Yes
Linda Murphy	Yes
Christopher Palermo	Yes
Ann Petrus	Yes
Daniel Schuster	Yes
Daniel Sincebaugh	Yes
Peter Tortorici	Yes

DATED: November 25, 2008

CERTIFICATE

I, the undersigned County Clerk of Cayuga County, State of New York, **HEREBY CERTIFY:**

That I have compared the annexed extract of the minutes of a meeting of the County Legislators of said County including the resolution contained therein, held on November 25, 2008, with the original thereof on file in my office, and that the same is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said County Legislators had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law) proper notice was given relative to said meeting and said meeting was open to the general public.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Cayuga County, New York, this day of November, 2008.

Susan M. Dwyer, County Clerk

[SEAL]

Exhibit A

Short Form EAF

RESOLUTION NO. 735-08

**(11.25.08) COA-CAPH08-1(Ren&ExpMHfac@146northstreet
ESTABLISHING CAPITAL "H" PROJECT NO. 08-1 (RENOVATION AND
EXPANSION OF 146 NORTH STREET). (2/3)**

BY: BY: Hon. David R. Axton, Chairman, Public Works Committee
Hon. Francis C. Mitchell, Chairman, Ways & Means Committee

WHEREAS, Resolution No. 186-08 authorized the hiring of an architectural and

engineering firm for the purpose of the renovation and construction of new space at 146 North Street, Auburn, New York; and

WHEREAS, Resolution No. 356-08 authorized the purchase of 2 Park Avenue, Auburn, New York for the purpose of converting the lot into parking space for employees, staff and consumers utilizing services at 146 North Street; and

WHEREAS, the anticipated cost of the construction, reconstruction, additions to and improvement of the Building, together with all related site improvements, original furnishings, fixtures, equipment, machinery and apparatus required for such purposes, architectural fees and all other necessary costs incidental to such work (collectively, the "Project") is estimated not to exceed \$7,500,000;

WHEREAS, the County, as a local agency pursuant to the New York State Environmental Quality Review Act ("SEQRA"), ECL Section 8-0101, et seq., and implementing regulations, 6 NYCRR Part 617 (the "Regulations") has previously determined by resolution that the Project constitutes a Type I Action and will NOT result in any significant adverse impacts to the environment; and

WHEREAS, Resolution No. 734-08 authorized the County to undertake the Project and further authorized the financing of the Project by the issuance of up to \$7,500,000, or such amount less than \$7,500,000 as may be necessary, of serial bonds or any bond anticipation notes in anticipation of the issuance and sale of the bonds of said County and the levy of a tax to pay interest on said obligations; now, therefore, be it

RESOLVED, that in order to carry out the Project, the County Treasurer be and he is hereby authorized and directed to create Capital "H" Project No. 08-1 (Renovation and expansion of Mental Health facility at 146 North Street) in an amount not to exceed \$7,500,000.00, source of funding to be by the issuance of serial bonds or bond anticipation notes in said amount; and be it further

RESOLVED, that the County Treasurer is authorized to sign the any and all financial documents necessary to carry out the project.

Signed by Axton, Cuddeback, McIntosh, Mitchell, Lockwood, Chapman, Sincebaugh, Petrus, Schuster, Palermo, Tortorici.

Approved by majority vote, all in favor, except Palermo absent. 824/58

RESOLUTION NO. 736-08
COUNTY OF CAYUGA, NEW YORK
November 25, 2008

A regular meeting of the County Legislators of the County of Cayuga, New York (the "County") was held at the Legislature Chamber on the 6th floor of the Cayuga County Office Building, 160 Genesee Street, Auburn, New York on November 25, 2008, at 6:30 P.M. (Prevailing Time).

There were present: (County Legislators)

Roger Mills, Chairman
David Axton
Michael Chapman
Steven Cuddeback
Raymond Lockwood
Patrick Mahunik

Patrick McIntosh
 Francis Mitchell
 Linda Murphy
 Christopher Palermo
 Ann Petrus
 Daniel Schuster
 Daniel Sincebaugh
 Peter Tortorici

There were Absent: (County Legislators)

None

Also Present:

Fred Westphal, Wayne Allen, Andrea Seamans, Lynn Marinelli, Mary Jones, Sheila Smith, David Gould, Mike Pawlenko, Brian Dahl, Jon Budelmann, Ted Herrling, George Wethey, Elane Daly, Steve Johnson, Deb English, Nancy Siefka, Gary Duckett, Steve Lynch, Cynthia Aikman, Ed Salyes, George Daniels, Bernie Newcomb, Sue Dwyer, Dr. Daniel Larson, Denise Stayton, Jim Orman, Nick Valenti, Lloyd Hoskins, Cherl Heary, David Spara, Joe Klimek Bob Westover, Scott Rapp and Gitana Mirochnik.

The following resolution was offered by David Axton who moved its adoption, and was approved by voice vote, all in favor to wit:

RESOLUTION NO. 736-08

11.25.08 (MHBond146Northstv2)

**BOND RESOLUTION OF THE COUNTY OF CAYUGA, NEW YORK,
 ADOPTED ON NOVEMBER 25, 2008 AUTHORIZING A PROJECT
 CONSISTING OF THE RENOVATION AND EXPANSION OF THE COUNTY'S
 EXISTING MENTAL HEALTH FACILITY LOCATED AT 146 NORTH STREET IN
 AUBURN, NEW YORK AT AN ESTIMATED MAXIMUM COST OF \$7,500,000.00,
 APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE
 ISSUANCE OF UP TO \$7,500,000.00 BOND ANTICIPATION NOTES AND
 SERIAL BONDS OF THE COUNTY TO PAY IN PART
 THE COST OF SUCH PROJECT (2/3)**

WHEREAS, the County Legislators of the County have determined that it is necessary for the County to undertake a project (the "Project") consisting of certain additions, renovations and improvements to the County's existing mental health facility located at 146 North Street in Auburn, New York, including the acquisition of certain real property adjacent to the existing facility as well as all related construction, renovations, site improvements, furnishings, fixtures and equipment required for such purposes, architectural, legal and engineering fees, and all other necessary costs incidental to such work; and

WHEREAS, the County is a local agency pursuant to the New York State Environmental Quality Review Act ("SEQRA"), ECL Section 8-0101, et seq., and implementing regulations, 6 NYCRR Part 617 (the "Regulations"); and

WHEREAS, the Cayuga County Planning Department tentatively classified the Project as an "unlisted action" as defined under the Regulations and caused the preparation of a

short form Environmental Assessment Form, dated October 7, 2009 (the "EAF") by C&S Companies, an engineering firm retained by the County, to facilitate a review of the potential environmental impacts of the Project; and

WHEREAS, on October 7, 2008 the County Attorney circulated to potential Involved Agencies (as defined in the Regulations) a notice of the County's intent to act as the SEQRA lead agency for environmental review of the Project; and

WHEREAS, the period for Involved Agencies to object to the County's intention to assume the role of SEQRA's lead agency expired without such objection; and

WHEREAS, the County Legislature, by resolution adopted on November 25, 2008, determined that the Project is classified under SEQRA as an Unlisted Action within the meaning of the Regulations, declared itself lead agency with respect to the environmental review of the Project, determined that the Project will not result in any significant adverse impacts to the environment and issued a Negative Declaration with respect to the Project.

NOW, THEREFORE BE IT RESOLVED ON NOVEMBER 25, 2008 BY THE COUNTY LEGISLATORS OF CAYUGA COUNTY, NEW YORK (by favorable vote of not less than two thirds of said Legislature), AS FOLLOWS:

Section 1. Undertaking the Project, at a maximum estimated cost of \$7,500,000.00, is hereby approved.

Section 2. The plan for the financing of the aforesaid specific object or purpose is by the issuance of up to \$7,500,000.00, or such amount less than \$7,500,000.00 as may be necessary, of serial bonds or any bond anticipation notes in anticipation of the issuance and sale of the bonds of said County, hereby authorized to be issued pursuant to the Local Finance Law and the levy of a tax to pay interest on said obligations.

Section 3. The full faith and credit of the County is hereby irrevocably pledged for the payment of the principal of and interest on the Bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such years and such debt service payments may be made in substantially level or declining amounts as may be authorized by law.

Section 4. Pursuant to Sections 30.00, 50.00 and 56.00 to 60.00, inclusive, of the Local Finance Law, the power to authorize the issuance of and to sell the serial bonds and any bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such bonds or notes shall be of such form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 5. The County Treasurer is hereby further authorized, at his sole discretion, to execute all agreements and instruments in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of said County.

Section 6. The intent of this resolution is to give the County Treasurer sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and/or notes without resorting to further action of this County Legislators.

Section 7. The following additional matters are hereby determined and declared:

(a) Pursuant to subdivision 12 of paragraph a of Section 11.00 of the Local Finance Law, the period of probable usefulness of the Project is twenty-five (25) years; and

(b) Current funds are not required by the Local Finance Law to be provided prior to the issuance of the bonds and any notes issued in anticipation thereof authorized by this resolution; and

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

(d) The County reasonably expects to reimburse itself for expenditures made out of the County's General Fund for the Project from the proceeds of the bonds or notes herein authorized.

(e) This resolution is a declaration of official intent to reimburse for purposes of Treasury Regulation Section 1.150-2.

(f) The bonds authorized herein are not being issued for an assessable improvement.

Section 8. Such bonds shall be in fully registered form and shall be signed in the name of Cayuga County, New York, by the manual or facsimile signature of the County Treasurer and a facsimile of its corporate seal shall be imprinted or impressed thereon and maybe attested to by the manual or facsimile signature of the County Clerk.

Section 9. The County hereby covenants and agrees with the holders from time to time of the Bonds and any bond anticipation notes issued in anticipation of the sale of the Bonds, that the County will faithfully observe and comply with all provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and any proposed or final regulations issued pursuant thereto unless, in the opinion of bond counsel, such compliance is not required by the Code and regulations to maintain the exclusion from gross income of interest on said obligations for federal income tax purposes.

Section 10. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds with a schedule of substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of its County Treasurer, providing for the manual countersignature of a fiscal agent or of a designated Official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the County Treasurer. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the County Treasurer shall determine.

Section 11. The validity of such bonds and bond anticipation notes may be contested only if:

(1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

(2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication, or

(3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 12. This Resolution shall become effective immediately. The County Clerk is hereby directed to cause the publishing and posting of a notice in substantially the form provided in Section 81.00 of the Local Finance Law together with a summary of this Bond Resolution.

WHEREFORE, the foregoing Resolution was put to a vote of the members of the County Legislators of the County on November 25, 2008, the result of which vote was as follows:

<u>COUNTY LEGISLATOR</u>	<u>VOTE</u>
Roger Mills, Chairman	Yes
David Axton	Yes
Michael Chapman	Yes
Steven Cuddeback	Yes
Raymond Lockwood	Yes
Patrick Mahunik	Yes
Patrick McIntosh	Yes
Francis Mitchell	Yes
Linda Murphy	Yes
Christopher Palermo	Yes
Ann Petrus	Yes
Daniel Schuster	Yes
Daniel Sincebaug	Yes
Peter Tortorici	Yes

DATED: November 25, 2008

CERTIFICATE

I, the undersigned County Clerk of Cayuga County, State of New York, **HEREBY CERTIFY:**

That I have compared the annexed extract of the minutes of a meeting of the County Legislators of said County including the resolution contained therein, held on November 25, 2008, with the original thereof on file in my office, and that the same is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said County Legislators had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law) proper notice was given relative to said meeting and said meeting was open to the general public.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Cayuga County, New York, this day of November, 2008.

Susan M. Dwyer, County Clerk

[SEAL]

NOTICE OF BOND RESOLUTION

The resolution, a summary of which is published herewith, was adopted on November 25, 2008. The validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Cayuga, New York is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the constitution.

Susan M. Dwyer, County Clerk

SUMMARY OF BOND RESOLUTION

A Resolution adopted by the County Legislators of the Cayuga County, Cayuga County, New York (the "County") on November 25, 2008 authorizes the issuance of bonds and other obligations to finance a project (the "Project") consisting of certain additions, renovations and improvements to the County's existing mental health facility located at 146 North Street in Auburn, New York, including the acquisition of certain real property adjacent to the existing facility as well as all related construction, renovations, site improvements, furnishings, fixtures and equipment required for such purposes, architectural, legal and engineering fees, and all other necessary costs incidental to such work, and to pay for such Project by the levy of a tax for the foregoing object or purpose in an amount not to exceed \$7,500,000.00, which shall be levied and collected in annual installments in such years and in such amounts as may be determined by the County Legislators and that in anticipation of the collection of such tax, bonds and notes of the County are hereby authorized to be issued at one time, or from time to time, in the principal amount not to exceed \$7,500,000.00 and a tax is authorized to pay the interest on said obligations when due. Under the Local Finance Law, the Project has a period of probable usefulness of twenty-five (25) years. Such resolution shall be kept available for public inspection in the County Clerk's Office during regular business hours for twenty days following this publication

RESOLUTION NO. 737-08**11/25/08 E911Stateaidmonies****AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO EARMARK MONIES RECEIVED FROM THE NEW YORK STATE LOCAL ENHANCED WIRELESS 911 PROGRAM, TO BE USED SOLELY FOR 9-1-1 UPGRADES.**

BY: Mr. Raymond Lockwood, Chairperson, Judicial and Public Safety Committee
Mr. Francis Mitchell, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County E-911 Center received monies from New York State through their Local Enhanced Wireless 911 program; and,

WHEREAS, the monies received were reimbursements for monies expended between the years of 2005-2007 for specific costs attributed to the 911 Center; and,

WHEREAS, the 911 Administrator deems it beneficial to earmark the monies solely for potential 9-1-1 projects, including radio upgrades; and

Tuesday, November 25, 2008

541

WHEREAS, the total received from this program was \$143,373.00; now therefore be it

RESOLVED, that all of the monies received be earmarked for this purpose and the money be kept in account number 3390.000.000-A, Munis account number A30200, Obj 43300; and be it further

RESOLVED, that the Cayuga County Treasurer make all the necessary journal and accounting entries to accomplish the foregoing.

Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, McInotsh, Mitchell, Axton, Palermo, Petrus, Schuster.

Approved by voice vote, all in favor.

RESOLUTION NO. 738-08

11/25/08 SHR-Transfer Monies (Diesel Generator Repairs)

**AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO TRANSFER
MONIES FROM THE SHERIFF'S 2008 CUSTODY DOCTORS AND
HOSPITALS BUDGET LINE A31504 54036 (3150.400.036A) TO THE SHERIFF'S
2008 CUSTODY BUILDING MAINTENANCE BUDGET
LINE A31504 54012 (3150.400.012A).**

BY: Mr. Raymond Lockwood, Chair, Judicial and Public Safety Committee, and
Mr. Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, the diesel generator's exhaust system on the west side of the Cayuga County Public Safety Building is in need of repair as it is emitting potentially dangerous fumes into the building; and

WHEREAS, \$15,000 is needed to make the necessary repairs to the diesel generator on the west side of the Public Safety Building and an additional \$5,000 is needed to make additional repairs within the interior of the Jail (i.e. supplies to make essential plumbing repairs to individual cells within the pods of the Jail, podiums utilized by the Officers are in need of repair as their present state presents a safety hazard); and

WHEREAS, there is an insufficient amount of money in the Sheriff's 2008 Custody Building Maintenance Budget Line A31504 54012 (3150.400.012A) to cover the cost of the aforementioned repairs; and

WHEREAS, there is enough money in the Sheriff's 2008 Custody Doctors and Hospitals Budget Line A31504 54036 (3150.400.036A) to compensate the shortfall in the Sheriff's 2008 Custody Building Maintenance Budget Line A31504 54012 (3150.400.012A); now therefore be it

RESOLVED, that the Cayuga County Treasurer be authorized to transfer \$20,000.00 from the Sheriff's 2008 Custody Doctors and Hospitals Budget Line Budget Line A31504 54036 (3150.400.036A) to the Sheriff's 2008 Custody Building Maintenance Budget Line A31504 54012 (3150.400.012A); and further be it

RESOLVED that the Cayuga County Treasurer make the necessary accounting and journal entries to accomplish the intent of this Resolution.

Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, McInotsh, Mitchell, Axton, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

Motion by Lockwood, 2nd by Tortorici to add: Resolved that the salary for the position be set at \$63,500.00, all in favor.

RESOLUTION NO. 739-08
11/25/08 PRO-hireDirectorII-08
AUTHORIZING THE FILLING OF THE POSITION
OF PROBATION DIRECTOR II.

BY: Mr. Raymond Lockwood, Chair, Judicial and Public Safety Committee, and
 Mr. Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, a vacancy will exist in the Probation Department due to the retirement of
 Probation Director II George H. Daniels, effective December 31, 2008; and

WHEREAS, it is imperative that the Legislature select a candidate and fill the position
 in accordance to state regulations; now, therefore, be it

RESOLVED, that the vacant position of Probation Director II be hereby filled effective
 December 31, 2008 in accordance with the Civil Service Rules and Regulations and the
 Policies of Cayuga County; and be it further

RESOLVED, that the appointee be paid in accordance to Cayuga County Compensation
 Plan, Part IV for the title of Probation Director II; and be it further

RESOLVED, that the salary for the position be set at \$63,500.00; and be it further

RESOLVED, that the Treasurer make any and all journal and accounting entries
 necessary to accomplish the forgoing.

Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, McInotsh, Mitchell, Axton,
 Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 740-08
11/25/08 PRO-hireProbSup-08
AUTHORIZING PROBATION DIRECTOR II TO FILL
VACANT PROBATION SUPERVISOR POSITION.

BY: Mr. Raymond Lockwood, Chair, Judicial and Public Safety Committee, and
 Mr. Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, a vacancy will exist in the Probation Department due to the promotion
 of the current Probation Supervisor to Probation Director II, effective December 31, 2008;
 and

WHEREAS, the new Probation Director II will need to fill the position of Probation
 Supervisor for the efficient operation of the Probation Department; now, therefore, be it

RESOLVED, that the vacant position of Probation Supervisor be hereby filled in
 accordance with the Civil Service Rules and Regulations and the Policies of Cayuga
 County; and be it further

RESOLVED, that the appointee be paid in accordance to Cayuga County Compensation
 Plan, CSEA, Part I; and be it further

RESOLVED, that the County Treasurer make any and all journal and accounting
 entries necessary to accomplish the forgoing.

Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, McInotsh, Mitchell, Axton,
 Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

**RESOLUTION NO. 741-08
11/25/08 PRO-hireSrProb-08
AUTHORIZING PROBATION DIRECTOR II
TO FILL VACANT SENIOR PROBATION POSITION.**

BY: Mr. Raymond Lockwood, Chair, Judicial and Public Safety Committee, and
Mr. Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, a vacancy will exist in the Probation Department due to the promotion
of the current Senior Probation Officer to Probation Supervisor; and

WHEREAS, the new Probation Director II will need to fill the position of Senior
Probation Officer for the efficient operation of the Probation Department; now, therefore,
be it

RESOLVED, that the vacant position of Senior Probation Officer be hereby filled in
accordance with the Civil Service Rules and Regulations and the Policies of Cayuga
County; and be it further

RESOLVED, that the appointee be paid in accordance to Cayuga County Compensa-
tion Plan, CSEA, Part I; and be it further

RESOLVED, that the County Treasurer make any and all journal and accounting
entries necessary to accomplish the forgoing.

Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, McInotsh, Mitchell, Axton,
Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

**RESOLUTION NO. 742-08
11/25/08 PRO-hireProbOff-08
AUTHORIZING PROBATION DIRECTOR II
TO FILL VACANT PROBATION OFFICER POSITION.**

BY: Mr. Raymond Lockwood, Chair, Judicial and Public Safety Committee, and
Mr. Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, a vacancy will exist in the Probation Department due to the promotion
of a current Probation Officer to Senior Probation Officer ; and

WHEREAS, the new Probation Director II will need to fill the position of Probation
Officer for the efficient operation of the Probation Department; now, therefore, be it

RESOLVED, that the vacant position of Probation Officer be hereby filled in accor-
dance with the Civil Service Rules and Regulations and the Policies of Cayuga County; and
be it further

RESOLVED, that the appointee be paid in accordance to Cayuga County Compensa-
tion Plan, CSEA, Part I; and be it further

RESOLVED, that the County Treasurer make any and all journal and accounting
entries necessary to accomplish the forgoing.

Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, McInotsh, Mitchell, Axton,
Palermo, Petrus, Schuster.

Approved by voice vote, all in favor.

RESOLUTION NO. 743-08
(11/25/08) cemohomelandsecuritygrant
AUTHORIZING THE CAYUGA COUNTY TREASURER TO ACCEPT FUNDS
FROM A NEW YORK STATE HOMELAND SECURITY CBRNE/WMD GRANT
AND AMEND THE EMERGENCY MANAGEMENT 2009 BUDGET (A 3640) BY
CREATING A REVENUE AND A CONTRACTUAL LINE IN
ORDER TO ACCEPT THE GRANT

BY: MR. LOCKWOOD, Chairman, Judicial & Public Safety Committee, and
 MR. Mitchell, Chairman, Ways & Means Committee.

WHEREAS, the Director of Emergency Services applied for and the County was granted a \$127,000 State Homeland Security Grant to receive training in Chemical, Biological, Radiological, Nuclear Events (CBRNE/WMD), equipment needed for CBRNE / WMD response and enhance capabilities to respond to CBRNE / WMD events; and

WHEREAS, the funds from this Grant will be utilized to provide backfill of first responders while on training activities, provide appropriate equipment to provide enhanced response capability to respond to CBRNE/WMD events; and

WHEREAS, the Cayuga County Legislature Chairman and the Director of Emergency Services are authorized to accept this grant of \$127,500; now therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature and the Director of Emergency Services are hereby authorized to accept the said Grant and to sign any and all documents necessary for acceptance of the Grant; and be it further

RESOLVED, that the Chairman of the Legislature and the Director of Emergency Services are authorized to advertise for bids for equipment not listed on NYS OGS Contract; and be it further

RESOLVED, upon bid completion of any bidding process the Director of Emergency Services be authorized to enter into all contracts necessary for the purchase of Equipment, and be it also

RESOLVED, that the Cayuga County Treasurer's Office is hereby authorized and directed to create and amend the Emergency Management Department's 2009 budget in the following manner:

Create Revenue Account A 36470 44302 HM SEC08 \$127,500.
 Create Contractual Account A 36474 54509 HM SEC08 \$127,500.

Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, McInotsh, Mitchell, Axton, Palermo, Petrus, Schuster.

Approved by voice vote, all in favor.

RESOLUTION NO. 744-08
(November 25, 2008) DA.EFPP Grant.09
AUTHORIZING THE CONTINUATION OF THE DISTRICT ATTORNEY'S
ENHANCED FELONY PROSECUTION PROJECT AND THE RECEIPT AND
DISTRIBUTION OF AID TO PROSECUTION TO FUND SAME

By: Raymond E. Lockwood, Chairman, Judicial & Public Safety, and
 Francis Mitchell, Chairman, Ways and Means

WHEREAS, Cayuga County has been awarded \$39,503 Aid to Prosecution for the continuation of the District Attorney's Enhanced Felony Prosecution Project; and

WHEREAS, the grant contract has been fully executed between the NYS Division of Criminal Justice Services and the County of Cayuga; and

WHEREAS, the District Attorney's Office has a 2009 Budget Revenue Account A11650 43029 State Aid - Aid to Prosecution; and

WHEREAS, the Cayuga County Legislature supports enhanced prosecution initiatives; now therefore, be it

RESOLVED, that pursuant to the Award Contract Budget of the District Attorney's Enhanced Felony Prosecution Project, the following "on-call supplement" will be added to the 2009 base salary of:

A11651 51004 SALARY - ON-CALL (EFPP)	
Position #004891-SYS (Chief Assistant District Attorney)	\$6,592
Position #004896-SYS (Assistant District Attorney)	\$5,356
Position #004895-SYS (Vacant Assistant District Attorney)	\$4,944
Position #004892-SYS (STOP DWI Assistant District Attorney)	\$6,995
Position #004894-SYS (STOP VAW Assistant District Attorney)	\$4,116
Position #005252-SYS (Assistant District Attorney)	\$3,873

and it is further

RESOLVED, that the foregoing salary adjustments will be effective on January 1, 2009; and it is further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to carry over any unexpended balance for the 2008 fiscal year and amend the 2009 County Budget for the District Attorney in the following manner:

REVENUE ACCOUNT A11650 43029	
Aid to Prosecution - Enhanced Felony Prosecution Project	\$39,503.00
SALARIES	
A11651 51004 Salary - On-Call (EFPP)	\$31,876.00
FRINGE	
A11651 58001 FICA 7.65%	\$2,438.51
A11651 58002 Retirement 8.80%	\$2,805.09
CONTRACTUAL	
A11654 54174 Department Expense	\$2,383.40

RESOLVED, that the District Attorney is hereby authorized to expend all of the monies in Account A11654 54174 (contractual) set forth in the Enhanced Felony Prosecution Project Grant Award, and it is further

RESOLVED, the Cayuga County Treasurer be authorized and directed to make the necessary journal and accounting entries to accomplish the foregoing, and it is further

RESOLVED, that upon discontinuance of the Aid to Prosecution monies set forth in the Grant Award Agreement between the NYS Division of Criminal Justice Services and Cayuga County for the continuation of the District Attorney's Enhanced Felony Prosecution Project, the foregoing "on-call supplement" added to the base salaries herein, shall be eliminated.

Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, McInotsh, Mitchell, Axton, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 745-08**Action Date 11/25/2008 cemofilladministrativeofficer****AUTHORIZATION TO FILL THE POSITION OF ADMINISTRATIVE OFFICER.**BY: Raymond Lockwood, Chairperson, Judicial & Public Safety Committee
Frances Mitchell, Chairperson, Ways & Means CommitteeWHEREAS, the Administrative Officer for Fire Services has submitted a resignation;
and

WHEREAS, this position is critical to the operation of the Fire Services Program within the Emergency Management Office; and

WHEREAS, the funding is allocated in the 2008 budget for this position; now, therefore be it

RESOLVED, that the Director of Emergency Services be hereby authorized to fill the position of Administrative Officer, in accordance with the Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, McInotsh, Mitchell, Axton, Palermo, Petrus, Schuster.

Approved by voice vote, all in favor.

RESOLUTION NO. 746-08**11/25/08 SHR-Transfer Monies (Upgrade Laptops/AVL)****AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO TRANSFER MONIES FROM THE SHERIFF'S 2008 CUSTODY JAIL GAS/HEAT BUDGET LINE A31504 54024 (3150.400.024A) TO THE SHERIFF'S 2008 LAW ENFORCEMENT EQUIPMENT BUDGET LINE A31102.52000 (3110.200.000A).**BY: Mr. Raymond Lockwood, Chair, Judicial and Public Safety Committee, and
Mr. Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, there is an insufficient amount of money in the Sheriff's 2008 Law Enforcement Equipment Budget Line A31102 52000 (3110.200.000A) to cover the cost of upgrading laptop computers used in the Sheriff's marked vehicles in conjunction with the new AVL (Vehicle Locator Project) system; and

WHEREAS, there is a surplus amount of money in the Sheriff's 2008 Custody Jail Gas/Heat Budget Line A31504 52024 (3150.400.024A) to compensate the shortage in the Sheriff's 2008 Law Enforcement Equipment Budget Line A31102 52000 (3110.200.000A);
now therefore be it

RESOLVED, that the Cayuga County Treasurer be authorized to transfer \$20,000.00 from the Sheriff's 2008 Custody Jail Gas/Heat Budget Line A31504 54024 (3150.400.024A) to the Sheriff's 2008 Law Enforcement Equipment Budget Line A31102 52000 (3110.200.000A); and further be it

RESOLVED that the Cayuga County Treasurer make the necessary accounting and journal entries to accomplish the intent of this Resolution.

Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, McInotsh, Mitchell, Axton, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 747-08
(November 25, 2008) DA.Recruitment/Retention
ACCEPT A NEW YORK STATE LEGISLATIVE GRANT AWARD FOR
RECRUITMENT AND RETENTION OF ASSISTANT DISTRICT ATTORNEYS
AND AUTHORIZE THE EXPENDITURE ACCORDING TO THE DISTRICT
ATTORNEY'S PLAN APPROVED BY THE NYS DIVISION OF
CRIMINAL JUSTICE SERVICES

By: Raymond E. Lockwood, Chairman, Judicial & Public Safety, and
Francis Mitchell, Chairman, Ways and Means

WHEREAS, the New York State Budget for fiscal year 2007-2008 included an appropriation of funds to support the New York State Legislature's District Attorney's Recruitment and Retention Program; and

WHEREAS, the Cayuga County District Attorney's Office received an award of \$11,167.00 to implement and administer the District Attorney's Recruitment and Retention Program in Cayuga County; and

WHEREAS, the Cayuga County District Attorney's Office has a 2008 Budget Revenue Account 3029.000.000 [A11650 43389]-A State Aid - DA Recruitment & Retention; and

WHEREAS, the \$11,167.00 award can only be used towards improving the recruitment and retention of assistant district attorneys, and cannot be used to supplant or offset current county appropriations or expenditures; and

WHEREAS, the District Attorney of Cayuga County proposed a plan to use the appropriation in the form of "Year-End Performance Bonuses" for designated assistant district attorneys and the State of New York Division of Criminal Justice Services approved that plan; now therefore, be it

RESOLVED, that Cayuga County accepts the \$11,167.00 Legislative Grant Award (\$9,330.00 - Salaries A1165.100.000-A [A11651 51001] - DA Recruitment & Retention Program; \$1,837.00 - Fringe A1165.800.000-A [A11651 58001 7.65% Social Security; A11651 58002 8.80% Retirement]) to implement and administer the District Attorney's Recruitment and Retention Program in Cayuga County according to the plan submitted by the District Attorney and approved by the State of New York Division of Criminal Justice Services; and be it further

RESOLVED, that the Treasurer of Cayuga County be hereby authorized and directed to pay "Year-End Performance Bonuses" pursuant to the Award Contract Personnel Budget Summary to the following Assistant District Attorneys in the final payroll of 2008:

A.1165.100.000-A [A11651 51001] SALARIES - DA RECRUITMENT & RETENTION PROGRAM

Diane M. Adsit	\$1,866.00
Brian N. Bauersfeld	\$1,866.00
Heather M. De Stefano	\$1,866.00
Charles M. Thomas	\$1,866.00
Christopher T. Valdina	\$1,866.00
A.1165.800.000-A [A11651 58001 7.65% FICA; A11651 58002 8.80% Retirement]	
FRINGE	\$1,837.00

and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the necessary journal and accounting entries to accomplish the foregoing.

Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, McInotsh, Mitchell, Axton, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 748-08

11.26.08 911purchasecanopylinkrev

**AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO PURCHASE
A MOTOROLA CANOPY LINK TO SECURE FUNCTIONALITY OF
THE E911 BACKUP CENTER.**

BY: Mr. Raymond Lockwood, Chairperson, Judicial and Public Safety Committee
Mr. Francis Mitchell, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County 911 Center utilizes tower sites to provide radio transmissions for all emergency responders in Cayuga County; and

WHEREAS, it is critical to install the Canopy Link from the County Office Building to the Public Safety tower site to secure 24/7 operation, and functionality, of the E911 Back up Center; and

WHEREAS, the equipment will then be placed on Cayuga County's monthly support and maintenance agreement that includes all radio equipment, at no additional cost at this time; and

WHEREAS, there is money in the 911 Communication System Budget Account Number 3020.200.000, Munis account number A30202 52000, Equipment, to cover the cost and installation of this; now therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to allow for the purchase of the Motorola Canopy Link not to exceed 30,000.00; and be it further

RESOLVED, that the Cayuga County Treasurer make all the necessary journal and accounting entries to accomplish the foregoing.

Signed by Lockwood, Chapman, Cuddeback, Murphy, Fearon, Mahunik, McInotsh, Mitchell, Axton, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 749-08

11/25/08 SHR-Transfer Monies (SEACC)

**AUTHORIZING THE TREASURER'S DEPARTMENT TO TRANSFER MONIES
FROM THE PROVISION FOR SALARY ADJUSTMENT ACCOUNT TO THE
2008 SHERIFF'S CUSTODY BUDGET DUE TO THE RATIFICATION OF THE
SHERIFF'S EMPLOYEE ASSOCIATION OF
CAYUGA COUNTY (SEACC) CONTRACT.**

BY: Mr. Raymond Lockwood, Chair, Judicial and Public Safety Committee, and
Mr. Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, the Contract between Cayuga County and the Sheriff's Employee Association of Cayuga County was ratified in August 2008 and retroactive payments were made to the Union Employees in September 2008; and

WHEREAS, this Agreement resulted in the payment of back base wages of \$273,440 and overtime of \$50,036 for 2007, as well as back base wages of \$309,381 and overtime of \$52,385 for 2008 to the date of payment of retroactive; now therefore, be it

Tuesday, November 25, 2008

549

RESOLVED, that Cayuga County transfer the available balance of \$285,367 in the Provision for Salary Adjustment Account #1991.000.000-A to the 2008 Sheriff's Custody Operating Budget Line A31501 51001 (3150.100.000A) to defray these salary adjustments; and further be it

RESOLVED that the Cayuga County Treasurer is authorized to make the journal and accounting entries required to implement the intent of this resolution.

Signed by Lockwood, Chapman, Cuddeback, Murphy, Mahunik, McInotsh, Mitchell, Axton, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 750-08

11/25/08 SHR-Transfer Monies (CO Clothing Allowance)

AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO TRANSFER MONIES FROM THE SHERIFF'S 2008 CUSTODY JAIL GAS/HEAT BUDGET LINE A31504 54024 (3150.400.024A) TO THE SHERIFF'S 2008 CUSTODY CLOTHING ALLOWANCE BUDGET LINE A31504.54016 (3150.400.016A).

BY: Mr. Raymond Lockwood, Chair, Judicial and Public Safety Committee, and Mr. Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, there is an insufficient amount of money in the Sheriff's 2008 Custody Budget Line A31504.54016 (3150.400.016A) to cover the \$200.00 clothing allowance allotted to each Corrections Officer employed by the Cayuga County Sheriff's Office for the years of 2007 and 2008 as set forth in Article 18, Section 2, of the Sheriff Employee Association of Cayuga County (SEACC) contract; and

WHEREAS, there is a surplus amount of money in the Sheriff's 2008 Custody Jail Gas/Heat Budget Line A31504 52024 (3150.400.024A) to compensate the shortage in the Sheriff's 2008 Custody Clothing Allowance Budget Line A31504.54016 (3150.400.016A); now therefore be it

RESOLVED, that the Cayuga County Treasurer be authorized to transfer \$9,000.00 from the Sheriff's 2008 Custody Jail Gas/Heat Budget Line A31504 54024 (3150.400.024A) to the Sheriff's 2008 Custody Clothing Allowance Budget Line A31504.54016 (3150.400.016A); and further be it

RESOLVED that the Cayuga County Treasurer make the necessary accounting and journal entries to accomplish the intent of this Resolution.

Signed by Lockwood, Chapman, Cuddeback, Murphy, Fearon, Mahunik, McInotsh, Mitchell, Axton, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

MOTION NO. 751-08

Motion by Lockwood, 2nd by Axton to increase Clerk of the Legislature Salary to \$47,500.00. Line 10401-51001 and to include all associated benefits, all in favor.

MOTION NO. 752-08

2009 PRELIMINARY BUDGET AMENDMENTS Attached to WM#1 Adopt Budget

- | | |
|---------------------------------------|--------------------------------|
| 1. A3110 Sheriff | page 44 (White, Page 46 (Gold) |
| Increase A3110-51001 Sal, FT) | |
| From \$2,209,999.00 to \$2,021,797.00 | Increase of \$798.00 |

Increase A31101-58001 (Soc Sec)	
From \$167,764.00 to \$167,825.00	Increase of \$ 61.00
Increase A31101-58002 (Retirement)	
From \$228,123.00 to \$228,273.00	Increase of \$ 64.00
2. A1610 Information Technology	page 32 (White), Page 33 (Gold)
Decrease A16101-51003 (Sal OT)	
From \$6,800.00 to \$3,500.00	Decrease of \$3,300.00
3. A711 Agricultural Museum	
Page 116 (White), Page 123 (Gold)	
Increase A71112-52000 Equipment	
From \$0 to \$15,000.00	Increase of \$15,000.00
(it shall transfer to Capital Reserve)	

Motion by Fearon to amend wording from (in contemplation of transfer to Capital Reserve) to (it shall transfer to Capital Reserve), all in favor.
Motion as amended, all in favor.

4. Use of Fund Balance	
Increase use of Fund Balance in General Fund	
From \$2,200,000.00 to \$2,700,000.00	
Decrease use of Fund Balance in Highway Fund (D)	
From \$500,000.00 to \$0	No Change
5. Work Hours	
For Deputy Director of Community Mental Health (A4310)	
Decreasing proposed hours of work from 37.5 to 35	No Change

Motion by Mitchell, 2nd by Cuddeback to move 2009 Budget Amendments #'s 1 through 5, all in favor.

MOTION 753-08

Motion by Tortorici, 2nd by Sincebaugh to take \$200,000.00 from un-appropriated fund balance and apply it to the Levy, all in favor.

Motion by Lockwood, 2nd by Cuddeback to Adopt the County Budget for 2009.

RESOLUTION NO. 754-08
11/25/08 COLADOPTBUDGET2009
TO ADOPT THE COUNTY BUDGET FOR 2009

BY: Hon. Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, the Budget officer of the County of Cayuga in compliance with County Law, Section 354, has prepared and filed with the Clerk of the Cayuga County Legislature a tentative budget; and

WHEREAS, pursuant to County Law, Section 357, the Ways & Means Committee of this County Legislature, being the committee designated to review the tentative budget, has examined the budget and recommended changes; and

Tuesday, November 25, 2008

551

WHEREAS, the provisions of County Law, Section 358, have been complied with by the Cayuga County Legislature and pursuant to County Law, Section 359, a public hearing was held on November 25, 2008 after advertisement as required by law; now, therefore, be it

RESOLVED, that the tentative budget as heretofore amended be and hereby is adopted by this Legislature as the budget for the year 2009.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by majority vote, all in favor, except Fearon voting no. 819/63

Motion by Chapman to Adjourn at 9:03PM, all in favor.

Minutes For Approval: 11-18-08 and 11-25-08, **motion by Palermo, all in favor.**

**MINUTES
CAYUGA COUNTY LEGISLATURE
DECEMBER 16, 2008, 6:30 PM**

WELCOME:**CALL TO ORDER:** Hon. Roger Mills, Chairman, at 6:30PM**ROLL CALL:** Mary Jones, Clerk of the Legislature, all Legislators present, except McIntosh excused.**PLEDGE OF ALLEGIANCE:****MOMENT OF PRAYER:****PUBLIC HEARING:** Opened at 6:32PM:

To Adopt Local Law No. for the Year 2008 Providing for a Salary Increase for the County Attorney, Who is Appointed for a Fixed-Term, During his Term.

PROCLAMATION:

Recognizing The Church of the Holy Family for its 175th Anniversary, read by Mary Jones, Clerk of the Legislature, will be presented to members of the Church at a latter date.

Declaring December 30, 2008 as Nicholas C. Valenti Day in Cayuga County, read by Mary Jones, Clerk of the Legislature, presented to Nick Valenti by Roger Mills, Chairman Cayuga County Legislature.

Declaring December 31, 2008 as George H. Daniels Day in Cayuga County, read by Mary Jones, Clerk of the Legislature, presented to George Daniels by David Gould, Sheriff and Roger Mills Chairman Cayuga County Legislature.

EMERGENCY AUTHORIZATION FOR SPENDING:

Department: Buildings & Grounds

Reason:

County Office Building heating project change order

2 Heating units at the Hardenburg Building have failed.

The unit that supplies heat to the DA office and Grand Jury room has a bad heat exchanger and burned out some of the controls. This unit needs to be replaced.

The unit that supplies heat to the Veterans and Norm Cherco's area requires a new blower motor for a temporary repair. This unit should be replaced soon, do to its condition.

Account number A16224-54001 (1622.400.001) has \$10,000.00 to cover this expense.

Total estimate \$9,570.00 installed.

Signed by Axton, Mahunik, Mitchell, Mills, Wayne Allen Co. Manager.

EMERGENCY AUTHORIZATION FOR SPENDING:

WHEREAS, the current Director of Veterans Service Agency is retiring effective December 30, 2008, Now therefore be it

RESOLVED, that the undersigned authorize on an emergency basis the following:

RESOLVED, that the Cayuga County Department of Human Resources and Civil Service Commission be hereby authorized to advertise for a full-time Director of Veterans Service Agency; and be it further

RESOLVED, that a sum up to \$3,500.00 be transferred from Contingency Account (A1990-K-Client) (A1016-Munis) to Advertising Account (A1430.400.061-K-Klient) (A14304-54061-Munis); and be it further

RESOLVED, that the County Treasurer be hereby authorized to make any journal or accounting entries to transfer the funds for the cost of the advertisements pursuant to this emergency authorization.

Signed by Palermo, Mahunik, Mitchell, Mills, Wayne Allen Co. Manager

PUBLIC BE HEARD:

If you wish to speak notify your Legislator, who will grant you privilege of the floor. You will be allowed to speak for 3 to 5 minutes. You must state your name and address.

MINUTES: For Approval: 10-20-08, 10-28-08, and 10-30-08, **Motion by Chapman 2nd by Tortorici to approve, all in favor.**

For Reading: 11-18-08 and 11-25-08

CCC REPORT: Dr. Daniel Larson: December Graduation, 31 students completed their requirements for associate's degrees as of the end of Fall 08. Holiday Events, Holiday Craft Fair, Holiday Cookie Drop, Music students gave three public performances during December. State Senator Darrel Aubertine of the 48th Senate District, visited our Fulton Campus and reviewed our proposal to expand. Accounting Program Speaker Series, covers job searches, accounting for non-profit entities, and assistance with the IRS-sponsored CASH program. Enrollment, full time enrollment is down by 4 and part time by 248, compared to 2007. FTE enrollment is up compared to 2007.

PRESENTATION: Langone & Associates on the 911 Radio Communication Project.

Chick Langone Presenter:

Handout attached to original minutes: Discussion:

Chapman, look at sites beyond borders of County, people not in the consortium can they use this system.

Chick Langone, yes with a translator devise.

Chapman, vehicle to vehicle.

Chick Langone, can link to 911 system, look at other counties you need to communicate with.

Fearon, can we share towers, Aurora is a dead area.

Chick Langone, one way site now, we can change.

Sincebaugh, 5 counties on board now, is that a fact?

Chick Langone, 5 counties have signed up to work as a consortium, Onondaga, contract, Madison no contract yet, Oswego, developing conceptual design, Cortland looking at options no status yet, Chenango is looking at.

Denise Stayton 911 Administrator, could be more counties.
 Fearon, if we don't do it now it will be more in the future.
 Schuster, City of Auburn has to get off their system, does our schedule fit in with theirs.
 Chick Langone, more related to County, the City is under FCC mandate to reshuffle their radio frequency, could be implemented sooner than the County.
 Schuster, goal is to have the City system compatible with the County. City can go first then County.
 Chick Langone, County does the master plan.
 Schuster, how much as Onondaga County spent?
 Chick Langone, 33 million for signed contract, 15 radio sites 5,200 radios, could go up if they need more. 3 new towers near Cayuga County boarder.
 Sincebaugh, what is the cost for Cayuga County.
 Chick Langone, no idea yet, we are working on it.
 Chapman, does Onondaga County have their own towers or are they using Cayuga County towers.
 Chick Langone, they want to own their own towers, 15 sites, one is a Verizon tower.
 Al Kozlowski Director of Real Property, internet packages, need broad band service, help economy.
 Chick Langone, haven't looked at, we can look at it.
 Roger Mills Chairman, is there an infrastructure we could use for broadband.
 Chick Langone, not sure.
 Schuster, need to get a Project Manager for this, wise investment move forward.
 Denise Stayton 911 Administrator, need a job description, Onondaga County has a person they use.
 Lockwood, Public Safety Committee issue, first of year advertise and interview, get the best person for the job.

Public Hearing closed at 7:34PM, all in favor.

COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS:

Lockwood, Native American Affairs, thank you to Jon Budelmann DA, we had a conference call with Senator Schumer he will lead us to get a moratorium on Indian Land in Cayuga County. Moving in a good direction.
 Fred Westphal Co. Attorney, appeal process has started, will keep you informed.

MANAGER'S REPORT: Wayne Allen, Governor has released budget, cuts across the board. Nursing Home, Public Health, Dept. of Social Services, we need Medicaid cap. Adopt budget by 3-1-08, 13.7 deficit for next year.
 Lockwood, prior to cap, 1.4 million will double 2 to 3 million increase with out cap on Medicaid.

APPOINTMENTS AND RE-APPOINTMENTS:

Cayuga County Industrial Development Agency

Raymond Lockwood, 1877 State Route 326, Auburn, NY, term 1/1/09 - 12/31/10 (2 yrs)
 Vijay K. Mital, 52 Kearney Avenue, Auburn, NY, term 1/1/09 - 12/31/10 (2 yrs)
 John Latanyshyn, 5663 Silver Street Road, Auburn, NY, term 1/1/09 - 12/31/10 (2 yrs)
 Carol Contiguglia, 125 South Herman Avenue, Auburn, NY, term 1/1/09 - 12/31/10 (2 yrs)

Tuesday, December 16, 2008

555

Paul Lattimore, 363 Cottonwood Lane, Auburn, NY, term 1/1/09 - 12/31/10 (2 yrs)

Motion by Chapman, 2nd by Sincebaugh to approve, all in favor

Ag and Farmland Protection Board

Craig Culver, 4826 Silver Street, Auburn, NY, term 1/1/09 - 12/31/12 (4 yrs)

Ron Podolak, 5002 North Road, Auburn, NY, coterminous with position

Motion by Chapman, 2nd Cuddeback to approve, all in favor.

Cayuga County Public Utility Service Agency

James Young, 4549 State Route 34B, Union Springs, NY, term 4/1/08 - 3/31/11 (3 yrs)

Cal Scheckler, 10866 Bonta Bridge Road, Cato, NY, term 4/1/08 - 3/31/11 (3 yrs)

William Graney, 4 Sumner Street, Auburn, NY, term 4/1/08 - 3/31/11 (3 yrs)

Ron Colella, 6662 Butera Drive, Auburn, NY, term 4/1/08 - 3/31/12 (4 yrs)

Motion by Chapman, 2nd by Sincebaugh to approve, all in favor.

Water Quality Management Agency

Stephen Lynch, 160 Genesee St., 5th Floor, Auburn, NY, term 1/1/09 - 12/31/09

Eileen O'Connor, 160 Genesee St., 2nd Floor, Auburn, NY, term 1/1/09 - 12/31/09

Gary Duckett, 6914 East Lake Road, Auburn, NY, term 1/1/09 - 12/31/09

Ron Podolak, 5002 North Road, Auburn, NY, term 1/1/09 - 12/31/09

Bruce Natale, 160 Genesee St., 2nd Floor, Auburn, NY, term 1/1/09 - 12/31/09

Doug Ververs, Cornell Cooperative Ext., 248 Grant Ave., Auburn, NY, term 1/1/09 - 12/31/09

Edward Wagner, 57 Willowbrook Dr., Auburn, NY, term 1/1/09 - 12/31/09

Bruce Ross, Memorial City Hall, 24 South St., Auburn, NY, term 1/1/09 - 12/31/09

Harry Hinman, 2722 Mechanic St., PO Box 13, Weedsport, NY, term 1/1/09 - 12/31/09

Keith Batman, 3649 Keesee Road, Moravia, NY, term 1/1/09 - 12/31/09

Dale Powell, 192 East Lake Road, Port Byron, term 1/1/09 - 12/31/09

Barbara Harvey, 1220 Lake Como Road, Cortland, NY, term 1/1/09 - 12/31/09

John Corcoran, 11790 State Route 90, Locke, NY, term 1/1/09 - 12/31/09

William Hecht, Po Box 86, Union Springs, NY, term 1/1/09 - 12/31/09

James Young, 4549 State Route 34B, Union Springs, NY, term 1/1/09 - 12/31/09

Motion by Chapman, 2nd by Fearon to approve, all in favor.

Cayuga County Convention & Visitors Bureau (Tourism Board)

Peter Tortorici, 19 Union St., Auburn, NY, term: Ex-Officio

Motion by Chapman, 2nd by Sincebaugh to approve, all in favor.

Cayuga County EMS Advisory Board

David M. James, 2687 Bell St., Weedsport, NY 13166, term 1/1-09 to 12/31/09

Dr. Mary DiRubbo, PO Box 775, Skaneateles, NY 13152 term 1/1/09 to 12/31/09

Roman Rotko, 213 Dunning Ave., Auburn, 13021 term 1/1/09 to 12/31/09

Michael Deyneka, 6468 E. Lake Rd., Auburn, NY 13021 term 1/1/09 to 12/31/09

Joseph DiFabio, 260 McIntosh Dr., Auburn, NY 13021 term 1/1/09 to 12/31/09

Deanna Gates, PO Box 100, Meridian, NY 13113 term 1/1/09 to 12/31/09

Sam Giannettino, 100Swift St., Auburn, NY 13021 term 1/1/09 to 12/31/09

Travis Poole, 33 French Ave., Auburn, NY 13021 term 1/1/09 to 12/31/09

Lon Fricano, 321 Backus Rd., Cayuga, NY 13034 term 1/1/09 to 12/31/09

Albert Mantey, 3045 White Rd., Moravia, NY 13118 term 1/1/09 to 12/31/09
 Kezia Parseghian, 294 Lake Rd., King Ferry, NY 13081, term 1/1/09 to 12/31/09
 Jen Savery, 1069 Swamp Rd., Cato, NY 13033, term 1/1/09 to 12/31/09
 Edward B. Sherman, 107 Melrose Rd., Auburn, NY 13021, term 1/1/09 to 12/31/09
 Lori DeBois, 626 McDonald Rd., Port Byron, NY 13140, 1/1/09 to 12/31/09
Motion by Chapman, 2nd by Sincebaugh to approve, all in favor.

Board of Elections
 Democratic Election Commissioner - 4 year term (1/1/09 - 1/1/12)
 Katie Lacey, 49 Chedell Place, Auburn, New York
Motion by Mahunik, 2nd by Sincebaugh to approve, all in favor.

Republican Election Commissioner - 4 year term (1/1/09 -1/1/12)

Cherl Heary, 561 Dills Road, Union Springs, New York
 Motion by Chapman, 2nd by Tortorici to approve, all in favor.
 Health Care Consortium Board of Directors:
 Jeffrey L. Edwards, 1986 Rte. 34, Genoa, NY 13071 term 1/1/09 to 12/31/09
 Pamela Kirkwood, 22 Willowbrook Dr., Auburn, NY 13021 term 1/1/09 to 12/31/09
 John A. Karpinski, 22 Eastern Pkwy, Auburn, NY 13021 (Alternate)
Motion by Chapman, 2nd by Sincebaugh to approve, all in favor.

Fish & Wildlife Management Board:

Dennis Rhoads, 7219 Hatfield Rd., Cortland, NY 13045, (Sportsman Rep.) term 1/1/09 to 12/31/09
 Dennis Zach, 97 N. Lewis St., Auburn, NY 13021 (Alternate for Dennis Rhoads)
 Lance Robson, 365 Center St. Rd., Auburn, NY 13021 (Landowner Rep.) term 1/1/09 to 12/31/09
 TBD Legislative appointment, No one was appointed.
Motion by Chapman, 2nd by Cuddeback, all in favor.

COMMUNICATIONS AND ANNOUNCEMENTS:

1. Received a letter from Brian Kolb, State Assembly, re: reductions in state funding.
2. Received a letter from William Door, President Musical Theatre Festival, thanking the Cayuga County Legislature's decision to invest \$25,000.00 to support the festival.
3. Received acknowledgment from Brian Kolb, State Assembly for receipt of a copy of Resolution 685-08, urging the Governor and the State Legislature to reduce State spending.
4. Received a letter from Susan Crabtree, Clerk Oneida County Legislature, re: Memorializing Petition to enforce the collection of sales taxes on sales to non-Indians at Indian-owned enterprises.
5. Received a letter from the City of Auburn, giving the County Highway permission to dispose of animal carcasses at the City's Solid Waste Facility, no charge.
6. Received a letter from New York State Emergency Management Office, Albany, NY, re: FFY08 Citizen Corps Grant Program, the application was denied.
7. Received a letter from Kate Flannery, Executive Director Susan G. Komen, Central New York Affiliate, thanking the Cayuga County employees for their gift of \$1,415.25.

8. Received a letter from Michael F. Nozzolio, Senator, re: resolution No. 685-08 (Urging the Governor and the State Legislature to Reduce Spending without Shifting Costs for State Programs to County Government), thanking the County for keeping him informed.

9. Received a letter from The Holy Family Church, Auburn, NY, Re: The Church will be celebrating its 175th anniversary starting December 27, throughout all of 2009.

10. Received several letters thanking the Sheriff's Dept. for their services and help.

11. Received a letter from Gay Wayne, re: approval for rescinding his irrevocable intent to retire.

12. Received a letter from David Sincerbeaux, re: approval for rescinding his irrevocable intent to retire.

13. Received a letter from David J. Swarts, Commissioner Dept. of Motor Vehicles approving the 2009 STOP-DWI Plan as submitted.

Motion by Lockwood, 2nd by Tortorici, to waive reading of correspondence and announcements, all in favor.

RESOLUTIONS

RESOLUTION NO. 755-08

AuditDec.08.doc

AUTHORIZING THE COUNTY TREASURER TO PAY DECEMBER 2008 AUDIT OF CLAIMS

BY: Hon. Francis Mitchell, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on November 25, 2008 audit claims against the County of Cayuga in the aggregate sum \$1,155,604.06, therefore be it

RESOLVED, that the Clerk of this Legislature file a certified list of claims so audited with the County Treasurer, and be it further

RESOLVED, that the County Treasurer be and he hereby is authorized and directed to pay the several claims so audited and charge the amounts to the several appropriations made therefore in the County Budget finalized on December 31, 2007.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 756-08

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AUTHORIZING THE COUNTY TREASURER TO PAY CAYUGA COUNTY HIGHWAY DEPARTMENT'S DECEMBER 2008 AUDIT OF CLAIMS

BY: Hon. Francis Mitchell, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on December 16, 2008 audit claims against the County of Cayuga Highway Department in the aggregate sum of \$359,425.93, therefore be it

RESOLVED, that the Clerk of this Legislature file a certified list of claims so audited with the County Treasurer, and be it further

RESOLVED, that the County Treasurer be and he hereby is authorized and directed to pay the several claims so audited and charge the amounts to the several appropriations made therefore in the County Budget finalized on December 11, 2007.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

**RESOLUTION NO. 757-08
12/16/08**

**AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE
WAYS & MEANS COMMITTEE FOR PAYMENT OF UTILITY BILLS.**

By: Hon. Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 50, adopted April 11, 1978, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Electric and Gas service, and Water and Sewer service, and

WHEREAS, this Legislature did by Resolution No. 184, adopted August 14, 1984, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for telephone service, and Landfill Service, and

WHEREAS, said Committee has audited and authorized payments as follows:

NOVEMBER 2008	
Gas & Electric:	\$22,244.04
Telephone:	\$17,579.43
Water	\$24,233.25
Landfill/Rubbish	<u>\$ 3,394.98</u>
Total:	\$67,451.70

RESOLVED, that said payments be part and partial payment of the full audit of this Board.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

**RESOLUTION NO. 758-08
12/16/08 PURCHSVCSNOVEMBER
AUTHORIZING THE CAYUGA COUNTY TREASURER TO CHARGE
DEPARTMENTS FOR CENTRAL SERVICES AND PURCHASES FOR THE
MONTH OF NOVEMBER 2008**

BY: Hon. Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, the Ways & Means Committee approved the payment of all Central Services,

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to credit the revenue account and charge the following departments' .40 Accounts (Contractual Expenditures) in accordance with attached schedules:

Tuesday, December 16, 2008

559

DEPARTMENT	CREDIT	AMOUNT
Central Purchasing	A1275	\$11,454.51
TOTAL		\$11,454.51

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.
Approved by voice vote, all in favor.

RESOLUTION NO. 759-08

Date of meeting: December 16, 2008

**AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE
ADMINISTRATOR OF THE CAYUGA COUNTY NURSING HOME**

By: Ann Petrus, Chairman Health & Human Services Committee
Francis Mitchell, Chairman Ways & Means Committee

WHEREAS, this legislature did by Resolution Number 70, duly adopted on the 20th day of March 1984, authorize the Nursing Home Committee of the County Legislature to audit all claims against the Cayuga County Nursing Home, and

WHEREAS, said Committee has audited and authorized payment in the amount of \$181,769.11 for the month of November 2008, now therefore be it

RESOLVED, that said payment be part and partial payment of the full audit of this Board.

Signed by Petrus, McIntosh, Schuster, Cuddeback, Sincebaugh, Tortorici, Mitchell, Palermo, Lockwood.

Approved by voice vote, all in favor.

RESOLUTION NO. 760-08

seniornutrition

**REPORT AND APPROVAL OF BILLS PAID BY THE COUNTY TREASURER
FOR OPERATION OF THE SENIOR NUTRITION PROGRAM IN
THE OFFICE FOR THE AGING.**

BY: Ann Petrus, Chair, Health & Human Service Committee
Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, The Director of the Office for the Aging presented bills for service providers in regard to operation of the Senior Nutrition Program, to the County Treasurer for payment pursuant to Resolution No. 297, duly adopted on June 21, 1994, which claims total \$ covering the period through and have been paid as set forth on the attached lists; now, therefore, be it

RESOLVED, that the aforesaid claims shall become part and parcel of the full legislative audit for the Office for the Aging.

Signed by Petrus, McIntosh, Schuster, Cuddeback, Sincebaugh, Tortorici, Mitchell, Palermo, Lockwood.

Approved by voice vote, all in favor.

RESOLUTION NO. 761-08

12/16/08

**AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS &
MEANS COMMITTEE FOR PAYMENT OF CREDIT CARD CHARGES.**

BY: Hon. Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 1-99, adopted January 01, 1999,

authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Credit Card Charges, and,

WHEREAS, said Committee has audited and authorized payments as follows:

NOVEMBER 2008	
First Niagara	\$ 147.00
AmExpress	\$1,970.59
Sunoco	\$ 804.35
Walmart	\$ 0
<u>Exxon</u>	<u>\$ 41.76</u>
Total:	\$2,963.70

RESOLVED, that said payments be part and partial payment of the full audit of this Board.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 762-08

12/16/08

**AUTHORIZING PAYMENT OF LEGAL NOTICE FEES
PRIOR TO THE LEGISLATIVE AUDIT.**

BY: Hon. Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, several county agencies are required by law to advertise legal notices in area media from time to time, and

WHEREAS, several of the officially designated newspapers offer a discount for prompt payment of legal Advertising invoices, and

WHEREAS, it would be in the best interest of the County to take advantage of the prompt payment discounts by paying these invoices prior to the legislative audit of claims, therefore be it

RESOLVED, that the Clerk of the Legislature is hereby authorized to process legal Advertising invoices for payment by the Cayuga County Treasurer prior to the monthly legislative audit, and be it further

RESOLVED, that a monthly report of said payments shall be provided to each legislator on a monthly basis.

NOVEMBER TOTAL	\$4,242.23
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Signed by Mitchell, Axton, Lockwood, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor, Palermo abstained.

RESOLUTION NO. 763-08

(12/16/08) COA-CAPH12PAY(Rev)

**AUTHORIZING THE COUNTY TREASURER TO
PAY CLAIMS AGAINST VARIOUS CAPITAL "H" PROJECTS.**

BY: MR. MITCHELL, Chairman, Ways & Means Committee.

WHEREAS, claims have been received in regard to various Capital "H" Projects previously established by the County; and

WHEREAS, said claims have been reviewed and approved by the interested oversight committees; now, therefore, be it

RESOLVED, that the County Treasurer be and he is hereby authorized and directed to pay the following claims and charge the same to the appropriate Capital "H" Projects:

1. Project #04-4 (Enhanced Wireless 911 Expedited Deployment Plan):
 - NEW WORLD SYSTEMS:
 - Inv. No. 57315 \$ 960.00
 - Inv. No. 57636 \$ 2,500.00
 - Inv. No. 55568 \$ 4,500.00
 - CDW GOVERNMENT, INC.:
 - Inv. No. LST1941 \$ 1,335.00
 - Inv. No. LSP3961 \$ 20.00
 - ESRI:
 - Inv. No. 91835235 \$ 5,733.00
2. Project #06-5 (Modification to the Cayuga County Office Bldg. Heating System):
 - C-COM OF CNY:
 - Inv. No. 4393 \$ 7,742.00
 - BOULEY ASSOCIATES, INC.:
 - Application & Certificate for Payment #2 dated 11/18/08
(FIREPROOFING) \$ 28,500.00
 - Application & Certificate for Payment #3 dated 11/25/08
(FIREPROOFING) (Final Payment) \$ 7,610.00
 - SIRACUSA MECHANICAL, INC.:
 - Application & Certificate for Payment #12 dated 11/20/08
(HVAC) \$ 43,047.40
3. Project #07-1 (Erie Heritage Preservation):
 - KENT ENVIRONMENTAL:
 - Inv. No. 72 \$ 2,470.00
4. Project #08-1 (Renovations - Mental Health, North Street):
 - C & S COMPANIES:
 - Inv. No. 0865 \$ 25,000.00
 - Inv. No. 0866 \$ 11,500.00

And be it further

RESOLVED, that the Treasurer make the journal and accounting entries necessary to accomplish the foregoing.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

**RESOLUTION NO. 764-08
12/16/08**

AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF EQUIPMENT LEASE PAYMENTS.

BY: Hon. Francis Mitchell, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 76-02, adopted February 26, 2002, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Equipment Leases, and

WHEREAS, said Committee has audited and authorized payment as follows:

NOVEMBER 2008	
Copier Leases and Maintenance:	\$6,838.86
Postage Leases:	\$1,195.00
Misc. Leases:	<u>\$1,761.31</u>
Total	\$9,795.17

RESOLVED, that said payment be part and partial payment of the full audit of this Board.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 765-08
12/16/08

AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF PARCEL SERVICE PAYMENTS.

BY: Hon. Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 03-03, adopted January 3, 2003, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Parcel Service Payments, and

WHEREAS, said Committee has audited and authorized payment as follows:

NOVEMBER 2008	\$ 56.89
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RESOLVED, that said payment be part and partial payment of the full audit of this Board.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 766-08
12/16/08 RPSparcontractrev

AUTHORIZING AN AGREEMENT BETWEEN PAR GOVERNMENT SYSTEMS CORP AND CAYUGA COUNTY TO DEVELOP REAL PROPERTY ONLINE SOFTWARE.

WHEREAS, currently the Office of Real Property uses a software called Imagemate online to provide taxpayers with online access to property data; and

WHEREAS, the annual fee to maintain this software is \$3,000.00, and the annual fees to have to software hosted at the college is \$7,200.00; and

WHEREAS, the county has already purchased a dedicated server through grant funds, and is now ready to host and maintain our own software; and

WHEREAS, the final stage of this plan is to develop our own software to allow public access to property records on-line; and

WHEREAS, PAR Government Systems Corp. has submitted a quote for the work to be done for \$16,500; and

WHEREAS, there are sufficient monies from the 2008 Centralized Tax Administration Grant cover this fee; and

WHEREAS, the fee will be paid out of account number 1355.400.059 (kclient) 1355A54059 (munis); and

WHEREAS, developing this software and maintaining it on a county server in the office of Real Property will save the county \$10,200 yearly in maintenance and hosting fees; Now therefore be it,

RESOLVED, that the Chairman of Cayuga County is authorized to execute an agreement with PAR Government Systems Corp. to develop Cayuga County Real Property Online software, using the guidelines set forth in the attached draft of the principles to be included in the agreements; and also be it

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

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 767-08

(12/16/08) rpsCCApportioncostres

**AUTHORIZE DIRECTOR OF REAL PROPERTY SERVICES TO APPORTION
COMMUNITY COLLEGE COSTS FOR TAX PURPOSES**

By: Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, The Cayuga County Treasure's has provided figures to be levied back against several municipalities; Now therefore be it

RESOLVED, that the Office of Real Property Services is hereby authorized to charge the several municipalities the costs as certified by the County Treasurer for Community College purposes as follows:

City of Auburn	113,187.26	Town of Moravia	35,093.22
Town of Aurelius	13,242.44	Town of Niles	7,676.56
Town of Brutus	27,981.36	Town of Owasco	32,627.21
Town of Cato	26,093.26	Town of Scipio	15,126.06
Town of Conquest	8,462.26	Town of Sempronius	20,352.82
Town of Fleming	26,730.40	Town of Sennett	21,032.32
Town of Genoa	21,772.27	Town of Springport	18,328.06
Town of Ira	16,967.26	Town of Sterling	26,950.29
Town of Ledyard	11,761.69	Town of Summerhill	19,979.91
Town of Locke	19,753.02	Town of Throop	11,659.95
Town of Mentz	6,321.72	Town of Venice	7,955.36
Town of Montezuma	10,040.31	Town of Victory	9,136.02
		Total	528,231.03

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 768-08
(12/16/08) CayCoWaterDistictsrev
AUTHORIZING THE LEVY OF AD VALOREM TAXES FOR COUNTY WATER
DISTRICT # 1, WATER DISTRICT #2, WATER DISTRICT # 3 & AND UNIT
TAXES FOR SEWER DISTRICT # 2 FOR THE COUNTY WATER
AND SEWER AUTHORITY IN SEVERAL TOWNS.

BY: Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, New York State Finance Law requires the legislative body to annually approve the rates and/ or ad valorem or unit based taxes in water and sewer districts; and

WHEREAS, the Director of Operations of the Cayuga County Water and Sewer Authority presented rates and ad valorem taxes in Water Districts #1, #2 & #3 and Unit taxes in Sewer Distric #2; therefore be it

RESOLVED, that the following amounts in the respective towns, representing the capital cost outlay and operation and maintenance for the County Water/Sewer Authority WaterDistricts 1, 2, and 3, and Sewer District #2 be collected for the 2009 tax roll, are hereby approved:

<u>COUNTY WATER DISTRICT # 1 & #2</u>		<u>COUNTY WATER DISTRICT #3</u>	
Town of Brutus	\$1,212.17	Town of Aurelius	\$14,143.58
Town of Mentz	\$4,273.83	Town of Fleming	\$ 455.42
Town of Sennett	\$14,195.00		
Town of Throop	<u>\$12,586.00</u>		
Total	\$32,267.00	Total	\$14,599.00
<u>COUNTY SEWER DISTRICT # 2</u>			
Town of Sterling	\$192,649.65		

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 769-08
12/16/08 COL annex08
DESIGNATING DECEMBER 16, 2008, AS THE DATE
TO ANNEX THE TAX WARRANT (M).

BY: Hon. Francis Mitchell, Chairman, Ways and Means Committee.

WHEREAS, pursuant to section 904 of the Real Property Tax Law of the State of New York the county Legislative body shall annex to or, in the case of assessment rolls prepared in accordance with the provisions of article fifteen-C now, therefore, be it

RESOLVED, that December 16th, 2008 is the date when, pursuant to Section 904 of the Real Property Tax Law of the State of New York, this Legislature hereby orders that there shall be annexed to the Tax Rolls of the constituent towns and city of this County, the warrant described in Section 904 of the Real Property Tax Law, under the Seal of this Legislature signed by the Chairman of the Legislature and the Clerk of the Legislature, authorizing and directing the collecting officers of the city and towns to collect from the

several persons, corporations and other entities named in said Tax Roll, the amounts listed opposite their respective names, together with any interest or penalties thereon prescribed by law, ON or BEFORE the first day of February, 2009.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.
Approved by voice vote, all in favor.

RESOLUTION NO. 770-08

12/16/07 COL signtaxrolls08

**APPROVE THE TAXES AS EXTENDED AND AUTHORIZE THE CHAIRMAN
AND THE CLERK OF THE LEGISLATURE TO SIGN THE TAX ROLLS.**

BY: Mr. Francis Mitchell, Chairman, Ways & Means Committee.

RESOLVED, that the several taxes extended upon the tax rolls of the County be approved by the County Legislature, and be it further

RESOLVED, that the Chairman and the Clerk of the Legislature be and are hereby authorized and directed to sign the warrants attached to said rolls as provided by the Tax Law of the State of New York and deliver the said rolls to the respective Supervisors for transfer to their respective Collectors.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.
Approved by voice vote, all in favor.

RESOLUTION NO. 771-08

12/16/078 COL UNDTAKCO.OFF08

**ANNUAL RESOLUTION APPROVING AND FIXING UNDERTAKING FOR
COUNTY OFFICIALS PURSUANT TO STATUTE.**

BY: Mr. Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, the Public Officers Law, the County Law, the Social Services Law and other statutes of the State of NY provide that certain officials and employees of the County shall have an official undertaking which shall be to the effect that he/she will faithfully discharge the duties of his/her office and promptly account for and pay over all moneys or property received by him/her as such officer or in default thereof, that the party executing such undertaking will pay all damages, cost and expenses resulting from such default (hereafter "the undertaking"); and

WHEREAS, subsection 2 of section 11 of the Public Officers law provides that a blanket undertaking may be used in place of a person specific undertaking and the County has historically availed itself of that option; and

WHEREAS, the County regularly maintains Public Employee Dishonesty Coverage (including faithful performance of duty) with a \$500,000 limit per employee and a \$1,000 deductible; Now, therefore, be it

RESOLVED, that this County Legislature confirms that its Public Employee Dishonesty Coverage which covers all county employees and officers (including, but not limited to, those required by law to have an undertaking) written by its current insurance Company (or similar renewal thereof) in the amount of \$500,000 coverage (\$1,000 deductible) is hereby fixed and approved as sufficient and proper undertaking to satisfy the requirements of all of said statutes above referred to; and be it further

RESOLVED, that said undertaking, which covers each and every existing employee and officer and will cover each and every employee and officer to take office or employment during the term of the undertaking shall be deemed to be so fixed and approved as

sufficient and proper undertaking statutorily for said existing employees and officers as well as future employees and officers commencing their duties hereafter unless the amount of the coverage is changed (thus requiring a new resolution approving it) or this resolution is superseded by a future resolution of this body; and be it further

RESOLVED, that this resolution shall be considered adequate approval of the subject matter for the entire year of 2008 and until a future resolution concerning the subject matter is adopted; and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to file a certified copy of this resolution and a copy of said undertaking with the Comptroller of the State of New York to satisfy statutory requirements in section 403 of the County Law.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 772-08

12-16-08 yearend.W&M09

**AUTHORIZING ACCOUNTS PAYABLE YEAR END
ADJUSTMENTS - 2008 OPERATING BUDGET**

BY: Hon. Francis Mitchell, Chairman Ways and Means Committee

WHEREAS, provisions of the Federal Single Audit Act and regulations of the State Comptroller require Cayuga County to utilize modified accrual as the basis for governmental fund accounting; and

WHEREAS, modified accrual accounting principles require that the County accrue accounts payable so expenditures are generally reflected in the period for which goods or services are received; and

WHEREAS, application of this principle may result in the over-expenditure of certain individual line item expenditures and revenues particularly in areas where spending is mandated by State and Federal laws and requirements; now, therefore be it

RESOLVED, that the Cayuga County Legislature hereby authorizes and directs the County Treasurer to make adjusting entries to provide sufficient appropriations to avoid individual line item deficits upon the accrual of year-end accounts payable, provided that said entries do not result in an increase in total appropriations approved by the County Legislature, for 2008; and, be it further

RESOLVED, that said adjusting entries shall be subject to approval of the Chairman of the Legislature, Chairman of Ways and Means Committee and County Manager who shall upon completion of the year-end closing, report the same to the County Legislature.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 773-08

(12/16/08) rpsOmittedtaxes2008

AUTHORIZING THE LEVY OF OMITTED TAXES

By: Paul Dudley, Chairman, Ways & Means Committee

WHEREAS, pursuant to Real Property Tax Law Section 520, an individual becomes liable for a pro rata tax liability when a property transfer takes place after the taxable status date, on formerly wholly or partially exempt property; and

WHEREAS, pursuant to Chapter 736 of the 1988 Agricultural District Law, a penalty tax shall be levied for conversion of agricultural land to non-agricultural; Now therefore be it

RESOLVED, the following omitted taxes in the amount of \$9,479.67 shall be levied against the property owners in their respective Towns who are liable for said tax; and be it further

<u>Town</u>	<u>Amount</u>	<u>Town</u>	<u>Amount</u>
Cato	\$ 499.56	Fleming	\$ 231.82
Genoa	\$2,273.53	Locke	\$1,678.11
Niles	\$1,077.51	Sempronius	\$ 125.61
Sennett	\$2,260.07	Venice	\$1,333.46
	Total		9,479.67

RESOLVED, That the levies shall be in accord with filed forms dealing with the above-mentioned penalty tax, which have been approved by each respective Town assessor.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 774-08
(12/16/08) RPSrefundproptaxesrev
AUTHORIZING THE CAYUGA COUNTY TREASURER TO MAKE REFUNDS
OR CORRECTIONS OF REAL PROPERTY TAXES IN
THE AMOUNT OF \$2,500 OR LESS

BY: Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS the Real Property Tax Law allows this County Legislature to delegate to the County Treasurer responsibility for making corrections and refunds of Real Property Taxes where the amount involved does not exceed \$2,500; and

WHEREAS so delegating that responsibility will create greater efficiency and save money because the simpler process will take less time of County personnel; now, therefore be it

RESOLVED that pursuant to Sections 554 and 556 of the New York State Real Property Tax Law, this Cayuga County Legislature hereby authorizes the County Treasurer for the County of Cayuga to perform the duties for refunds or corrections of taxes as provided in said Sections, where the recommended refund or correction is \$2,500 or less; and be it further

RESOLVED that action by the County Treasurer is to be based on a sworn affidavit by the local assessing authority (Town Assessor) and the written report and recommendation of the Cayuga County Director of Real Property Tax Services; and be it further

RESOLVED that the Director of Real Property Services will submit a monthly reporting for the precluding month, to the Legislative Ways and Means committee, containing township, parcel, and ownership information, the reason for the correction, along with the dollar amount of the correction or refund.

RESOLVED that this Resolution shall take effect immediately and is effective during the calendar year 2009.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 775-08
(12/16/08) rpsRelevy Village Tax)
LEVY RETURNED VILLAGE TAX & AUTHORIZE
COUNTY TREASURER TO PAY SAME

By: Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS Cayuga County Local Law #3 for 1987 provides for the collection of certain Delinquent Village Taxes by the County of Cayuga; now therefore be it

RESOLVED that the following claims from the various Villages within Cayuga County, including 7 percent added by the County Treasurer, be audited and allowed and the same be placed upon the Assessment Rolls, and added to the tax on the various parcels for the amounts shown on the Returned Village tax forms which are filed in the County Treasurer's Office by the various Village Tax Collectors and Treasurers in the County of Cayuga, and be it further

RESOLVED that the County Treasurer be authorized and directed to pay the various Villages the amounts returned by each.

VILLAGE	RETURNED 2008 VILLAGE TAX
Aurora	\$ 377.57
Cato in Cato	1,689.17
Cato in Ira	2,333.25
Cayuga	10,814.74
Fair Haven	10,034.65
Meridian	1,741.55
Moravia	23,880.50
Port Byron	32,492.97
Union Springs	18,969.82
Weedsport	<u>12,899.07</u>
	\$115,233.29

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.
 Approved by voice vote, all in favor.

RESOLUTION NO. 776-08
(12/16/08) RPS Water&Sewer
LEVY UNPAID WATER AND SEWER BILLS -- SEVERAL TOWNS

By: Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, pursuant to Section 198 of Town Law, several Towns have turned in listings of Delinquent Water & Sewer Bills to be relevied on the County & Town Tax Bill; therefore, Now be it

RESOLVED, that the following amounts in the respective districts representing unpaid water and sewer bills in the various Towns be levied against property owners in their respective Towns who are liable for service charges and unpaid water and sewer bills as claimed by the Water Department of the City of Auburn or their respective Town. pursuant to Section 198 of Town Law.

Tuesday, December 16, 2008

569

<u>Delinquent Water</u>		<u>Delinquent Sewer</u>	
Aurelius	2,067.58	Aurelius	1,114.37
Fleming	13,894.06	Fleming	10,776.95
Genoa	6,194.55	Locke	5,172.72
Locke	4,513.89	Owasco	20,590.84
Montezuma	569.83	Springport	7,618.97
Owasco	29,854.88	Sennett	3,678.75
Springport	5,466.67		
Sennett	9,753.38		
Throop	247.50		
Brutus	179.85		
Total	<u>72,742.19</u>		<u>48,952.60</u>
GRAND TOTAL	\$ 121,694.79		

Signed by Mitchell, Axton, Lockwood, Petrus, Schuster, Tortorici.
Approved by voice vote, all in favor.

RESOLUTION NO. 777-08
(12/16/08) RPSextendlevy
AUTHORIZING THE DIRECTOR OF REAL PROPERTY TAX SERVICES TO
EXTEND THE LEVY OF TAXES AND ESTABLISH
RATES FOR THE SAME.

By: Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS the Director of Real Property Tax Services has received from various political subdivisions of Cayuga County a report of delinquencies in payment of taxes and/or water and sewer services and in some instances charges for direct expense related to individual properties; Now, therefore be it

RESOLVED, that the Director of Real Property Tax Services is hereby authorized as follows:

a. To relevy on the appropriate properties any delinquencies in the aforesaid categories and additionally to relevy the appropriate amounts submitted by resolution of the towns and/or villages.

b. To set the rates for town purposes, including special districts, and for County tax purposes, said amounts being based on Resolution No. 754-08 adopting the County budget for 2009, passed by the Cayuga County Legislature on November 25, 2008, and resolutions passed by the other 32 political subdivisions of the County, adopting their respective budgets for 2009.

and be it further

RESOLVED, that the Director of Real Property Tax Services shall furnish, in a timely manner, to the County Legislature and various town supervisors a list of the new tax rates for town, county and special districts.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.
Approved by voice vote, all in favor.

RESOLUTION NO. 778-08
12/16/08 TREupdateinvestpolicy09
ADOPTING RESOLUTION FOR ANNUAL UPDATE
TO CAYUGA COUNTY INVESTMENT POLICY

By: Mr. Francis Mitchell, Ways and Means Committee

WHEREAS, pursuant to Section 212 of County Law and Section 10 of the General Municipal Law; the County needs to update its investment policy annually; and

WHEREAS, the list of banks and the amount held on deposit, found in section VII, Designation of Depositories, requires amendment; now, therefore, be it

RESOLVED, that the attached CAYUGA COUNTY INVESTMENT POLICY, which includes the designation of banks, be updated and approved, effective January 1st, 2009.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 779-08
12/16/08 TREacceptGrant
ACCEPTING GRANT FUNDS FOR CENTRALIZED
PROPERTY TAX ADMINISTRATION STUDY

By: Mr. Francis Mitchell, Ways and Means Committee

WHEREAS, the Cayuga County Treasurer's Office has developed and applied for a Centralized Tax Collection Study Grant; and

WHEREAS, the application has been accepted and funds in the amount of \$25,000, pertaining to the first half of the grant, have been secured from New York State Office of Real Property Services to cover costs incurred to study and analyze tax collection and the receipt of the second \$25,000 is imminent; and

WHEREAS, the Cayuga County Legislature wishes to utilize these funds as efficiently as possible and begin work on the Centralized Property Tax Collection Study; now therefore, be

RESOLVED, the Cayuga County Legislature hereby authorizes the Chairman of the County Legislature to sign such documents as may be required in order to obtain these funds and continue work on the Centralized Property Tax Collection analysis project; and now, therefore be it also

RESOLVED, that the Cayuga County Treasurer is hereby authorized to establish such accounts as may be necessary to accommodate this project and to account for the funds in the following manner;

Increase Revenue Account	(Org) A16804	(Obj) 43041	State Aid - RPTA Grant	\$ 50,000.00
Increase Expense Account	(Org) A16808	(Obj) 58001	Fringe Benefits	\$ 2,000.00
Increase Expense Account	(Org) A16801	(Obj) 51000	Salaries	\$ 20,000.00
Increase Expense Account	(Org) A16802	(Obj) 52000	Equipment	\$ 10,000.00
Increase Expense Account	(Org) A16804	(Obj) 54049	Office Supplies	\$ 2,500.00
Increase Expense Account	(Org) A16804	(Obj) 54018	Comp. Softwre	\$ 6,000.00
Increase Expense Account	(Org) A16804	(Obj) 54059	Prof. Serv.	\$ 4,000.00
Increase Expense Account	(Org) A16804	(Obj) 54055	Postage	\$ 1,500.00
Increase Expense Account	(Org) A16804	(Obj) 54112	Mileage	\$ 4,000.00

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

**RESOLUTION NO. 780-08
(12/16/08) RPSapplyforgrant2009**

**AUTHORIZING CAYUGA COUNTY OFFICE OF REAL PROPERTY TO
DEVELOP A GRANT APPLICATION FOR THE 2009 GRANT CYCLE**

BY: Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, the Cayuga County Office of Real Property would like to develop a grant application through the New York State Local Government Records Management Grant; and

WHEREAS, the grant would offer implementing a county wide online system for applying for building permits for all municipalities; and

WHEREAS, the grant proposal would not require any funds to be spent from the County budget; therefore; be it

RESOLVED, that the Cayuga County Office of Real Property develop a grant application for the New York State Local Government Records Management Grant.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 781-08

12/16/08 TREacceptfundsny

**AUTHORIZING THE COUNTY TREASURER TO ACCEPT
FUNDS FOR EASEMENT TO NYS**

By: Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, Cayuga County acquired tax parcel #46.19-1-20 (Brownfield), located in the Village of Meridian through a prior tax foreclosure procedure; and

WHEREAS, New York State has acquired an easement across this property through its eminent domain process and offered the County \$3,550 for the easement; and

WHEREAS, there is an on-going clean-up of this property (executed in September 2008 for approximately \$125,000) being conducted through an Environmental Restoration Grant of which NYS pays 90% and Cayuga County pays 10% through in-kind services (labor, money, etc.); therefore, be it

RESOLVED, that the Chairman of the Legislature be designated to execute closing papers for the easement; and the County Treasurer be authorized to receive \$3,550.00 from New York State and make all necessary journal entries to apply it towards in-kind services to satisfy this grant.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 782-08

(12/16/08) RpsAnnualTownBudgetscorr.

**LEVY TAXES AND ASSESSMENTS REQUIRED FOR THE PURPOSE OF
THE ANNUAL BUDGETS OF THE TOWNS OF CAYUGA COUNTY**

By: Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, there has been provided a duly certified copy of the annual budgets of each of the several Towns of the County of Cayuga for the fiscal year beginning January 1, 2009; Now therefore be it

RESOLVED, that there shall be and hereby is assessed and levied upon the taxable real property situated in the Towns outside of any incorporated Villages wholly or partially

located therein, the amount indicated as specified in the budgets of the respective Towns. See attached list; and be it further

RESOLVED, that there shall be and hereby is assessed and collected from the real property within the respective fire protection and improvement districts the amounts for the purpose of such districts as specified in the respective annual budgets. See attached list.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.
Approved by voice vote, all in favor.

RESOLUTION NO. 783-08
12/16/08 COL ctytax2009

**DIRECTING THE LEVY OF TAX AGAINST THE CITY OF AUBURN FOR
COUNTY PURPOSES FOR 2009.**

BY: Hon. Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, the total amount of taxes levied against the County of Cayuga for the year 2008, in accord with Section 360 of the County Law, and pursuant to the duly adopted County Budget for 2009 in which the City of Auburn participates is \$32,933,217.00; and

WHEREAS, apportionments of this amount to all municipalities have been made and determined by applying the equalization table as adopted by Resolution No. 616-08 on 10-28-08,

RESOLVED, that the City of Auburn's share of County Taxes is computed to be \$7,059,367.00 for 2009, which is directed to be levied against city properties; and be it further

RESOLVED, effective January 1, 2009, there is due and payable to the Cayuga County Treasurer by the City of Auburn residents for County Tax Purposes for 2009, the following amount A430 charges covering expenses related to the preparation and mailing of tax bills to city residents for county taxes, a total of \$4,467.08 to be spread on the County tax bills going to city property owners; and be it further

RESOLVED, that the proportionate share for the City of Auburn for the Community College charges per Resolution No. 767-08, duly adopted on December 16, 2008 is \$113,187.26, due and payable to the County Treasurer to be itemized on the county tax bills going to city property owners; and be it further

RESOLVED, that the Clerk of the Legislature be and he is hereby directed to deliver and file with the City of Auburn, a certified copy of this resolution.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.
Approved by voice vote, all in favor.

RESOLUTION NO. 784-08
(12/16/08) Fed&StMandatesrev2

ADOPTING A POLICY ON FEDERAL AND STATE MANDATES

BY: Hon. Francis Mitchell, Chairman Ways and Means Committee

WHEREAS, Cayuga County is mandated to provide Federal and State programs; and

WHEREAS, the County Budget encapsulates the total costs of all mandated Federal and State programs; and

WHEREAS, these total Federal and State mandated costs represent 80% of all County budgetary appropriations in the County Budget and 80% of the County tax levy to be raised to balance the County Budget; and

WHEREAS, there has been a State practice of shifting State mandated costs to the County in the process known as cost shifting; and

WHEREAS, the State's cost shifting of its mandated programs has caused the County to raise County property taxes; and

WHEREAS, the Cayuga County Legislature strongly believes the responsibility to pay for these State programs should be paid by State revenues not by local real property taxes; now, therefore be it

RESOLVED, that the Cayuga County Legislature does hereby institute the following County Policy:

"If the State of New York or the Federal Government shifts its costs for its mandated programs to the County, the County will commensurably reduce its appropriation to County taxpayers to match the loss of Federal and State Aid."

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

Motion to Amend by Mitchell, add to 2nd WHEREAS, and provided for certain revenues, increase for County Attorney (A1420), Stop DWI Administration (A3315), Public Health (A4010), Social Services (A6010), and decrease in Employment & Training (A6370). And add to last RESOLVED, except for increase for County Attorney (A1420), Stop DWI Administration (A3315), Public Health (A4010), Social Services (A6010), and decrease in Employment & Training (A6370).

RESOLUTION NO. 785-08
12.16.08 coamend09bdgt
AMENDING THE 2009 BUDGET

By: Hon. Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, Resolution No. 672-08, entitled Ways and Means Recommendation on the 2009 Budget Officer's Tentative Budget was adopted on November 18, 2008; and

WHEREAS, Resolution No. 672-08 at item 23 provided an increase for non-bargaining employees in Part II and IV of the County's Compensation Plan and provided for certain revenues, increase for County Attorney (A1420), Stop DWI Administration (A3315), Public Health (A4010), Social Services (A6010), and decrease in Employment & Training (A6370).

WHEREAS, Resolution No. 754-08 adopted the changes, alterations and revisions contained in Resolution No. 672-08; and

WHEREAS, after further review by the Ways and Means Committee, it is determined that the adoption of item 23, which provides for an increase for non-bargaining employees in Part II and IV of the County's Compensation Plan, requires adjustments; now therefore be it

RESOLVED, that the Cayuga County Legislature hereby amends the 2009 Budget by repealing item 23 contained in Resolution No. 672-08 and 754-08, except for increase for County Attorney (A1420), Stop DWI Administration (A3315), Public Health (A4010), Social Services (A6010), and decrease in Employment & Training (A6370).

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 786-08
(12/16/08) rpsrelevyschool
LEVY RETURNED SCHOOL TAX AND AUTHORIZE
COUNTY TREASURER TO PAY SAME

BY: Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, Various Schools in Cayuga County have turned in listings of Delinquent School Tax Bills; and

WHEREAS, Cayuga County has added a seven percent relevy penalty; now therefore be it

RESOLVED, that the claims from the various school districts in Cayuga County, including seven (7) percent added by the Treasurer, be audited and allowed and the same be placed upon the Assessment Rolls, and added to the tax on the various pieces and parcels of land as they appear on the Returned School tax forms filed in the County Treasurer's Office by the various School Collectors and Treasurers in the County of Cayuga, and be it further

RESOLVED, that the County Treasurer be authorized and directed to pay the several districts the amounts returned by each.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 787-08
(December 16, 2008) HD March of Dimes grant
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH AND HUMAN SERVICES TO ENTER IN CONTRACT
WITH THE MARCH OF DIMES FOUNDATION TO ACCEPT FUNDING FOR
EDUCATIONAL MATERIALS FOR PREGNANT WOMEN AND MOTHERS.

BY: Ann Petrus, Chairman of the Health and Human Services Committee

Francis Mitchell, Chairman of the Ways and Means Committee

WHEREAS, the March of Dimes Foundation has made funds available to Cayuga County Health Department to purchase educational materials related to pregnancy, child-birth, newborn parenting and prevention of birth defects; and

WHEREAS, by accepting this funding Cayuga County Health Department will purchase these materials and use them for our clients in the MOMS program and other appropriate clients;

WHEREAS, it is the desire of the Cayuga County Health Department to participate in this one time grant offering for the purpose of purchasing the educational items for eligible individuals to utilize;

WHEREAS, this is a one time grant offering of \$2,000.00 which expires on December 31, 2008; NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services be allowed to enter into contract with the March of Dimes foundation to accept the grant of \$2,000.00 to purchase education materials related to pregnancy, child-birth, newborn parenting and prevention of birth defects; and

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the following adjustments to the Health Department's 2008 budget in the following manner:

Tuesday, December 16, 2008

575

Increase Revenue Account # 4010.0 \$2,000.00
 Munis org. A40100 object 41600
 Increase Appropriations Account #4010.074 \$2,000.00
 Munis org. A40104 object 54074

and be it also resolved

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the necessary journal and accounting entries in the Health Department's 2008 budget to accomplish the same.

Signed by Petrus, Cuddeback, McIntosh, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 788-08

(December 16, 2008) HD Bike/Pedestrian Safety 2008

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
 DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A
 CONTRACT WITH THE STATE FOR BICYCLE HELMET DISTRIBUTION,
 SAFETY AND PEDESTRIAN INJURY REDUCTION PROGRAM**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
 Paul Dudley, Chairman of the Ways & Means Committee

WHEREAS, the State has offered the Cayuga County Health Department a Grant of \$15,000 for the period October 1, 2008 through September 30, 2009 for the "Bicycle Helmet Distribution, Safety and Pedestrian Injury Reduction Program," and

WHEREAS, the purpose of this project is to raise community awareness of wheelsport and pedestrian safety through a number of education activities, as well as distribute bicycle helmets to children of needy families in Cayuga County in hopes to decrease the incidence of motor vehicle accidents involving these groups; and

WHEREAS, it is our desire to participate in this project; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with New York State and accept funding in the amount of \$15,000 for the "Bicycle Helmet Distribution, Safety and Pedestrian Injury Reduction Program;" and be it further

RESOLVED, that the Director of Health & Human Services be authorized to enter into subcontracts with agencies/individuals in order to accomplish the goals of this grant; and be it also

RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the Health Department's 2008 Budget in the following manner:

MUNIS

<u>Org</u>	<u>Object</u>		
A40270	43427	Increase Revenue Account #3409	\$15,000
A40274	54000	Increase Appropriation Account #4010.490	\$15,000

Signed by Petrus, Cuddeback, McIntosh, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 789-08
(December 16, 2008) HS Human Services Examiner FSMA
AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO FILL
A FULL-TIME HUMAN SERVICES POSITION (100% FUNDED) IN
THE FSMA UNIT OF HUMAN SERVICES

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, there will be a Full-Time Human Services Examiner position vacancy in the FSMA (Food Stamp/Medicaid) Unit of Human Services due to retirement effective December 31, 2008; and

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

WHEREAS, this position is 100% funded through Food Stamps and Medicaid; and

WHEREAS, sufficient funding exists in the 2009 Human Services' Budget Request to support this position; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized to fill the Full-Time Human Services Examiner vacancy in the FSMA Unit 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.

Signed by Petrus, Cuddeback, McIntosh, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 790-08
(December 16, 2008) HS Fill Sr. Caseworker
AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO FILL
A SR. CASEWORKER VACANCY IN HUMAN SERVICES DUE TO
RETIREMENT, ABOLISH CASEWORKER AND CREATE/FILL
HUMAN SERVICES EXAMINER

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, due to the retirement incentive offered to County employees, there will be a Sr. Caseworker vacancy in Human Services effective December 31, 2008; and

WHEREAS, this position is reimbursed at 75% state and federal funds and will be filled by the promotion of a Caseworker within the Department; and

WHEREAS, this position was budgeted for in the Human Services Department's 2009 Budget Request; and

WHEREAS, when a vacancy in the title of Caseworker becomes effective upon the promotion of a caseworker to Sr. Caseworker, the Department has determined that a Grade 10 Human Services Examiner could provide the needed services for the department; NOW, BE IT THEREFORE

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the Sr. Caseworker position in accordance with Civil Services Rules and Regulations and the policies of the County of Cayuga; and be it further

Tuesday, December 16, 2008

577

RESOLVED, that, the anticipated vacancy that occurs in a Grade 17 Caseworker due to a Caseworker being promoted to Sr. Caseworker be hereby vacated upon the filling of the Sr. Caseworker and be abolished upon the successful completion of the Sr. Caseworker's probationary period; and be it further

RESOLVED, that one position of a grade 10 Human Services Examiner be hereby created by the legislature and filled by the Director of Health & Human Services in accordance to the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Petrus, Cuddeback, McIntosh, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 791-08

(December 16, 2008) HS Fill 6 Retiree Positions

**AUTHORIZING THE DIRECTOR OF HEALTH AND HUMAN SERVICES TO
FILL 6 POSITIONS IN THE HUMAN SERVICES DIVISION OF HEALTH &
HUMAN SERVICES DUE TO THE RETIREMENT INCENTIVE OFFERED TO
COUNTY EMPLOYEES**

BY: Ann Petrus, Chairman of the Health & Human Service Committee

Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, there will be six (6) vacancies in the Human Services Department due to the retirement incentive offered to County Employees:

<u>Positions</u>	<u>Division</u>	<u>Retirement Effective</u>
Sr. Examiner,	TANF	12/31/08
Grade B. Supervisor, CPS	Child Welfare	12/27/08
Sr. Caseworker	Child Welfare	12/31/08
Principal Account	Clerk	12/31/08
Sr. Account Clerk	Accounting	12/31/08
Resource Assistant	Accounting	12/31/08

WHEREAS, there is sufficient funding in the 2009 Human Services Budget Request to support these positions; and

WHEREAS, these positions are reimbursed at between 75% and 100%; and

WHEREAS, these positions are critical to the operation of the Department; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the above listed positions and any fill behinds 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.

Signed by Petrus, Cuddeback, McIntosh, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

**RESOLUTION NO. 792-08
 (December 16, 2008) HS HEAP Additional Funds
 AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
 DIRECTOR OF HEALTH AND HUMAN SERVICES TO ACCEPT ADDITIONAL
 HEAP FUNDS AND AMEND A CONTRACT WITH CATHOLIC CHARITIES OF
 THE FINGERLAKES, INC., TO CONTINUE OUTREACH ACTIVITIES FOR
 THE STATE MANDATED HEAP PROGRAM, AND CREATE AND FILL
 A TEMPORARY 90 DAY SENIOR EXAMINER POSITION
 (100% FEDERALLY FUNDED)**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
 Francis Mitchell, Chairman of the Ways & Means Committee
 WHEREAS, We have previously entered into a contract with Catholic Charities of the Fingerlakes, Inc., beginning September 1, 2008, to provide outreach activities in connection with HEAP which includes providing and manning outreach and intake sites for regular and emergency assistance consistent with the State Plan and regulations; and
 WHEREAS, additional 100% HEAP funds have been made available to the County;
 and
 WHEREAS, these funds will be used to expand these services provided by Catholic Charities; and
 WHEREAS, HEAP applications are up by 15% and there are more emergency HEAP eligible clients, the Department asks for a 90-Day Temporary Sr. Examiner (100% funded) position to assure timely determination of HEAP applications and payments to the area vendors; NOW, THEREFORE, BE IT
 RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services be authorized to accept these additional funds and enter into a contract (100% federally funded) with Catholic Charities of the Fingerlakes, Inc., in an amount not to exceed \$80,000; and be it further
 RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the County's Human Services 2009 Budget in the following manner:

Increase Revenue Acct.	A60100 44610	\$16,500
Increase Expenditure Acct.	A60104 54260	\$ 6,500
Increase Expenditure Acct.	A60101 51002	\$10,000

and make any necessary journal and accounting entries to reflect additional HEAP funding upon receipt of notification and documentation from the County's Human Services Department without further action by the Legislature; and be it also
 RESOLVED, that the County Legislature create a 90-Day Temporary Sr. Examiner position in the HEAP Unit of Human Services, Grade 17, pursuant to Part 1 of the County's Compensation Plan; and that the Director of the Health & Human Services be authorized and directed to fill this newly created position in accordance with the rules and regulations of the Cayuga County Civil Service Commission and the policies of the County of Cayuga.
 Signed by Petrus, Cuddeback, Mahunik, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.
 Approved by voice vote, all in favor.

RESOLUTION NO. 793-08
(December 16, 2008) HD Fill RN Positions
AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO FILL
2 RN POSITIONS IN THE NURSING DIVISION OF THE HEALTH
DEPARTMENT DUE TO RETIREMENT, AND ABOLISH ANOTHER RN
VACANCY, ALSO DUE TO RETIREMENT, AND CREATE/FILL 2 P.T. RN'S

BY: Ann Petrus, Chairman of the Health & Human Service Committee

Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, due to the retirement incentive offered to County employees, our Nursing Division has three RN's retiring effective December 31, 2008; and

WHEREAS, these positions are necessary for the effective and efficient operation of the Department, we desire to fill two of the RN vacancies, abolish the third one, and create and fill two part-time RN positions; and

WHEREAS, sufficient funding exists in the Health Department's 2009 Budget request to support these positions; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized to fill the two full-time RN vacancies in the Nursing Division 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; and be it further

RESOLVED, that the third RN vacancy (Position Control #2028) be abolished and that the Legislature be authorized to create two part-time RN positions in the Nursing Division, and that the Director of Health & Human Services be authorized to fill the two part-time RN positions in a manner consistent with the rules and regulations of the County of Cayuga and the Cayuga County Civil Service Commission.

Signed by Petrus, Cuddeback, McIntosh, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 794-08
(December 16, 2008) HD Fill HCN Supervisor
AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO FILL
A HOME CARE NURSING SUPERVISOR AT THE CHHA
DUE TO RETIREMENT

BY: Ann Petrus, Chairman of the Health & Human Service Committee

Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, due to the retirement incentive offered to County employees, a Full-Time Home Care Nursing Supervisor is retiring effective December 31, 2008; and

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

WHEREAS, sufficient funding exists in the Health Department's 2009 Budget Request to support this fill; NOW, THEREFORE BE IT

RESOLVED, that the Director of Health & Human Services be authorized to fill a Full-Time Home Care Nursing Supervisor vacancy and any fill behinds that may occur in a manner consistent with the rules and regulations of the County of Cayuga and the Cayuga County Civil Service Commission.

Signed by Petrus, Cuddeback, McIntosh, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 795-08
(Dec. 16, 2008) HD Create/Fill Home Care Nursing Supervisor
AUTHORIZING THE CAYUGA COUNTY LEGISLATURE TO CREATE A HOME
CARE NURSING SUPERVISOR POSITION, ABOLISH AN SPHN POSITION
AND AUTHORIZE THE DIRECTOR OF HEALTH & HUMAN SERVICES TO
FILL THIS NEW POSITION

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, due to the retirement incentive offered to County employees, a Supervising Public Health Nurse is retiring effective December 31, 2008; and

WHEREAS, due to continuing recruitment problems for Supervising Public Health Nurses at the Home Care Agency of the Health Department, the Department rewrote the duties statement including minimum qualifications for Supervising Public Health Nurse and requested a title change to Home Care Nursing Supervisor; and

WHEREAS, the Cayuga County Civil Service Commission has reviewed the New Position Duties Statement submitted for a Home Care Nursing Supervisor and has classified it as such with the jurisdictional class allocation being Competitive; and

WHEREAS, sufficient funding exists in the Health Department's 2009 Budget request to support these positions; NOW, THEREFORE, BE IT

RESOLVED, that the Cayuga County Legislature create a Home Care Nursing Supervisor in CHHA at the same grade (23) and salary range as a Supervising Public Health Nurse (SPHN); and be it further

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the newly created Home Care Nursing Supervisor position at the CHHA and any fill behinds that may occur in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga; and be it also

RESOLVED, that upon creation of the Home Care Nursing Supervisor position that one Supervising Public Health Nurse position be abolished.

Signed by Petrus, Cuddeback, McIntosh, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 796-08
(December 16, 2008) HD Fill Jr. Accountant
AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO FILL
A JR. ACCOUNTANT POSITION IN THE HEALTH DEPARTMENT'S
ACCOUNTING DIVISION

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, due to the retirement incentive offered to County employees, there will be a Jr. Accountant vacancy in the Accounting Division of the Health Department effective December 31, 2008; and

WHEREAS, this position is budgeted for in the 2009 Health Department's Budget Request; and

WHEREAS, this position is critical for maintaining the smooth and effective functioning of the Health Department's Accounting Division; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the Jr. Accountant position in the Health Department's Accounting Unit and any fill behinds in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Petrus, Cuddeback, McIntosh, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 797-08

(December 16, 2008) HD Create/Fill Sr. Typist CHHA

AUTHORIZING THE COUNTY LEGISLATURE TO CREATE A SR. TYPIST POSITION IN THE HOME CARE UNIT OF THE HEALTH DEPARTMENT; AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO FILL THE NEWLY CREATED SR. TYPIST POSITION AND TO ABOLISH A SR. STENOGRAPHER POSITION IN THAT UNIT

BY: Ann Petrus, Chairman of the Health & Human Service Committee

Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, due to the retirement incentive offered to County employees, there will be a Sr. Stenographer position vacancy in the Home Care Division of the Health Department effective December 30, 2008; and

WHEREAS, with the Sr. Stenographer position being vacated in December, the Department submitted a duties statement to the Civil Service Commission; and

WHEREAS, this position was classified by the Civil Service Commission as Sr. Typist with the jurisdictional class allocation being Competitive and will add the position to the position control file for the Public Health Department when the Legislature adopts this resolution; NOW, THEREFORE, BE IT

RESOLVED, that the Cayuga County Legislature create one Sr. Typist position, Grade 8, in the Home Care Division of the Health Department; and be it further

RESOLVED, that the Director of the Health & Human Services be authorized and directed to fill the newly created Sr. Typist position and any fill behind in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga; and be it also

RESOLVED, that upon creation of the Sr. Typist position in the Home Care Division, the position of Sr. Stenographer (Position Control #2009) will be abolished.

Signed by Petrus, Cuddeback, McIntosh, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 798-08

(June 24, 2008) HD Fill RN CHHA

AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO FILL AN RN POSITION AT THE CHHA (CERTIFIED HOME HEALTH AGENCY) DIVISION OF THE HEALTH DEPARTMENT DUE TO RESIGNATION

BY: Ann Petrus, Chairman of the Health & Human Service Committee

Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, there is an RN vacancy at the County Health Department's CHHA Division due to her resignation effective May 30, 2008; and

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

WHEREAS, sufficient funding exists in the Health Department's 2008 Budget to support this position; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized to fill the RN vacancy at the CHHA 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.

Signed by Petrus, Cuddeback, McIntosh, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 799-08

(December 16, 2008) HD Fill PT RN at CHHA

AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO FILL ONE PART-TIME RN VACANCY AT THE HOME CARE AGENCY

BY: Ann Petrus, Chairman of the Health & Human Service Committee

Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, there exists a Part-Time RN vacancy at the CHHA due to the incumbent taking a Full-Time RN position at the CHHA; and

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

WHEREAS, this position is funded in the Health Department's 2009 Budget Request; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized to fill the Part-Time RN vacancy, and any fill behinds that may occur, in a manner consistent with the rules and regulations of the County of Cayuga and the Cayuga County Civil Service Commission.

Signed by Petrus, Cuddeback, McIntosh, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 800-08

December 16, 2008 HHS - Transfer Funds

TO AMEND THE 2008 CAYUGA COUNTY HUMAN SERVICES BUDGET/TRANSFER FUNDS.

BY: Ann Petrus, Chairman, Health & Human Services Committee

Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, after the submission of the 2008 Human Services Budget, it has been determined that additional funding is needed for unanticipated expenses in account 6142.400.000, Emergency Assistance to Adults; and

Whereas, the expenses paid out of this account relate to emergency public assistance needs; and

WHEREAS, funds are available for transfer in other Human Services accounts due to unexpected under spending; now, therefore, be it

Tuesday, December 16, 2008

583

RESOLVED, that the County Treasurer be and is hereby authorized and directed to provided for transfer of funds in the following manner:

Appropriation Accounts	Increase	Decrease
6142.400.000 Emerg. Assist. To Adults (A61424 54000)	\$4,000	
6070.400.184 Preventive Services (A60704 54184)		\$4,000

AND BE IT FURTHER

RESOLVED, that the Cayuga County Treasurer be and is hereby authorized and directed to make the necessary journal and accounting entries to accomplish the same.

Signed by Petrus, Cuddeback, McIntosh, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 801-08

Date of Meeting: 12/16/08 nhptmclk

**AUTHORIZATION TO CONTINUE PART TIME CLERK POSITIONS
AT THE CAYUGA COUNTY NURSING HOME**

BY: Francis Mitchell, Chairman, Ways and Means Committee

BY: Ann Petrus, Chairman, Health and Human Services Committee

WHEREAS, Cayuga County Nursing Home is providing services to Cayuga County Nursing Home residents; and

WHEREAS, it has been necessary to hire a part-time clerks to cover two (2) evening hours per day for a total of fourteen (14) hours per week; and

WHEREAS, Cayuga County Nursing Home has been able to recruit clerks for these part time hours; and

WHEREAS, the position will be compensated at minimum wage; now therefore be it

RESOLVED, that the position of Clerk, PT be hereby maintained in the Nursing Home; and be it further

RESOLVED, that the rate of pay be set at \$ 7.15 in accordance to the appropriate Non-Bargaining Compensation Plan, Part II which shall be amended to include the title within the Nursing Home; and be it further

RESOLVED, that the Nursing Home Administrator be hereby directed and authorized to continue the positions of part time Clerks effective 1/1/09 to provide the aforementioned services at Cayuga County Nursing Home and that the hire be in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Petrus, Cuddeback, McIntosh, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 802-08**Date of Meeting: 12/16/08 nhsibleynursingrev****AUTHORIZING CHAIRMAN OF THE LEGISLATURE AND ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ENTER INTO AGREEMENTS WITH SIBLEY NURSING PERSONNEL AND NURSECOR TO PROVIDE TEMPORARY NURSING STAFFING FOR JANUARY 1, 2009 UNTIL DECEMBER 31, 2009.**

BY: Ann Petrus, Chairman, Health and Human Services Committee

BY: Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, New York State Department of Health regulation requires Cayuga County Nursing Home utilize staffing to provide nursing services; and

WHEREAS, Cayuga County Nursing Home occasionally needs to utilize temporary nursing staff; and

WHEREAS, Sibley Nursing Services and Nursecor provide temporary nursing staff to skilled nursing facilities throughout New York State, including Cayuga County Nursing Home, to allow compliance with New York State Department of Health regulations; and,

WHEREAS, Sibley Nursing Services and Nursecor will be paid for services to Cayuga County Nursing Home through individual corporate fee schedule, Now therefore be it:

RESOLVED, that Chairman of the Legislature and Administrator of Cayuga County Nursing Home be authorized to sign agreements with Sibley Nursing Services and Nursecor to provide temporary nursing staffing at Cayuga County Nursing Home for the period January 1, 2009 through December 31, 2009.

Signed by Petrus, Cuddeback, McIntosh, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 803-08**December 16, 2008 nhehealthsolutions****AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND THE ADMINISTRATOR OF THE NURSING HOME TO ENTER INTO AN AGREEMENT WITH EHEALTH SOLUTIONS, INC FOR ELECTRONIC MEDICAL RECORD SOFTWARE.**

BY: Ann Petrus, Health and Human Services

Francis Mitchell, Ways and Means

WHEREAS, the Cayuga County Nursing Home has an opportunity to enhance services through technology; and

WHEREAS, the proposed software will increase the efficiency of operations and reduce the potential for errors; and

WHEREAS, eHealth Solutions has a software product that is compatible with the nursing home's financial software and software already installed for another application; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature and Administrator of the Cayuga County Nursing Home are authorized to enter into an agreement with eHealth Solutions, Inc. for total project costs not to exceed \$74,934; with annual licensing and maintenance of \$16,060.

Signed by Petrus, Cuddeback, McIntosh, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 804-08
DATE: 12/16/08 OFAamendbudgetDec08
AUTHORIZING THE COUNTY TREASURER TO AMEND THE 2008
CAYUGA COUNTY OFFICE FOR THE AGING BUDGET/TRANSFER FUNDS.

BY: Ann Petrus, Chairman of the Health & Human Services Committee
 Francis Mitchell, Chairman of the Ways and Means Committee

WHEREAS, after the submission of the 2008 Office for the Aging Budget, it has been determined that additional funding is needed for the provision of services in Account A67734 54420 (A6772.420.029) to provide congregate meals and home delivered meals; and

WHEREAS, funds are available in the Office for the Aging's Machine Maintenance A67734 54045 (A6772.420.045), Machine Repairs A67734 54047 (A6772.420.047), and Rent A67734 54065 (A6772.420.065) Accounts due to unexpected under spending; now, therefore be it

RESOLVED, that the County Treasurer be authorized and directed to transfer funds in the following manner:

Appropriation Accounts	Increase	Decrease
A67734 54420 Senior Meals (A6772.420.029)	\$2,925	
A67734 54045 Machine Maintenance (A6772.420.045)		\$2,500
A67734 54047 Machine Repairs (A6772.420.047)		175
A67734 54065 Rent (A6772.420.065)		250

and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the necessary journal and accounting entries to accomplish the same.

Signed by Petrus, Cuddeback, McIntosh, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 805-08
Date of Meeting: 12.16.08 MH healthcaredirect12-08
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF CAYUGA COUNTY MENTAL HEALTH TO SIGN AN
AGREEMENT WITH HEALTH CARE DIRECT FOR PHARMACY SERVICES
FOR 3 YEARS.

BY: Ann R. Petrus, Chair, Health and Human Services Subcommittee, and
 Francis Mitchell, Chair, Ways and Means Subcommittee.

WHEREAS, Cayuga County Mental Health offers a Medical Management Program to the clients served; and

WHEREAS, the Program's efficiency can be enhanced by working with an institutional pharmacy; and

WHEREAS, Health Care Direct provides the services that are consistent with the tenants of the Program; and

WHEREAS, the services can be provided at no cost to the County; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of the Cayuga County Mental Health Center be authorized to sign the agreement with Health Care Direct. Signed by Petrus, Cuddeback, McIntosh, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.
Approved by voice vote, all in favor.

RESOLUTION NO. 806-08

Action 12/16/08 MHAmendPTPsychi12-08

AUTHORIZING THE AMENDMENT OF THE AGREEMENT BETWEEN THE COUNTY OF CAYUGA, THE COMMUNITY MENTAL HEALTH CENTER OF CAYUGA COUNTY AND SOPHIA BEZIRGANIAN, MD

BY: Ann R. Petrus, Chair, Health and Human Services Committee
Francis Mitchell, Chair, Ways and Means Committee

WHEREAS, Sophia Bezirgianian, MD has been satisfactorily serving the Community Mental Health Center of Cayuga County as a Staff Psychiatrist through a contractual agreement, limited to seventeen hours per week; and

WHEREAS, a formerly full-time Psychiatrist has announced his intent to reduce his hours to one-half day per week; and

WHEREAS, there is a demand for services commensurate with a full-time position; now therefore be it

RESOLVED, that the Interim Director of Community Mental Health Services be authorized to amend the contract with Sophia Bezirgianian, MD to allow for contractual psychiatric services not to exceed thirty-five hours per week, and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature be authorized to sign this amended contract on behalf of the County of Cayuga.

Signed by Petrus, Cuddeback, McIntosh, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 807-08

Date of Meeting: 12/16/08 NH-LPNCompPlanChange 2009

AUTHORIZATION TO REVISE THE COMPENSATION PLAN FOR PART-TIME LICENSED PRACTICAL NURSES.

BY: Francis Mitchell, Chairman, Ways and Means Committee

BY: Ann Petrus, Chairman, Health and Human Services Committee

WHEREAS, Cayuga County Nursing Home is providing services to Cayuga County Nursing Home residents and must provide adequate nursing coverage; and

WHEREAS, recruitment efforts for part-time LPN positions has been difficult with positions staying open for months forcing administration to pay overtime rates for coverage; and

WHEREAS, discussions have taken place to come up with a plan to enable better recruitment of part-time LPN positions; and

WHEREAS, it was decided that if the compensation plan was revised to allow for a higher starting rate based on experience that recruitment efforts could be improved; now, therefore be it

RESOLVED, that the following rates of pay be revised in Part II of the Cayuga County Compensation Plan for non-bargaining LPN, PT titles in the Cayuga County Nursing Home:

	FIRST	SECOND	THIRD	FOURTH
PROB.	STEP	STEP	STEP	STEP
14.72	14.87	15.23	15.57	15.90

And be it further

RESOLVED, that the following Experience Differential be applied effective 1/1/09: Incumbent Employees with over 6 months of service shall be placed on the step without subtracting the probationary \$.15 per hour based on experience and Employees newly hired shall be placed on the following salary steps based on experience but at \$.15 per hour less for the first six months of employment:

- 0-5 years - Start on Probation, move to first step after six months
- 5-9 years - Start on Step 2 less \$.15 per hour; move to step 2 after six months
- 10-14 years - Start on Step 3 less \$.15 per hour; move to step 3 after six months
- 15- 15+ years - Start on Step 4 less \$.15 per hour; move to step 4 after six months;

And be it further

RESOLVED, that the Nursing Home Administrator be hereby directed and authorized to change current part-time rates and future hires to the position of LPN, Part-time, effective 1/1/09 and in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, Lockwood, Palermo.
Approved by voice vote, all in favor.

RESOLUTION NO. 808-08

Date of Meeting: 12/16/08 nhchgcompplnrev

AUTHORIZING A CHANGE IN THE COMPENSATION PLAN TO ALLOW A RETIRING NURSE TO CONTINUE TO WORK PART TIME FOR THE COUNTY AT THE SAME RATE OF BASE PAY.

BY: Francis Mitchell, Chairman, Ways and Means Committee

BY: Ann Petrus, Chairman, Health and Human Services Committee

WHEREAS, there is a significant shortage of qualified nurses to serve in the capacity of Licensed Practical Nurse for the Cayuga County Nursing Home; and

WHEREAS, Cayuga County Nursing Home has nurses that are willing to come out of retirement to fulfill this role that have been dependable employees with at least 15 years of service; and

WHEREAS, the current Compensation Plan would require those individuals who come back to the work force be paid at a reduced pay rate; now therefore be it

RESOLVED that an individual licensed practical nurse who is willing to work after their retirement may be hired after the individual retires to a position which is comparable in nature as determined by civil service rules and regulations and compensated at the same base rate of pay without longevity as the base rate of pay earned just prior to the individual's termination of his or her employment their relationship with the County by retirement; and be it further

RESOLVED, that the decision to hire after termination shall be based upon a review of their work record by the Nursing Home Administrator or designee and the fact that the individual who desires to return to employment after retirement had been in the employ of the County for at least 15 years prior to the date of retirement.

Signed by Petrus, Mahunik, Cuddeback, Schuster, Sincebaugh, Tortorici, Lockwood, Palermo.
Approved by voice vote, all in favor.

RESOLUTION NO. 809-08
12/16/08 COL organizeleg2009
TO FIX DATE, TIME AND PLACE OF THE MEETING TO
ORGANIZE THE CAYUGA COUNTY LEGISLATURE FOR 2009.

BY: Hon Francis Mitchell, Government Operations Committee.

WHEREAS, Section 151 of Article 4 of New York State County Law requires the Cayuga County Legislature, by resolution duly adopted during the month of December of each year, to fix the date, time and place to organize the Legislature; now, therefore be it

RESOLVED, that the Cayuga County Legislature shall meet for the purpose of organizing the Legislature and choosing a Chairman on the 5th day of January 2009 at 6:30 P.M., in the Legislative Chambers on the Sixth Floor of the Cayuga County Office Building, 160 Genesee Street in the City of Auburn, New York.

Signed by Palermo, Mitchell, Chapman, Fearon, Petrus, Sincebaugh, Murphy.

Approved by voice vote, all in favor.

RESOLUTION NO. 810-08
12/16/08 COL DesignatingNewspapers09
DESIGNATING NEWSPAPERS TO PUBLISH COUNTY MATTERS.

BY: Hon. Christopher Palermo, Government Operations Committee.

WHEREAS, Section 214, Subdivision 2, of the County Law directs that the Cayuga County Legislature shall annually designate at least two (2) newspapers for publication of all local laws, notices and other matters required by law to be published during fiscal year 2009.

NOW, BE IT RESOLVED, that the Cayuga County Legislature does hereby designate the following newspapers for that purpose:

REPUBLICAN REGISTER, Moravia, New York
The POST HERALD, Fair Haven, New York
The CITIZEN, Auburn, New York

Moved by Mitchell

Signed by Palermo, Mitchell, Chapman, Fearon, Petrus, Sincebaugh, Murphy.

Approved by voice vote, all in favor, Palermo abstained

RESOLUTION NO. 811-08
Action Date 12/16/08 VETDirFT/DepPT-Palermorev
REALLOCATE FUNDING TO FILL DIRECTOR OF VETERAN'S SERVICE ON A
FULL TIME BASIS AND FILL THE DEPUTY DIRECTOR OF VETERAN'S
SERVICE ON A PART-TIME BASIS IN THE VETERAN'S SERVICE AGENCY.

BY: Christopher Palermo, Government Operations Committee

Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, the Cayuga County Veteran's Office appointed a part-time Director of Veteran's Service by resolution #191 in the year 1996 with no pay until Resolution #255 in the year 2000 provided an hourly wage in 2000 for two days per week; and

WHEREAS, the Veteran's Service Agency received notification that the Deputy Director of Veterans Service who serves in a full time position will retire effective 12/30/08; and

WHEREAS, the positions and the service are needed to allow our veterans to have access to the services that they need and deserve; and

WHEREAS; the legislature, after review of the office, has determined to fund the Director on a full time basis and the Deputy Director on a part-time basis, effective 1/1/09; now, THEREFORE BE IT

RESOLVED, that the title of Director of Veterans Services be hereby funded and filled in accordance to Executive Law, Section 357, on a full time basis, effective 1/1/09; and, be it further

RESOLVED, that the position of Director of Veteran's Services salary rate by hereby set at \$42,545 for the year 2009; and be it further

RESOLVED, that the position of Deputy Director of Veteran's Service be hereby funded and filled on a part-time basis at an hourly rate of \$19.64 (step one equivalent of position) not to exceed \$20,000 per year; and be it further

RESOLVED, that the County Treasurer make the journal and accounting entries necessary to accomplish the foregoing in the Veteran's Service Agency Budget for the year of 2009.

Signed by Palermo, Mitchell, Petrus, Chapman, Fearon, Murphy, Sincebaugh, Lockwood, Tortorici, Axton, Schuster.

Approved by voice vote, all in favor.

RESOLUTION NO. 812-08

DECEMBER 16, 2008 BOEPRINTERCOPIERrev2

A RESOLUTION TO TRANSFER FUNDS FOR THE PURCHASE OF A PRINTER AND COPIER FOR THE BOARD OF ELECTIONS

BY: Mr. Christopher Palermo, Chair, Government Operations Committee, and Mr. Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, funds were not included in the 2009 Budget for the Board of Elections for the lease of a copier, and the purchase of a copier would achieve savings; and,

WHEREAS, the Board of Elections will also begin printing ballots in-house in 2009 at a significant reduction in costs, and a newer printer is needed to handle the additional printing capacity; and,

WHEREAS, funds exist in the Board of Elections for the purchase of a copier at \$3200.00 and printer at \$ 674.00; NOW, therefore, be it

RESOLVED, that the total sum of \$3874.00 be transferred from A14501 54077 (Primary Election Inspectors) to A14504 52000 (Office Equipment) for the purchase of a copier and printer from Staples.

Signed by Palermo, Mitchell, Petrus, Chapman, Fearon, Murphy, Sincebaugh, Lockwood, Tortorici, Axton, Schuster.

Approved by voice vote, all in favor.

RESOLUTION NO. 813-08

(12/16/08) COA-LlalIncForCoAttorneyFor2009ADP

TO ADOPT LOCAL LAW NO. 4 FOR THE YEAR 2008 PROVIDING FOR A SALARY INCREASE FOR THE COUNTY ATTORNEY, WHO IS APPOINTED FOR A FIXED-TERM, DURING HIS TERM.

BY: MR. PALERMO, Chairman, Government Operations Committee, and MR. MITCHELL, Chairman, Ways & Means Committee.

WHEREAS, Local Law No. 4 for the year 2008 was presented to the Cayuga County Legislature on the 25th day of November, 2008; and

WHEREAS, pursuant to law and after proper notice having been given, the County Legislature held a public hearing on said Local Law No. 4 for 2008 on December 16, 2008 at 6:30 P.M.; now, therefore be it

ENACTED, that the Cayuga County Legislature does hereby adopt Local Law No. 4 for 2008 providing for a salary increase for the County Attorney, who is appointed for a fixed-term, during his term.

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

Signed by Palermo, Mitchell, Petrus, Chapman, Fearon, Murphy, Sincebaugh, Lockwood, Tortorici, Axton, Schuster.

Approved by voice vote, all in favor.

**STATE OF NEW YORK
COUNTY OF CAYUGA**

LOCAL LAW NO. 4 FOR THE YEAR 2008

A LOCAL LAW PROVIDING FOR A SALARY INCREASE FOR THE COUNTY ATTORNEY, WHO IS APPOINTED FOR A FIXED-TERM, DURING HIS TERM.

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

Section 1. It is the intent of this Local Law to provide a salary increase for the full-time County Attorney, who is appointed for a fixed-term during his term of office, pursuant to Section 201 of County Law.

Section 2. The 2009 salary for the fixed-term, full-time County Attorney shall be set at \$97,500.

Section 3. The pay raise authorized by this Local Law shall not be implemented or effective until January 1, 2009. The provisions of this Local Law are subject to permissive referendum.

RESOLUTION NO. 814-08

(December 16, 2008) COA-vacation payoff

AUTHORIZING THE TRANSFER OF FUNDS WITHIN THE COUNTY ATTORNEY'S 2008 BUDGET.

By: Christopher Palermo, Chairman, Government Operations Committee, and Francis Mitchell, Chairman, Ways and Means

WHEREAS, the Cayuga County Employee Handbook for Non-Represented Employees allows employees to request payment for unused vacation time up to 10 days in a calendar year; and

WHEREAS, one (1) employee of the County Attorney's Office currently has 10 days of vacation credit which cannot be used in 2008; and

WHEREAS, sufficient funds exist in Account A.1420.100.000-A Salaries [Munis A1421] for this purpose; now therefore, be it

RESOLVED, that the line item "Vacation Payoff" be created in the County Attorney's budget under Account A.1420.100.000-A Salaries [Munis A14201]; and be it further

Tuesday, December 16, 2008

591

RESOLVED, that the amount of \$1,841.00 be transferred from Account A.1420.100.000-A Salaries [Munis A14201] to (Salaries/Vacation Payoff); and be it further

RESOLVED, that these funds be immediately expended from the County Attorney's Account A.1420.100.000-A Salaries/Vacation Payoff [Munis A14201]; and be it further

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

Signed by Palermo, Mitchell, Petrus, Chapman, Fearon, Murphy, Sincebaugh, Lockwood, Tortorici, Axton, Schuster.

Approved by voice vote, all in favor.

RESOLUTION NO. 815-08
12/16/08 VETActingDirector12-08
AUTHORIZATION TO APPOINT AN ACTING DIRECTOR
OF VETERAN'S SERVICE AGENCY

BY: Hon. Christopher Palermo, Chair, Government Operations Committee
Hon. Francis Mitchell, Chair, Ways and Means Committee

WHEREAS, Director of Veteran's Service Agency, Nicholas Valenti has submitted his intent to retire at the end of 2009; and

WHEREAS, Deputy Director Georgianna Tracy has also submitted her intent to retire at the end of 2009 and has expressed her willingness to continue to work to help with the transition; and

WHEREAS, the funding for a Director has been changed to full time for budget year 2009; and

WHEREAS, the funding for Deputy Director has been changed to part time for budget year 2009; now, be it therefore

RESOLVED, that Georgianna Tracy be hereby appointed as Acting Director of Veteran's Service Agency until such time as a permanent Director is recruited and hired; and be it further

RESOLVED, that the salary for the acting Director be set at the annual salary of \$42,545 pursuant to the Cayuga County Compensation Plan, Part IV; and be it further

RESOLVED; that upon the filling of the permanent Director that Ms. Tracy be hired in the part-time position of Deputy Director at \$19.64 per hour pursuant to the Cayuga County Compensation Plan, Part II, and be it further

RESOLVED, that the County Treasurer be hereby authorized and directed to make any journal and accounting entries to accomplish the intent of this resolution.

Signed by Palermo, Mitchell, Chapman, Fearon, Murphy, Sincebaugh, Lockwood, Tortorici, Axton, Schuster.

Approved by voice vote, all in favor.

RESOLUTION NO. 816-08
12/16/08 PB-Supprt_AreaCodePlan_02
A CAYUGA COUNTY RESOLUTION RESTATING SUPPORT OF AREA CODE
RELIEF PLAN PREFERRED OPTIONS FOR CENTRAL NEW YORK NYS
DEPARTMENT OF PUBLIC SERVICE CASE 07-C-1486

BY: Mr. Daniel Schuster, Chairman, Planning & Economic Development

WHEREAS, the New York State Public Service Commission (the "Commission") has

determined that the 315 Area Code that has served the central New York community, including nearly all of Cayuga County, since the early 1950s is running out of assignable telephone numbers, and implementation of a new area code is necessary; and

WHEREAS, the Commission has charged the New York State Department of Public Service (the "NYS-DPS") with the task of developing a plan of options with the goal of providing long-term area code relief while causing the least possible disruption to consumers and businesses within the area; and

WHEREAS, the NYS-DPS staff have prepared a plan outlining four (4) options for area code relief entitled Area Code Relief for Central New York, A Description of Options, Case 07-C-1486, (the "Plan" attached hereto and made a part of this resolution), has circulated the Plan, has solicited comments from the general public on the area code relief options presented by the Plan and has remanded the proposed Plans and public comments to the Administrative Law Judge assigned to the case for a final determination; and

WHEREAS, the Planning & Economic Committee of the Cayuga County Legislature has conducted a review of the Plan and the four options it presents to determine which options would be detrimental and disruptive to the residents, businesses and industries in Cayuga County and which options would be beneficial to the County and resolved by Legislative Resolution #343-08, the following:

1. The Cayuga County legislature hereby objects to the Geographic Split represented as Option #1 of the Plan, acknowledging that the proposed division of the existing 315 area code into two (2) geographic areas along rate center boundaries, resulting in the portions of Cayuga County falling above the rate boundary line, including the majority of the towns of Cato, Conquest, Ira, Sterling and Victory being in one area code and the greater portions of Cayuga County falling below the rate boundary, including the City of Auburn and Towns and Villages south of Cato and Conquest would fall into a second area code.

a. Option 1 would require a greater portion of the residents and businesses in Cayuga County to adopt a new area code, including the need to change advertising and other materials related to their telephone numbers, placing a significant and unacceptable cost and operational burden on these individuals and businesses

2. The Cayuga County legislature hereby objects to the Overlay Plan Option, represented as Option #4 of the Plan, acknowledging that the proposed Overlay Option would assign and overlay a new area code to the entire 315 code area assigning new code numbers on an as-needed basis to new customers within the area and requiring that all customers within the existing 315 area code dial 11 digits on all calls,

a. The Option 4 overlay code will result in significant consumer confusion within the county with the establishment of multiple area codes sharing the same geographic area and further, the overlay option will require consumers to dial an 11-digit number for each call made in Cayuga County, a significant burden for county consumers and businesses.

3. The Cayuga County Legislature hereby supports and encourages the adoption of Geographic Split represented by both Options #2 and #3 of the Plan, both of which retain the current 315 exchange within those portions of Cayuga County which currently use 315. Either of these options have the least impact on the consumers and businesses of Cayuga County and are acceptable to and supported by the Cayuga County Legislature as the most viable alternatives for addressing the 315 area code plan of action; and

WHEREAS, the Administrative Law Judge assigned to the case has concluded and determined that the Overlay Option (presented as Option 4 of the Plan) is the Option that should be adopted by the State of New York Public Service Commission; and

WHEREAS, the Cayuga County Legislature remains in opposition to such Overlay Plan for the reasons previously stated herein; NOW, THEREFORE BE IT

RESOLVED, by the Cayuga County Legislature that it hereby directs the Clerk of the Legislature to forward copies of this resolution, under the signature of the Chairman of the Legislature, in the forms necessary for submission, to the attention of Ms. Jaclyn A. Brillling, Secretary, New York State Public Service Commission, 3 Empire Plaza, Albany, New York 12223-1350 with copy forwarded to each of the elected officials representing Cayuga County in the New York State Legislature.

Signed by Schuster, Axton, Fearon, Mahunik, Murphy, Palermo, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 817-08
December 16, 2008 hwytransfersalt
BUDGET TRANSFER OF THE 2008 CAYUGA COUNTY
HIGHWAY BUDGET FOR SALT

BY: Dave Axton, Chairman, Public Works Committee

Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, in the 2008 Highway Budget , a total of \$160,000 was budgeted for Salt(D 5142.400.103) and, \$100,000 was budgeted for Salt in (D 5144.400.103); and

WHEREAS, it is necessary to amend the 2008 Highway Budget to more accurately reflect the increased cost and usage of salt; now, therefore, be it

RESOLVED, that the County Treasurer be and is hereby authorized and directed to provide for transfer of funds in the following manner:

<u>Appropriation Accounts</u>	<u>Old Amount</u>	<u>New Amount</u>	<u>Increase</u>	<u>Decrease</u>
D51444 54103(D 5144.400.103)	\$100,000	\$112,000	\$12,000	
D51131 54099(D 5113.400.099)	\$1,860,888	\$1,848,888		\$12,000
D51104 54095(D 5110.400.095)	\$625,000	\$583,000		\$42,000
D51424 54103(D 5142.400.103)	\$160,000	\$202,000	\$42,000	

AND BE IT FURTHER

RESOLVED, that the Cayuga County Treasurer be and is hereby authorized and directed to make the necessary journal and accounting entries to accomplish the same.

Signed by Axton, Cuddeback, McIntosh, Mitchell, Lockwood, Chapman, Sincebaugh, Petrus, Schuster, Palermo, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 818-08
December 16, 2008 hwytransferautoparts
BUDGET TRANSFER OF THE 2008 CAYUGA COUNTY HIGHWAY BUDGET
FOR AUTO & TRUCK PARTS

BY: Dave Axton, Chairman, Public Works Committee

Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, in the 2008 Highway Budget, a total of \$24,000 was budgeted for Auto and Truck Parts and,

WHEREAS, it is necessary to amend the 2008 Highway Budget to more accurately reflect the increased cost and use of auto and truck parts; now, therefore, be it

RESOLVED, that the County Treasurer be and is hereby authorized and directed to provide for transfer of funds in the following manner:

<u>Appropriation Accounts</u>	<u>Old Amount</u>	<u>New Amount</u>	<u>Increase</u>	<u>Decrease</u>
DM51304 54110 (DM 5130.400.078)	\$33,000	26,000		\$7,000
DM5130454196 (DM 5130.400.196)	\$10,000	\$4,000		\$6,000
DM51304 54010 (DM 5130.400.010)	\$24,000	\$29,500	\$13,000	

AND BE IT FURTHER

RESOLVED, that the Cayuga County Treasurer be and is hereby authorized and directed to make the necessary journal and accounting entries to accomplish the same.

Signed by Axton, Cuddeback, McIntosh, Mitchell, Lockwood, Chapman, Sincebaugh, Petrus, Schuster, Palermo, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 819-08

December 16, 2008 hwytransferplowingrev

**BUDGET TRANSFER OF THE 2008 CAYUGA COUNTY HIGHWAY BUDGET
FOR CONTRACT SNOW REMOVAL**

BY: Dave Axton Chairman, Public Works Committee

Francis Mitchell Chairman, Ways and Means Committee

WHEREAS, in the 2008 Highway Budget, a total of \$1,098,880.00 was budgeted for hiring the towns to plow county roads; and,

WHEREAS, it is necessary to amend the 2008 Highway Budget for additional mileage contracted and a 5.00% negotiated increase in their contracts; now therefore be it

RESOLVED, that the County Treasurer be and is hereby authorized and directed to provide for transfer of funds in the following manner:

<u>Appropriation Accounts</u>	<u>Increase</u>	<u>Decrease</u>
(D5113.400.099) D51134 54099 (paving)		\$47,155
(D5142.400.105)D51424 54105(contract plowing)	\$47,155	

AND BE IT FURTHER

RESOLVED, that the Cayuga County Treasurer be and is hereby authorized and directed to make the necessary journal and accounting entries to accomplish the same.

Signed by Axton, Cuddeback, McIntosh, Mitchell, Lockwood, Chapman, Sincebaugh, Petrus, Schuster, Palermo, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 820-08

December 16, 2008 hwytransfergreaseoil

**BUDGET TRANSFER OF THE 2008 CAYUGA COUNTY HIGHWAY BUDGET
FOR GREASE AND OIL**

BY: Dave Axton, Chairman, Public Works Committee

Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, in the 2008 Highway Budget, a total of \$24,000 was budgeted for Grease and Oil and,

WHEREAS, it is necessary to amend the 2008 Highway Budget to more accurately reflect the increased cost of grease and oil; now, therefore, be it

RESOLVED, that the County Treasurer be and is hereby authorized and directed to provide for transfer of funds in the following manner:

<u>Appropriation Accounts</u>	<u>Old Amount</u>	<u>New Amount</u>	<u>Increase</u>	<u>Decrease</u>
DM51314 54012 (DM 5130.400.012)	\$58,200	\$52,700		\$5,500
DM51304 54033(DM 5130.400.033)	\$24,000	\$29,500	\$5,500	

AND BE IT FURTHER

RESOLVED, that the Cayuga County Treasurer be and is hereby
Signed by Axton, Cuddeback, McIntosh, Mitchell, Lockwood, Chapman, Sincebaugh, Petrus, Schuster, Palermo, Tortorici.
Approved by voice vote, all in favor.

RESOLUTION NO. 821-08

12/16/08 BLDS COB HVAC Change ordersrev

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE
TO SIGN CHANGE ORDERS M-016, M-017 AND M-018 FOR COUNTY
OFFICE BUILDING HEATING PROJECT**

BY: Hon. David R. Axton, Chairman, Public Works Committee

Hon. Francis C. Mitchell, Chairman, Ways & Means Committee

WHEREAS, Cayuga County has adopted Resolution Number 695-06 that set up Capital H project #06-5 for the Heating modification to the Cayuga County Office building heating system; and

WHEREAS, with any project there are change orders to take care of unforeseen issues or missed items with in the project; and

WHEREAS, the following is a list of change orders: M-016 (-\$4846.00), M-017 (-\$9992.00) and M-018 (-\$2666.00); and

WHEREAS, the total cost for the change orders is a Credit of \$17,504.00; now therefor be it

RESOLVED, that the Chairman of Cayuga County is hereby authorized to sign the change orders M-016 (-\$4846.00), M-017 (-\$9992.00) and M-018 (-\$2666.00); and be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to make the journal and accounting entries required to implement the intent of this resolution. Signed by Axton, Cuddeback, McIntosh, Mitchell, Lockwood, Chapman, Sincebaugh, Petrus, Schuster, Palermo, Tortorici.
Approved by voice vote, all in favor.

RESOLUTION NO. 822-08

2/16/08 BLDS Transfer of funds

**AUTHORIZING THE TRANSFER FUNDS BETWEEN BUDGETS IN THE
BUILDINGS AND GROUNDS DEPARTMENT**

BY: Hon. David R. Axton, Chairman, Public Works Committee

Hon. Francis C. Mitchell, Chairman, Ways & Means Committee

WHEREAS, fuel prices and Repairs have depleted the Buildings and Grounds account A16204 54008 Auto Expense (1620-400-008); and

WHEREAS, there are sufficient funds in account A16234 54012 (Building Maintenance) (7530-400-012); and

WHEREAS, the 1999 Ford F150 truck is in need of repairs; now there for let it be
RESOLVED, that the sum of \$3,000.00 be transferred from account A16234 54012
(7530-400-012) to account A16204 54008 (1620-400-008), and be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to
make the journal and accounting entries required to implement the intent of this resolution.
Signed by Axton, Cuddeback, McIntosh, Mitchell, Lockwood, Chapman, Sincebaugh,
Petrus, Schuster, Palermo, Tortorici.
Approved by voice vote, all in favor.

RESOLUTION NO. 823-08
(12/16/08) PRKS&TRLS Friend's Res12-08
APPROVING 2009 AGREEMENT WITH FRIENDS OF
THE STERLING NATURE CENTER, INC.

BY: Mr. David Axton, Chairman, Public Works
Mr. Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, a group of volunteers have formed a corporation known as the Friends of
the Sterling Nature Center Inc. for the purpose of providing volunteer services at the
Sterling Nature Center on Jenvolt Road in the Town of Sterling in the County of Cayuga;
and

WHEREAS, the Friends of the Sterling Nature Center Inc. are desirous of fostering
programs that support and are consistent with the mission of the Nature Center for the
edification of visitors to the Sterling Nature Center for educational and recreational use; and

WHEREAS, the Public Works Committee is desirous of utilizing the Friends of the
Sterling Nature Center Inc. volunteer services at the Sterling Nature Center to assist the
County and it's staff; now therefore be it

RESOLVED, that the Chairperson of the County Legislature is hereby authorized to
sign the 2009 agreement with the Friends of the Sterling Nature Center Inc., and be it
further,

RESOLVED, that the Treasurer is hereby directed to reimburse the Friend's for the
commercial portion of their liability insurance in an amount not to exceed \$1,000 from the
Sterling Nature Center Budget Account #7113.400.059-A, Professional Services (Munis
Account #A71134.54059).

Signed by Axton, Cuddeback, McIntosh, Mitchell, Lockwood, Chapman, Sincebaugh,
Schuster, Palermo, Tortorici.
Approved by voice vote, all in favor.

RESOLUTION NO. 824-08
December 16, 2008 P&T Verizon FiOS 12 08
AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO SIGN A
TWO YEAR AGREEMENT WITH VERIZON FOR INTERNET SERVICE AT
EMERSON PARK

BY: Mr. David Axton, Chairman, Public Works

Mr. Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, Emerson Park currently has Internet service from the local cable com-
pany; and

WHEREAS, the IT Department recommended we consider Verizon FiOS service; and

Tuesday, December 16, 2008

597

WHEREAS, the parks department received a application for service from Verizon indication the cost of service would be \$99.00/month plus taxes estimated at 3% if we agree to sign up for two years of service; and

WHEREAS, Emerson Park currently pays \$129/month for a slower connection (Emerson Park Account # 7110-400.211-A, Munis Account # A71104 54211); now, therefore, be it

RESOLVED, that the Cayuga County Chairperson is hereby authorized and directed to sign the agreement with Verizon FiOS.

Signed by Axton, Cuddeback, McIntosh, Mitchell, Lockwood, Chapman, Sincebaugh, Schuster, Palermo, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 825-08

(12/16/08 P&TSTERLINGTRAILGRANT 12 08REV

**FINALIZING THE SOURCE OF MATCHING FUNDING FOR RESOLUTIONS
124-01, 273-02, 371-02, 518-05 AND 718-07 AND AMENDING CAPITAL "H"
PROJECT NO. 02-2 AUTHORIZING TRANSFER OF FUNDS INTO CAPITAL
"H" PROJECT NO. 02-2 FOR THE STERLING NATURE
CENTER TRAIL GRANT**

BY: Mr. David Axton, Chairman, Public Works

Mr. Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, Resolution Numbers 124-01, 273-02, 371-02, 518-05 and 718-07 called for applying for and accepting a matching grant and establishing Capital "H" Project No. 02-2 for the completion of a trail at Sterling Nature Center; and

WHEREAS, these resolutions did provide for a local (matching) share, to be amortized in future operating budgets of the Sterling Nature Center; and

WHEREAS, the Director of the Sterling Nature Center and the Park Maintenance Supervisor propose that remaining funds from the 2008 operating budget of The Sterling Nature Center (Budget Account Number A7113 Munis Number A71134) be transferred into Capital H Project No. 02-2 as part of the county matching share; now, therefore, be it

RESOLVED, the Cayuga County Treasurer is hereby authorized and directed to transfer the following remaining fund balance from the 2008 operating budget of The Sterling Nature Center (Budget Account Numbers 7113 Munis Number A71134) to Capital H Project No. 02-2 to serve as part of the county match;

7113.400.048(Munis A71134 54048) Books	\$206
7113.400.058(Munis A71134 54058) Dues & Memberships	\$103
7113.400.132(Munis A71134 54101) Promotion	\$1,990
7113.400.147(Munis A71134 54147) Park Improvement	\$190
Total	\$2,489;

and be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to make the journal and accounting entries required to implement the intent of this resolution. Signed by Axton, Cuddeback, McIntosh, Mitchell, Lockwood, Chapman, Sincebaugh, Schuster, Palermo, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 826-08**December 16, 2008 (P&T) Little League t ball 12 08rev****AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE
AND THE CHAIRPERSON OF THE CAYUGA COUNTY PARKS AND TRAILS
COMMISSION TO ENTER INTO AN AGREEMENT WITH AUBURN LITTLE
LEAGUE TO ALLOW FOR THE SETUP OF A T-BALL FIELD BEHIND THE
LITTLE LEAGUE FIELDS AT EMERSON PARK FOR THE 2009
AND 2010 PLAYING SEASONS.**

BY: Mr. David Axton, Chairman, Public Works

Mr. Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, Auburn Little League has had an agreement with Cayuga County for many years to utilize playing fields at Emerson Park; and

WHEREAS, Auburn Little League has requested that the park allow them to set up a T-Ball field behind the existing Little League Fields in a lawn currently used for parking during large park events, and

WHEREAS, the Parks Commission supported this proposal as long as Little League agreed to remove the portable T-Ball field so the park could use the lawn for parking during large events, and

WHEREAS, this agreement would be for the 2009 and 2010 playing seasons to coincide with the current Little League agreement; now, therefore, be it

RESOLVED, that county attorney is hereby authorized and directed to draw up this agreement; and be it further

RESOLVED, that the Chairperson of the Cayuga County Legislature and the Chairperson of the Cayuga County Parks and Trails Commission are hereby authorized and directed to sign this agreement with the President of Little League Baseball of Auburn, Inc. Signed by Axton, Cuddeback, McIntosh, Mitchell, Petrus, Lockwood, Chapman, Sincebaugh, Schuster, Palermo, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 827-08**December 16, 2008 coaJordan Property 12 08****AUTHORIZING THE COUNTY ATTORNEY TO DRAFT A TWO-YEAR
AGREEMENT WITH NYS DOT AND A NYS THRUWAY CONTRACTOR TO
USE COUNTY OWNED LAND IN THE TOWN OF ELBRIDGE FOR A
CONCRETE BATCH PLANT (FORMER RAILROAD PROPERTY)**

BY: Mr. David Axton, Chairman, Public Works

Mr. Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, a contractor recently won a two-year contract for NYS Thruway reconstruction, and

WHEREAS, the is proposing to use a portion of Cayuga County owned property in the town of Elbridge for a proposed concrete batch plant; and

WHEREAS, the property is part of the former West Shore Railroad property acquired by the county in the mid 1990's for possible recreational or utility use; and

WHEREAS, the county has no immediate plans for, nor are we currently using, this portion of the property; and

WHEREAS, it is evident from the appearance of the property that it has been used by NYS DOT and/or others for years, and

WHEREAS, it makes sense for us to have an agreement for the use of the property or to forbid the use of the property; now, therefore, be it

RESOLVED, that the Cayuga County attorney is hereby authorized and directed to draft an agreement with NYSDOT and the current contractor for use of the property; and be it further

RESOLVED, that once the agreement is approved by the legislature the chairperson is hereby authorized and instructed to sign the agreement.

Signed by Axton, Cuddeback, McIntosh, Mitchell, Petrus, Lockwood, Chapman, Sincebaugh, Schuster, Palermo, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 828-08

(12/16/08) COA-AppNYSUnfCtAgrForCngSvs&MnrReps

AUTHORIZING THE CHAIRMAN OF THE COUNTY LEGISLATURE TO SIGN AGREEMENT WITH THE NEW YORK STATE UNIFIED COURT SYSTEM FOR CLEANING SERVICES, AS WELL AS MINOR AND EMERGENCY REPAIRS.

BY: MR. AXTON, Chairman, Public Works Committee, and
MR. MITCHELL, Chairman, Ways & Means Committee.

WHEREAS, the Chairman of the County Legislature has advised the Public Works Committee that the New York State Unified Court System is desirous of entering into an agreement with Cayuga County for cleaning services, as well as minor and emergency repairs to the court facilities; now, therefore, be it

RESOLVED, that the Chairman of the County Legislature is hereby authorized to enter into an agreement for cleaning services, as well as minor and emergency repairs, for the period of State Fiscal Years 2008-2009 through 2012-2013, effective April 1, 2008 and terminating March 31, 2013.

Signed by Axton, Cuddeback, McIntosh, Mitchell, Petrus, Lockwood, Chapman, Sincebaugh, Schuster, Palermo, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 829-08

12/16/08 HWY create fill Principal Account clerk pos rev

AUTHORIZATION TO CREATE AND FILL PRINCIPAL ACCOUNT CLERK POSITION AND TO ABOLISH DATA ENTRY MACHINE OPERATOR.

BY: Hon. David Axton, Chairman, Public Works Committee
Hon. Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, there is a need to establish a position in the highway department to assist with budget control items; and

WHEREAS, this position will also input all of the work orders and process bills for highway materials, fuel and equipment parts and maintain control figures for the department; and

WHEREAS, the position of Principal Account Clerk has been funded for the entire 2009 year in the budget; and

WHEREAS, by abolishing one Data Entry Machine Operator the increase will be minimal; and

WHEREAS, there is a need for an individual to keep track of revenue and expenditures of the Highway Department budget as well as the Motor Pool budget; and

WHEREAS, to accomplish this it is necessary to increase the responsibilities and the hours of this new position; now, therefore be it

RESOLVED, that one position of Principal Account Clerk be hereby created within the County Highway Department; and be it further

RESOLVED, that the hours be set at 40 hours per week with the following converted rates to be added to the CSEA Compensation Plan for a clerical grade 14 Principal Account Clerk within the Highway Department:

Grade	Inc.	Prob	1st Step	2nd Step	3rd Step	4th Step	(based on 2008 CSEA Plan)
14	333	37,768	38,118	39,448	40,770	42,142	

and be it further

RESOLVED, that the County Highway Superintendent be hereby authorized to fill the new position effective 1/1/09 ; and be it further

RESOLVED, that one position of Data Entry Machine Operator be hereby abolished upon the adoption of this resolution; and be it further

RESOLVED, that the foregoing be accomplished in accordance with Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Axton, Cuddeback, Mitchell, Petrus, Lockwood, Chapman, Sincebaugh, Schuster, Palermo, Tortorici.

Approved by voice vote, all in favor.

MOTION NO. 830-08 (TABBLD)

Motion by David Axton, 2nd by Lockwood to pay 50% of the cost to replace a water meter at Emerson Park, NY, take the cost out of contingency, estimate amount \$2,500, to \$3,000.

Discussion: Schuster, need it in writing.

Axton, this is time sensitive.

Schuster, we can do resolution next month and reimburse Fleming.

Cuddeback, should go to committee.

Petrus, let Fleming know it will be resolved.

Motion by Schuster to Table, passed by majority vote. Ayes - Chapman(81), Mahunik(49), Fearon(63), Mitchell(57), Cuddeback(64), Tortorici(51), Schuster(47), Sincebaugh(48), Mills(79). Noes - Palermo(58), Axton(68), Petrus(53), Lockwood(63), Murphy(51). Excused - McIntosh(50). Vote 539/29350

RESOLUTION NO. 831-08

(12/16/08) P&TSnowmobile Grant 12 08

AUTHORIZING AMENDMENT OF THE 2009 PARKS & TRAILS BUDGET TO INCLUDE SNOWMOBILE GRANT FUNDS

By: David R. Axton, Chairperson, Public Works

Francis Mitchell, Chairperson, Ways & Means Committee

WHEREAS, Cayuga County has applied for and received a Snowmobile Trail and Development Grant of \$113,525.00, plus a high snow award if applicable, which has been received after the County 2009 Budget was passed; and

WHEREAS, these funds can only be used for snowmobile trail development and maintenance; and

Tuesday, December 16, 2008

601

WHEREAS, the funds are to be received in two payments one of \$76,282.50 representing 70% of the regular funding (as per the current voucher) and the second of the remaining 30% and the high snow award if applicable (as per a voucher received in March of 2008), now, therefore, be it

RESOLVED, that the Cayuga County Treasurer be directed to sign the State Aid Vouchers and make the necessary changes to amend the 2009 budget as follows: increase the Expense Account A7112.420.074 Dept Expense (Munis: A71164-54000 Contractual), and, increase Revenue Account A3812 (Munis: A71160-43812) by \$113,525.00 plus the high snow award if received; and be it further

RESOLVED, that the Parks and Trails Department is authorized to administer and expend such funds in strict accordance with the rules of the grant; and be it further

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

Signed by Axton, Cuddeback, Mitchell, Petrus, Lockwood, Chapman, Sincebaugh, Schuster, Palermo, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 832-08

12/16/08 911AgrTuttleLandSurveyorsrev2

**ACCEPTING THE BID OF TUTTLE LAND SURVEYORS AUTHORIZING THE
CHAIRPERSON OF THE LEGISLATURE TO SIGN A CONTRACT WITH
TUTTLE LAND SURVEYORS.**

BY: Mr. Raymond Lockwood, Chairperson, Judicial and Public Safety Committee
Mr. Francis Mitchell, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County 911 Center utilizes Finger Lakes Communications to maintain all County owned radio infrastructure within the E-911 Center, Sheriff's Department, and all Fire and EMS radios; and

WHEREAS, it is critical that all of these components function properly twenty-four hours per day, seven days per week without interruption; and

WHEREAS, it is critical that Finger Lakes Communications be able to access all tower sites to maintain the radio infrastructure at these sites 24/7; and

WHEREAS, the current access roads are in very poor condition and not feasible in the winter time and the land needs to be surveyed to complete this project; and

WHEREAS, Cayuga County received sealed bids from Keystone Associates and Tuttle Land Surveyors as follows:

Keystone Associates:	
Total Survey Cost:	\$9,900.00
Tuttle Land Surveyors as	
Total Survey Cost:	\$7,025.00

;and

WHEREAS, Tuttle Land Surveyors provided the most favorable pricing; and,

WHEREAS, there is money in the 911 Communication System Budget Account Number 3020.2.0000; Munis account number 302002; specifically for this purpose; and

RESOLVED, that the Chairman of the Legislature is hereby authorized to sign a contract with Tuttle Land Surveyors in the amount of \$7,025.00; and be it further

RESOLVED, that the Cayuga County Treasurer make all the necessary journal and accounting entries to accomplish the foregoing.

Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, Murphy, McIntosh, Mitchell, Axton, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 833-08

12/16/08 PRO-SALDirectorII-08

**AUTHORIZING THE SALARY TO BE RESTORED FOR
THE POSITION OF PROBATION DIRECTOR II.**

BY: Mr. Raymond Lockwood, Chair, Judicial and Public Safety Committee, and
Mr. Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, Bernard Newcomb was appointed as Probation Director II effective 12/31/08; and

WHEREAS, Mr. Newcomb has twenty-six years of experience in the field of probation and has served as Probation Supervisor for seventeen years; and

WHEREAS, the position warrants the rate of pay that was in the compensation plan for the position in 2008; now, therefore, be it

RESOLVED, that Mr. Newcomb be paid in accordance to Cayuga County Compensation Plan, Part IV for the title of Probation Director II at the rate of \$65,826; and be it further

RESOLVED, that the Treasurer make any and all journal and accounting entries necessary to accomplish the foregoing.

Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, Murphy, McIntosh, Mitchell, Axton, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor, Voting No, Fearon and Mitchell.

RESOLUTION NO. 834-08

(12/16/08) IndigentDefendantsapptadmin

**APPOINTING ADMINISTRATOR INDIGENT DEFENDANTS, PART TIME, AND
SETTING SALARIES FOR ADMINISTRATOR INDIGENT DEFENDANTS,
PART TIME, AND DEPUTY ADMINISTRATOR INDIGENT
DEFENDANTS, PART TIME**

BY: MR. RAYMOND LOCKWOOD, Chairman, Judicial & Public Safety Committee
MR. FRANCIS MITCHELL, Chairman, Ways & Means Committee

WHEREAS, the position of Administrator Indigent Defendants, Part Time is a one (1) year fixed term appointment; and

WHEREAS, Lloyd E. Hoskins has held the position as Administrator since January 1, 1994; and

WHEREAS, the Legislature has determined that Lloyd E. Hoskins is best qualified to fill this position; and

WHEREAS, the position of Deputy Administrator Indigent Defendants, Part Time is a one (1) year fixed term appointment; now, therefore, be it

RESOLVED, that Lloyd E. Hoskins is hereby appointed as Director Indigent Defendants, Part Time, to serve for a (1) year term commencing January 1, 2009 and ending December 31, 2009, and be it further

Tuesday, December 16, 2008

603

RESOLVED, that the salary for Director Administrator Indigent Defendants, Part Time for the 2009 calendar year thereafter shall be \$12,539.00; and be it further

RESOLVED, that the salary for Deputy Administrator Indigent Defendants, Part Time for the 2009 calendar year thereafter shall be \$ 6,585.00; and be it further

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

Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, Murphy, McIntosh, Mitchell, Axton, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 835-08
(December 16, 2008) DA.vacation payoff
TO AUTHORIZE THE TRANSFER OF FUNDS WITHIN
THE DISTRICT ATTORNEY'S BUDGET

By: Raymond E. Lockwood, Chairman, Judicial & Public Safety, and
Francis Mitchell, Chairman, Ways and Means

WHEREAS, the Cayuga County Employee Handbook for Non-Represented Employees allows employees to request payment for unused vacation time up to 10 days in a calendar year; and

WHEREAS, five (5) employees of the District Attorney's Office currently have 10 days of vacation credit which cannot be used in 2008; and

WHEREAS, sufficient funds exist in Account A.1165.100.000-A Salaries [Munis A11651] for this purpose; now therefore, be it

RESOLVED, that the line item "Vacation Payoff" be created in the District Attorney's budget under Account A.1165.100.000-A Salaries [Munis A11651]; and be it further

RESOLVED, that the amount of \$10,815.00 be transferred from Account A.1165.100.000-A Salaries [Munis A11651] to (Salaries/Vacation Payoff); and be it further

RESOLVED, that these funds be immediately expended from the District Attorney's Account A.1165.100.000-A Salaries/Vacation Payoff [Munis A11651]; and be it further

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

Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, Murphy, Mitchell, Axton, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 836-08
(December 16, 2008) DA.equippurchase.08-3
AUTHORIZING THE TRANSFER OF FUNDS FROM THE DISTRICT
ATTORNEY'S 2008 SALARIES ACCOUNT A.1165.100.000-A [MUNIS A11651]
TO THE DISTRICT ATTORNEY'S 2008 EQUIPMENT ACCOUNT
A.1165.200.000-A [MUNIS A11652] FOR THE PURCHASE OF EQUIPMENT

By: Raymond E. Lockwood, Chairman, Judicial & Public Safety, and
Francis Mitchell, Chairman, Ways and Means

WHEREAS, the District Attorney has a balance of salary funds that will not be expended in 2008 as a result of the vacant Assistant District Attorney position; and

WHEREAS, the District Attorney is in need of surveillance/body wire equipment, two (2) exterior security cameras/surveillance, typewriter and Grand Jury Amplification System; and

WHEREAS, the District Attorney has obtained the following quotes for said equipment:

Tactical Technologies Inc., 500 Pine Street, Suite 3A, Holmes Corp Center, Holmes, PA 19043	
Surveillance/Body Wire Equipment	\$4,390.00
Herrtronic Inc., 55 Water Street, Auburn, New York 13021	
CCTV Camera Material & Labor	\$1,800.00
AmpliVox (quote provided by Steve Johnson, IT)	
Wireless Powered Dual Speaker with 900 MHz Transmitter	\$578.00
Amplified Lectern on Casters	\$957.00
Plus shipping & handling	
Metroland Business Machines, Inc., 1650 Western Avenue, P.O. Box 3975, Albany, NY 12203	
IBM Wheelwriter 1000	\$695.00
Plus shipping & handling	

WHEREAS, it is necessary to transfer and encumber funds from 2008 to accomplish the purchase of said equipment in 2008 and 2009; now, therefore, be it

RESOLVED, that the District Attorney is authorized to transfer \$8,420.00 from the District Attorney's 2008 Salaries Account A.1165.100.000-A [MUNIS A11651 to the District Attorney's 2008 Equipment Account A.1165.200.000-A [MUNIS A11652]; and be it further

RESOLVED, that the said \$8,420.00 is hereby encumbered for the purpose of purchasing the equipment referenced above and that the District Attorney in furtherance thereof shall prepare purchase requisitions for the respective quoted amounts; and be it further

RESOLVED, that the District Attorney is authorized to purchase said equipment and therefore the Cayuga County Treasurer is authorized and directed to make payments from the designated Equipment Account A.1165.200.000-A [MUNIS A11652] to the respective vendors upon delivery, acceptance and certification of said equipment; and be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to make the necessary journal and accounting entries to accomplish same.

Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, Murphy, McIntosh, Mitchell, Axton, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 837-08
(December 16, 2008) DA.atplumpsumrecruit
AUTHORIZING THE EXPENDITURE OF UNEXPENDED AID TO
PROSECUTION GRANT FUNDS ACCORDING TO THE DISTRICT
ATTORNEY'S APPROVED REQUEST FOR AN EXTENSION/PAYMENT BY
THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES

By: Raymond E. Lockwood, Chairman, Judicial & Public Safety, and
Francis Mitchell, Chairman, Ways & Means

WHEREAS, due to the extended vacancies this year while seeking a Chief ADA and two additional ADA positions, one of which required an experienced prosecutor, the District Attorney's Office has accumulated unexpended grant funds in the amount of \$6,259.86 from the 2007-2008 Aid to Prosecution Grant which is due to expire December 31, 2008 and revert to NYS; and

WHEREAS, the New York State Division of Criminal Justice Services has granted the District Attorney's Office an extension of the Aid to Prosecution Grant for the period ending February 28, 2009 to utilize the unexpended funds by means of a one-time, lump sum recruitment award; and

WHEREAS, by Resolution No. 744-08, District Attorney Jon E. Budelmann received Legislative approval on November 25, 2008 authorizing and directing the Cayuga County Treasurer to carry over any unexpended balance for the 2008 fiscal year and amend the 2009 County Budget; and

WHEREAS, by Resolution No. 668-08, District Attorney Jon E. Budelmann received Legislative approval on October 28, 2008 to reduce the salary of the vacant Assistant District Attorney position by \$14,000.00 to an "entry level salary", and

WHEREAS, the District Attorney has now successfully hired an "experienced" candidate (with four (4) years prosecution experience in the Onondaga County DA's office and nearly eight (8) years litigation experience and admission to the bar) to fill the vacant Assistant District Attorney position; and

WHEREAS, the District Attorney of Cayuga County proposed a plan to utilize the unexpended funds in the form of a "one-time, lump sum recruitment/sign-on bonus" to offset the "entry level salary" for the newly hired "experienced" assistant district attorney, and the State of New York Division of Criminal Justice Services approved that plan; now therefore, be it

RESOLVED, that the 2009 County Budget for the District Attorney be amended in the following manner:

INCREASE:

Revenue Account 3029.000.000-A - State Aid - Aid to Prosecution Grant	\$6,259.86
INCREASE:	
Munis A11651 51004 Salary - On-Call	\$5,815.01
INCREASE:	
Munis A11651 58001 Fringe (FICA)	\$444.85

RESOLVED, that the Cayuga County Treasurer be hereby authorized and directed to pay a "lump sum recruitment/sign-on bonus" pursuant to the approved extension of the Aid to Prosecution Grant; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the necessary journal and accounting entries to accomplish the foregoing.

Discussion: Schuster, what would the salary be for next year?

Jon Budelmann DA, reverts back to regular salary, this is a one time deal.

Signed by Lockwood, Chapman, Cuddeback, Fearon, Murphy, Mitchell, Axton, Palermo, Petrus, Tortorici.

Approved by voice vote, all voting aye, except Schuster and Mahunik voting No.

RESOLUTION NO. 838-08

12/16/08 SHR-Transfer Monies (Equipment)

AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO TRANSFER MONIES FROM THE SHERIFF'S 2008 CUSTODY JAIL GAS/HEAT BUDGET LINE A31504 54024 (3150.400.024A) TO THE SHERIFF'S 2008 LAW ENFORCEMENT EQUIPMENT BUDGET LINE A31102.52000 (3110.200.000A).

BY: Mr. Raymond Lockwood, Chair, Judicial and Public Safety Committee, and Mr. Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, there is an insufficient amount of money in the Sheriff's 2008 Law Enforcement Equipment Budget Line A31102 52000 (3110.200.000A) to cover the cost of necessary special weapons and tactical equipment; and

WHEREAS, there is a surplus amount of money in the Sheriff's 2008 Custody Jail Gas/Heat Budget Line A31504 52024 (3150.400.024A) to compensate the shortage in the Sheriff's 2008 Law Enforcement Equipment Budget Line A31102 52000 (3110.200.000A); now therefore be it

RESOLVED, that the Cayuga County Treasurer be authorized to transfer \$22,000.00 from the Sheriff's 2008 Custody Jail Gas/Heat Budget Line A31504 54024 (3150.400.024A) to the Sheriff's 2008 Law Enforcement Equipment Budget Line A31102 52000 (3110.200.000A); and further be it

RESOLVED that the Cayuga County Treasurer make the necessary accounting and journal entries to accomplish the intent of this Resolution.

Signed by Lockwood, Fearon, Cuddeback, Murphy, Chapman, Mahunik, Mitchell, Petrus, Tortorici, Palermo, Schuster, Axton.

Approved by voice vote, all in favor.

Motion by Mitchell to add to the first RESOLVED in accordance with the Bid Specs that the County sent out, all in favor.

RESOLUTION NO. 839-08

12/16/08 SHR-Transfer Monies (Purchase Diesel Generator)rev

AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO TRANSFER MONIES FROM THE SHERIFF'S 2008 CUSTODY DOCTORS AND HOSPITALS BUDGET LINE A31504 54036 (3150.400.036A) TO THE SHERIFF'S 2008 CUSTODY BUILDING MAINTENANCE BUDGET LINE A31504 54012 (3150.400.012A) TO SUPPLEMENT FUNDS PREVIOUSLY TRANSFERRED BY RESOLUTION NO. 738-08 TO MAKE NECESSARY REPAIRS TO THE PUBLIC SAFETY BUILDING'S DIESEL GENERATOR.

BY: Mr. Raymond Lockwood, Chair, Judicial and Public Safety Committee, and Mr. Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Office diesel generator's exhaust system on

Tuesday, December 16, 2008

607

the west side of the Cayuga County Public Safety Building requires repairs as it vents into the Public Safety Building; and

WHEREAS, the Cayuga County Sheriff's Office was approved to by Resolution No. 738-08 on November 25, 2008 to transfer monies for the repairs required of the exhaust system to [prevent the emission of dangerous fumes into the building; and

WHEREAS, the Sheriff's Office obtained three quotes for the repair which are

- | | |
|--|--------------|
| A). Comfort Systems, Inc. located in Syracuse, New York, | \$14,880.00; |
| B). Welch Construction, Inc. located at Marcellus, New York, | \$22,810.00; |
| C). Barber Welding, Inc, Weedsport, New York | \$33,546.00 |

WHEREAS, Comfort Systems, Inc. has since informed the Cayuga County Sheriff's Office that they will not be able to repair the diesel generator's exhaust system until May 2009 and due to the safety concerns and health issues the faulty diesel generator's exhaust system presents, the repairs need to be made as soon as possible; and

WHEREAS, Welch Construction, Incorporated located in Marcellus, New York, issued the second lowest quote of \$22,810.00 and has indicated that they can begin the work approximately two weeks after the issuance of a Purchase Order; and

WHEREAS, additional money will need to be transferred into the Sheriff's 2008 Custody Building Maintenance Budget Line A31504 54012 (3150.400.012A) to cover the increased cost of the aforementioned repairs as quoted by Welch Construction, Incorporated; now therefore be it

RESOLVED, that Welch Construction, Incorporated be hired to repair the diesel generator's exhaust system at the Cayuga County Public Safety Building in accordance with the Bid Specs that the County sent out and that Purchase Order No. 0194657 be voided and a new Purchase Order be issued for Welch Construction, Incorporated at a cost not to exceed \$22,810.00; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized to transfer \$8,000.00 from the Sheriff's 2008 Custody Doctors and Hospitals Budget Line A31504 54036 (3150.400.036A) to the Sheriff's 2008 Custody Building Maintenance Budget Line A31504 54012 (3150.00.012A) to supplement the \$15,000.00 that was previously transferred by Resolution No. 738-08 to adequately cover the fees of Welch Construction, Inc.; and further be it

RESOLVED that the Cayuga County Treasurer make the necessary accounting and journal entries to accomplish the intent of this Resolution.

Signed by Lockwood, Fearon, Cuddeback, Murphy, Chapman, Mahunik, Mitchell, Petrus, Tortorici, Palermo, Schuster, Axton.

Approved by voice vote, all in favor.

RESOLUTION NO. 840-08

12-16-08 CORtransferfunds

**AUTHORIZATION FOR THE COUNTY TREASURER TO TRANSFER FUNDS
FROM THE CONTINGENCY FUND TO THE CORONER/MEDICAL
EXAMINER'S ACCOUNT (1185) DUE TO LACK OF FUNDS.**

BY: Hon. Raymond Lockwood, Chair, Judicial & Public Safety Committee
Hon. Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, the Coroner's Office Budget for 2008 is Currently without sufficient funds to pay for services for November and December 2008 in line item #042(fees to other

labs), #080(transfer & facility) and a shortage of funds to finish 2008 in line item #059(professional services/autopsies) and

WHEREAS, the line items with insufficient funds are contractual accounts and the need for additional funding is necessary from the Contingency Fund in order to pall "ALL" 2008 invoices that we receive in 2009 and

WHEREAS, in the past, the charges, incurred at the end of the year, are not received until the beginning of the following year and have been paid from the new year's budget thus causing funds from the beginning of the new budget year to be used for the pervious years charges and

WHEREAS, currently, there are invoices unable to be processed due to insufficient funds in these line items and it is difficult to project the activities of the next 2 months with these particular line items and be it

RESOLVED, that the Cayuga County Treasurer be authorized and directed to transfer funds from the Contingency Fund to the Coroner/Medical Examiner's account and that any funds remaining in the following line items remain encumbered so that all charges for 2008 are paid with 2008 funds.

Increase account 1185.400.042 (fees to other labs)	\$7500.00	Munis# A11854-54042
Increase account 1185.400.080 (transfer & facility)	\$6000.00	Munis# A11854-54080
Increase account 1185.400.059 (professional services/autopsies)	\$7500.00	Munis# A11854-54059

Signed by Lockwood, Fearon, Murphy, Chapman, Mahunik, McIntosh, Mitchell, Petrus, Tortorici, Palermo, Schuster, Axton.

Approved by voice vote, all in favor.

RESOLUTION NO. 841-08
12/16/08 Coroner-Create/fill Investigator
AUTHORIZATION TO CREATE AND FILL THE FOURTH POSITION OF
CORONER INVESTIGATOR, PART TIME WITHIN THE COUNTY
CORONER/MEDICAL EXAMINER'S OFFICE

BY: Mr. Raymond Lockwood, Chairperson, Judicial and Public Safety Committee
Mr. Francis Mitchell, and Chairman of Ways and Means Committee

WHEREAS, the Coroner's Office budgeted for a fourth part-time Coroner Investigator position in the 2008 budget which was approved in the budget process and

WHEREAS, due to the difficulty of scheduling on call coverage for 24/7/365 days requirement of the department and the fourth position of Investigator part time, must be filled and

WHEREAS, the current Coroner and part time Coroner's Investigators have full time employment and do not have the flexibility within their employment as was allowed before by their employers; and

WHEREAS, these positions are difficult to fill due to the commitment of the position, therefore, be it

Tuesday, December 16, 2008

609

RESOLVED, that the part-time position of Coroner Investigator #4 be created and filled within the Coroner/Medical Examiner's Office, with a salary not to exceed \$5085 with no fringe benefits except those mandated by law; and be it further

RESOLVED, that the position be placed in the Cayuga County Compensation Plan, Part II for non-bargaining employees at the appropriate rate within the Coroner's Office and be it further.

RESOLVED, the position be filled in accordance with Civil Service and Rules and Regulations.

Signed by Lockwood, Fearon, Cuddeback, Murphy, Chapman, Mahunik, Mitchell, Petrus, Tortorici, Palermo, Schuster, Axton.

Approved by voice vote, all in favor.

CHAIRMAN'S REPORT: Roger Mills, I now have a detailed understanding of County Government. Thank you to all. It has been difficult job at times, beaten up but not beaten down. I take personal satisfaction, that Cayuga County is a better place to live.

Motion by Chapman to adjourn at 8:50 PM, all in favor.

Motion by Cuddeback, 2nd by Lockwood, to approve minutes of 12/16/08 and 1-5-09, all in favor.