

**MINUTES
CAYUGA COUNTY LEGISLATURE
REORGANIZATION MEETING
JANUARY 4, 2010, 6:30 PM**

CALL TO ORDER: Mary Jones, Clerk of the Legislature

ROLL CALL: Kim Taggerty, Deputy Clerk of the Legislature, all Legislators present

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

SWEARING IN OF NEWLY ELECTED LEGISLATORS: BY HON. MARK H. FANDRICH

Paul Pinckney, District #5, with his family.
Timothy Lattimore, District #1, with his granddaughter and family.
County Clerk Susan Dwyer, Administered the Oath of Office.

SWEARING IN OF NEWLY ELECTED LEGISLATOR: BY HON. THOMAS LEONE

Stephen Barski, District #11, with his family.
County Clerk Susan Dwyer, Administered the Oath of Office.

SWEARING IN OF RE-ELECTED LEGISLATORS: BY HON. MARK H. FANDRICH

Cynthia Aikman, District #15, David Axton, District #3, Steven Cuddeback, District #9,
George Fearon, District #7, Christopher Palermo, District #1.
County Clerk Susan Dwyer, Administered the Oath of Office.

NOMINATIONS FOR LEGISLATIVE CHAIRPERSON.

Motion by Palermo, 2nd by Cuddeback nominating Peter Tortorici for Chairperson, all in favor, except Aikman Opposed. No other nominations.
Peter Tortorici was sworn in by Hon. Mark H. Fandrigh, with his family by his side.
County Clerk Susan Dwyer, Administered the Oath of Office.

NOMINATIONS FOR LEGISLATIVE VICE CHAIRPERSON.

Motion by Petrus, 2nd by Palermo nominating Paul Pinckney for Vice. Chairperson, all in favor, no other nominations.
Paul Pinckney was sworn in by Hon. Mark H. Fandrigh, with his family by his side.
County Clerk Susan Dwyer, Administered the Oath of Office.

DESIGNATION OF MAJORITY AND MINORITY LEADERS FOR 2010.

Motion by Sincebaugh, 2nd by Aikman for Patrick Mahunik for Minority Leader, all in favor.

Motion by Palermo, 2nd by Cuddeback for Tim Lattimore for Majority Leader, all in favor.

County Clerk Susan Dwyer, Administered the Oath of Office.

Motion by Palermo, 2nd by Petrus to nominate Mary Jones for clerk of the Legislature, all in favor, no other nominations.

County Clerk Susan Dwyer, Administered the Oath of Office.

RESOLUTIONS APPOINTING CLERK OF THE LEGISLATURE, SETTING SALARY AND CAYUGA COUNTY ATTORNEY

Motion by Palermo, 2nd by Petrus to nominate Mary Jones for clerk of the Legislature, all in favor, no other nominations.

County Clerk Susan Dwyer, Administered the Oath of Office.

**RESOLUTION NO. 1-10
1/4/10 COL ClkLeg.Appt10
APPOINTING CLERK OF LEGISLATURE AND SETTING SALARY
(Majority Vote)**

BY: Ways & Means Committee

WHEREAS, this Committee is pleased to submit the name of Mary Jones for the position of Clerk of the Cayuga County Legislature for 2010; now, therefore be it

RESOLVED, that Mary Jones is hereby appointed Clerk of the Cayuga County Legislature for the year 2010; and be it further

RESOLVED, that her salary for 2010 shall be \$47,500.00; and, be it further

RESOLVED, that this resolution shall take effect immediately.

Signed by Axton, Cuddeback, Mills, Fearon, Mahunik, all in favor.

Motion by Palermo, 2nd by Axton to nominate Fred Westphal as County Attorney, all in favor, no other nominations.

County Clerk Susan Dwyer, Administered the Oath of Office.

**RESOLUTION NO. 2-10
1/4/10 COA-ApptCoAtty
RE-APPOINTING CAYUGA COUNTY ATTORNEY FOR A FOUR YEAR TERM**

BY: Chair, Ways & Means Committee.

WHEREAS, this Committee is pleased to submit the name of Frederick R. Westphal for the reappointment of Cayuga County Attorney for January 1, 2010-December 31, 2013; now, therefore be it

RESOLVED, that Frederick R. Westphal is hereby re-appointed Cayuga County Attorney for the years January 1, 2010 - December 31, 2013; and be it further

RESOLVED, as per adopted Resolution # 700-09 County Attorney Salary is as follows:

January 1, 2010–December 31, 2010 - \$100,000

January 1, 2011–December 31, 2011 - \$102,500

January 1, 2012–December 31, 2012 - \$105,000

January 1, 2013–December 31, 2013 - \$107,500

RESOLVED, that this resolution shall take effect immediately.

And be it further

RESOLVED, that the Cayuga County Treasurer is hereby directed to make the necessary accounting and journal entries to carry out the same.

Signed by Chapman, Mitchell, Barski, Aikman, Axton, Cuddeback, Mills, Fearon, Mahunik, all in favor.

SWEARING IN OF COUNTY TREASURER BY HON. MARK H. FANDRICH

Jim Orman, County Treasurer

County Clerk Susan Dwyer, Administered the Oath of Office.

ADMINISTRATION OF OATHS OF OFFICE:

County Clerk Susan Dwyer for Legislature Clerk, County Attorney, and County Treasurer

10 MINUTE BREAK TO SIGN RESOLUTIONS & PHOTO OPPORTUNITIES.

MOTIONS/RESOLUTIONS:

RESOLUTION NO. 3-10

1.4.10 Bldgs Awdng lmbngBhvraHelth Prjctrjctprorbd rev5

AWARDING THE PLUMBING CONTRACTOR BID FOR THE BEHAVIORAL HEALTH PROJECT AND RESCINDING RESOLUTION NO. 589-09.

BY: HON. David Axton, Chairman, Public Works Committee, and
HON. Christopher Palermo, 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, bids have been received for the Plumbing Contractor portion of the building project (see attached); and

WHEREAS, the lowest bidder is Unified Mechanical Construction and Green Plumbing, Inc. is the second lowest bidder; and

WHEREAS, that the City of Auburn asserts that the provisions of Article 4 of the General City Law regulates the trade or business of plumbing in the City of Auburn, New York and that these provisions require that plumbers engaged in the business of plumbing be certified by the City of Auburn's examining board of plumbers; and

WHEREAS, Resolution No. 589-09 awarded the plumbing bid to United Mechanical Construction upon the condition that it take and pass the board of plumbers examining process; and

WHEREAS, United Mechanical Construction by notice dated November 17, 2009 indicates that it is unable to take the plumbing examination due to prior commitments (see attached); and

WHEREAS, Green Plumbing Inc. is a licensed plumber in the City of Auburn and is the second bidder; now therefore let be it

RESOLVED, that Resolution No. 589-09, awarding the plumbing bid to United Mechanical Construction, is hereby rescinded; and be it further

RESOLVED, that the Cayuga County Legislature award the Plumbing Contractor bid to Green Plumbing, Inc. at a cost not to exceed \$277,200.00; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature sign all contracts, to implement the intent of this resolution, 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 Mitchell, Cuddeback, Lattimore, Barski, Mahunik, Mills, Fearon, all in favor.

RESOLUTION NO. 4-10 (1/4/2010)

P&TSnowmobileGrant 1 10 Rev 1

**AUTHORIZING AMENDMENT OF THE 2010 PARKS & TRAILS
BUDGET TO INCLUDE SNOWMOBILE GRANT FUNDS**

BY: David Axton, Chairperson, Public Works

Christopher Palermo, Chairperson, Ways & Means Committee

WHEREAS, Cayuga County has applied for and received a Snowmobile Trail and Development Grant of \$91,685.00, including \$88,110 of regular trail funding and a high snow award of \$3,575.00, with notification having been received after the County 2010 Budget was passed; and

WHEREAS, the funds are to be received in two payments the first being \$61,677.00 representing 70% of the regular funding, as per the current voucher, and the second (if there are sufficient snowmobile registration funds available) of \$26,433.00 representing the remaining 30% plus the high snow award of \$3,575.00, as per a second voucher to be received in March of 2010, now, therefore, be it

RESOLVED, that the Cayuga County Treasurer be directed to sign the first State Aid Voucher and make the necessary changes to amend the 2010 budget as follows: increase Revenue Account A71160-43812 and increase Expense Account A71164-54000 by \$61,677.00 now; and be it further

RESOLVED, that the Cayuga County Treasurer be directed to sign the second State Aid Voucher when received and make the necessary changes to amend the 2010 budget accounts listed above by the amount specified in that voucher; 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; and be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to disburse the funds to the clubs upon receipt of the payment from the state.

Signed by Mitchell, Cuddeback, Lattimore, Barski, Axton, Mahunik, Mills Fearon, all in favor.

RESOLUTION NO. 5-10

1.4.10 s&wdntelnd

AUTHORIZING THE DONATION OF SEVEN (7) ACRES OF LAND LOCATED BEHIND THE NATURAL RESOURCE CENTER AT 7413 COUNTY HOUSE ROAD IN THE TOWN OF SENNETT AND AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO EXECUTE DOCUMENTS.

BY: Hon. Roger Mills, Chair, Planning and Economic Development

Hon. Christopher Palermo, Chair, Ways and Means Committee

WHEREAS, Resolution No. 513-05 authorized the County Legislature to grant permission to the Cayuga County Soil and Water Conservation District (“District”) and the Cayuga County Public Utility Service Agency to conduct planning and studies to build a community methane digester on County owned property; and

WHEREAS,, Resolution No. 512-06 donated seven (7) acres of County owned land in the Town of Sennett to the Cayuga County Soil and Water Conservation District so that the District could construct a community methane digester; and

WHEREAS, Resolution No 704-09 established Capital “H” Project No. 09-3 to assist in the financing and acceptance of Stimulus Grant funding from the New York State Environmental Facilities Corporation (NYSEFC) ; and

WHEREAS, the Environmental Facilities Corporation, lead agency for distribution of the Federal Stimulus Funding, insists that the project be implemented on Cayuga County Soil and Water Conservation District property; and

WHEREAS, a recent survey completed by Bruce Tuttle, licensed surveyor has identified the actual acreage needed to encompass and complete the project site to be 14 acres, see attached; and

WHEREAS, the committees believe that the donation of the additional seven (7) acres of County owned land behind the Natural Resources Center for this Project is an appropriate means of supporting the District’s conservation efforts which will directly and indirectly benefit the citizens of Cayuga County; and

WHEREAS, the seven (7) acres of land is hereby declared to be surplus land; not therefore be it

RESOLVED, that seven (7) acres of County-owned property located behind the Natural Resource Center at 7413 County House Road in the Town of Sennett be donated to the District for the purpose to construct, monitor and maintain the Project, which will include several process tanks, an operational control building and a two-acre composting facility; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is authorized and directed to sign any and all documents required to implement the above.

Signed by Mills, Mahunik, Sincebaugh, Aikman, Fearon, Lattimore, Cuddeback, Axton, Mills, all in favor.

CHAIRMAN’S REPORT:

Chairman Tortorici thanked the Legislature for their support as chair. 2010 will be a challenging year, we need to slow down, step back and change the way we do government.

MANAGER'S REPORT:

Nick Mazza, working on draft of Local Law for position of County Manager. I met with four focus groups in December, good discussion. Local Law needed some work and clarification, I have put a draft of the changes to the Local Law on your desk. Please read, if you agree, I can begin process to hire. We have some strong candidates, I would like to move quickly with this process and make a decision. I designed the Local Law with what NYSAC uses, we modified areas of qualifications. All changes are either Italicized or in a different font. Please read and ask questions.

Petrus, thanked Mr. Mazza, it makes the process easier.

Chairman Tortorici, I'm scheduling a meeting for January 11, 2010, at 6:30PM, re: Local Law relating to the County Manager Position, setting the date for the Public Hearing on January 26, 2010 at 6:00PM, so we can advertise.

Mahunik, section 5, I would like to add Minority Leader to the list.

Nick Mazza, not a problem.

Motion by Lattimore, 2nd by Pinckney to adjourn at 7:27PM, all in favor.

1-4-10 Minutes approved on 2-23-10 Motion by Lattimore, 2nd by Pinckney, all in favor.

**MINUTES
SPECIAL CAYUGA COUNTY LEGISLATIVE MEETING
MONDAY, JANUARY 11, 2010, 6:30 PM**

CALL TO ORDER: Hon. Peter Tortorici, Chairman, at 6:30PM.

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

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

TOPIC: Local Law relating to the County Manager Position

RESOLUTIONS:

Motion by Fearon, 2nd by Axton to move **Draft of Local Law**, all in favor.

Motion by Axton, 2nd by Palermo to Amend page 2, section 5, (Annual Performance Review) **remove Vice Chairperson** from list, all in favor.

Motion by Lattimore, 2nd by Mills to change title of County Manager to County **Administrator** throughout document, all in favor.

Motion by Cuddeback, 2nd by Aikman to Amend page 2, Section 3 (Qualifications) letter B from 60 days to **90 days**, all in favor.

Motion by Tortorici, 2nd by Pinckney to Amend page 3, letter C, change units to **Departments**, all in favor.

Motion by Palermo, 2nd by Fearon to Amend page 2, Section 3 (Qualifications) number 4, add after political office, **or any other employment without prior** approval by the Cayuga County Legislature.

Motion by Cuddeback, 2nd by Pinckney to **move changes to Draft Local Law** as amended, all in favor.

Motion by Fearon, 2nd by Mills to **move resolution**, all in favor.

Motion by Chapman, 2nd by Aikman to **Amend Title on Resolution from Manager to Administrator**, all in favor.

RESOLUTION NO. 6-10**(1/11/10) COA-LLRPLGLL#1OF2006&ESTGOFFOF COMGRFX
FIXING DAY AND NOTICE OF PUBLIC HEARING ON A LOCAL LAW REPEALING LOCAL LAW NO. 1 OF 2006 AND ESTABLISHING THE OFFICE OF COUNTY ADMINISTRATOR FOR CAYUGA COUNTY .**

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

WHEREAS, there has been duly presented and introduced at a meeting of this County Legislature held on January 11, 2010, a proposed local law entitled:

“A LOCAL LAW REPEALING LOCAL LAW NO. 1 OF 2006 AND ESTABLISHING THE OFFICE OF COUNTY ADMINISTRATOR FOR CAYUGA COUNTY”.

Now, therefore, be it

RESOLVED, that a public hearing shall be held concerning the proposed local law before the Cayuga County Legislature on January 26, at 6:00 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.

Motion by Fearon, 2nd by Mills to **move resolution**, all in favor.

STATE OF NEW YORK
COUNTY OF CAYUGA
LOCAL LAW NO. 2 FOR THE YEAR 2010

A LOCAL LAW REPEALING LOCAL LAW NO. 1 OF 2006 AND ESTABLISHING
THE OFFICE OF COUNTY ADMINISTRATOR FOR CAYUGA COUNTY

Section 1. LEGISLATIVE INTENT

By Local Law No. 1 of the year 2006 Cayuga County Legislature established the position of County Manager and set forth the powers and duties of said position. The Cayuga County Legislature now desires to revise the powers and duties set forth in said local law and by this local law shall set forth the powers, duties, mode of selection and removal, and term of office of the County Administrator.

Section 2. COUNTY ADMINISTRATOR: APPOINTMENT AND TERM OF OFFICE

A. There shall be a County Administrator who shall be directly responsible to the County Legislature and on behalf of the County Legislature shall perform the functions of a chief administrative officer, with the County Legislature retaining the final administrative authority. The position of County Administrator shall be unclassified for Civil Service purposes. The County Legislature shall have the power to appoint and remove the County Administrator and shall set the County Administrator's salary and allowable expenses and benefits. The County Legislature shall have the authority to enter into an agreement with the County Administrator setting forth the County Administrator's salary, allowable expenses and benefits, and such other terms and conditions of employment as the County Legislature deems appropriate. The term of office of the first County Administrator appointed pursuant to this local law shall commence on the date of his or

her appointment and shall expire on December 31, 2013. The term of office of each subsequent County Administrator shall be for four years. The Cayuga County Legislature may remove the County Administrator, prior to the expiration of the County Administrator's term of office, upon cause, cause being insubordination, neglect of duty, or inability, by reason of sickness or disability, to discharge the duties and responsibilities of office beyond the period of any leave authorized by the New York State Civil Service Law, subject to the following conditions:

1) The County Legislature shall adopt a resolution stating their intention to remove the County Administrator and the reasons therefore.

2) A copy of the resolution shall be served upon the County Administrator. The County Administrator may, within thirty (30) days, demand a hearing.

3) If the County Administrator demands a hearing, the County Legislature shall appoint a committee to hold a hearing, in executive session, not less than ten (10) days nor more than twenty (20) days from the date of the demand. After the hearing, the committee shall recommend dismissal or retention of the County Administrator. The County Legislature may accept or reject the recommendation of the committee. The decision of the County Legislature shall be final and binding, subject to the right of appeal in accordance with law.

4) If the County Administrator does not demand a hearing, the County Legislature may dismiss the County Administrator thirty (30) days after service of a copy of the resolution upon the County Administrator.

5) Upon the passing of the resolution, the County Legislature may suspend the County Administrator from official duties without pay. If the charges against the County Administrator are not sustained by the County Legislature or are not sustained after any appeal from the decision of the County Legislature, the County Administrator shall be entitled to be paid for the period of suspension. An appointment to fill a vacancy in the Office of County Administrator shall be for the remainder of the predecessor's unexpired term.

Section 3. QUALIFICATIONS

A. At the time of appointment, the County Administrator shall have the following training and/or experience.

1) Possess a Bachelors Degree from an accredited college or university and have six years paid full-time management in a private or public business or an industrial enterprise, OR

2) Possess a Master of Public Administration or Master of Business Administration degree and have four years of paid full-time management experience in a private or public business or an industrial enterprise, OR

3) An equivalent combination of training and experience listed above.

4) The County Administrator is to hold no other public, political office or other employment, except upon the approval of the Cayuga County Legislature. This position is a full time position in service to Cayuga County.

5) The County Administrator shall be appointed on the basis of these and such other qualifications as may be required for the responsibilities of the office.

B. The appointee need not be a resident of Cayuga County at the time of appointment but shall become so within 90 days of appointment and remain so during his or her term of office. Failure to become such a resident or to remain such a resident shall be cause for dismissal by the Cayuga County Legislature.

Section 4. POWERS AND DUTIES

The County Administrator shall be the Budget Officer and shall be responsible for the overall administration of County government, as directed by the County Legislature or pursuant to policies adopted by the County Legislature, and shall provide and coordinate staff services to the County Legislature, the Chairperson of the Legislature, and the committees of the Legislature. The County Administrator shall perform all the duties now and hereafter conferred or imposed upon the office by law and directed by the County Legislature and shall have all the powers and perform all the duties necessarily implied or incidental thereto. Among such powers and duties, but not by way of limitation, are the following:

- A. To appoint such office staff as may be authorized by the Legislature.
- B. To prepare the annual budget and provide for appropriate budgetary controls and to promote the effective, efficient and economical management of appropriated funds.
- C. To make recommendations to the appropriate committees of the Legislature, or the Chairperson of the Legislature, for appointments by the Legislature of all department heads of County government not administered by an elected official.
- D. To work in conjunction with and coordinate the activities of County department heads and the administration of all units of County government in order to most efficiently implement the directives of the Legislature.
- E. To have general supervision of all County departments and agencies except as otherwise required by law. All department and agency heads shall be responsible to and report to the County Administrator.
- F. To report annually to the County Legislature concerning the administration and performance of County departments and agencies.
- G. To aid the County Legislature in evaluating proposals presented to it and make recommendations concerning such proposals.
- H. To serve as an advisor to the County Legislature and to develop policy and procedural recommendations for consideration by the Legislature which will promote economy and efficiency in the operation of County government.
- I. To undertake administrative and management studies and submit to the Legislature reports and recommendations regarding governmental operations as he or she may deem appropriate or the Legislature may request.
- J. To supervise the purchasing agent for the County.
- K. To supervise the Department of the Information Technology.
- L. To supervise and administer the Risk Management and Insurance Programs of county government.
- M. To initiate, administer and oversee the collective bargaining process in County negotiations with organized employee organizations.
- N. To represent the County Legislature in contacts with other political subdivisions and State and Federal officials and agencies.
- O. To serve as liaison between the County Legislature and the various boards, commissions and advisory committees and component agencies established by the County Legislature.
- P. To have such other powers and to perform such other duties as may now or hereafter be conferred or imposed by the County Legislature.
- Q. Prepare resolutions as directed by the Standing Committees.

R. Evaluate in conjunction with the appropriate oversight committee, on an annual basis all department heads, excluding elected department heads, and shall make recommendations on annual salaries/benefits.

Section 5. ANNUAL PERFORMANCE REVIEW

The County Administrator shall be evaluated by the Chairperson of the Legislature, Minority Leader and the Chairperson of the each standing committee of the County Legislature during the thirty (30) day period prior to July 1 of each year.

Section 6. NO DIVESTURE OF POWERS OR DUTIES OF THE LEGISLATURE

Nothing contained in this Local Law shall operate or be construed to divest the Legislature of Cayuga County of any of its functions, powers or duties.

Section 7. SEPARABILITY OF PROVISIONS

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

Section 8. CONFLICT WITH PREVIOUS LOCAL LAWS OR RESOLUTIONS

In the event of a conflict or inconsistency between this Local Law and any previous Local Law or Resolution of the County Legislature, the terms of this Local Law shall govern. Local Law No. 1 of the year 2006 is hereby repealed.

Section 9. EFFECTIVE DATE

This Local Law shall take effect when all applicable statutory requirements for its passage and adoption have been complied with fully and it has been duly filed as provided by the Municipal Home Rule law.

Nick Mazza Co. Manager, I would like to begin the recruitment process and advertise with your approval. I will look at all resumes' and give you my opinion on the final group.

Lattimore, do we have a budget for this?

Tortorici, we have the contingency fund for that.

Fred Westphal Co. Attorney, will get a resolutions ready for Ways & Means meeting.

Tortorici, have Nick Mazza move forward, when he's ready with candidates call for a Legislature meeting.

Motion by Lattimore for a 3 minute recess, at 7:53PM, all in favor, except Sincebaugh and Axton voting no. Back in at 7:57PM

Motion by Tortorici, 2nd by Palermo, to go into Executive Session, at 7:58PM, re: Union Negotiations, invited in Faye Hatfield, Lynn Marinelli, and Elane Daly, all in favor, except Sincebaugh voting no.

Motion by Petrus, 2nd by Pinckney to come out of Executive Session at 8:49PM, all in favor. No action taken.

Lattimore, need to replace the flags at the Old Post Office and Veterans, have maintenance look into this.

Motion by Lattimore, 2nd by Tortorici, to adjourn at 8:50PM, all in favor.

1-11-10 Minutes approved on 2-23-10, Motion by Lattimore, 2nd by Pinckney, all in favor.

**MINUTES
CAYUGA COUNTY LEGISLATURE
JANUARY 26, 2010, 6:00 PM (TIME CHANGE)**

CALL TO ORDER: Hon. Peter Tortorici, Chairman, At 6:00pm

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

Chairman Tortorici, welcomed Class of 2010 Leadership Cayuga.

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

PUBLIC HEARINGS: 6:00PM: To Adopt Local Law No. 1 for the Year 2010, Providing for a Salary Increase for the Cayuga County District Attorney During his Term.

To Adopt Local Law No. 2 for the Year 2010, A Local Law Repealing Local Law No. 1 of 2006 and Establishing the Office of County Administrator for Cayuga County.

Public Hearings opened at 6:05PM, closed at 7:06PM.

PRESENTATION: Toski, Schaefer and Co., P.C., Auditing Services, gave an overview of the auditing services, reported any problems, and County's responsibilities. Handout attached to original minutes.

PROCLAMATIONS: Reverend Dr. Martin Luther King, Jr. Millennium Luncheon

January 12th, 2010, as Dale Post Day in Cayuga County, Hall of Fame Inductee

Cayuga County Salutes Thomas J. Klaben, Jr.

Proclamations read by Mary Jones, Clerk of the Legislature.

REPORTS OF DEATH: Michael Lepak, was one of the longest-serving County Legislator's in Cayuga County history, 1974 to 2007. He was known as outspoken, opinionated and worked tirelessly for his constituents. He was a Veteran of WWII and an Auburn City water meter reader.

Legislator Daniel Sincebaugh spoke on behalf of Michael Lepak.

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.

Chris Palermo for Amy D'Angelo, opposed to increasing ATV use on County Trails, handout attached to original minutes

Roger Mills for Steve Johnson, opposed to increasing ATV use on County Trails, handout attached to original minutes

Roger Mills for Terry Lattimore, Cayuga County Tax Assessments, handout attached to original minutes.

Motion by Axton, 2nd by Pinckney to add 5th Whereas, all in favor.

RESOLUTION NO. 7-10

(1/26/10) PT ATV Trail Agreement 1 10

AUTHORIZING THE CHAIRPERSON 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 FOR THE ENTIRE LENGTH OF THE CATO/FAIR HAVEN TRAIL

BY: David Axton, Chairperson, Public Works

WHEREAS, the Cayuga County Legislature passed Resolution 496-08 and Resolution 658-08 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 trial period was completed successfully and another year agreement has been supported by the Parks Commission and local politicians; and

WHEREAS, for 2010 the Oswego Valley ATV Club has requested permission to include the entire length of the Cato/Fair Haven Trail, extending south to Cato; 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 period and to provide insurance acceptable to the County; and

WHEREAS, the definition of an ATV is a 4 wheeled vehicle that travel 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 driver. Vehicles such as LUV (Light Utility Vehicles) or UV (Utility Vehicles) which typically have side by 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 repairs 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 home-made ATV will be considered an approved ATV by definition.

WHEREAS, the entire area is contained within the districts of Legislators Palermo and Chapman; and

WHEREAS, both legislators recommended that I bring this resolution to the full legislature; 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 allow ATV use on the Cayuga County Hojack Trail from Oswego County west to the Cato/Fair Haven Trail and the entire Cato/Fair Haven Trail for the 2010 season (from April 15, 2010-October 1, 2010; 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 season and after the season to verify that the agreement has been complied with. Signed by Axton, Barski, Chapman, Mitchell, Pinckney, all in favor, except Cuddeback and Fearon voting no.

MINUTES: For Approval: 11-24-09 and 12-2-09, Motion by Axton, 2nd by Pinckney, all in favor.

For Reading: 12-14-09, 12-15-09, 12-17-09, 1-4-10, and 1-11-10

**EMERGENCY AUTHORIZATION FOR SPENDING:
AUTHORIZING THE CAYUGA COUNTY TREASURER TO MAKE
NECESSARY TRANSFER FOR PAYMENT TO THE
ASSIGNED COUNSEL PROGRAM**

WHEREAS, pursuant to Section 722-b of the County Law, all counsel assigned according to a plan of a bar association which meets the requirements of Section 722, Subdivision 3, of the County Law, shall, at the conclusion of representation, be compensated for their services at the rates set forth in Section 722-b of the County Law, and

WHEREAS there are insufficient funds to pay for legal services for the assigned counsel program, be it

RESOLVED, that the Cayuga County Treasurer be and he is hereby authorized and directed to make the following transfer

Amount	From	To
\$40,000.00	Acct. #A10164-54000 (Cont. Fund)	Acct. #A11704-54003 (Assigned Counsel Payments)

And be it further,

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

Signed by Lockwood, Mitchell, Schuster, Tortorici, and Co. Manager Nick Mazza.

CCC REPORT: Dr. Daniel Larson: Enrollment up-date, fall 09 is up by 2%, fall 2010 applications are ahead of last year by 87%. State Budget Cuts, 11.3 million in NYS base aid, \$775,000 reduction in undisbursed rental aid, \$130 reduction per FTE, reduction of \$1,000 for TAP. West Point Nominee, Paul McBride of Seneca Falls, NY. Spartan Athletics, Caitlyn Dillard was named NJCAA Region III Female Athlete of the Week. Nursing Class Success, 2009 Nursing graduates scored 97% on the NCLEX-RN exam. Fulton Alumni Legislators, Jake Mulcahy and Terry Wilbur.

COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS: none

MANAGER'S REPORT: Nick Mazza, moving forward with County Administrator, anticipate Local Law passing tonight. Final cut off for applications is Friday.

CHAIRMAN'S REPORT: Peter Tortorici, there was a meeting Friday at BOCES, re CETA, well attended. Congratulations to BOCES for first NYS School to receive the Lead Silver Award.

APPOINTMENTS AND RE-APPOINTMENTS:**Alcohol/Substance Abuse subcommittee:**

Beth Dishaw, 149 Genesee St – Long Term Care, Auburn 13021 term - 1/1/10 – 12/31/13

Mental Health Subcommittee:

Michael O’Gorman, 84 South St., Auburn 13021 term - 1/1/10 - 12/31/13

Amy Cox, 100 East Genesee St, Auburn 13021 term - 1/1/10 – 12/31/13

MRDD Subcommittee:

Tina Ward, 3773 Melrose Rd, Auburn 13021 term - 1/1/10 - 12/31/13

Cayuga County Traffic Safety Board

Michael Wellauer, PO Box 272, 51 Mattie St., Auburn, NY 13021 (Chair) term – 1-1-10 to 12-31-2012

Michael Chapman, 11290 Myers Rd., Cato, NY 13033 to serve his Legislative term

Soil and Water Conservation District:

Ann Petrus – Legislative Appointment

Steve Cuddeback – Legislative Appointment

Raymond Lockwood, Member at Large, term 1/1/2010 through 5/31/2011

Cayuga County Water Quality Management Agency (WQMA):

Barbara Harvey, 1220 Lake Como Rd., Cortland, NY, term 1/1/2010 – 12/31/2010

Cornell Co-operative Extension:

Stephen Barski – Legislative Appointment

CCPUSA:

John Montone, 159 Lake Ave., Auburn, NY 13021 Term – 1-27-2010 to 12-31-2013

Motion by Axton, 2nd by Mills, all in favor, except Cuddeback abstained from Soil & Water Appt.**COMMUNICATIONS AND ANNOUNCEMENTS:**

1. Received a thank you letter from Sandi Mettler and Volunteers at the Homeless Shelter for the contributions made to them from the Cayuga County employees.

2. Received a letter from Daniel Fessenden, Executive Director of the Fred L. Emerson Foundation, Inc., thank the county for their continuing cooperation in working with the them this past year to explore operational strategies for the pavilion at Emerson Park.

3. Received a letter from Mitchell Morris, Associate Counsel for Office of the State Comptroller, stating that the County’s resolution approving and fixing undertaking for county officials no longer needs to be filed in their office.

4. Received a thank you letter from Governor David Patterson, thanking us for sending him a copy of resolution #624-09 (Western Regional off-Track Betting)

5. Received a letter from Hon. William Tarby, Supervisor Town of Throop, re: the construction of waterlines within Water District No. 1, Cayuga county Agricultural District No. 5.

6. Received a Thank you from Michael Lepak family.

Motion by Cuddeback to waive reading of communications and announcements, all in favor.

RESOLUTIONS:

Motion by Mitchell, 2nd by Palermo to amend page 10, line 15 from (A31104 54135 Course Reimbursement) from \$576.51 to 465.75 and correct total audit claims amount from \$1,314,628.00 to \$1,314,517.24, all in favor.

RESOLUTION NO. 8-10

01-26-10 AuditDecember 2009.doc

**AUTHORIZING THE COUNTY TREASURER TO PAY DECEMBER
2009 AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on January 26, 2010 audit claims against the County of Cayuga in the aggregate sum of \$1,314,517.24, 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 November 25, 2008.

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills, Petrus, all in favor.

RESOLUTION NO. 9-10

01-26-10 AuditJanuary 2010.doc

**AUTHORIZING THE COUNTY TREASURER TO PAY JANUARY 2010 AUDIT
OF CLAIMS**

BY: Hon. Christopher Palermo, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on January 26, 2010 audit claims against the County of Cayuga in the aggregate sum of \$1,975,307.59, 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 17, 2009.

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills, Petrus, all in favor.

RESOLUTION NO. 10-10

1-26-10

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

BY: Hon. Christopher Palermo, 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:

December 2009

Electric	\$ 107,300.36
Telephone:	\$ 19,869.43
Total:	\$ 127,169.79

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

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills, Petrus, all in favor.

RESOLUTION NO. 11-10

02.23.10

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

BY: Hon. Christopher Palermo, 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:

December 2009 \$135.15

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

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills, Petrus, all in favor.

RESOLUTION NO. 12-10

1/26/10 NHAuditJan

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

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

Christopher Palermo, 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 \$223,957.43 for the month of December 2009, now therefore be it

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

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, Fearon, all in favor.

RESOLUTION NO. 13-10

1-26-10

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

BY: Ms. Ann Petrus, Chair of Health & Human Services Committee, and

Mr. Christopher Palermo, Chair of Ways and 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 \$13,466.00 covering the period through 12/31/09 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, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, Fearon, all in favor.

RESOLUTION NO. 14-10

01.26.10

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

BY: Hon. Christopher Palermo, 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:

December 2009

First Niagara	\$ 0
AmExpress	\$ 1,972.21
Sunoco	\$ 280.60
Walmart	\$ 3,342.14
Exxon	\$ 37.65
Total:	\$ 5,677.63

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

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills, Petrus, all in favor.

RESOLUTION NO. 15-10

01.26.10

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

BY: Hon. Christopher Palermo, 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:

December 2009

Copier Leases and Maintenance:	\$ 903.99
Postage Leases:	\$ 4,263.08
Total:	\$ 5,167.07

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

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills, Petrus, all in favor.

**RESOLUTION NO. 16-10
(1/26/10) COA-CAPH1PAY**

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

BY: MR. PALERMO, 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 #00-1-C (Implementation of Master Facilities Plan for CCC Auburn Campus):

WENDEL DUCHSCHERER:

Inv. No.328643 \$ 6,898.50

Inv. No. 328749 \$ 2,318.65

DEWALD ROOFING CO., INC.:

Inv. No. 0910438 \$ 74,279.55

Inv. No. 0911450 \$ 13,286.70

ENVIRONMENTAL COMPLIANCE MANAGEMENT CORP:

Inv. No. 14945 \$ 795.30

2. Project #07-5 (Tyler Software):

TYLER TECHNOLOGIES, INC.:

Inv. No. 19454 \$ 2,416.00

Inv. No. 19547 \$ 2,409.65

3. Project #08-1 (Renovations – Mental Health, North Street and Park Street):

AAC CONTRACTING, INC.:

Payment Application No. 1 (Certified 12/31/09) \$ 47,033.00

Payment Application No. 2 (Certified 12/31/09) \$ 65,902.00

FAHS CONSTRUCTION GROUP:

GC Payment Application No. 1 (Certified 12/31/09) \$285,356.25

SIRACUSA MECHANICAL, INC.:

HVAC Payment Application No. 1 (Certified 12/31/09) \$ 17,860.00

GREEN PLUMBING, INC.:

PLUMBER Payment Application No. 1 (Certified 12/31/09) \$ 11,000.00

EAST COAST ELECTRIC , LLC:

ELECTRIC Payment Application No. 1 (certified 12/31/09) \$ 63,773.50

C&S COMPANIES:

Inv. No. 08130 \$ 64,350.00

JWJ INDUSTRIES, INC./SEABIRD ENVIRONMENTAL:

Inv. No. 5813. \$14,000.00

GRAY MANAGEMENT SYSTEMS :

GMS: Bill No.5 \$11,827.75

4. Project No. 09-1 ((Salt StorageShed forHighwayDept.):

TOWN OF SEMPRONIUS:

Inv. No. 127 - \$1,470.00

Inv. No. 122 -	\$ 75.00
Inv. No. 121 -	\$1,939.30 and
Inv. No. 124 -	\$ 41.56
TOTAL	\$ 3,525.86

And be it further

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

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills, Petrus, all in favor.

RESOLUTION NO. 17-10
1/26/10 COA-AgencyCtrsReso2010
AUTHORIZE CHAIRMAN TO SIGN CONTRACTS
WITH CERTAIN AGENCIES.

BY: Christopher Palermo, Chairman, Ways & Means Committee.

WHEREAS, certain appropriations were approved in the County Budget adopted for 2010 for certain agencies, in return for which these agencies agree to perform certain services for the benefit of the County of Cayuga; now, therefore, be it

RESOLVED, that the Chairman of the County Legislature be and he is hereby authorized and requested to sign on behalf of the County, certain contracts and articles of agreement with the following agencies:

CAYUGA COUNSELING, INC. OF AUBURN AND CAYUGA COUNTY:

1. Alternative Sentencing - \$24,140.00 – A10144-54504
2. Pretrial Diversion - \$11,000.00 – A10144-54043
3. Pretrial Release - \$18,960.00 – A31504-54118 – paid by Jail.
4. Sexual Assault Victims Advocate Resource (SAVAR) - \$3,150.00 – A10144-

54137

CAYUGA COUNTY ARTS COUNCIL, INC. - \$4,000.00 – A75604-54000

MUSICAL THEATER FESTIVAL, INC. - \$25,000.00 – A75414-54000

CAYUGA COUNTY SOIL & WATER CONSERVATION DISTRICT - \$773,358.00
– A87301-54000

CAYUGA MUSEUM OF HISTORY AND ART - \$11,700.00 – A74504-54000

CAYUGA/SENECA COMMUNITY ACTION AGENCY, INC. - \$3,600.00 –
A10144-54139

CENTRAL NY REGIONAL PLANNING AND DEVELOPMENT BRD -
\$24,968.00 – A80254 54000

CORNELL COOPERATIVE EXTENSION ASSOCIATION - \$278,028.00 –
A29804-54000

FISH & GAME - \$1,800.00 – A87204-54000

HISTORICAL PROPERTY (WILLARD CHAPEL) - \$3,150.00 – A75204-54000

MERRY-GO-ROUND PLAYHOUSE - \$9,450.00 – A75404-54000

OFFICE OF TOURISM - \$368,600.00 – A64104-54000

OPTIONS FOR INDEPENDENCE - \$4,500.00 – A10144-54136

WATER & SEWER AUTHORITY - \$20,000.00 – A10144-54512

LIBRARIES:

Account – A74104-54000

AURORA FREE LIBRARY - \$8,000.00

PORT BYRON LIBRARY - \$8,000.00
 FAIR HAVEN LIBRARY - \$8,000.00
 POWERS LIBRARY - \$8,000.00
 FINGER LAKES LIBRARY SYSTEM - \$4,400.00
 SEYMOUR LIBRARY - \$9,600.00
 HAZARD PUBLIC LIBRARY - \$8,000.00
 SPRINGPORT FREE LIBRARY - \$8,000.00
 LANG, S.B. MEMORIAL LIBRARY - \$8,000.00
 WEEDSPORT LIBRARY - \$8,000.00

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills, Petrus, all in favor.

RESOLUTION NO. 18-10

(01/26/2010) RPSapplyforgrant2010-2011

AUTHORIZING CAYUGA COUNTY OFFICE OF REAL PROPERTY TO DEVELOP A GRANT APPLICATION FOR THE 2009-2010 GRANT CYCLE

BY: Christopher Palermo, 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 Archives and Records Administration; and

WHEREAS, the grant would offer studying or implementing a county wide online system for applying for building permits for all municipalities; therefore; be it

RESOLVED, that the Cayuga County Office of Real Property develop a grant application for the New York Archives and Records Administration.

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills, Petrus, all in favor.

RESOLUTION NO. 19-10

(1/26/10) COM.insurance

ALLOCATING INSURANCE COSTS TO DEPARTMENTS THAT RECEIVE REIMBURSEMENT

BY: Hon. Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, during the budget process for the 2010 County Budget, insurance costs for Liability, Property and Automobile in the General Fund (A) were placed in Account A10144-54131 (Legislative Contracts, Contractual, Insurance); and

WHEREAS, actual amounts have been received for insurance costs and these actual amounts will be charged to departments that receive reimbursement; now, therefore be it

RESOLVED, that the following amounts be transferred from A10144-54131 (Legislative Contracts, Contractual, Insurance) to:

Mental Health, Administration	A43104-54039	\$ 1,219.00
	A43104-54040	\$37,327.00
	A43104-54114	\$ 3,182.00
Mental Health, CSS	A43114-54039	\$ 1,625.00
	A43114-54040	\$ 4,673.00
	A43114-54114	\$ 398.00
Mental Health, ICM	A43134-54039	\$ 2,437.00
	A43134-54040	\$ 3,466.00
	A43134-54114	\$ 296.00

Human Services	A60104-54114	\$ 3,197.00
	A60104-54039	\$ 7,386.00
Public Health	A40104-54039	\$ 3,362.00
	A40104-54114	\$ 2,289.00
CHHA	A40124-54039	\$ 7,846.00
	A40124-54114	\$ 3,433.00
Public Health, WIC	A40824-54114	\$ 458.00
Total		\$82,594.00

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 Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills, Petrus, all in favor.

RESOLUTION NO. 20-10

(1/26/10) COMfund.salaryadjustrev

SUPPORTING THE PROVISION FOR SALARY ADJUSTMENT ACCOUNT

BY: Hon. Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, during budget negotiations for the 2010 County Budget, the decision was made to reduce the amount of funding in Account A10174-54000 (Provision for Salary Adjustment) for the year 2010 in order to reduce the tax levy; and

WHEREAS, the purpose of this resolution is to provide additional funding of said account during the 2010 budget year; now, therefore be it

RESOLVED, this Legislature directs all monies saved by vacancies in positions budgeted in 2010 that result from not hiring new employees or replacing employees who have quit, been terminated or retired be placed back into Account A10174-54000; and, be it further

RESOLVED, that Department Heads are directed to notify monthly the County Administrator in writing when an employee of their department leaves employment, together with the amount of net savings that will be realized from not having to pay the salary and fringe benefits of that person's position; and, be it further

RESOLVED, that the County Administrator shall give a monthly report to the Ways and Means Committee of the Legislature as to the amount of savings to date; and, be it further

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

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills, Petrus, all in favor.

RESOLUTION NO. 21-10
1/26/10 W&M NONBARGAIN-2010
AUTHORIZING SALARY ADJUSTMENTS FOR PART II and PART IV OF
THE COUNTY OF CAYUGA COMPENSATION PLAN FOR NON
BARGAINING EMPLOYEES FOR THE YEAR 2010.

BY: Hon. Christopher Palermo, Chairman, Ways & Means Committee.

WHEREAS, the County of Cayuga and the Deputy Sheriffs Police Association and Sheriff's Employees' Association of Cayuga County, have agreed on a new Collective Bargaining Agreement for years 2008 - 2011; and

WHEREAS, the County of Cayuga is in negotiations with the Unit of Cayuga Local 806, Civil Service Employees Association, Inc., Local 1000, AFSME AFL CIO and the NYS Nurses Association; and

WHEREAS, the County desires, to provide a monetary consideration for Part II and Part IV Non Bargaining employees except as stated below; and

WHEREAS, it is the intent to provide a cost of living increase for the work performed by the non-bargaining line staff and administration; now therefore be it

RESOLVED, that except as stated hereafter, the annual salaries for PART II and PART IV, NON BARGAINING EMPLOYEES for the years 2010 shall be adjusted as set forth below:

Effective 1/1/10, 2.0% shall be added to all 2009 base wages and salaries, including steps; longevity amounts and the Increment/Longevity columns shall not be increased; and be it further

RESOLVED, that the following exceptions shall apply:

EXCEPTIONS: For 2010, any PART II and PART IV employee whose 2009 base salary is \$81,600 or more, the lesser of 2.0% or \$,1632.00 will be added to the base salary; and be it further

RESOLVED, that the financial adjustment as set forth herein above for 2010 shall apply to any PART II and PART IV employee who is on the county payroll in 2010; and be it further

RESOLVED, that the adjusted salaries as set forth in this resolution shall not apply to:

A. ALL ELECTED OR APPOINTED FIXED TERM OFFICIALS IN PART III EXCEPT AS OTHERWISE PROVIDED BY LOCAL LAW

B. EMPLOYEES REPRESENTED BY NYSNA PART I, CSEA PART I, SEACC Part I, DEPUTY SHERIFF POLICE ASSOCIATION PART I

C. HEALTH SERVICES AIDE, PT and CLERK PT at MINIMUM WAGE at CCNH

D. COURT ATTENDANT, PART TIME

E. SPECIAL PATROL OFFICER, PART TIME

F. ALL SEASONAL EMPLOYEES IN ALL DEPARTMENTS

G. MEDICAL CONSULTANT, JOB 2 (PHD)

H. 100% FUNDED JOB 2'S in DISTRICT ATTORNEY'S OFFICE and RECORDS RETENTION OFFICE

I. CCIDA SECRETARY-TREASURER

J. LABORER PT at MINIMUM WAGE (Parks & Trails position only);

K. DIRECTOR OF COMMUNITY MENTAL HEALTH

L. STAFF PSYCHIATRIST PT

;and be it further

RESOLVED, that, except as otherwise stated herein, that non bargaining unit employees that are part time employees and temporary employees, shall be paid in accordance with PART I, PART II and/or PART IV of the Compensation Plans as applicable for 2010, as above modified, and under no circumstances shall they be allowed to exceed Step 1 of the Compensation Plans nor shall they be paid longevity and/or increments with the exception of LPN PT in the CCNH, PHD and CMH Departments; and be it further

RESOLVED, that the non-bargaining positions of LPN PT be adjusted by the 2% cost of living increase but be allowed to move in the step ranges in accordance to resolution number 807-08 adopted 12/16/08 and 22-09 adopted 1/27/09; and be it further

RESOLVED, that the County Treasurer be hereby authorized to make any journal and accounting entries to carry out the intent of this resolution.

Signed by Palermo, Axton, Cuddeback, Mahunik, Mills, Petrus, all in favor, except Fearon and Mitchell voting no.

Public Hearing Closed at 7:32PM

RESOLUTION NO. 22-10

(January 26, 2010) HD SPCA Contract 2010

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A
CONTRACT WITH THE FINGER LAKES SPCA OF CNY TO PROVIDE
RABIES VACCINATION CLINICS (100% FUNDED)**

BY: Chairman of the Health & Human Service Committee
Chairman of the Ways & Means Committee

WHEREAS, in order to meet the local health department requirement under a recently revised NYS law, we are mandated to provide at least three, free to the public, rabies vaccination clinics per year for dogs, cats, and domesticated ferrets; and

WHEREAS, in order to accomplish this, it is our desire to contract with the Finger Lakes SPCA of CNY to provide these clinics at a cost not to exceed \$600 per year plus the cost of vaccine and syringes; 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 Finger Lakes SPCA of CNY for the period January 1, 2010 through December 31, 2010 to provide these mandated services (100% funded); and be it further

RESOLVED, that payment for these services will be from Account #A-----40104 54123, of the 2010 Health Department Budget.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, Fearon, all in favor.

RESOLUTION NO. 23-10**(January 26, 2010) HS Partnership for Results 2010****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH PARTNERSHIP FOR RESULTS, INC. FOR THE PROVISION OF PREVENTIVE SERVICES**

BY: Chairman of the Health & Human Service Committee
 Chairman of the Ways & Means Committee

WHEREAS, it is the responsibility of the Human Services Division of Health & Human Services to provide preventive services to forestall foster care placement; and

WHEREAS, with the new Child Welfare Funding, such preventive service contracts are reimbursed at minimum, 63.7%; and

WHEREAS, through the Partnership for Results, Inc. we can secure the following services at the following annual rates that will assist us in achieving our goals of reducing our number of children in foster care:

Services	Contract Amount	Rate Per Unit of Service
Intensive Supervision Conditional Discharge Program	\$101,598	N/A
Multi-Dimensional Preventive Services	\$107,536	N/A
Family Group Conferencing	N/A	\$40.00

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 Partnership for Results, Inc. for the provision of the above listed services for the period of January 1, 2010 to December 31, 2010; and be it further

RESOLVED, that the charges for these services be paid from Account #A60704 54184 of the 2010 Health Department Budget.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, Fearon, all in favor.

RESOLUTION NO. 24-10**(January 26, 2010) HS Cayuga Counseling 2010****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH CAYUGA COUNSELING SERVICES, INC. FOR THE PROVISION OF PINS ADJUSTMENT SERVICES, PARENT AIDE, JUVENILE SPECIAL SUPERVISION SERVICES, AND AFTERCARE**

BY: Chairman of the Health & Human Service Committee
 Chairman of the Ways & Means Committee

WHEREAS, the Human Services Division of Health & Human Services desires to contract with Cayuga Counseling to provide preventive services to forestall foster care and detention placement; and

WHEREAS, our Human Services Division has in the past successfully contracted with Cayuga Counseling Services, Inc. towards that end to provide PINS Adjustment Services, Parent Aide Services, Juvenile Special Supervision Service, Aftercare, and Repetitive; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to enter into a contract with Cayuga Counseling Services, Inc. to provide the above services for the contract period January 1, 2010 through December 31, 2010 at the following costs:

	2009	2010
Services	Rates Per Unit of Service	Rates Per Unit of Service
PINS Adjustment	\$62.12	\$63.36
Parent Aide	\$45.01	\$45.01
Juvenile Special Supervision	\$69.34	\$70.72
Aftercare	\$69.34	\$70.72

RESOLVED, that these services be paid from Account #A60704 54185 of the Human Services Department's 2010 Budget.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, Fearon, all in favor.

RESOLUTION NO. 25-10

(January 26, 2010) HS Catholic Charities Contract 2010

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH CATHOLIC CHARITIES FOR THE PROVISION OF PARENTING CASE MANAGEMENT

BY: Chairman of the Health & Human Service Committee
 Chairman of the Ways & Means Committee

WHEREAS, Preventive Services are supportive and rehabilitative services provided to children and families that are intended to divert disruption of the family or for those children in foster care and reduce their length in care; and

WHEREAS, preventive services can be categorized as mandated or optional; and

WHEREAS, every social service district is obligated to provide core preventive services to their mandated preventive cases; and

WHEREAS, Parenting Case Management is a core preventive service that needs to be available; and

WHEREAS, based on the new child welfare funding, preventive services are reimbursed open-ended 63.7% state reimbursement net of federal; 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 Catholic Charities for Parenting Case Management Program for the period January 1, 2010 to December 31, 2010 in an amount not to exceed \$51,500; and be it further

RESOLVED, that payment for these services be made from Account #A60704 54184 of the 2010 Human Services' Budget.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, Fearon, all in favor.

RESOLUTION NO. 26-10
(January 26, 2010) HS Day Care Centers 2010
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO
CONTRACTS FOR DAY CARE SERVICES

BY: Chairman of the Health & Human Service Committee

Chairman of the Ways & Means Committee

WHEREAS, the Human Services Division of Health & Human Services is required to provide day care services for eligible county residents; and

WHEREAS, these services are reimbursed by the Federal Day Care Block Grant; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into contracts with the following agencies and other day care agencies as needed:

Neighborhood House of Auburn NY, Inc.

Creative Choices Child Care Center

Early Childhood Center

Stepping Stone Child Care Center

Cayuga Community College Pre-School Child Care

Syracuse Vineyard Child Care Center

YMCA/YWEIU

Little Wonder Child Care Center

Cayuga Onondaga BOCES Day Care Center

Learn as You Grow

Erie Canal Kids, Inc.

To be renewed annually at a rate up to the fair market rate for Cayuga County as determined periodically by the New York State Office of Children and Family Services; and be it further

RESOLVED, that the charges for these services be paid from account #A60554 – 54000 of the 2010 Human Services Budget.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, Fearon, all in favor.

RESOLUTION NO. 27-10
(1/26/10) HS Sheriff's Transportation & Security 2010
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW THE
CONTRACT WITH THE CAYUGA COUNTY SHERIFF'S DEPARTMENT TO
PROVIDE SECURITY AND TRANSPORTATION SERVICES

BY: Chairman of the Health & Human Service Committee

Chairman of the Ways & Means Committee

WHEREAS, there exists in the Health & Human Services Department a need to provide building security and transportation services for youth to and from detention facilities; and

WHEREAS, Health & Human Services has successfully contracted in the past with the Cayuga County Sheriff's Department to provide these services; and

WHEREAS, these costs are eligible for 75% reimbursement for the Department;
NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to renew the contract with the Cayuga County Sheriff's Department for the provision of the above mentioned services for the period 1/1/10 to 12/31/10; and, be it further

RESOLVED, that payment for these services will be from Account #A60104 54118, of the 2010 Human Services Budget.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, Fearon, all in favor.

RESOLUTION NO. 28-10

01.26.10 MHillsidecontract1-10Rev

AUTHORIZE THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND THE DIRECTOR OF THE CAYUGA COUNTY COMMUNITY MENTAL HEALTH CENTER TO ENTER INTO AN AGREEMENT WITH HILLSIDE CHILDREN'S CENTER, INC. TO PROVIDE CUSTOMIZED SERVICES.

BY: Ms. Ann R. Petrus, Chair, Health and Human Services Committee, and Mr. Christopher M. Palermo, Chair, Ways and Means Committee.

WHEREAS, the Community Mental Health Center of Cayuga County serves a number of high-risk individuals with specific individual needs; and

WHEREAS, Hillside Children's Center, Inc. has a specialized service to serve youth, known as Customized Skill Building Services; and

WHEREAS, the Community Mental Health Center of Cayuga County entered into a contract with Hillside Children's Center, Inc., for these specialized services in 2008, determined the services to be beneficial, and continues to identify individuals in need of said services; and

WHEREAS, the New York State Office of Mental Health provides 100% State dollars, identified as Service Enhancement Funds, to meet the unique needs of the intensive Case Management clients, now, therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature and Director of the Cayuga County Community Mental Health Center be authorized to enter into an agreement with Hillside Children's Center for Customized Skill Building Services at a cost not to exceed \$40.00 per hour; and be it further

RESOLVED, that the payment for these services will be charged to line A43164 54074, Mental Health Intensive Case Management, Service Enhancement Funds, Department Expense in the 2010 Cayuga County Budget.

Signed by Petrus, Axton, Barski, Mills, Palermo, Sincebaugh, Cuddeback, Fearon, all in favor.

RESOLUTION NO. 29-10**Action: 1.26.10 MHContractCayHome1.10Rev****AUTHORIZING THE DIRECTOR OF COMMUNITY MENTAL HEALTH SERVICES AND THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN A CONTRACT WITH CAYUGA HOME FOR CHILDREN, INC. FOR SERVICES TO INDIVIDUALS WITH DISABILITIES AND TO AMMEND THE 2010 BUDGET TO RE-ALLOCATE THE APPROPRIATE FUNDS**

BY: Ms. Ann R. Petrus, Chairperson, Health and Human Services Committee

Mr. Christopher M. Palermo, Chairperson, Ways and Means Committee.

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

WHEREAS, a portion of those funds 2010 funds will be allocated to Cayuga Home for Children, Inc., necessitating a contract to permit payment to the agency; and

WHEREAS, these 100% state funds were included elsewhere in the 2010 budget, it is now necessary to shift those dollars to allow the County to make payment to Cayuga Home for Children, Inc.; now, therefore, be it

RESOLVED, that the Director of Community Mental Health Services and the Chairman of the Cayuga County Legislature be authorized to sign, on behalf of the Local Governmental Unit, a contract with Cayuga Home for Children, for the provision of mental health services; and be it further

RESOLVED, that 2010 budget be modified as follows:

Increase line A43470-43503, Cayuga HomeRevenue by \$ 28,584.50

Increase line A43474-54000, Cayuga HomeExpense by \$ 28,584.50

Decrease line A43100-43500, Mental HealthRevenue by \$ 28,584.50

Decrease line A43101-51001, MH Sal FTEExpense by \$ 24,073.00

Decrease line A43101-58001, MH Soc SecExpense by \$ 1,841.00

Decrease line A54101-58002, MH RetirementExpense by \$ 1,926.00

Decrease line A43101-58005, MH Wks CompExpense by \$ 744.50

and be it further

RESOLVED, that the Cayuga County Treasurer be authorized to make the journal entries appropriate and necessary to implement the resolution.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, Fearon, all in favor.

(PULLED) (PULLED) (PULLED)**RESOLUTION NO. 30-10**

Date of Meeting: 1/26/10 concmplplnrev2

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO ENTER INTO AN AGREEMENT TO DEVELOP A COMPLIANCE PLAN FOR THE COUNTY OF CAYUGA.

BY: Christopher Palermo, Chairman, Ways & Means Committee

WHEREAS, Cayuga County is required to exam all programs for compliance with regulations with the necessary protections for using taxpayer monies in the most efficient and ethical manner; and

WHEREAS, several firms have been contacted regarding their expertise in providing the analysis of current practice, establishing appropriate policies and training for employees; and,

WHEREAS, three firms responded with proposals: Damon Morey, Attorneys with primary place of business in Buffalo, New York; The Bonadaio Group with primary place of business in Rochester, New York and Garfunkel Wild, PC with primary place of business in Great Neck, New York; and

WHEREAS, a due diligence of staff was completed to examine the content of the proposals and references for their services; and

WHEREAS, Damon Morey delivered a complete proposal with an estimated cost of \$18,000.00; The Bonadaio Group delivered a complete proposal with an estimated cost of \$95,000.00; and Garfunkel Wild proposed in incomplete proposal for \$32,500.00; Now therefore be it

RESOLVED that the Chairman of the Legislature sign an agreement with Damon Morey for the development of a county wide compliance program; and be it further

RESOLVED, that the sum of \$18,000.00 be transferred from Account No. A 10164 54000, Contingency to Account No. A10104-54059, Professional Services; 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

Pulled by Ann Petrus

RESOLUTION NO. 31-10

(January 26, 2010) HD East Hill STD 2010

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH EAST HILL FAMILY MEDICAL, INC. FOR THE PROVISION OF STD SERVICES INCLUDING HIV TESTING AND COUNSELING

BY: Chairman of Health & Human Service Committee
Chairman of Ways & Means Committee

WHEREAS, the County's Department of Health is responsible for providing diagnosis and treatment of sexually transmitted diseases (STD's) under Article 213 of the Public Health Law; and

WHEREAS, East Hill Family Medical, Inc. is certified by the State of New York for screening and treatment of sexually transmitted diseases; and

WHEREAS, the County Health Department has successfully contracted with East Hill Family Medical, Inc. in previous years for the provision of the above-described services, and it is our desire to once again contract with East Hill Family Medical for the provision of these services; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to enter into a contract with East Hill Family Medical, Inc. for the provision of diagnosis and treatment of sexually transmitted diseases in the amount of \$34,730 and for HIV testing and counseling (HIV Pre-Testing @ \$12/patient; Post-Testing with Positive Results @ \$12/patient; and Post-Testing with Negative Results @ \$6/patient) for the contract period of January 1, 2010 through December 31, 2010; and be it further

RESOLVED, that payment for these services shall be made from Account #A40104 54126 of the 2010 Health Department's Budget.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, Fearon, all in favor.

RESOLUTION NO. 32-10

(January 26, 2010) HD Fingerlakes Dog Protection 2010

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW THE
CONTRACT BETWEEN FINGER LAKES DOG PROTECTION AGENCY, INC.
AND THE COUNTY OF CAYUGA**

BY: Chairman of the Health & Human Services Committee
Chairman of the Ways & Means Committee

WHEREAS, Finger Lakes Dog Protection Agency, Inc. has a contract with Cayuga County, which expired December 31, 2009, to provide rabies control and West Nile Virus surveillance services including responding to calls to capture potentially rabid animals or animals potentially affected with the West Nile Virus; euthanizing, preparing, and shipping animals for rabies or West Nile Virus testing; confining stray, biting cats or dogs for observation; and for collecting, preparing, and shipping mosquitoes and other insects for West Nile Virus testing; and

WHEREAS, it is the desire of the Cayuga County Health Department to renew this contract for the period January 1, 2010 through December 31, 2010; 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 Finger Lakes Dog Protection Agency, Inc. (no increase over last year's rates) as follows:

- On-call rate from \$25/day
- Hourly rate from \$25/hr.
- Specimen preparation \$25.00 (except for bird preparation, \$12.49)
- Euthanasia from \$16.24/prep
- Confinement of animals for 10-Day Confinement \$9.99/day
- Mileage will be contingent on the IRS Standard Rate
- 100% reimbursement for costs involved in shipping specimens

and be it further

RESOLVED, that payment for these services be made from A40104 54123, of the 2010 Health Department budget.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, Fearon, all in favor.

RESOLUTION NO. 33-10

**(January 26, 2010) HD Thadine Collier Contract 2010
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A
CONTRACT WITH THADINE COLLIER, RN**

BY: Chairman of the Health & Human Service Committee

Chairman of the Ways & Means Committee

WHEREAS, there exists in the Environmental Health Division of Health & Human Services a need to provide rabies exposure case management and education services; and

WHEREAS, the Health Department relies on obtaining this service through professional contractors; 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 Thadine Collier, RN to provide these services for the period January 1, 2010 through December 31, 2010 at the rate of \$20.91 per hour (same rate as in 2009); and be it further

RESOLVED, that the charges for these services be paid from Account #A40104 54123 of the 2010 Health Department Budget.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, Fearon, all in favor.

RESOLUTION NO. 34-10

**(January 26, 2010) HD John Tonzi Contract
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A
CONTRACT WITH JOHN J. TONZI TO CONDUCT ADMINISTRATIVE
HEARINGS FOR THE CAYUGA COUNTY BOARD OF HEALTH**

BY: Chairman of Health & Human Services Committee

Chairman of Ways & Means Committee

WHEREAS, John J. Tonzi has successfully served on behalf of the Cayuga County Board of Health as the Hearing Officer at administrative hearings regarding violations of the New York State and Cayuga County Sanitary Codes; and

WHEREAS, Mr. Tonzi's contract expired on December 31, 2009; and

WHEREAS, it is our desire to renew Mr. Tonzi's contract for the period January 1, 2010 through December 31, 2010 at a rate of \$40.00 per hearing; 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 John J. Tonzi to conduct administrative hearings for the Cayuga County Board of Health; and be it further

RESOLVED, that this service be paid from Account #A40104 54172 of the 2010 Health Department Budget.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, Fearon, all in favor.

RESOLUTION NO. 35-10**(January 26, 2010) HS Cayuga Home FPP, ERD 2010****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH CAYUGA HOME FOR CHILDREN FOR THE PROVISION OF FAMILY PRESERVATION SERVICES AND EARLY RESIDENTIAL DISCHARGE PROGRAM**

BY: Chairman of the Health & Human Service Committee

Chairman of the Ways & Means Committee

WHEREAS, the Human Services Division of Health & Human Services is responsible for providing preventive services to forestall foster care placement; and

WHEREAS, such services are reimbursed by the State at 63.7%; and

WHEREAS, Cayuga Home for Children has a program which provides an intensive in-home intervention program to families at high risk of foster care placement based on Child Protective Services reports; and

WHEREAS, the Department has worked closely with Cayuga Home to develop an individualized Early Residential Discharge program (in place of the past Functional Family Therapy) allowing children to come out of Residential Care to home-based programming at ½ the cost of Residential Care; and

WHEREAS, it is our plan to evaluate if this new program successfully results in foster care block grant savings and if so, we plan to transfer additional funds from that account to account #60104 54184 to continue the program; and

WHEREAS, our Human Services Division has successfully contracted with Cayuga Home for Children to provide these services in the past; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to enter into a contract with Cayuga Home for Children to provide the above services for the contract period of January 1, 2010 through December 31, 2010 at the following costs:

	Rate Per Unit	
Services	Contract Amount	of Service
Family Preservation	\$165,000	\$73.22
Early Residential Discharge Program	\$ 60,000 (start up)	Individualized Service Plans

RESOLVED, that these services be paid from Account #A60704 54184 of the Human Services Department's 2010 Budget.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, Fearon, all in favor.

RESOLUTION NO. 36-10

**(Jan. 26, 2010) HS Catholic Charities SSI Maximization 2010
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A
CONTRACT WITH CATHOLIC CHARITIES FOR CASE
MANAGEMENT/SSI MAXIMIZATION**

BY: Chairman of the Health & Human Service Committee
Chairman of the Ways & Means Committee

WHEREAS, counties across NYS have been encouraged to develop strategies to assist individuals on Safety Net Assistance (SNA), who appear eligible to move to SSI approval; and

WHEREAS, this small contract has been successful in helping a number of individuals move from Public Assistance to SSI, but we are also seeing a significant increase in the number of SNA cases pending SSI; and

WHEREAS, in addition to continuing this contract and providing some one-on-one case management support, we would like to pursue having the RN staff from Catholic Charities also review more comprehensive medical information prior to the SSI path being pursued; 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 Catholic Charities for the provision of Case Management for the period January 1, 2010 through December 31, 2010 in the amount of \$30,000; and be it further

RESOLVED, that these services be paid from account #A60104 54059 of the Human Services Department's 2010 Budget.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, Fearon, all in favor.

RESOLUTION NO. 37-10

**(January 26, 2010) HS TASA Case Management
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A
MEMORANDUM OF UNDERSTANDING WITH CAYUGA SENECA ACTION
AGENCY FOR THE PROVISION OF MEDICAID FUNDED CASE
MANAGEMENT SERVICES**

BY: Chairman of the Health & Human Services Committee
Chairman of the Ways & Means committee

WHEREAS, 18 NYCRR §505.16 authorizes any agency seeking to provide case management services to a group of persons residing in a geographic area of the State to establish a written Memorandum of Understanding with the Social Services District; and

WHEREAS, Cayuga Seneca Action Agency has and continues to provide mandatory case management services to pregnant and parenting adolescents including those eligible as approved under 18 §361, the Teenage Services Act, on behalf of the district; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized and directed to enter into a Memorandum of Understanding with Cayuga Seneca Action Agency for the period January 1, 2010 through December 31, 2012 for the provision of Medicaid Funded Case Management Services, subject to the availability of State and Federal matching funds.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, Fearon, all in favor.

RESOLUTION NO. 38-10

(January 26, 2010) HS County Attorney Contract 2010

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW THE
AGREEMENT WITH THE CAYUGA COUNTY ATTORNEY'S OFFICE FOR
PROVISION OF LEGAL SERVICES**

BY: Chairman of the Health & Human Service Committee
Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Health & Human Services Department and the Cayuga County Attorney's Office entered into a Cooperative Agreement for legal services for the year 1999, extended through the year 2009; and

WHEREAS, said Agreement as amended expired December 31, 2009, but pursuant to paragraph C-6 could be extended upon the written consent of both parties hereto; and

WHEREAS, the above referred to Agreement, as amended, is hereby extended so that it is effective for the year 2010 on the same terms as set forth in the agreement which this renewal extends, except that the Schedule A attached to the Agreement which sets forth the amounts for personal services and fringes for the respective attorneys is hereby amended as set forth in the attachment hereto entitled "Amended Schedule A2010"; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to renew the Agreement with the Cayuga County Attorney's Office for the period January 1, 2010 through December 31, 2010; and be it further

RESOLVED, that payment for these services be paid from Account #A60104 54118, of the 2010 Human Services Budget.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, Fearon, all in favor.

RESOLUTION 39-10

(January 26, 2010) HHS Aurora of CNY Contract 2010

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A
CONTRACT WITH AURORA OF CENTRAL NEW YORK, INC. FOR
INTERPRETING SERVICES**

BY: Chairman of the Health & Human Service Committee
Chairman of the Ways & Means Committee

WHEREAS, the Health Department and the Human Services Department both have a need on occasion for interpreting services for clients who are blind, visually impaired, deaf, hard of hearing or deaf/blind; and

WHEREAS, Aurora of Central New York, Inc. is the only not-for-profit community agency in Central New York dedicated exclusively to serving people who are blind, visually impaired, deaf, hard-of-hearing or deaf/blind;

WHEREAS, there is funding in both the Health Department's 2010 Budget and the Human Services' 2010 budget to provide these services; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services enter into a contract with Aurora of Central New York, Inc. at the attached rates for the period of January 1, 2010 through December 31, 2010; and be it further

RESOLVED, that these expenses be paid out of the following accounts:

Human Services: Account #A60104 54059

Health Department: Account #A40104 54059, and #A40124 54059 (CHHA)

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, Fearon, all in favor.

RESOLUTION NO. 40-10

1/26/10 MHContractors2Payroll1.10Rev

AUTHORIZING THE CREATING AND FILLING OF POSITIONS FOR MENTAL HEALTH AND THE CONVERSION OF THOSE POSITIONS FROM INDEPENDENT CONTRACTORS TO EMPLOYEES

BY: Ann R. Petrus, Chair, Health and Human Services Committee, and Christopher M. Palermo Chair, Ways and Means Committee

WHEREAS, the Community Mental Health Center of Cayuga County is staffed primarily with salaried employees supplemented by contracted clinicians; and

WHEREAS, review of contracted services has identified several positions that should be appropriately identified as salaried positions according to Internal Revenue Service regulations; and

WHEREAS, there is a demonstrated need for services that are currently being provided by the contracted clinicians; therefore, be it

RESOLVED, that two (2) additional part-time positions of Associate Psychologist I (Community Mental Health) be created and compensated as reflected in the Cayuga County Compensation Plan, Part II, under the Mental Health Department at the following rate:

Grade	Prob	1 st	2 nd	3 rd	4 th ;
30	\$26.76	\$26.91			\$26.91 and be it further

RESOLVED, that the existing budgeted part-time position code 6678, Staff Psychiatrist, be increased from seven (7) hours per week to eight (8) hours per week; and be it further

RESOLVED, that the existing full-time position code, 2133, Staff Psychiatrist, be filled at the part-time rate of \$150.00 per hour, not to exceed twenty hours per week; and be it further

RESOLVED, that the four (4) contracted positions be abolished, and be it further

RESOLVED, that the Director of Community Mental Health Services be authorized and directed to fill the two (2) positions of Associate Psychologist I and the two (2) positions of Staff Psychiatrist in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of Cayuga County, and be it further

RESOLVED, that the Cayuga County Treasurer be directed and authorized to make the necessary accounting entries transferring budgeted funds in the 2010 Cayuga County Budget as follows:

From A43104-54330 Medicaid Eligible to A43101-51002 Sal-PT	187,124
From A43104-54330 Medicaid Eligible to A43101-58001 Soc Sec	14,315
From A43104-54330 Medicaid Eligible to A43101-58002 State Retire	14,730
From A43104-54330 Medicaid Eligible to A43101-58005 Work Comp	5,787
	221,956

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, Fearon, all in favor.

RESOLUTION NO. 41-10

DATE: 01/26/10 OFAcontractsJan10

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF THE OFFICE FOR THE AGING TO SIGN CONTRACTS WITH VARIOUS SUBCONTRACTORS FOR CAREGIVER RESPITE AND TITLE IIIB SERVICES.

BY: Ann Petrus, Chair of the Health & Human Services Committee, and
Chris Palermo, Chair of the Ways and Means Committee.

WHEREAS, appropriations were approved in the Cayuga County budget for the year 2010 for various subcontractors (Munis A67724 54118) for the Cayuga County Office for the Aging, in return for which these subcontractors agree to perform certain services for the benefit of Senior Citizens of Cayuga County; 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 sign on behalf of the County, various contracts for said services with the following subcontractors:

Title III E Caregiver Services (total to be spent not to exceed \$45,500):

Cayuga County Nursing Home
Skilled Nursing Care
Cayuga Health Association
Home Health Aide Services
Mercy Health & Rehabilitation Center
Skilled Nursing Care & Adult Day Care
Northbrook Heights Assisted Living Center
Adult Care, Assisted Living Care, and Aide Services
Seneca/Cayuga ARC
Social Day Care
Staffings Healthcare System
Home Health Aide Services

Title IIIB Services:

Boyle Senior Center (Home Helper Referral)	\$4500
Cayuga Health Association, Inc. (In-Home Respite)	\$7000
Council of Senior Citizens (Newsletter Postage)	\$4000
Douglas P. Bates, Esq. (Legal Services)	\$6700
RSVP (Senior Volunteer Program)	\$1500

And be it further

RESOLVED, that the Office for the Aging is authorized to continue its contract with the above contractors for the period of January 1, 2010 through December 31, 2010.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, Fearon, all in favor.

**RESOLUTION NO. 42-10
1/26/10 MHBudAdjRev1.10**

AMENDING THE 2010 MENTAL HEALTH BUDGET

BY: Ms. Ann R. Petrus, Chair, Health and Human Services Committee, and Mr. Christopher M. Palermo, Chair, Ways and Means Committee.

WHEREAS, Resolution number 613-09 authorized the conversion of one (1) contracted staff social worker to salaried status with the necessary budgetary changes for 2009; and

WHEREAS, that position was included in the 2010 Mental Health budget as a contracted position; and

WHEREAS, it is necessary to reflect this change in the 2010 Mental Health budget to allow for payment from the proper accounts; now, therefore, be it

RESOLVED, that the Cayuga County Treasurer be authorized to make the necessary accounting entries adjusting the 2010 Cayuga County Budget as follows:

Expenses:

Increase A43101-51001 Salaries FT by	\$48,197
Increase A43101-58001 Social Security by	3,687
Increase A43101-58002 Retirement by	3,856
Increase A43101-58003 Health Insurance by	5,829
Increase A43101-58004 Dental Insurance	395
Increase A43101-58005 Workers Comp by	1,490
	<u>\$63,454</u>
Decrease A43104-54330 Med Elig by	\$63,454

Signed by Petrus, Axton, Barski, Mahunik, Mills, Sincebaugh, Palermo, Cuddeback, Fearon, all in favor.

RESOLUTION NO. 43-10

January 26, 2010 nhrhbagmntrev

AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND THE ADMINISTRATOR OF THE NURSING HOME TO ENTER INTO AN AGREEMENT FOR REHABILITATION SERVICES AT THE CAYUGA COUNTY NURSING HOME.

BY: Ann Petrus, Health and Human Service
Christopher Palermo, Ways and Means

WHEREAS, the Cayuga County Nursing Home requires rehabilitation services at the Nursing Home, and

WHEREAS, proposals have been received from Select Rehabilitation, Alliance Rehab, and VTA Management Services; and

WHEREAS, Select Rehabilitation's proposal met all of the specifications and represented the lowest proposal at those specifications; 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 Select Rehabilitation.

Signed by Petrus, Axton, Mahunik, Mills, Palermo, Fearon, all in favor.

RESOLUTION NO. 44-10
(01/26/10) MHsoftwarebid10

**AUTHORIZE THE CLERK OF THE LEGISLATURE TO ADVERTISE AND
RECEIVE SEALED BIDS FOR THE SELECTION AND PURCHASE OF
INTEGRATED SOFTWARE FOR THE CAYUGA COUNTY COMMUNITY
MENTAL HEALTH CENTER.**

BY: Ann Petrus, Chair, Health and Human Services Subcommittee, and
Christopher Palermo, Chair, Ways and Means Subcommittee.

WHEREAS, the Cayuga County Community Mental Health Center requires the procurement and modernization of integrated software systems (billing and electronic case records) in order to handle all aspects of its outpatient mental health services; and

WHEREAS, the County believes that it can receive the best pricing and product by advertising and receiving sealed bids for the integrated software; now, therefore, be it

RESOLVED, that the Clerk of the Legislature is authorized to advertise and receive sealed bids for the integrated software.

Signed by Petrus, Axton, Mahunik, Mills, Palermo, Fearon, all in favor.

RESOLUTION NO. 45-10

(January 26, 2010) HHS Transitioning CHHA SrAc

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO ABOLISH A SR.
ACCOUNT CLERK POSITION IN PUBLIC HEALTH (CHHA) AND
AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO FILL
A SR. ACCOUNT CLERK VACANCY IN HUMAN SERVICES WITH THE LAID
OFF EMPLOYEE IN PUBLIC HEALTH (CHHA)**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Legislature voted recently to begin the process to transition the Health Department's Certified Home Health Agency to Lifetime Care; and

WHEREAS, the management-transfer between CHHA and Lifetime Care is expected to take about three months, the Director of Health & Human Services is making every effort to shift CHHA employees at risk of losing their jobs to other county positions as they become available; and

WHEREAS, a Sr. Account Clerk (Control #002068) position in Public Health is one such position that will be abolished and an employee laid off; and

WHEREAS, there exists a Sr. Account Clerk vacancy (Control #002281) in the Human Services Division of Health & Human Services; and

WHEREAS, the Director of Health and Human Services desires to have one of the targeted Sr. Account Clerk positions in Public Health abolished and offer the laid off employee an opportunity to fill the existing Sr. Account Clerk vacancy in Human Services; NOW, THEREFORE, BE IT

RESOLVED, that the legislature hereby abolish one Sr. Account Clerk Position (Control #002068) in the Public Health Department effective February 22, 2010; and be it further

RESOLVED, that the Director of Health and Human Services be hereby authorized to fill a Sr. Account Clerk vacancy (Control #002281) effective February 22, 2010 in the Department of Social Services in accordance with Civil Services Rules and Regulations and the policies of the County of Cayuga.

Signed by Petrus, Axton, Mahunik, Mills, Palermo, Fearon, all in favor.

RESOLUTION NO. 46-10

January 26, 2010 IT-rfpanalogphoneservice2010.doc

**AUTHORIZING THE INFORMATION TECHNOLOGY DEPARTMENT
TO ADVERTISE REQUEST FOR PROPOSALS FOR
ANALOG TELEPHONE SERVICE**

BY: George Fearon, Chairman, Government Operations Committee

Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, the County maintains analog phone lines in its facilities that are not supplied by the County's digital phone line supplies; and

WHEREAS, the Information Technology Department has found that the County pays several different rates for the current analog phone service; and

WHEREAS, the County would like to reduce the annual cost of these analog phone lines; now therefore be it

RESOLVED, that the clerk of the Cayuga County Legislature be authorized to advertise request for proposals for providing analog phone service to County facilities. Signed by Fearon, Chapman, Palermo, Mitchell, Aikman, Barski, Lattimore, Axton, Cuddeback, Mahunik, Mills Petrus, all in favor.

RESOLUTION NO: 47-10

(1-26-10) CC-DMV CASHIER FT

**AUTHORIZES THE CAYUGA COUNTY CLERK TO FILL A FULL TIME
CASHIER IN THE MOTOR VEHICLE DEPARTMENT AND FILL ANY
BACKFILL POSITION**

BY: MR. GEORGE FEARON, Chairperson, Government Operations Committee

MR. CHRISTOPHER PALERMO, Chairperson, Ways and Means Committee

WHEREAS, there will be a Full Time Motor Vehicle Cashier position vacancy on February 18, 2010 and this full time cashier provides essential services to the county; and

WHEREAS, it is essential that the position be filled on a permanent basis; and

WHEREAS, the funding for this Full Time DMV Cashier Position # 1838 has been appropriated in the 2010 Department of Motor Vehicle (A14111-51001) salary account in the amount of \$32,664 ; now therefore be it

RESOLVED, that Cayuga County Clerk, Susan Dwyer be authorized to fill the position of Motor Vehicle Cashier, with a full time position with fringe benefits according to the Cayuga County Compensation Plan, Part I – Bargaining in the title Motor Vehicle Cashier and to fill any backfill position as a result; and be it further

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

Signed by Fearon, Chapman, Palermo, Mitchell, Aikman, Barski, Lattimore, Axton, Cuddeback, Mahunik, Mills Petrus, all in favor.

RESOLUTION NO. 48-10

1.26.10 COAHRadm

**AUTHORIZING THE AMENDMENT OF THE 2010 BUDGET TO PROVIDE
FUNDS FOR THE SEARCH FOR A COUNTY ADMINISTRATOR.**

BY: Hon. George Fearon, chair Government Operations

Hon. Christopher Palermo, Ways and Means Committee

WHEREAS, the County is seeking to fill the position of County Administrator and requires funds for the search; and

WHEREAS, the 2010 budget did not make provision for the expenses related to a search for candidates for the position of County Administrator; and

WHEREAS, there are sufficient monies available in Account No. A 1016, Contingency, to transfer into Account No. A14304-54061, Advertising; now therefore be it

RESOLVED, that the sum of \$2,000.00 be transferred from Account No. A 1016, Contingency, to Account No. A14304-54061, Advertising; 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 Fearon, Aikman, Lattimore, Palermo, Axton, Cuddeback, Mahunik, Mills, Petrus, all in favor.

RESOLUTION NO. 49-10

1.26.10 COAfillparalegal

**AUTHORIZING THE COUNTY ATTORNEY TO FILL ONE VACANCY IN
FEBRUARY 2010**

BY: Hon. George Fearon, Chair Government Operations
Christopher Palermo, Ways and Means

WHEREAS, there will be one vacant position in the County Attorney's office in mid February 2010; and

WHEREAS, position of Paralegal (position Control Number 006592) are important to the continued operation of the office; and

WHEREAS, this position is budgeted for the fiscal year 2010; now therefore be it

RESOLVED, that the County Attorney is authorized to fill the position of Paralegal position Control Number 006592); and be it further

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

Signed by Fearon, Aikman, Lattimore, Palermo, Axton, Cuddeback, Mahunik, Mills, Petrus, all in favor.

RESOLUTION NO. 50-10

1.26.10 COAcnfdscrtryRev

**AUTHORIZING THE COUNTY ATTORNEY TO FILL
ONE VACANCY IN FEBRUARY 2010**

BY: Hon. George Fearon, Chair Government Operations
Hon. Christopher Palermo, Ways and Means

WHEREAS, there will be one vacant position in the County Attorney's office in mid February 2010; and

WHEREAS, position of Confidential Secretary to the County Attorney (position control number 001844) is important to the continued operation of the office; and

WHEREAS, this position is budgeted for the fiscal year 2010 for \$49,198, and with a new hire at a lower rate of pay will save approximately \$9,500; now therefore be it

RESOLVED, that the County Attorney be hereby authorized to fill the position of Confidential Secretary to the County Attorney (position control number 001844) upon the position becoming vacant; and be it further

RESOLVED, that the position be moved from the Cayuga County Compensation Plan, Part IV for Administrative and Department Head Employees to Part II Non-Bargaining and placed at a grade 16 within the plan:

Inc.	Probation	Step One	Step Two	Step Three	Step Four
378	\$36,258	\$36,608	\$37,914	\$39,291	\$40,671

;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 Treasurer’s Office by hereby authorized to make any journal and accounting entries to accomplish the intent of this resolution.

Signed by Fearon, Aikman, Barski, Chapman, Lattimore, Mitchell, Palermo, Axton, Cuddeback, Mahunik, Mills, Petrus, all in favor.

Motion by Palermo, 2nd by Lattimore to add to the 2nd RESOLVED “To be selected by the Chair”, all in favor.

RESOLUTION NO. 51-10

1.26.09 co.lgadtcmmt

**ESTABLISHING THE AUDIT COMMITTEE OF THE
CAYUGA COUNTY LEGISLATURE**

BY: Hon. George Fearon, Government Operations Chairman

Hon. Christopher Palermo, Ways & Means Chairman

WHEREAS, County Law §369 provides that all claims for payment by a county must be audited by the legislature; and

WHEREAS, The Cayuga County Legislature, in furtherance of this responsibility, recognizes that standard auditing practices and procedures are of fundamental necessity to the audit process; and

WHEREAS, There are those within the County who possess the expertise and experience necessary to define and establish responsible auditing practices; now, therefore, be it

RESOLVED, that the Cayuga County Legislature hereby establishes the Cayuga County Audit Committee, and be it further

RESOLVED, that the Cayuga County Audit Committee, **to be selected by the Chairman of the Cayuga County Legislature**, shall be comprised of: two (2) sitting legislators, the Cayuga County Budget Director, the Director of Data Processing, the Accounts Payable Clerk, a designee of the Treasurer’s Office, and the County Administrator; and be it further

RESOLVED, that the Cayuga County Audit Committee shall report to Ways & Means its recommendation for proposed auditing procedures and standards; perform regular review of the audit process and propose changes to the auditing process when warranted; and to make proposals or suggestions to the County Administrator regarding purchasing, payables, or other accounting functions to which the County Administrator has oversight.

Signed by Fearon, Aikman, Chapman, Lattimore, Palermo, Cuddeback, Mahunik, Mills, Petrus, all in favor.

RESOLUTION NO. 52-10**(1/26/10) COA-LLRplgLL#lof2006&EstgOffOfCoAdmADP
TO ADOPT LOCAL LAW NO. 1 FOR THE YEAR 2010 REPEALING LOCAL
LAW NO. 1OF 2006 AND ESTABLISHING THE OFFICE OF COUNTY
ADMINISTRATOR FOR CAYUGA COUNTY.**

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

WHEREAS, Local Law No. 2 for the year 2010 was presented to the Cayuga County Legislature on the 11th day of January, 2010; and

WHEREAS, pursuant to law and after proper notice having been given, the County Legislature held a public hearing on said Local Law No. 2 for 2010 on January 26, 2010 at 6:00 P.M.; now, therefore, be it

ENACTED, that the Cayuga County Legislature does hereby adopt Local Law No. 2 for 2010, entitled:

**“A LOCAL LAW REPEALING LOCAL LAW NO. 1 OF 2006 AND
ESTABLISHING THE OFFICE OF COUNTY ADMINISTRATOR
FOR CAYUGA COUNTY”.**

and be it further

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 date of its adoption.

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills, Petrus, Aikman, Barski, Chapman, Lattimore, Mitchell, all in favor.

STATE OF NEW YORK
COUNTY OF CAYUGA

LOCAL LAW NO. 1 FOR THE YEAR 2010**A LOCAL LAW REPEALING LOCAL LAW NO. 1 OF 2006 AND ESTABLISHING
THE OFFICE OF COUNTY ADMINISTRATOR FOR CAYUGA COUNTY****Section 1. LEGISLATIVE INTENT**

By Local Law No. 1 of the year 2006 Cayuga County Legislature established the position of County Manager and set forth the powers and duties of said position. The Cayuga County Legislature now desires to revise the powers and duties set forth in said local law and by this local law shall set forth the powers, duties, mode of selection and removal, and term of office of the County Administrator.

Section 2. COUNTY ADMINISTRATOR: APPOINTMENT AND TERM OF OFFICE

A. There shall be a County Administrator who shall be directly responsible to the County Legislature and on behalf of the County Legislature shall perform the functions of a chief administrative officer, with the County Legislature retaining the final administrative authority. The position of County Administrator shall be unclassified for Civil Service purposes. The County Legislature shall have the power to appoint and remove the County Administrator and shall set the County Administrator's salary and allowable

expenses and benefits. The County Legislature shall have the authority to enter into an agreement with the County Administrator setting forth the County Administrator's salary, allowable expenses and benefits, and such other terms and conditions of employment as the County Legislature deems appropriate. The term of office of the first County Administrator appointed pursuant to this local law shall commence on the date of his or her appointment and shall expire on December 31, 2013. The term of office of each subsequent County Administrator shall be for four years. The Cayuga County Legislature may remove the County Administrator, prior to the expiration of the County Administrator's term of office, upon cause, cause being insubordination, neglect of duty, or inability, by reason of sickness or disability, to discharge the duties and responsibilities of office beyond the period of any leave authorized by the New York State Civil Service Law, subject to the following conditions:

1) The County Legislature shall adopt a resolution stating their intention to remove the County Administrator and the reasons therefore.

2) A copy of the resolution shall be served upon the County Administrator. The County Administrator may, within thirty (30) days, demand a hearing.

3) If the County Administrator demands a hearing, the County Legislature shall appoint a committee to hold a hearing, in executive session, not less than ten (10) days nor more than twenty (20) days from the date of the demand. After the hearing, the committee shall recommend dismissal or retention of the County Administrator. The County Legislature may accept or reject the recommendation of the committee. The decision of the County Legislature shall be final and binding, subject to the right of appeal in accordance with law.

4) If the County Administrator does not demand a hearing, the County Legislature may dismiss the County Administrator thirty (30) days after service of a copy of the resolution upon the County Administrator.

5) Upon the passing of the resolution, the County Legislature may suspend the County Administrator from official duties without pay. If the charges against the County Administrator are not sustained by the County Legislature or are not sustained after any appeal from the decision of the County Legislature, the County Administrator shall be entitled to be paid for the period of suspension. An appointment to fill a vacancy in the Office of County Administrator shall be for the remainder of the predecessor's unexpired term.

Section 3. QUALIFICATIONS

A. At the time of appointment, the County Administrator shall have the following training and/or experience.

1) Possess a Bachelors Degree from an accredited college or university and have six years paid full-time management in a private or public business or an industrial enterprise, OR

2) Possess a Master of Public Administration or Master of Business Administration degree and have four years of paid full-time management experience in a private or public business or an industrial enterprise, OR

3) An equivalent combination of training and experience listed above

4) The County Administrator is to hold no other public, political office or other employment, except upon the approval of the Cayuga County Legislature. This position is a full time position in service to Cayuga County.

5) The County Administrator shall be appointed on the basis of these and such other qualifications as may be required for the responsibilities of the office.

B. The appointee need not be a resident of Cayuga County at the time of appointment but shall become so within 90 days of appointment and remain so during his or her term of office. Failure to become such a resident or to remain such a resident shall be cause for dismissal by the Cayuga County Legislature.

Section 4. POWERS AND DUTIES

The County Administrator shall be the Budget Officer and shall be responsible for the overall administration of County government, as directed by the County Legislature or pursuant to policies adopted by the County Legislature, and shall provide and coordinate staff services to the County Legislature, the Chairperson of the Legislature, and the committees of the Legislature. The County Administrator shall perform all the duties now and hereafter conferred or imposed upon the office by law and directed by the County Legislature and shall have all the powers and perform all the duties necessarily implied or incidental thereto. Among such powers and duties, but not by way of limitation, are the following:

A. To appoint such office staff as may be authorized by the Legislature.

B. To prepare the annual budget and provide for appropriate budgetary controls and to promote the effective, efficient and economical management of appropriated funds.

C. To make recommendations to the appropriate committees of the Legislature, or the Chairperson of the Legislature, for appointments by the Legislature of all department heads of County government not administered by an elected official.

D. To work in conjunction with and coordinate the activities of County department heads and the administration of all units of County government in order to most efficiently implement the directives of the Legislature.

E. To have general supervision of all County departments and agencies except as otherwise required by law. All department and agency heads shall be responsible to and report to the County Administrator.

F. To report annually to the County Legislature concerning the administration and performance of County departments and agencies.

G. To aid the County Legislature in evaluating proposals presented to it and make recommendations concerning such proposals.

H. To serve as an advisor to the County Legislature and to develop policy and procedural recommendations for consideration by the Legislature which will promote economy and efficiency in the operation of County government.

I. To undertake administrative and management studies and submit to the Legislature reports and recommendations regarding governmental operations as he or she may deem appropriate or the Legislature may request.

J. To supervise the purchasing agent for the County.

K. To supervise the Department of the Information Technology.

L. To supervise and administer the Risk Management and Insurance Programs of county government.

M. To initiate, administer and oversee the collective bargaining process in County negotiations with organized employee organizations.

N. To represent the County Legislature in contacts with other political subdivisions and State and Federal officials and agencies.

O. To serve as liaison between the County Legislature and the various boards, commissions and advisory committees and component agencies established by the County Legislature.

P. To have such other powers and to perform such other duties as may now or hereafter be conferred or imposed by the County Legislature.

Q. Prepare resolutions as directed by the Standing Committees.

R. Evaluate in conjunction with the appropriate oversight committee, on an annual basis all department heads, excluding elected department heads, and shall make recommendations on annual salaries/benefits.

Section 5. ANNUAL PERFORMANCE REVIEW

The County Administrator shall be evaluated by the Chairperson of the Legislature, Minority Leader and the Chairperson of the each standing committee of the County Legislature during the thirty (30) day period prior to July 1 of each year.

Section 6. NO DIVESTURE OF POWERS OR DUTIES OF THE LEGISLATURE

Nothing contained in this Local Law shall operate or be construed to divest the Legislature of Cayuga County of any of its functions, powers or duties.

Section 7. SEPARABILITY OF PROVISIONS

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

Section 8. CONFLICT WITH PREVIOUS LOCAL LAWS OR RESOLUTIONS

In the event of a conflict or inconsistency between this Local Law and any previous Local Law or Resolution of the County Legislature, the terms of this Local Law shall govern. Local Law No. 1 of the year 2006 is hereby repealed.

Section 9. EFFECTIVE DATE

This Local Law shall take effect when all applicable statutory requirements for its passage and adoption have been complied with fully and it has been duly filed as provided by the Municipal Home Rule law.

RESOLUTION NO. 53-10**01/26/10 Bldgs COB Security System 2010rev****AUTHORIZATION TO ENTER INTO A THREE YEAR ASSURED
MAINTENANCE AGREEMENT FOR THE COUNTY OFFICE BUILDING
SECURITY SYSTEM**

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

Hon. Christopher H. Palermo, Chairman, Ways & Means Committee

WHEREAS, the County Legislature has been working correcting the life safety issues in the Cayuga County Buildings; and

WHEREAS, the security system is a intricate piece of equipment for the security of the County Office Building; and

WHEREAS, the County does not have an employee that is trained to work on this system; and

WHEREAS, it would not be cost effective for the county to train an employee to perform this service, and

WHEREAS, the County will save \$584.00 if we enter into a 3 year agreement; and

WHEREAS, the County does have funds in Account No. A16204 54045 to cover the cost of this maintenance agreement; now therefore let it be

RESOLVED, that the County enter into a Maintenance Agreement with Linstar, Inc. for service on the security system for the County Office Building, at the cost of \$3,693.33 per year for 3 years; and be it further

RESOLVED, that the money come out of account A16204 54045; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is authorized and directed to enter into a contract with Linstar, Inc.; 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, Fearon, Mahunik, Mills, Petrus, Aikman, Barski, Chapman, Mitchell, all in favor.

RESOLUTION NO. 54-10**January 26, 2010 hwyextbid****RESOLUTION TO EXTEND CERTAIN 2009 BID ITEMS**

By : David Axton, Chairman Public Works Committee

Christopher, Chairman Ways and Means Committee

WHEREAS, the bid packets for Highway Equipment and Materials allow for bid extensions if both parties are agreeable; and

WHEREAS, these items were bid in 2009; and

WHEREAS, the successful bidders have been or will be contacted and must agree to the extension of their bid prices by providing a letter stating that they are willing to extend their bids; and

WHEREAS, past experience has shown that the bid prices do not go down but generally up every time we bid these items; now therefore be it

RESOLVED, to approve the extension of the 2009 bids for Highway Equipment and Materials; and be it further

RESOLVED, the Highway Superintendent is authorized to purchase off the bids using appropriated funds for road and bridge construction and maintenance activities.

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills, Petrus, Aikman, Barski, Chapman, Mitchell, all in favor.

RESOLUTION NO. 55-10

January 26, 2010 HWYAUTHBID

AUTHORIZING THE CLERK OF THE LEGISLATURE AND THE COUNTY HIGHWAY SUPERINTENDENT TO ADVERTISE AND RECEIVE SEALED BIDS FOR THE PURCHASE OF MACHINERY, MATERIALS, TOOLS, EQUIPMENT, FUEL AND EQUIPMENT RENTALS.

BY: David Axton, Chairman Public Works Committee

Christopher Palermo, Chairman Way and Means Committee

WHEREAS, certain supplies will have to be purchased during 2010 for the County Highway Department; and

WHEREAS, the construction season is a short period of the year and items may be required to be bid to meet unusual maintenance needs that must be accomplished during the construction season; and

WHEREAS, under Section 103 of the General Municipal Law all purchases of over \$10,000 have to be by public advertising and sealed bids; And

WHEREAS, the Cayuga County Highway Department is currently seeking to advertise and receive sealed bids for Guide Rail Materials, Sign Materials, Pavement Markings, Road Base Stabilization, Hot in Place Pavement Recycling, Pipe and Pipe Arch, Liquid Calcium, Timber Bridge Products, Transit Concrete Mix, Stone, Sand, Liquid Asphalt, Bituminous Concrete, Gasoline, Diesel Fuel, and Equipment Rental; now therefore be it

RESOLVED, that the Clerk of the Legislature and County Highway Superintendent, be and is hereby authorized and directed, as specified in Section 133 of the Highway Law and Section 103 of the Municipal Law, to advertise and receive sealed bids for machinery, tools, equipment, implements, materials and supplies not limited to the following items: Guide Rail Materials, Sign Materials, Pavement Markings, Road Base Stabilization, Hot in Place Pavement Recycling, Pipe and Pipe Arch, Liquid Calcium, Timber Bridge Products, Transit Concrete Mix, Stone, Sand, Liquid Asphalt, Bituminous Concrete, Gasoline, Diesel Fuel, and Equipment Rental.

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills, Petrus, Aikman, Barski, Chapman, Mitchell, all in favor.

RESOLUTION NO. 56-10

1.26.10 911 Computerpurch

AUTHORIZING THE PURCHASE OF NEW COMPUTERS FOR THE CAYUGA COUNTY E-911 CENTER.

BY: Mr. Steven Cuddeback, Chairperson, Judicial and Public Safety Committee

Mr. Chris Palermo, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County 911 Center CAD workstations function 24 hours a day, seven (7) days a week; and, they are due for their five (5) year replacement; and

WHEREAS, recent CAD software upgrades require upgrades to the E911 CAD workstations; and

WHEREAS, money is included in the 2010 911 Communication System Budget (Account Number A30202 52009) for this purpose; now therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to allow for the purchase of 30 new E911 CAD workstations and related hardware and operating software on New York State Contract from Account Number A30202 52009 not to exceed the budgeted amount of \$22,496.00; and be it further

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

Signed by Cuddeback, Aikman, Chapman, Mitchell, Petrus, Pinckney, Sincebaugh, Palermo, Axton, Fearon, Mahunik, Mills, all in favor.

RESOLUTION NO. 57-10

Action Date 1/26/10 911 Create-fill ESD10

AUTHORIZATION TO FILL A VACANT FULL TIME EMERGENCY SERVICES DISPATCHER POSITION AND CREATE ONE NEW POSITION OF EMERGENCY SERVICES DISPATCHER IN ACCORDANCE TO THE 2010 BUDGET.

BY: Mr. Steven Cuddeback, Chairperson, Judicial and Public Safety Committee
Mr. Christopher Palermo, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County 911 Center currently has one vacant Emergency Services Dispatcher (position #001912) and on vacant Supervising Emergency Services Dispatcher (position #003974) that were unfunded in 2009; and

WHEREAS, funding for two additional Emergency Services Dispatcher positions became part of the 2010 budget approved by the legislature on 12/17/09; and

WHEREAS, the additional funding approved will be to fill two entry-level Emergency Services Dispatcher positions; NOW, THEREFORE, BE IT

RESOLVED, that one position of Emergency Services Dispatcher be hereby created and one position of Supervising Emergency Services Dispatcher (position #003974) be hereby abolished; and be it further

RESOLVED, that the 911 Administrator be hereby authorized to fill the one vacant and one newly created position of Emergency Services Dispatcher (2 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 Cuddeback, Aikman, Chapman, Mitchell, Petrus, Pinckney, Sincebaugh, Palermo, Axton, Fearon, Mahunik, Mills, all in favor.

(TABLED) (TABLED) (TABLED)

RESOLUTION NO. 58-10

(1/26/10) COA-LLDASalIncDuringTermADP

TO ADOPT LOCAL LAW NO. 1 FOR THE YEAR 2010, PROVIDING FOR A SALARY INCREASE FOR THE CAYUGA COUNTY DISTRICT ATTORNEY DURING HIS TERM.

BY: MR. CUDDEBACK, Chairman, Judicial & Public Safety Committee, and
MR. PALERMO, Chairman, Ways & Means Committee.

WHEREAS, Local Law No. 1 for the year 2010 was presented to the Cayuga County Legislature on the 15th day of December, 2009; and

WHEREAS, pursuant to law and after proper notice having been given, the County Legislature held a public hearing on said Local Law No. 1 for 2010 on January 26, 2010 at 6:00 P.M.; now, therefore be it

ENACTED, that the Cayuga County Legislature does hereby adopt Local Law No. 1 for 2010, providing for a salary increase for the Cayuga County District Attorney during his term; and be it further

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. This Local Law is subject to permissive referendum.

Motion by Mitchell to table, 2nd by Barski, all in favor, except Mahunik, Siincebaugh voting no and Baski abstained.

RESOLUTION NO. 59-10

January 26, 2010 SHR_NYSERDAGrant2010

AUTHORIZING THE PREPARATION AND SUBMITTAL OF ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT FOR IMPLEMENTATION OF ENERGY CONSERVATION FUNDING FOR SMALL MUNICIPALITIES TO THE NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY (NYSERDA)

BY: Mr. Steven E. Cuddeback, Chair, Judicial and Public Safety

Mr. Christopher M. Palermo, Chair, Ways and Means Committee

WHEREAS, the County of Cayuga is eligible to receive up to \$472,910 in grant funds under the American Recovery and Reinvestment Act's (AARA) Energy Efficiency and Conservation Block Grant (EECBG) program administered by the NYS Energy Research and Development Authority (NYSERDA) to undertake the implementation of energy conservation measures by small municipalities; and

WHEREAS, the Cayuga County Department of Planning and Economic Development and the Cayuga County Sheriff's Department have identified a need to undertake such measures in Cayuga County in conjunction with NYSEDA's strategies to increase work-zone safety and traffic management efficiency including traffic monitoring systems for strategic speed enforcement and rural road safety; and

WHEREAS, the Cayuga County Department of Planning and Economic Development and the Cayuga County Sheriff's Department have identified an opportunity for the County to acquire advanced traffic and work-zone traffic equipment from iCone Products, a company with manufacturing in Cayuga County, specifically the iCone traffic monitoring system which includes both permanent and deployable sensors connected via real-time monitoring equipment available to the Cayuga County Sheriff's Department; now, therefore, be it

RESOLVED, that the Cayuga County Department of Planning and Economic Development is hereby authorized to prepare an Energy Efficiency and Conservation Block Grant (EECBG) application for submission to the NYS Energy Research and Development Authority (NYSERDA) for these funds and if funded administer same; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized to take such steps as may be required to submit the EECBG application and if approved accept the EECBG funding and implement the approved EECBG program.

Signed by Cuddeback, Aikman, Petrus, Pinckney, Palermo, Axton, Fearon, Mahunik, Mills, all in favor.

Motion by Palermo to adjourn at 7:57PM, all in favor.

Motion by Lattimore to approve minutes of 1-26-10 on 3-23-10, 2nd by Pinckney, all in favor.

MINUTES
Special Meeting
Ways & Means COMMITTEE

**RE: SETTING THE SALARY FOR THE
NEW HUMAN RESOURCES DIRECTOR**

Monday, February 1, 2010 at 6:00PM

Called to order by Christopher Palermo, Chair Ways & Means Committee at 6:00PM.

Committee Members Present: Chairman Palermo, Petrus, Axton, Mills, Mahunik, Cuddeback, Fearon excused.

Others Present: Legislature Chairman Tortorici, Legislator Lattimore, Legislator Pinckney, Legislator Aikman, Legislator Barski, Jeff Edwards, Commission of Civil Service, Fred Westphal County Attorney.

RESOLUTION

RESOLUTION NO. 60-10

**MOTION TO SET THE SALARY FOR THE NEW HIRE IN THE HUMAN
RESOURCES ADMINISTRATOR POSITION.**

WHEREAS, Resolution Number 327-09 adopted at the June 2009 Legislative Meeting created a second position of Human Resources Administrator to enable the current HR Administrator to cross train the new person; and

WHEREAS, funding for the additional position was placed in the current 2010 budget to provide this essential training for the incoming employee; and

WHEREAS, the resolution gave the authority to the Interview Panel consisting of the Civil Service Commission and two Legislators to recruit, interview and hire a new administrator; and

WHEREAS, Resolution Number 327-09 stated: "Resolved, that the salary range to be advertised be \$50,000 to \$65,000 with the Ways and Means Committee setting the final salary negotiated within that range."; and

WHEREAS, the interviews have concluded and an offer of appointment had been made contingent upon the Ways and Means Committee setting the salary within that range in accordance to Resolution Number 327-09; NOW, THEREFORE BE IT

RESOLVED, that the salary for the new hire be hereby set at \$55,000 until changed by resolution of this legislature and placed as an additional item within the Cayuga County Compensation Plan, Part IV until the retirement of Mrs. Hatfield.

Signed by Palermo, Axton, Cuddeback, Mahunik, Mills, Petrus.

Motion by Axton, 2nd by Mills, all in favor.

Motion to adjourn at 6:09PM by Axton, 2nd by Petrus, all in favor.

Motion by Petrus to approve minutes of 2-1-10 on 4-19-10, 2nd by Mills, all in favor, except Fearon abstained.

**MINUTES
SPECIAL MEETING
COMMITTEE OF THE WHOLE
MONDAY, FEBRUARY 1, 2010, 6:30 PM
160 GENESEE ST, 6TH FLOOR,
CHAMBERS, AUBURN, NY 13021**

CALL TO ORDER: Hon. Peter Tortorici, Chairman, at 6:28PM.

ROLL CALL: Mary Jones, Clerk of the Legislature, all Legislators present, except excused Fearon and Mitchell.

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

TOPIC: WORK SESSION ON CAYUGA COUNTY RADIO SYSTEM

PRESENTATIONS:

1. Denise Stayton, 911 Administrator and Jeff Willis: Power Point Presentation, handout attached to original minutes.
2. Jim Lee, Wayne County: Wayne County E-911 Radio System Upgrade, handout attached to original minutes.
3. Charlie McCann, Seneca County, Radio System, written, attached to original minutes.

Questions: #1

Denise Stayton, the price is high, Motorola is working on lowering cost for just what we need now, 15 sites to 9 sites.

Lattimore, approximately 133,000 calls come into the 911 center, do we lose any calls?

Denise Stayton, no, separate issue, calls coming in radio going out.

Jeff Willis, phones come in, dispatch it to Sheriff, fire, ext., has it gone down, yes.

Denise Stayton, 2007 was the last time with no radio communications throughout county. We had one last night at Cato site.

Pinckney, what's the coverage now?

Stayton, we are asked that a lot, I couldn't guess.

Pinckney, new system would have 97% coverage?

Jeff Willis, yes.

Stayton, there are numerous times you have to ask an officer to key over and over again, or ask for a land line because they are scratchy.

Mills, remove options, reduction in cost?

Stayton, they will give us a new proposal maybe by the end of the month.

Mills, then we choose?

Denise Stayton, yes, 41/2 million for equipment is a grant, but we would have to

pay maintenance fees through consortium (share the cost).

Chapman, 15 to 9 sites, we will still have 97% coverage?

Denise Stayton, no.

Chapman, we need a new RFP?

Denise Stayton, the Legislature will have to make that decision.

Chapman, has any research been for on leasing space for tower sites?

Denise Stayton, yes.

Mahunik, how about the Onondaga sites.

Denise, we have talked about that, but can't get specific, MOU's have not been drawn up.

Lattimore, why did we only get one bid back?

Denise Stayton, complexity of the system.

Lattimore, my concern is public safety.

Petrus, we need to move forward, where improvements can be made, then present them to us. We are in a consortium with the city, what effect would that time have regarding our part in the consortium?

Mike Hammond, Auburn Fire Chief, \$64,000 question, reality if a site is built, all the people can use it. We have to reband, the whole idea was we would be turning in used equipment for new.

Questions: #2

Tortorici, construction site cost?

Jim Lee, we took down 2 towers and replaced one tower, bought a pre-fab shelter, \$154,000.

Lattimore, what's the square mileage?

Jim Lee, 610 square miles.

Questions: #3

Cuddeback, UHF, is it conventional.

McCann, yes.

Cuddeback, UHF, conventional, can we purchase a trunk system.

Jeff Willis, yes, you can reprogram later.

Cuddeback, is that open to all vendors or just Motorola?

Jeff Willis, all vendors'.

Tortorici, we need to be on the same system UHF conventional system, what can you do for us. Build for Cayuga County and expand.

Jeff Willis, the city is trunked, I do not see why we can't build out of the trunked system for the county, then build out the UHF.

Tortorici, what would coverage be, conventional, not trunked?

Jeff Willis, coverage won't change unless you add or remove sites. The city has more users so trunk system works better, county conventional, and upgrade in the future.

Chapman, coverage won't change?

Jeff Willis, correct, key all repeaters, add receiver sites, portables.

Chapman, like Wayne County.

Jeff Willis, yes.

Pinckney, in discussion, county looking for 2 more towers.

Jeff Willis, yes, we have some dead spots, Summerhill and Sterling.

Mills, can we go higher with the towers?

Jeff Willis, sometimes.

Tortorici, we can use the Ovid tower.

Jeff Willis, yes and Seneca County would like to use some of your towers.

Aikman, Langone, do we have the UHF frequencies?

Denise Stayton, no, not until the licensing go through, may take a year.

Aikman, are radios ever leased?

Jeff Willis, sure.

Aikman, is that an option?

Tortorici, or be able to reprogram as technology goes up.

Jeff Willis, 3 tiers, can drop back to lower cost radio. Motorola is working on a new proposal and putting in the lower cost radio.

Tortorici, frequencies are a big problem, changes time frame for UHF.

Jeff Willis, not sure, Onondaga has license for these, Canada is the problem, we can't interfere with them. The process has started with Langone (chick) probably be 8 months to 1 year.

Tortorici, familiar with proposal, 450 UHF conventional system.

Cuddeback, on our proposal, towers to add same as what we have.

Denise Stayton, height of towers not added in.

Cuddeback, was that cost added in.

Denise Stayton, no, radios only.

Lattimore, city mutual aid, is it working.

Mike Hammon, Auburn Fire Chief, set up a patch, carry highband.

Tortorici, the funding that your using for your frequencies now, can you use for the UHF system, take that money and purchase equipment, use for UHF instead of 800 system?

Mike Hammon, Auburn Fire Chief, Sprint and Nextel didn't care, as long as we get off their system, they already have 5 other frequencies.

Tortorici, I know you wanted the Legislature to make a decision, but if we can go UHF and get the upgrades, everybody on the same system?

Mike Hammon, Auburn Fire Chief, I would like to apologize, we started this 2 years ago, we thought the UHF 450 was the greatest system and moved forward. Now, were not sure if we still can get the frequencies, we need 5 pairs, may be able to get 3, consultant said we need 8 pair. Need a plan to move forward, work with Onondaga with switch, but maintenance fee is high. We have a time line (Tri-band), City needs trunk system, frequency is the question. I don't think the 450 system is going to work.

Lattimore, what system is going to protect the people that protect us.

Mike Hammon, Auburn Fire Chief, I agree, what direction to you want to go, hinges on resolution we pushed you to pass for 450 system.

Tortorici, 450 digital or 450 conventional.

Mike Hammon, Auburn Fire Chief, where to you get the frequencies.

Chapman, we don't have to all have the same equipment, JPS manufacture their own equipment, a phone call to see if they have radios.

Mike Hammon, Auburn Fire Chief, UHF vs. VHF in both counties.

Denise Stayton, what is a better solution?

Mike Hammon, Auburn Fire Chief, Tri-band, come with us, 800 frequency and interface, can't see paying another company, 450 system not expensive.

Denise Stayton, Harris's cost for the 800 system \$17 million.

Tortorici, if the city opts to buy equipment, we would look at more frequencies.

Mike Hammon, Auburn Fire Chief, Harris would not bid the 450 system because frequencies are not available.

Mills, consultant is looking for frequencies, you say are not available.

Mike Hammon, Auburn Fire Chief, frequency not available unless you share with someone else, but 800 or 700 is available.

Tortorici, 800 system is top of the line.

Cuddeback, when would have the frequency issue have come up with the consultant, after we paid him?

Denise Stayton, he is looking into the frequencies now, I will address it this month with him.

Cuddeback, shouldn't we have done that first?

Lattimore, time-line, when will we get this done?

Tortorici, may change course if new RFP needed.

Fred Westphal, wait for consultant so he can answer that, he's coming in at the end of the month.

Cuddeback, need to decide if we can get the frequencies.

Fred Westphal, we need to hear from the consultant.

Cuddeback, this is a priority.

Axton, I don't think the consultant has been much help, Harris raised a flag, we should have been told.

Lattimore, reach out to other counties for frequencies.

Chapman, Langone did discuss frequencies, had some difficulties reaching out to the others in the consortium.

Petrus, how long has the consultant been working for the County.

Denise Stayton, since August of 2008.

Petrus, please ask him to come front and center by the end of the month and answer these questions.

Tom Bagley, Fire Coordinator North end of County, I'm on the Radio Committee. Fireman issue, Wayne and Seneca County frequencies are a problem. Cayuga County owns 9 VHF frequencies, narrow band, 450 paging is ineffective, paging is the life line. There is an issue with paging with the 450 system, need a cost proposal to use frequency we already own. System does not work, we need a realistic cost analyses of what we need.

Jim Perkins, Fire Coordinator South end of County, I think UHF not VHF is the way to go.

Denise Stayton, VHF for paging.

Cuddeback, lowband.

Ray Dygert, South end paging, we have 5 other frequencies, with people on them. VHF you need to watch for wattage. Can you afford to lose a life? Tompkins County project was \$14 million. The 800 system is going to have problems in the South end because of the valleys it's a safety issue.

Tortorici, maybe you could write Tompkins County and they could come and talk. Lattimore, North and South ends of the County, need to find answers for coverage issue.

Denise Stayton, you are never going to get everyone to agree on one system.

Jeff Willis, until the Legislature votes to get rid of the RFP, you can't go forward.

Fred Westphal, the Legislature has to decide what to do with the resolution that was passed for VHF.

Tom Clark, Fingerlakes Technology, Low-band is used on the Northeast part of the County because of the topography. We tried the 800 system up North, couldn't talk more than a mile, its better with buildings but not with foliage and trees. With the 800 system you would need more tower sites, good for a small area. UHF is better with distance and building penetration, better for county.

Tortorici, the city is better with the 800 system and we would be better with the UHF system.

Tom Clark, Fingerlakes Technology, you have 5 pairs of frequencies, 5 people can talk. You have a controller at Osborne St., assign to other uses, frequency doesn't matter, you will be able to talk through switch with any radio. You have an issue with the City time-frame and coverage of the County. Conventional UHF System, City goes trunk, down the road we can connect to that base station.

Pinckney, talked with a few Fireman from Aurelius, said they are having trouble with the new BOCES building and coverage.

Tom Clark, Fingerlakes Technology, would have to do a test on the building materials.

Jeff Willis, you can use a by-directional device.

Tom Clark, Fingerlakes Technology, yes.

Lattimore, how about satellite?

Tom Clark, Fingerlakes Technology, way off, can't be used in buildings, and cell phones don't work everywhere.

Chairman Tortorici thanked everyone for their input, will schedule a meeting with Langone Associates before the end of the month.

Motion by Petrus, 2nd by Pinckney to adjourn at 8:51PM, all in favor.

Motion by Lattimore to approve Committee Meeting of the Whole minutes of 2-1-10 on 3-23-10, 2nd by Pinckney, all in favor.

MINUTES
CAYUGA COUNTY LEGISLATURE
FEBRUARY 23, 2010, 6:30PM

CALL TO ORDER: Hon. Peter Tortorici, Chairman, at 6:30PM

ROLL CALL: Mary Jones, Clerk of the Legislature, all Legislators present, except excused Fearon and Barski.

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

PROCLAMATIONS: Cayuga County Salutes David Barnello, Saturday, February 13, 2010, read by Mary Jones, Clerk of the Legislature, Presented by Peter Tortorici, Chairman to David Barnello.

“Be the Match Day” in Cayuga County, read by Mary Jones, Clerk of the Legislature, Presented by Peter Tortorici, Chairman to Jon Borsa and Maureen Burns. Jon and Maureen both spoke regarding the benefit, handouts attached to original minutes

PRESENTATION: Kevin Swain, NYS Police, Annual Update, if the Governor’s budget passes SRO’s will be eliminated. There hasn’t been a Police Academy class in a few years, we are at 1994 levels, hope to have one by 2012. Radio project, we are tied into several, we will participate with the County, when you decide, we will go forward. David Gould, I would like to thank Captain Swain for his 32 years of service, he will be retiring in 26 days, job well done.

Timothy Kelly, New Executive Director of United Way, thanked the Legislature for their support, looking forward to moving forward.

Mike Pawlenko Blds. & Grounds Superintendent, and John Thomas Bixby, Gray Management, power-point presentation, attached to original minutes. John Thomas Bixby, we are on schedule, have moved up phase 1, should finish by April 2011.

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. none

MINUTES: For Approval: 12-14-09, 12-15-09, 12-17-09, 1-4-10 and 1-11-10, **Motion by Lattimore, 2nd by Pinckney, all in favor.**

For Reading: 1-26-10 and 2-1-10 (Committee Meeting of the Whole)

CCC REPORT: Dr. Daniel Larson, Enrollment up-date, record year for the College, full-time enrollment exceeds 3,000, first time in College history. Non-Credit/Credit-Free Courses, for Fall 2009 and Spring 2010 have surpassed 1,200. Community Outreach, February Family Fun Day was held 2-7-10 and was attended by many. Black History Month, the College presented a poetry reading and talk "When Gwendolyn Brooks Came to Auburn" exploring the life and works of the first African-American Pulitzer Prize winner. Facilities Master Plan Update, projects include, Media Communications, Arts Center, wine program, childcare, Nature Center and trails and athletic facilities. The Flip Side of Recruitment, student retention is a matter of importance, we have charged a new Retention Committee with the task of identifying the issues and I will report more on this in the future. Athletic Update, the College will host the NJCAA Region III Division III Women's Basketball Tournament this weekend. Spartan Hall has new light fixtures courtesy of a NYPA Grant.

MANAGER'S REPORT: Nick Mazza, welcomed Jen Marshall as our new Human Resources Director. Sales tax, State Budget handouts. Cayuga County fared well as most. Page 4, 2.1% drop, better than most. Page 5, good news, we budgeted well and are in a good position. Housing is picking up. NYSAC conference, no cost shifting to local government. Medicaid reimbursement, negative, please read the handout and keep informed. Update on CHHA, we are working hard on the transition, on track, contract approval 2-4 weeks, purchase agreement was done this week. NYSNA negotiations ratified by union, resolution is here tonight, very happy with results. 17 nurses accepted employment with Lifetime Care, 7 employees, clerical CSEA, goal is to transfer to other departments, 4 have been placed, 3 full time left, expect 6-9 months to accommodate those. We have received \$100,000.00 deposit from Lifetime Care. We have been working with OMIG (Office of Medicaid Inspector General) re: Mental Health, Nursing Home, Early Intervention and Pre School Education, looking for dollars wants our policies in place to see if we're in good shape. This is a serious matter we are working on, it will go through committee and work to protect our dollars.

CHAIRMAN'S REPORT: Peter Tortorici, NYSAC conference, Cayuga County was mentioned many times for meetings we have attended, recognized our CIDA agency, and recognized for our Digester Project.

COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS: Cuddeback, Legislator Aikman and I attended the Millard Fillmore Coin Pour in Moravia, United States Mint representative's presented the Millard Fillmore \$1.00 coin, it was very well attended.

Lattimore, report on sales tax, 30 million, down to 29 million, can we get a breakdown as to gas, cigarettes, etc.

Nick Mazza, Interim County Administrator, there is a report sent to the Treasury, may not be what you want, but I can get you some data. We are at the mercy of the State, if a store sells cigarettes, gas etc., the report does not break it down, they are not required to report it that way.

Tortorici, if the Governor's budget passes, that will add another tax on cigarettes and un-taxed cigarettes sales will go up again.

Axton, some stores won't give you that information.

David Gould, Sheriff, the State Police are not taxcollectors.

APPOINTMENTS AND RE-APPOINTMENTS:

Cayuga County EMS Advisory Board

David M James, 2687 Bell St., Weedsport 13166,	1/1/10 – 12/31/10
Dr. Mary DiRubbo, PO Box 775, Skaneateles 13152,	1/1/10 – 12/31/10
Roman Rotko, 213 Dunning Aveport Rd, Auburn 13021	1/1/10 - 12/31/10
Michael Deyneka, 6468 E. lake Rd. Auburn 13021	1/1/10 – 12/31/10
Deanna Gates, PO Box 100, Meridian 13113	1/1/10 – 12/31/10
Sam Giannettino, 100 Swift St. Auburn 13021	1/1/10 – 12/31/10
Jason Green, 1 Kennedy Lane, Auburn 13021	1/1/10 - 12/31/10
Travis Poole, 33 French Ave., Auburn 13021	1/1/10 – 12/31/10
Kezia Parseghian Sullivan, 294 Lake Rd, King Ferry 13081	1/1/10 – 12/31/10
Denise Stayton, 181 Seymour St. Auburn 13021	1/1/10 – 12/31/10
Lon Fricano, 321 Backus Rd., Cayuga 13034	1/1/10 – 12/31/10
Edward Sherman, 107 Melrose Rd, Auburn 13021	1/1/10 – 12/31/10
Albert Mantey, 3045 White Rd., Moravia 13118	1/1/10 – 12/31/10
Jen Savery, 3169 Swamp Rd., Cato 13033	1/1/10 – 12/31/10

Motion by Lattimore, 2nd by Chapman, all in favor.

Board of Health Committee:

Variance Committee

Richard Coalson, 405 Long Point on Owasco, Auburn 13021	1/1/10 - 12/31/13
Board of Health Committee:	
Ann Petrus, 2435 Route 31, Weedsport 13166	1/1/10 – 12/31/10

Motion by Lattimore, 2nd by Sincebaugh, all in favor.

Community Services Board:

Beth Dishaw, 149 Genesee St – Long Term Care, Auburn 13021	1/1/10 – 12/31/13
John Henderson, 7481 Centerport Rd, Auburn 13021	1/1/10 - 12/31/13
Ann Petrus, 2435 Rt. 31, Weedsport 13166	1/1/10 – 12/31/10
Francis Mitchell, 355 State Rte. 34B, King Ferry 13081	1/1/10 – 12/31/10
Rebekah Gagne, 7286 Sherman Rd, Auburn 13021	1/1/10 – 12/31/13

Motion by Lattimore, 2nd by Sincebaugh, all in favor.

Cayuga County Planning Board:

Pat Bianconi, PO Box 197, Aurora, NY 13026 (term: until locality they represent submits a new nomination)

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

Water & Sewer Authority

Vicky Murphy, 24 South St, Auburn, NY 13021

(unexpired term of Bruce Ross)

1-1-09 to 12-31-2011

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

Agriculture & Farm Protection Board:

Paul Pinckney, 2035 Pinckney Rs, Auburn, NY 13021, term – coterminous with position.

Motion by Lattimore, 2nd by Sincebaugh, all in favor.

COMMUNICATIONS AND ANNOUNCEMENTS:

1. Received a copy of a letter from Meg Vanek, Director of Cayuga County Office of Tourism, to Assemblyman Steven Englebright, re: Empire State Development, Matching Funds program.

Motion by Axton to waive reading of communications.

RESOLUTIONS

RESOLUTION NO. 61-10

02-23-10 AuditFebruary 2010.doc

**AUTHORIZING THE COUNTY TREASURER TO PAY
FEBRUARY 2010 AUDIT OF CLAIMS**

BY: Hon. Christopher Palermo, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on February 23, 2010 audit claims against the County of Cayuga in the aggregate sum of \$1,297,153.36, 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 17, 2009.

Signed by Axton, Cuddeback, Mills, Petrus, all in favor, except Palermo abstained.

RESOLUTION NO. 62-10

02.23.10

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

BY: Hon. Christopher Palermo, 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:

January 2010

Electric	\$ 0
Telephone:	\$ 16,289.12
Total:	\$ 16,289.12

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

Signed by Axton, Cuddeback, Mills, Petrus, all in favor.

RESOLUTION NO. 63-10**02.23.10****AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF THRUWAY TOLLS**

BY: Hon. Christopher Palermo, 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:

January 2010	\$95.40
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RESOLVED, that said payments be part and partial payment of the full audit of this Board.

Signed by Axton, Cuddeback, Mills, Petrus, all in favor.

RESOLUTION NO. 64-10**February 23, 2010 NHAuditFeb****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 \$161,293.45 for the month of January 2010, now therefore be it

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

Signed by Petrus, Axton, Mills, Sincebaugh, Barski, Mahunik, Cuddeback, all in favor.

RESOLUTION NO. 65-10**2-23-10 OFA SENIOR NUTRITION PROGRAM****REPORT AND APPROVAL OF BILLS PAID BY THE COUNTY TREASURER FOR OPERATION OF THE SENIOR NUTRITION PROGRAM IN THE OFFICE FOR THE AGING.**

BY: Ms. Ann Petrus, Chair of Health & Human Services Committee, and

Mr. Christopher Palermo, Chair of Ways and 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 \$11,610.94 covering the period through 1/29/10 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, Axton, Barski, Mahunik, Mills, Sincebaugh, Cuddeback, Mahunik, all in favor.

RESOLUTION NO. 66-10

02.23.10

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

BY: Hon. Christopher Palermo, 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:

January 2010

First Niagara	\$ 0
AmExpress	\$ 879.94
Sunoco	\$ 0
Walmart	\$ 0
Exxon	\$ 55.11
Total:	\$ 935.05

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

Signed by Axton, Cuddeback, Mills, Petrus, all in favor.

RESOLUTION NO. 67-10

02.23.10

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

BY: Hon. Christopher Palermo, 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:

January 2010

Copier Leases and Maintenance:	\$ 1,441.41
Postage Leases:	\$ 478.00
Total:	\$ 1,919.41

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

Signed by Axton, Cuddeback, Mills, Petrus, all in favor.

RESOLUTION NO. 68-10

(2/23/10) COA-CAPH2PAY

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

BY: MR. PALERMO, 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 #00-1-C (Implementation of Master Facilities Plan for CCC Auburn Campus):

DEWALD ROOFING CO., INC.:

Inv. No. 0912494 \$ 10,663.75

Inv. No. 0912495 \$ 5,170.00

2. Project #07-5 (Tyler Software):

INN AT THE FINGERLAKES :

Inv. No. 4338 \$ 140.00

3. Project #08-1 (Renovations – Mental Health, North Street and Park Street):

AAC CONTRACTING, INC.:

Payment Application No. 3 (Certified 1/29/10) \$ 32,440.00

ATLANTIC TESTING LABORATORIES:

Inv. No. 59778 \$ 2,856.25

EASTERN SHORE ASSOCIATES:

Inv. No. 28722 \$ 6,752.00

FAHS CONSTRUCTION GROUP:

Payment Application No.2 (Certified 1/28/10) \$ 90,563.50

GRAY MANAGEMENT SYSTEMS:

Bill No. 6 \$ 10,976.25

And be it further

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

Signed by Axton, Cuddeback, Mills, Petrus, all in favor.

RESOLUTION NO. 69-10

(Feb. 2010) RPS correctionerrorsFeb10 pg 1of 1

AUTHORIZING CORRECTION OF TAX ERRORS IN SEVERAL TOWNS:

BY: Chris Palermo, 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 2009Tax 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, 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 2009 School 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 2009/2010 School Tax Roll shall also be corrected as follows:

Town of Moravia : TM#199.00-1-23.2. Assessed to New Hope Bible Fellowship. The owner,s of this parcel did not file the application for the non-profit tax exemption in a timely manner due to a mis-interpretation of Real Property Tax Law. The 2009-10 school tax roll should be corrected to reflect the wholly exempt status for the parcel. The 2009-10 school bill should be corrected to reflect these changes.

Town of Genoa: TM#226.00-1-13.1 Assessed to Timothy Fessenden. Clerical Error. This parcel was assessed at 2,415,300 instead of 2,141,500 due to the assessor's keystroke error. The 2010 tax roll should be corrected to include the proper assessment. Signed by Palermo, Axton, Cuddeback, Mahunik, Mills, Petrus, all in favor.

RESOLUTION NO. 70-10

Action Date 2/23/10 HRfillSrTyp10

**AUTHORIZATION TO FILL THE POSITION OF SR. TYPIST
DUE TO A RESIGNATION**

BY: Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, the position of Senior Typist (position control # 4158) within the Cayuga County Department of Human Resources and Civil Service Commission office will be vacant due to the resignation of the current employee (effective February 21, 2010) and

WHEREAS, the position performs an integral part of the examination procedures and provides support for staff in the office; and

WHEREAS, the position of Senior Typist is necessary for the efficient operation of the civil service office; now therefore be it

RESOLVED, that the Civil Service Commission be authorized and directed to fill the position of Senior Typist, in accordance with the Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Palermo, Axton, Cuddeback, Mills, Petrus, all in favor.

RESOLUTION NO. 71-10

2.23.10 coacmmntyprjtappropcntrev

**AUTHORIZING THE CHAIRPERSON OF THE CAYUGA COUNTY
LEGISLATURE TO SIGN DOCUMENTS TO ACCEPT COMMUNITY
PROJECTS APPROPRIATIONS AND AMENDING THE 2010 BUDGET**

BY: Hon. Christopher Palermo, Ways and Means Committee

WHEREAS, through the efforts of Assemblyman Gary Finch, New York State has awarded \$15,000.00 to three entities in Cayuga County from Community Projects Appropriations for the Cayuga Museum, Owasco Fire Department and the Cayuga County Sheriff's Office; and

WHEREAS, said funds will are to be utilized for equipment and training; and

WHEREAS, the Cayuga Museum is awarded the sum of \$10,000.00; the Owasco Fire Department is awarded the sum of \$2,500.00; and the Cayuga County Sheriff's Office is awarded the sum of \$2,500.00; now therefore be it

RESOLVED, that the Chairperson of the Cayuga County Legislature is authorized and directed to sign any and all documents required to apply for and receive the Community Projects Appropriation on behalf of the Cayuga Museum, Town of Owasco Fire Department and the Cayuga County Sheriff's Office; and be it further

RESOLVED, that the 2010 Budget be amended by increasing the accounts as follows:

A10104-54530 (St Legislature Aid to Agencies) \$2500 payment to Owasco Fire
 A10100-43088 Aid from St Legislature; \$2500 revenue for Owasco Fire
 A31100-43088 Aid from St Legislature; \$2500 revenue for Sheriff
 A74500-43088 Aid from St Legislature; \$10000 revenue for Museum
 A7450-54000 , Cayuga Museum by the sum of \$10,000.00
 A31104-54135, Training, by the sum of \$2,500.00

;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, Axton, Cuddeback, Mills, Petrus, all in favor.

RESOLUTION NO. 72-10

2.23.10 coawtdrwtxfclsrinrev1

AUTHORIZING, PURSUANT TO § 1138(1) OF THE REAL PROPERTY TAX LAW, THE WITHDRAWAL AND DISCONTINUANCE, WITHOUT PREJUDICE OF TWO PARCELS OF LAND PARCELS COMMONLY KNOWN AS TAX MAP NO. 141.17-1-37, LOCATED ON SOUTH STREET IN THE VILLAGE OF UNION SPRINGS AND TAX MAP NO. 150.00-1-2.1 LOCATED ON STATE ROUTE 90 IN THE TOWN OF SPRINGPORT FROM THE 2009 TAX FORECLOSURE PROCEEDING AND AUTHORIZING THE EXECUTION OF DOCUMENTS.

BY: Hon. Christopher Palermo, Chair, Ways and Means Committee

WHEREAS, by Tax Enforcement Notification and Petition dated November 13, 2009, the County of Cayuga commenced proceedings to foreclose on real property located in Cayuga County based upon the failure of entities to pay real property taxes; and

WHEREAS, the Cayuga Indian Nation of New York is the owner of two parcels of land included in the tax foreclosure action, i.e. tax map no. 141.17-1-37, located on South Street in the Village of Union Springs and tax map no. 150.00-1-2.1 located on State Route 90 in the Town of Springport; and

WHEREAS, Judge Hurd in Oneida Indian Nation v. Oneida County, 432 F. Supp 2d. 285, prohibited Oneida County from utilizing the tax foreclosure process against Oneida Indian Nation properties; and

WHEREAS, that matter is on appeal to the Second Circuit Court of Appeals and a decision has been for approximately two years; and

WHEREAS, the amount of property taxes owed through February 10, 2010 are \$21,769.12 and \$12,885.97 respectively; and

WHEREAS, given the present state of the law it is expected that the Northern District Federal Court would prohibit the instant action; and

WHEREAS, the Cayuga Indian Nation of New York is requesting that the parcels be withdrawn **from** the action pursuant to Real Property Tax Law, section 1138 in that it is believed that there may be a legal impediment to enforcement of the tax lien affecting such parcels; and

WHEREAS, given the present state of the law, it does not make financial sense to continued the proceedings until the Oneida matter is finally determined; now therefore be it

RESOLVED, that the tax foreclosure proceeding against parcels commonly known as tax map no. 141.17-1-37, located on South Street in the Village of Union Springs and tax map no. 150.00-1-2.1 located on State Route 90 in the Town of Springport is hereby withdrawn and discontinued, without prejudice to either party, and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature and the Cayuga County Treasurer are hereby authorized and directed to execute any and all documents required to implement the intent of this resolution.

Signed by Palermo, Axton, Cuddeback, Mills, Petrus, Mahunik, all in favor, except Mills voting no.

RESOLUTION NO. 73-10

(2.23.10) coaNYSNURSESCTAPP10rev

APPROVING THREE-YEAR AGREEMENT BETWEEN THE COUNTY OF CAYUGA AND THE NEW YORK STATE NURSES ASSOCIATION.

BY: Hon. Christopher Palermo , Chairman, Ways & Means Committee.

WHEREAS, the County of Cayuga and the New York State Nurses Association reached a tentative three-year agreement, subject to ratification by the Association's membership and to approval by the Cayuga County Legislature, said agreement being summarized on the attachment to this resolution; and

WHEREAS, the Association's membership ratified said three-year agreement, for the years 2009, 2010, and 2011, on February 15, 2010; now, therefore, be it

RESOLVED, that the County of Cayuga hereby approves the said tentative three-year agreement between the County of Cayuga and the New York State Nurses Association and hereby authorizes and directs the Chairman of the County Legislature to sign said agreement on behalf of the County.

Signed by Palermo, Axton, Cuddeback, Mahunik, Mills, Petrus, all in favor.

RESOLUTION NO. 74-10

2/23/10 TREauditsvscrev

AWARD THE PROPOSALS FOR VARIOUS COUNTY AUDITING AND ACCOUNTING SERVICES

BY: Mr. Christopher Palermo, Ways and Means Committee

WHEREAS, Cayuga County is in need of auditing and accounting services, namely, Preparation of Cayuga County's Single Audit Report, and

WHEREAS, Resolution No. 668-09 authorized the Clerk of the Cayuga County Legislature to seek sealed Requests for Proposals for auditing and accounting services; and

WHEREAS, request for proposals were solicited and have been received (bid summary attached); and

WHEREAS, the Auditing Services Selection Committee has reviewed the proposals in order to determine qualified providers of the services at a reasonable cost to the County; and

WHEREAS, the Selection Committee's recommendations are as follows:

The Bonadio Group for year 2009 - \$47,000, for year 2010 - \$48,400
and for year 2011 - \$49,850

WHEREAS, the Selection Committee believes that this provider will provide the best service to the County, now, therefore, be it

RESOLVED, that the Chairman of the Legislature be authorized to enter into a contract with Bonadio Group at the amounts listed above.

Moved by Palermo, 2nd by Cuddeback.

Signed by Palermo, Axton, Cuddeback, Mahunik, Petrus, all in favor.

RESOLUTION NO. 75-10

(February 23, 2010) HD Advertise for Bids Transport PHC

**AUTHORIZING THE CLERK OF THE LEGISLATURE TO ADVERTISE FOR
BIDS FOR PROVIDING TRANSPORTATION FOR PHYSICALLY
HANDICAPPED CHILDREN**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, it is necessary for the County of Cayuga to advertise for sealed bids for the purpose of providing transportation for physically handicapped children to and from various school sites in the County; NOW, THEREFORE BE IT

RESOLVED, that the Clerk of the Legislature be authorized and directed to advertise for sealed bids for providing transportation for physically handicapped children to and from various school sites in the County.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, Petrus, all in favor.

RESOLUTION NO. 76-10

(February 23, 2010) HD Create & Fill EI Serv Coordinator 2010(Revised)

**AUTHORIZATION TO CREATE AND FILL ONE EARLY INTERVENTION
SERVICES COORDINATOR POSITION AND ABOLISH
ONE RN POSITION IN PUBLIC HEALTH**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Department has the responsibility to administer the NYS Early Intervention Program serving children birth to three years old who have a documented developmental delay; and

WHEREAS, part of the administrative responsibility is to provide service coordination to children and families referred to this program; and

WHEREAS, in the past the Department has used RN positions to carry out this responsibility and now wants to move to the Early Intervention Services Coordinator title; NOW, THEREFORE, BE IT

RESOLVED, that the County Legislature be authorized to create one (1) Early Intervention Service Coordinator position, added to Part I of the CSEA County Compensation Plan within the Public Health Division at a grade 18 at the following salary range:

Probation	1st Step	2nd Step	3rd Step	4th Step
\$36,083	\$36,433	\$37,889	\$39,342	\$40,799

and be it further

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill provisionally the one newly created Early Intervention Services Coordinator position in a manner consistent with the rules and regulations of the Cayuga County Civil Service Commission and the policies of the County of Cayuga; and be it also

RESOLVED, that upon provisionally filling the Early Intervention Service Coordinator position, one registered nurse position (control #002065) in Public Health will be abolished effective March 8, 2010.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, Petrus, all in favor.

RESOLUTION NO. 77-10

(February 23, 2010) HD CHHA LTHHCP 2010 Rates

AUTHORIZING THE CAYUGA COUNTY LEGISLATURE TO ESTABLISH THE 2010 BILLING RATES FOR THE COUNTY’S CERTIFIED HOME HEALTH AGENCY (CHHA) AND LONG TERM HOME HEALTH CARE PROGRAM (LTHHCP)

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, each patient admitted to the agency must be given information on “agency per visit charges,” and

WHEREAS based on the agency cost report, our independent accounting firm recommends appropriate rates be established and approved by the County reflective of our costs; and

WHEREAS, these rates have been recommended by the Board of Health to the County Legislature; NOW, THEREFORE, BE IT

RESOLVED, that the following 2010 rates be established:

CHHA/LTHHC:

Skilled Nursing	\$155/Visit
Physical Therapy	\$120/Visit
Speech Pathology	\$120/Visit
Occupational Therapy	\$120/Visit
Medical Social Services	\$120/Visit
Home Health Aide	\$100/Visit; \$50/Hour

and it was further recommended that the rates for Personal Care Aide, Housekeeper, Homemaker, Nutrition, Respiratory Therapy and Audiology for the LTHHCP be adjusted to the Agency Medicaid Rates established for 2010 by the NYS Department of Health.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, Petrus, all in favor.

RESOLUTION NO. 78-10

**(Feb. 23, 2010) HS Cayuga/Seneca Non-Residential DVS
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW THE
CONTRACT WITH CAYUGA/SENECA COMMUNITY ACTION AGENCY, INC.
FOR THE PROVISION OF NON-RESIDENTIAL
DOMESTIC VIOLENCE SERVICES**

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

Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Health & Human Services Department is required to provide non-residential domestic violence services to the people of Cayuga County; and

WHEREAS, Cayuga County Health & Human Services Department has successfully contracted in the past with Cayuga/Seneca Community Action Agency, Inc. for the provision of these services; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to renew the contract with Cayuga/Seneca Community Action, Inc. to provide non-residential domestic violence services for the period 1/1/10 through 12/31/10 at a cost of \$81,960; and be it further

RESOLVED, that payment for these services be from account #A60704 - 54182 of the 2010 Human Services Budget.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, Petrus, all in favor.

RESOLUTION NO. 79-10

**(February 23, 2010) HS Cayuga/Seneca Residential DVS 2010
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW THE
CONTRACT WITH CAYUGA/SENECA COMMUNITY ACTION AGENCY, INC.
FOR THE PROVISION OF RESIDENTIAL DOMESTIC VIOLENCE SERVICES**

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

Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Health & Human Services Department is required to provide residential domestic violence services to the people of Cayuga County; and

WHEREAS, Cayuga County Health & Human Services Department has successfully contracted in the past with Cayuga/Seneca Community Action Agency, Inc. for the provision of these services; and

WHEREAS, the NYS Department of Social Services establishes the residential per diem rate; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to renew the contract with Cayuga/Seneca Community Action Agency, Inc. to provide residential domestic violence services for the period 1/1/10 through 12/31/10 at a per diem rate set by the State; and be it further

RESOLVED, that payment of these services be paid from account #A61094 - 54000 of the 2010 Human Services Budget.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, Petrus, all in favor.

RESOLUTION NO. 80-10

**(February 23, 2010) HS Unity House Congregate Care
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A
CONTRACT WITH UNITY HOUSE FOR THE PROVISION OF
CONGREGATE CARE**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Human Services Division of Health & Human Services has the need to provide supportive housing arrangements for pregnant and post-partum women who are recovering from chemical dependency and are public assistance eligible; and

WHEREAS, Human Services has successfully contracted with Unity House in the past to provide 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 Unity House for the time period of January 1, 2010 through December 31, 2010 at the State set rate; and be it further

RESOLVED, that the charges for these services be paid from account #A61094 - 54000 of the 2010 Human Services Budget.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, Petrus, all in favor.

RESOLUTION NO. 81-10

**(February 23, 2010) HS Hillside Detention Bed 2010
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A
CONTRACT WITH HILLSIDE CHILDREN'S CENTER TO RESERVE ONE
NON-SECURE DETENTION BED FOR THE PERIOD OF
JANUARY 1, 2010 – DECEMBER 31, 2010**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Department of Health & Human Services is required to provide detention services for county residents remanded by the courts; and

WHEREAS, it is the desire of the Department to enter into a contract with Hillside Children's Center to ensure we have access to a local non-secure detention bed; 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 Hillside Children's Center in the amount of \$102,793 to reserve one non-secure detention bed for the period of January 1, 2010 to December 31, 2010.

RESOLVED, that payment for these services will be from Account #A61234 54000 of the 2010 Human Services Budget.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, Petrus, all in favor.

RESOLUTION NO. 82-10**(February 23, 2010) HS Chapel House 2010****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW THE CONTRACT WITH CHAPEL HOUSE (TEMPORARY HOMELESS SHELTER)**

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

Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, Chapel House opened a facility that offers 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 January 1, 2010 through December 31, 2010 at a rate of \$25/day, per person, and the family rate is established as \$30 a night for up to 3; \$40 a night for 4 or more per bed night for a temporary stay; after 30 days, the basic shelter allowance will be paid; and be it further

RESOLVED, that these expenditures will be paid out of account #6140 of the Human Services Budget.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, Petrus, all in favor.

RESOLUTION NO. 83-10**(February 23, 2010) HS Lab Corp Contract****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH LABORATORY CORPORATION OF AMERICA ® HOLDINGS (AKA LAB CORP) FOR THE PROVISION OF PARENTAGE TESTING FOR THE CHILD SUPPORT ENFORCEMENT UNIT OF HUMAN SERVICES**

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

Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, Lab Corp is engaged in the business of providing parentage testing services. Their services include genetic parentage testing services, specimen collection and consultation; and

WHEREAS, the Child Support Enforcement Unit (CSU) needs the services of a lab so that paternity can be established and a support petition can be prepared; and

WHEREAS, Lab Corp under the terms of a 5-year contract will offer the County an initial rate of \$50 per person for a DNA test battery instead of the \$60 per person cost outside of a contract; and

WHEREAS, these costs are reimbursed at 66% Federal and 17% State with a 17% local share; NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services enter into a contract with Laboratory Corporation of America ® Holdings for the provision of parentage testing for the CSU of Human Services for the period February 1, 2010 to January 31, 2015 at the rate of \$50 per person or \$150 per family; and be it further

RESOLVED, that expenses for these services be paid from Account #60104 54042 of the Human Services Budget

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, Petrus, all in favor.

RESOLUTION NO. 84-10

(February 23, 2010) HS Fill Sr. Computer Specialist

TO AUTHORIZE THE DIRECTOR OF HEALTH & HUMAN SERVICES TO PROVISIONALLY FILL A SR. COMPUTER SPECIALIST POSITION IN HUMAN SERVICES

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

Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, a Sr. Computer Specialist, Grade 28, in the Human Services Department resigned effective November 2, 2009; and

WHEREAS, the incumbent essentially supervised the IT staff of the Department as well as performed services to support the Human Services network; and

WHEREAS, a Computer Systems Technician (Grade 25) has assumed the Sr. Computer Specialist's responsibilities, and in accordance with the CSEA contract has been compensated for that work; and

WHEREAS, we are now requesting to provisionally appoint this Computer Systems Technician (control #004171) to Sr. Computer Specialist (control #004044) and leave the position vacated unfilled; and

WHEREAS, by not filling the vacated position in Human Services at this time, the computer specialist in Health will be able to be transferred once the CHHA transitions avoiding a lay-off; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized and directed to appoint the Computer Systems Technician, provisionally, to Sr. Computer Specialist (Control # 004044), Grade 28, in the Human Services Department in accordance with Civil Services Rules and Regulations and the policies of the County of Cayuga.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, Petrus, all in favor.

RESOLUTION NO. 85-10**(February 23, 2010) HS ICS3 Supplemental Funds 2010****AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ACCEPT ADDITIONAL FEDERAL FUNDING AND RENEW OUR CONTRACT WITH CATHOLIC CHARITIES FOR CONTINUED INTENSIVE CASE SERVICES AND DIRECT THE CAYUGA COUNTY TREASURER TO AMEND THE 2010 HUMAN SERVICES BUDGET**

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

Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Human Services Department has received additional federal funding to provide Intensive Case Services for non-compliant families in receipt of Public Assistance; and

WHEREAS, these funds will be used to assist sanctioned and at-risk families overcome barriers so that they can become engaged in appropriate work activities; and

WHEREAS, the funds being accepted are 100% Federal and are for the period January 1, 2010 – December 31, 2010 with the final claims being submitted by February 15, 2011; NOW, THEREFORE, BE IT

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the following 2010 budget adjustments:

Account	Increase
A60604 54000 TANF Services	\$33,929
A60600 44660 Federal Aide TANF	\$33,929

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; and be it also

RESOLVED, that the Director of Health & Human Services and the Chairman of the Cayuga County Legislature be authorized to enter into a contract with Catholic Charities to implement this grant.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, Petrus, all in favor.

RESOLUTION NO 86-10**1/26/10 MHBudAdjEquip2.10rev****AMENDING THE 2010 MENTAL HEALTH BUDGET FOR UNEXPENDED 2009 FUNDS**

BY: Ms. Ann R. Petrus, Chair, Health and Human Services Committee, and

Mr. Christopher M. Palermo, Chair, Ways and Means Committee.

WHEREAS, the Mental Health Department billing system operates on the county's AS400 computer; and

WHEREAS, the Mental Health Department has been notified that the county will not be continuing to support the AS400, therefore, a new billing system must be purchased and implemented; and

WHEREAS, funds for this purchase were included in the approved 2009 mental health budget; and

WHEREAS, due to the magnitude and technical nature of this project it was necessary to engage a qualified consultant to evaluate the department's software needs and to prepare the appropriate Request for Proposal; and

WHEREAS, due to the lengthy process involved, the selection was not made within the 2009 budget year; and

WHEREAS, the unspent funds that were budgeted in the 2009 budget will revert to the general fund balance at the end of 2009; and

WHEREAS, in order to proceed with the purchase of this software in 2010, funds must be allocated to the 2010 County budget; now, therefore, be it

RESOLVED, that the sum of \$130,250.00 be transferred from the general fund balance, Account No. A0019090, into Account No. A43102-52000 in the 2010 budget; and be it further

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

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, Petrus, all in favor.

RESOLUTION NO. 87-10

DATE: 02/23/10 OFAcontractsFeb10

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF THE OFFICE FOR THE AGING TO SIGN A CONTRACT WITH THE TRANSPORTATION PROJECT FOR CAYUGA COUNTY, INC. FOR TITLE IIIB TRANSPORTATION SERVICES.

BY: Ann Petrus, Chair of the Health & Human Services Committee, and Chris Palermo, Chair of the Ways and Means Committee.

WHEREAS, appropriations were approved in the Cayuga County budget for the year 2010 for various subcontractors (Munis A67724 54118) for the Cayuga County Office for the Aging, in return for which these subcontractors agree to perform certain services for the benefit of Senior Citizens of Cayuga County; 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 sign on behalf of the County, a contract for said services with the following subcontractor:

Transportation Project for Cayuga County, Inc. (SCAT Van) for Title IIIB Transportation Services \$8000

And be it further

RESOLVED, that the Office for the Aging is authorized to continue its contract with the above contractor for the period of January 1, 2010 through December 31, 2010.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, Petrus, all in favor.

RESOLUTION NO. 88-10

Date of Meeting: 2/23/10 nhaptdrs

AUTHORIZING THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ACCEPT A PROPOSAL FOR REPLACEMENT OF EXTERIOR DOORS AT THE NURSING HOME.

BY: Ann Petrus, Chairman, Health & Human Services Committee Christopher Palermo, Chairman, Ways & Means Committee

WHEREAS, two exterior doors at the Nursing Home need replacement, and

WHEREAS, the Administrator of the Nursing Home sent out proposals to regional firms; and,

WHEREAS, three (3) firms responded with proposals; and,

WHEREAS, the following proposals were received:

CNY Commercial Door Systems for \$3,800;

Mid-State Door for \$ 3,988; and,

Welch Construction for \$ 6,150; and

WHEREAS, a comparison was made of the proposals considering the quality of the products, installation and disposal; and

WHEREAS, the proposal submitted by CNY Commercial Door Systems contains all of the elements anticipated in the specifications; now therefore be it,

RESOLVED, that the proposal be awarded to CNY Commercial Door systems for \$ 3,800 (Three thousand eight hundred dollars).

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Cuddeback, Petrus, all in favor.

RESOLUTION NO. 89-10

2.23.10 coamoanysnarev

AUTHORIZING THE COUNTY MANAGER, THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO SIGN A “MEMORANDUM OF AGREEMENT” WITH NYSNA

BY: Hon. Ann Petrus, Chairperson of the Health & Human Service Committee

Hon. Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, a “Memorandum of Agreement” has been drawn up in the matter of the transfer of the Certificate of Need for the Cayuga County Home Health Agency and Long Term Home Care Program which directly impacts upon employment relationship between the County of Cayuga, the Cayuga County Department of Health and 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 Retention Incentive Bonus and Severance Package” between Cayuga County NYSNA.

Moved by Petrus, 2nd by Cuddeback.

Signed by Petrus, Axton, Mahunik, Mills, Palermo, Cuddeback, Petrus, all in favor.

RESOLUTION NO. 90-10

February 23, 2010 BOEMACHINES –LeverMachines10 rev AUTHORIZING THE BOARD OF ELECTIONS TO DISPOSE OF SURPLUS LEVER VOTING MACHINES.

BY: Mr. Fearon, Chair, Government Operations Committee, and

Mr. Palermo, Chair, Ways & Means Committee

WHEREAS, On October 7, 2008, the Cayuga County Government Operations committee passed a motion declaring lever voting machines as surplus pursuant to the procurement and implementation of electronic voting machines in Cayuga County; and,

WHEREAS, the New York State Board of Elections has indicated that counties may discontinue using lever voting machines if they meet the following criteria: 1) sufficient

replacement machines are in its possession; 2) the board has the ability to program the new systems through the EMS software; 3) the board has trained its custodians and election inspectors; and 4) the board has a voter education system in place; and,

WHEREAS, the Cayuga County Board of Elections has met these requirements; now therefore, be it

RESOLVED, that the Cayuga County Board of Elections is hereby authorized to dispose of all lever voting machines through a process to be determined by the Election Commissioners; and be it further

RESOLVED, that any monies received as a result of the disposal will be delivered to the Cayuga County treasurer for inclusion in the General Fund..

Signed by Aikman, Barski, Chapman, Palermo, Axton, Cuddeback, Petrus, all in favor.

RESOLUTION NO. 91-10

2/23/10 purawardjournal

AUTHORIZING THE AWARD FOR THE PRINTING OF THE 2003 LEGISLATIVE JOURNAL OF PROCEEDINGS

By: Hon. George Fearon, Chair, Government Operations

Hon. Chris Palermo, Chair, Ways and Means

WHEREAS, the Clerk of the Legislature advertised and received sealed bids for the printing of the 2003 Legislative Journal of Proceedings; and

WHEREAS, several bids were sent to various printing firms and only one bid was received; now therefore be it

RESOLVED, that the Cayuga County Legislature award the bid to Two Brothers Printing in Moravia for an amount not to exceed \$3400.00; and be it further

RESOLVED, an amount not to exceed \$3400.00 to Two Brothers Printing be paid through the monthly audit from account A10104 54057 (Printing of Official Documents).

Signed by Aikman, Barski, Chapman, Palermo, Axton, Cuddeback, Petrus, all in favor.

RESOLUTION NO. 92-10

(2/23/10) COMtransfer

AUTHORIZING THE TRANSFER OF FUNDS IN THE COUNTY MANAGER’S BUDGET

BY: Hon. George Fearon, Chairman Government Operations Committee

WHEREAS, on October 13, 2010, the Legislature adopted Resolution No. 535-09 “Authorizing the Hiring of an Acting County Manager, Setting Salary and Providing Funding and Authorizing the Transfer of Monies”; and

WHEREAS, the signed contract with the Acting County Manager indicates that this position receives compensation for travel; and

WHEREAS, there were sufficient funds in the County Manager’s 2009 Budget to reimburse compensation for travel; however, no funding was budgeted in the 2010 Budget; now, therefore be it

RESOLVED, that the County Treasurer be authorized and directed to transfer funds in the following manner:

Account #'s	Increase	Decrease
A12301-51001 (Personal Services)		
Position #6293 (County Manager)		\$2,400.00
A12304-54112 (Mileage Reimbursement)	\$2,400.00	

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 same.

Signed by Aikman, Barski, Chapman, Palermo, all in favor.

RESOLUTION NO. 93-10

2-23-10 COA-falseclaimsand whistleblers.

ESTABLISHING POLICY AND PROCEDURES FOR COMPLIANCE WITH 42 USC 139A(A)(68), FALSE CLAIMS AND WHISTLE BLOWER PROTECTIONS

BY: Mr. George Fearon, Government Operations Committee

Mr. Christopher Palermo, Chairperson, Ways & Means Committee

WHEREAS, § 6032 OF 109 P.L. (42 USCA § 1396a (a) (68) (a) - (c)) (hereafter the "Deficit Reduction Act of 2005" or "DRA") requires compliance with DRA requirements from any private or public entity receiving or making annual payments under the State Medicaid plan of at least \$5,000,000 ("Entity"); and

WHEREAS, the DRA requires each Entity to establish written policies regarding the false claims laws and whistleblower protections, which policies' shall provide for detecting and preventing fraud, waste and abuse, and which policies must be distributed, included in relevant employee handbooks and/or made available to all employees, contractors and agents; and

WHEREAS, each Entity in New York must annually certify to the State Office of the Medicaid Inspector General that it is and remains compliant with DRA requirements; and

WHEREAS, the County of Cayuga (the "County") must comply with DRA requirements as the County through the activities of its various departments receives amounts and makes payments under the State Medicaid plan in excess of \$5,000,000 each year and shall continue to do so into the foreseeable future; now that for be it

RESOLVED, the attached Policies and Procedures concerning false claims and whistleblower protections, attached here to, be and are adopted and apply to the entire County; and be it further

RESOLVED, that each head of each County department shall be responsible for educating all employees of his/her respective department, and any contractors, vendors, agents or assigns with access to information concerning County Medicaid transactions, of this Executive Order and the attached Policies and Procedures by directing those individuals to the designated County intranet or internet site, by providing a paper copy of such or by any other manner of professional communication, and a representative of each County department must certify to the County Compliance Officer, described below, that such information has been distributed to all appropriate individuals; and any new employee of the County shall receive the attached Policies and Procedures a paper copy or by being directed to the appropriate internet or intranet site, and that all County employee handbooks shall be updated to include the attached Policies and Procedures.

Signed by Aikman, Barski, Chapman, Palermo, Axton, Cuddeback, Petrus, all in favor.

RESOLUTION NO. 94-10

2.23.10 coatrrrststrl

RESOLUTION OF THE CAYUGA COUNTY LEGISLATURE EXPRESSING ITS FERVENT AND STEADFAST OPPOSITION TO HOLDING THE TRIAL OF THE ALLEGED SEPTEMBER 11, 2001 TERRORISTS ANYWHERE WITHIN NEW YORK STATE AND URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES ATTORNEY GENERAL TO DESIGNATE THE PLACE OF TRIAL OUTSIDE THE STATE OF NEW YORK.

BY: Hon. George Fearon, Chairman, Government Operations
Hon. Christopher Palermo, Chairman, Ways and Means

WHEREAS, The United States Government intends to prosecute the alleged terrorists responsible for the horrific murders of thousands of innocent citizens on September 11, 2001 as civilians in the civil courts of the United States; and

WHEREAS, the City of New York has initially been designated by the United States Attorney General as place of trial for these alleged terrorist at the United States courthouse for the Southern District of New York; and

WHEREAS, the Mayor of the City of New York and others have objected to holding the trial of these alleged terrorist in the City of New York citing, among other concerns, the safety and security of the residents of the City; and

WHEREAS, President Obama has directed the United States Attorney General Eric H. Holder Jr., to consider alternative locations of the trial of these alleged terrorists outside the City of New York; and

WHEREAS, references have been made through various sources to three potential, alternative locations in the County of Orange, including the U.S. Military Academy at West Point, Stewart Air Force Base and the Federal Penitentiary in Otisville New York, as suitable sites for conducting the trial of international terrorist responsible for the worst mass murder in the history of the United States, thereby attracting to the County of Orange not only the attention of the world, but that of international terrorist organizations worldwide whose mission is the destruction of the United States and the cold-blooded murder of its innocent civilians; and

WHEREAS, forty-four innocent citizens of Orange County, New York lost their lives at the hands of these alleged terrorists and murders and hundreds of family members and friends of these lost heroes reside in Orange County; and

WHEREAS, the wounds of 9-11 are still too fresh and too deep and the people of Orange County have already borne the effects of that most horrific day and should not be victimized again; and

WHEREAS, there is no federal courthouse in the County of Orange, and no suitable location for holding this trial at any facility in the County of Orange that does not place at great and unacceptable risk the lives and safety of the citizens of Orange County;

WHEREAS, bringing the trial of these alleged terrorists to Orange County threaten the safety and security of Orange County residents and our neighborhoods, and placed them at great peril, and presents an unacceptable, clear and present danger to all of our residents; NOW, therefore, it is hereby

RESOLVED:

1. That on behalf of the residents of the County of Cayuga, the Cayuga County Legislature fervently express its steadfast and unwavering opposition to holding the trial of the alleged September 11, 2001 terrorists anywhere within the State of New York.

2. That the Cayuga County Legislature urges and calls upon, in the strongest terms possible, the President of the United States and Attorney General Holder to exercise all of their power and authority under the laws of the United States to try these alleged terrorists outside of the State of New York.

3. The Clerk of the Cayuga County Legislature is hereby authorized and directed to send a certified copy of this resolution to President Barack H. Obama, President of the United States, the Hon. Eric H. Holder Jr., Attorney General of the United States, to the Hon. Charles Schumer, U.S. Senator, the Hon. Kirsten E. Gillebrand, U.S. Senator, United States Representatives Dan Maffei and Michael Arcuri, and to each member of State Senate and Assembly whose districts include all or part of Cayuga County so that they may be apprised of the sentiment of the County of Cayuga and this Legislative body and take appropriate action to keep the trial of this matter outside the State of New York. Signed by Chapman, Lattimore, Palermo, Cuddeback, Mahunik, Petrus, all in favor.

RESOLUTION NO. 95-10

(02/23/10) etkkatting

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE
TO SIGN AN AGREEMENT WITH CARL LATTING TO SPEAK AT CAYUGA
WORKS CAREER CENTER'S YOUTH LEADERSHIP FORUM**

BY: Roger Mills, Chairperson, Planning & Economic Development Committee
Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, Cayuga County Employment & Training Department is sponsoring a Youth Leadership Forum on April 8, 2010; and

WHEREAS, Cayuga County Employment & Training Department wants to contract with Carl Latting to be the Plenary Speaker for this Youth Leadership Forum; and

WHEREAS, The Cayuga County Employment & Training Department has funds from various foundations available in the amount of \$2,900.00, Acct # CD63704 54118, to pay for the Plenary Speaker, therefore, be it

RESOLVED, that the Chairman of the County Legislature is authorized to sign an agreement with Carl Latting to be the Plenary Speaker at Cayuga Works Career Center's Youth Leadership Forum on April 8, 2010; 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 Mills, Aikman, Mahunik, Lattimore, Pinckney, Sincebaugh, Palermo, Axton, Cuddeback, Mills, Petrus, all in favor.

RESOLUTION NO. 96-10

February 23, 2010 planHHWGRANT10

**AUTHORIZING THE FILING OF AN APPLICATION FOR STATE
ASSISTANCE FROM THE HOUSEHOLD HAZARDOUS WASTE (HHW)
STATE ASSISTANCE PROGRAM AND SIGNING OF THE ASSOCIATED
STATE CONTRACT, UNDER THE APPROPRIATE
LAWS OF NEW YORK STATE.**

BY: Roger A. Mills, Chair, Planning & Economic Development Committee
Christopher Palermo, Chair, Ways & Means Committee

WHEREAS, the State of New York provides financial aid for household hazardous waste programs; and

WHEREAS, the County of Cayuga, herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Aid;

NOW, THEREFORE, BE IT RESOLVED by the Legislature of the County of Cayuga

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized;

2. That the Chairman of the Legislature or his designee is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the STATE;

3. That the MUNICIPALITY agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the STATE for the STATE share of such costs and \$48,000 has been properly budgeted for by the Cayuga County Planning and Economic Development Department (FY 2010 Special Programs Account 80204-54164) to be utilized for this purpose;

4. That five (5) Certified Copies of this Resolution be prepared and sent to the NYSDEC together with a complete application;

5. That this resolution shall take effect immediately;

6. That the Chairman of the 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;

7. That the County Treasurer is hereby authorized to make the journal and accounting entries necessary to accomplish the same.

Signed by Mills, Aikman, Mahunik, Pinckney, Sincebaugh, Palermo, Axton, Cuddeback, Mills, Petrus, all in favor.

RESOLUTION NO. 97-10

February 23, 2010 MERBFCAPHrev5

**AUTHORIZATION TO ESTABLISH CAPITAL “H” PROJECT No. 10-01
(MERIDIAN ENVIRONMENTAL RESTORATION PROJECT) FOR THE
MERIDIAN ENVIRONMENTAL RESTORATION PROJECT AND
AUTHORIZING THE TRANSFER OF FUNDS.**

WHEREAS, Cayuga County foreclosed on the site of a former gasoline service station in the Village of Meridian via a Treasurer’s Tax Deed dated April 14, 2000; and

WHEREAS, in August of 2000, Cayuga County Planning Department personnel were asked to confirm if the Village’s 1999 clean-up after a gas station fire had addressed all of the possible environmental issues at the site; and

WHEREAS, Cayuga County Planning Department personnel performed and coordinated a two phase Environmental Site Assessment process concluded in April 2001, which uncovered one unclosed underground tank as well as potential petroleum and lead contamination; and

WHEREAS, Cayuga County pursued various grant opportunities resulting in funding through the Clean Water/Clean Air Bond Act on June 3, 2003; and

WHEREAS, Cayuga County completed a procurement process for environmental engineering services, concluding with the hiring of C&S Engineers by Resolution 253-04, adopted May 25, 2004; and

WHEREAS, Cayuga County Planning coordinated with New York State Department of Transportation (NYSDOT) during NYSDOT's Route 370 improvements, which included the negotiation of drainage easements through the site, and the NYSDOT project encountered no major contamination along the north and west property lines, but discovered a second unclosed underground tank; and

WHEREAS, Cayuga County's fully executed State Aid Contract was received from New York State for Clean Water/Clean Air Bond Act funding via an Environmental Restoration Program Grant on March 26, 2009; and

WHEREAS, the project cost is currently estimated at \$135,000 and the State Aid Contract reimbursement rate has been set at 90%; and the remaining 10% will be in-kind personnel and trucking services, all with a start date of June 1, 2008; and

WHEREAS, New York State Department of Environmental Conservation approved Cayuga County's Remedial Investigation/Alternatives Analysis Work Plan (RI/AAWP) and New York State Department of Health approved the same work plan on December 16, 2009; and

WHEREAS, this site investigation is anticipated to include interim remedial activities which should remove all known contamination; and

WHEREAS, the site investigation and interim remedial activities are finally poised to begin and a mechanism needs to be created to pay for these activities and accept reimbursements; 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. 10-01 (Meridian environmental restoration Project) in an amount not to exceed \$135,000.00 source of funding to be by a transfer from the General Fund in the amount of \$121,500.00, and \$13,500.00 from County personnel and equipment in-kind services; and be it further

RESOLVED, that Account No. A99005-54606, Transfer to Capital Fund, be increased by the sum of \$121,500, and Contingency Account, Account No. A10164-54000 be decreased by the sum of \$121,500.00; and be it further

RESOLVED, the Chairman is authorized and directed to execute agreements needed to implement this project, subject to the review and approval of the County Attorney; and

RESOLVED, that the County Environmental Engineer is designated the County's project manager for technical details and administration so long as the project stays within the project budget; and

RESOLVED, that upon receipt of project reimbursement funds from the State Aid Contract, these funds will be transferred back to the General Fund; and

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

Signed by Mills, Lattimore, Mahunik, Pinckney, Axton, Cuddeback, Petrus, all in favor.

RESOLUTION NO 98-10

February 23, 2010 PB_FLA_Cntrct_2009_FLOWPA Funds

AUTHORIZING THE SIGNING OF A CONTRACT WITH THE FINGER LAKES ASSOCIATION FOR THE TRANSFER OF NYSDEC FUNDING FOR THE FINGER LAKES-LAKE ONTARIO WATERSHED PROTECTION ALLIANCE, FISCAL YEAR 2008 - 2009

BY: Chair, Planning and Economic Development Committee
Chair, Ways and Means Committee

WHEREAS, Cayuga County is one of the twenty-five (25) entities currently contracting with NYS Department of Environmental Conservation (NYSDEC) for funding from the "Aid to Localities-FingerLakes-Lake Ontario Watershed Protection Alliance" (FLOWPA) portion of the New York State Budget; and

WHEREAS, NYSDEC has agreed to transfer funding for the twenty-five (25) entities to the Finger Lakes Association (FLA) via a single contract between NYSDEC and FLA; and

WHEREAS, the County of Cayuga is eligible to receive up to \$85,000.00 in FLOWPA funding through the FLA which will be used to enhance, protect and preserve Cayuga County's water resources; now, therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute the required contract between Cayuga County and the FLA to allow transfer of funding to Cayuga County from the FLA as specified in said contract; and to act as the official representative of Cayuga County in connection with any and all contracts between Cayuga County and the FLA for such funds; and be it further

RESOLVED, that a signed, certified copy of this resolution be submitted to the Finger Lakes Association along with said contract.

Signed by Mills, Aikman, Mahunik, Lattimore, Pinckney, Sincebaugh, Palermo, Axton, Cuddeback, Mills, Petrus, all in favor.

RESOLUTION NO. 99-10

February 23, 2010 PB FLOWPAGSFUND_rev2

AUTHORIZING THE EXECUTION OF A ONE YEAR OPERATIONS CONTRACT WITH THE UNITED STATES GEOLOGIC SURVEY FOR OPERATION AND MAINTENANCE OF A SATELLITE LINKED FLOW GAGING STATION ON THE OWASCO INLET TO MONITOR WATER QUALITY IN OWASCO LAKE.

WHEREAS, the water quality of Owasco Lake is important to Cayuga County and its residents; and

WHEREAS, the Owasco Lake Watershed Management Plan recommended that the water quality of Owasco Lake and its tributaries be monitored; and

WHEREAS, the Cayuga County Water Quality Management Agency (WQMA) unanimously approved a WQMA resolution on February 4, 2010 supporting the continued funding and operations of the gage station; and

WHEREAS, Cayuga County Planning Department has monitored the Owasco Inlet since the late 1980's through a flow gage station and sampling program; and

WHEREAS, Cayuga County Planning Department had the opportunity to have the United States Geologic Survey (USGS) upgrade the flow gage station on the Owasco

Inlet, which was reaching the end of its useful life, to a satellite linked continuous discharge gaging station utilizing Finger Lakes-Lake Ontario Watershed Protection Alliance (FOLLOWPA) grant funds; and

WHEREAS, the funds to operate and maintain the upgraded gaging station is to be taken yearly from the County's annual FOLLOWPA grant funds; and

WHEREAS, Cayuga County Planning and the County Chairman signed a Joint Funding Agreement with the USGS to construct and operate and maintain a continuous gage station on the Owasco Inlet until September 30, 2009; and

WHEREAS, Cayuga County Planning utilized SFY07-08 FOLLOWPA grant funds to have the United States Geologic Survey (USGS) construct the gaging station on the Owasco Inlet; and

WHEREAS, the County of Cayuga is eligible to receive up to \$85,000.00 in FOLLOWPA funding for SFY08-09; and

WHEREAS, Cayuga County Planning planned to utilize a portion of the FOLLOWPA SFY08-09 funds to pay for the operations and maintenance of the gaging station to September 30, 2009; and

WHEREAS, only 22% of the promised FOLLOWPA SFY08-09 funding had been released as of December 21, 2009; and

WHEREAS, Cayuga County Planning Department had to utilize their own budget funds to pay for the operations and maintenance of the gaging station to September 30, 2009; and

WHEREAS, the USGS wants the Planning Department to sign a new Joint Funding Agreement for the operations and maintenance of the gage station from October 1, 2009 to September 30, 2010 at a total of \$14,350; and

WHEREAS, Cayuga County Planning Department planned on utilizing SFY09-10 FOLLOWPA funds to pay for the operations and maintenance of the gaging station from October 1, 2009 until September 30, 2010; and

WHEREAS, it is not known at this point when further FOLLOWPA grant funds will be available to the County; and

WHEREAS, Cayuga County wishes to implement the operations of the gaging station under the one-year contract with USGS; now therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized and directed to execute any and all contract documents needed to complete the operations contract for the USGS gaging station; and be it further

RESOLVED, that the Cayuga County Treasurer to authorized to make the journal entries appropriate and necessary to implement this resolution.

Signed by Mills, Lattimore, Mahunik, Pinckney, Axton, Cuddeback, all in favor.

RESOLUTION NO. 100-10

(2/23/10) P&Tticketboothroof 2 10

AUTHORIZING THE CAYUGA COUNTY PARKS AND TRAILS DEPARTMENT TO REPLACE THE TICKET BOOTH ROOF

BY: David R. Axton, Chairperson, Public Works

Christopher Palermo, Chairperson, Ways & Means Committee

WHEREAS, The Emerson Park ticket booth roof is approximately 28 years old and is likely the original roof; and

WHEREAS, the roof is showing signs of deterioration and needs to be replaced; and

WHEREAS, the Cayuga County Legislature recognized the need for replacement of the roof and in doing so included funding in the 2010 Parks and Trails budget for said purpose; now therefore be it

RESOLVED, that the Cayuga County Parks and Trails Department is authorized to replace the ticket booth roof for a cost not to exceed \$3,581.00 as budgeted in the 2010 Parks and Trails budget account # A71102-5200; 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, Barski, Chapman, Cuddeback, Lattimore, Pinckney, Palermo, Mills, Petrus, all in favor.

RESOLUTION NO. 101-10

(2/23/10) P&Tbathhouse roof 2 10

**AUTHORIZING THE CAYUGA COUNTY PARKS AND TRAILS DEPARTMENT
TO REPLACE THE ISLAND BATHHOUSE ROOF**

BY: David R. Axton, Chairperson, Public Works

Christopher Palermo, Chairperson, Ways & Means Committee

WHEREAS, The Emerson Park island bathhouse was built in 1984 and the existing roof is the original; and

WHEREAS, the roof is showing signs of deterioration by leaking and missing tabs and is in need of replacement; and

WHEREAS, the Cayuga County Legislature recognized the need for replacement of the roof and in doing so included funding in the 2010 Parks and Trails budget for said purpose; now therefore be it

RESOLVED, that the Cayuga County Parks and Trails Department is authorized to replace the island bathhouse for a cost not to exceed \$13,012 as budgeted in the 2010 Parks and Trails budget account # A71102-5200; 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, Barski, Chapman, Cuddeback, Lattimore, Pinckney, Palermo, Mills, Petrus, all in favor.

RESOLUTION NO. 102-10

Date: 2/23/10 P&Tflowers 2 10

**AUTHORIZING THE PURCHASE OF FLOWERS FOR THE VARIOUS
FLOWERBEDS AT EMERSON PARK**

BY: David R. Axton, Chairperson, Public Works

Christopher Palermo, Chairperson, Ways & Means Committee

WHEREAS, Each year the park purchases flowers for the 16 flowerbeds at Emerson Park. and replaces other landscaping as needed; and

WHEREAS, Part of operating a park is to make it attractive so that people want to visit it; and

WHEREAS, Dickman Farms LLC has proven to be a good vendor over the years providing delivery, use of rolling carts and technical support at no charge to the park; and

WHEREAS, Emerson Park has \$3,075 in budget account A71104.54109 for General Landscaping to purchase flowers and other landscaping items; now therefore be it

RESOLVED, that the County Legislature hereby authorizes the Parks and Trails Department to purchase the flowers and related items for Emerson Park at a price not to exceed \$3,075; 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, Barski, Chapman, Cuddeback, Lattimore, Pinckney, Palermo, Mills, Petrus, all in favor.

RESOLUTION NO. 103-10

(2/23/10) P&TSeasonalHelp 2 10 Rev 1

AUTHORIZING THE HIRING OF SEASONAL STAFF FOR THE PARKS & TRAILS DEPARTMENT FOR THE 2010 SEASON

BY: David R. Axton, Chairperson, Public Works

Christopher Palermo, Ways & Means Committee

WHEREAS, it is necessary to hire additional seasonal staff at Emerson Park, West Barrier Bar, Sterling Nature Center, Owasco Flats, Ward O'Hara Agricultural Museum and the County Trails to accomplish the increased workload preparing for and during the summer season; and

WHEREAS, it is anticipated that in order to accomplish this extra work up to forty-two (42) full-time equivalent seasonal positions will be needed, which will include: Twelve (12) Laborers, five (5) Lifeguards, two (2) Head Lifeguards, four (4) Maintenance Crew Leaders, seven (7) Park Security Guards, one (1) Supervising Park Security Guard, three (3) Building Maintenance Mechanics, two (2) Cleaners, five (5) Museum Aides and one (1) Museum Assistant as recommended by the Committee or as otherwise provided by law; now, therefore, be it

RESOLVED, that the Park Maintenance Supervisor is hereby authorized to hire up to forty-two (42) full time equivalent seasonal positions as stated above, to be paid as follows:

Laborers	\$7.25/hr.
Lifeguards	\$8.50/hr.
Head Lifeguards	\$9.25/hr.
Maintenance Crew Leaders	\$8.75/hr.
Park Security Guards	\$9.75/hr.
Supervising Park Security Guard	\$13.25/hr.
Building Maintenance Mechanics	\$11.50/hr.
Cleaners	\$8.75/hr.
Museum Aides	\$7.75/hr.
Museum Assistant	\$8.50/hr.

and be it further

RESOLVED, that the funding for the above-stated positions shall be paid from appropriated funds in the 2010 Parks & Trails Department Budget Account # A71101-51002, total not to exceed the budgeted amount of \$174,856.00.

Signed by Axton, Barski, Chapman, Cuddeback, Lattimore, Pinckney, Palermo, Mills, Petrus, all in favor.

RESOLUTION NO. 104-10

Date: 2/23/10 P&T Sterling Nature Cent Cap Reserve 2 10

**AUTHORIZING TRANSFER OF \$10,000 TO THE CAPITAL RESERVE FUND
ESTABLISHED FOR THE PARKS DEPARTMENT BUILDING
IMPROVEMENTS AT THE STERLING NATURE CENTER**

BY: David R. Axton, Chairperson, Public Works

Christopher Palermo, Ways and Means

WHEREAS, by Resolution 706-09 of the Cayuga County Legislature the County Treasurer was authorized to establish a Capital Reserve Account for building improvements at the Sterling Nature Center; and

WHEREAS, the Treasurer was further authorized by said resolution to transfer \$48,160.00 from the 2009 Sterling Nature Center budget into the established Capital Reserve Account; and

WHEREAS, the Public Works Committee advised the Parks Department that due to the extreme cost to make the current building exterior maintenance free, it may be better to construct a new building; and

WHEREAS, the legislature recognizes the need to make major improvements to the existing building or construct new; now therefore be it

RESOLVED, that the Cayuga County Treasurer is hereby directed to transfer to the Capital Reserve Account for building improvements at the Sterling Nature Center, \$10,000 from the 2010 Sterling Nature Center Budget Account A71132-52000; and be it further

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

Signed by Axton, Barski, Chapman, Cuddeback, Lattimore, Pinckney, Palermo, Mills, Petrus, all in favor.

RESOLUTION NO. 105-10

February 23, 2010 PT Pavilion_SEQR 2 10rev

**DETERMINING LEAD AGENCY STATUS UNDER THE STATE
ENVIRONMENTAL QUALITY REVIEW ACT (SEQR) FOR THE EMERSON
PARK PAVILION PRESERVATION PROJECT**

BY: Mr. David Axton, Chair, Public Works Committee

Mr. Christopher M. Palermo, Chair, Ways and Means Committee

WHEREAS, the Colonial Revival style Emerson Park Pavilion, constructed in 1912 as the center piece of the 40-Acre Lakeside Park, which is listed on the National Park Service National Register of Historic Places, is the cornerstone structure of the 135-Acre Cayuga County Emerson Park, providing the public with lakeshore access to recreation and community facilities on Owasco Lake; and

WHEREAS, the Emerson Park Pavilion, Lakeside Park and Emerson Park were the focus of an extensive community planning and public participation effort in 2001, resulting in the completion of the Emerson Park Master Plan, which called for capital upgrades to make the Emerson Park Pavilion a year round facility; and

WHEREAS, there has been an ongoing effort to document, preserve and improve this historic structure, including the preparation of the Emerson Park Pavilion Facility Master Plan (the "Plan") and the subsequent adoption of the Plan by the Cayuga County Legislature through Resolution #467-09; and

WHEREAS, Cayuga County filed an application for funding from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993, for work specified in the Plan that addresses the most immediate needs to prevent further deterioration as well as fix safety issues that have arisen due to deterioration of the Emerson Park Pavilion; and

WHEREAS, this project is a Type I Action under SEQR due to its potential impact on historic resources; and

WHEREAS, the SEQRA process requires comment by all involved agencies; and

WHEREAS, Cayuga County is the owner of the site and the planned work will not require any permits from any outside agencies; and

WHEREAS, the Cayuga County Legislature has reviewed the proposed work plans and the project information included in the full Environmental Assessment form and has made a reasoned determination that the proposed preservation and rehabilitation project will not result in any negative environmental impacts to the structure or the surrounding site; now, therefore, be it

RESOLVED, that the Cayuga County Legislature hereby declares itself to be lead agency for the SEQRA review of this action; and

RESOLVED, the Cayuga County Legislature directs the Parks Department to file and/or publish the necessary notices to satisfy the SEQR process requirements.

Signed by Axton, Barski, Chapman, Cuddeback, Lattimore, Pinckney, Palermo, Mills, Petrus, all in favor.

RESOLUTION NO. 106-10

(2-24-09) P&T pavilion r&m 2-10

AUTHORIZING THE TRANSFER OF FUNDS FROM THE 2010 EMERSON PARK EQUIPMENT BUDGET ACCOUNT TO CAPITAL H 08-2 FOR EMERSON PARK PAVILION RENOVATIONS AND AMENDING CAPITAL "H" PROJECT NO. 08-2.

BY: David R. Axton, Chairperson, Public Works

Christopher Palermo, Chairperson, Ways & Means Committee

WHEREAS, the Emerson Park pavilion is not only a local landmark but is also listed on the National Registry of Historic landscapes; and

WHEREAS, Crawford and Stearns Architects and Preservation Planners prepared a Condition Study and Recommendations Report for the Pavilion in May of 2007; and

WHEREAS, the park maintenance supervisor has created a prioritized list of items from that report that need attention; and

WHEREAS, in 2008 the Parks Commission, the Public Works Committee and the Cayuga County Legislature did plan for this work to be completed when they passed Resolutions 289-08 and 661-08 creating Capital H # 08-2 in the amount of \$67,000.00; and

WHEREAS, the Cayuga County included \$67,000.00 in the 2010 Emerson Park Budget Account A71102-5200 for that purpose; and

WHEREAS, the Parks Department would like to transfer that money into the capital H 08-2 for the building; now therefore, be it

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to transfer the \$67,000.00 from the 2010 Emerson Park Equipment Account #A71102-5200 into Capital H 08-2, therefore increasing the fund from \$73,169.48 to \$140,169.48; and be it further

RESOLVED, that the Parks Department is hereby authorized and directed to use these funds to renovate the Emerson Park Pavilion as recommended in the Crawford and Stearns Report.

Signed by Axton, Barski, Chapman, Cuddeback, Lattimore, Pinckney, Palermo, Mills, Petrus, all in favor.

RESOLUTION NO. 107-10

February 23, 2010 (P&T) YMCA Little League-Tball 2-10

AUTHORIZING AN AGREEMENT WITH AUBURN YMCA-WEIU ALLOWING FOR THE OPERATION OF AUBURN LITTLE LEAGUE AT EMERSON PARK

BY: Mr. David Axton, Chairman, Public Works

Mr. Chris Palermo, 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, The Auburn YMCA-WEIU and Auburn Little League have agreed to merge, and with this merger the YMCA will assume management responsibilities of the Auburn Little League Baseball now therefore, be it

RESOLVED, That the county attorney is authorized to draft an agreement with the Auburn YMCA-WEIU for the operation of Auburn Little League at Emerson Park, and be it further

RESOLVED, that said agreement shall be for the period of March 1, 2010 thru September 1, 2013, in exchange for one dollar (\$1) for each year, and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature be authorized to sign said agreement.

Signed by Axton, Barski, Chapman, Cuddeback, Lattimore, Pinckney, Palermo, Mills, Petrus, all in favor, except Aikman abstained.

RESOLUTION NO. 108-10

February 23, 2010 HWYPARTSCLEANERrev

AUTHORIZATION TO ENTER INTO A SERVICE AGREEMENT FOR A PARTS WASHER

BY: Dave Axton, Chairman Public Works Committee

Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, the Highway Department is in need of a parts washer; and

WHEREAS, Heritage Crystal Clean is a company that performs these services; and

WHEREAS, Heritage Crystal Clean can provide these services at a rate of \$26.00 per week and the Highway Department pays the current vendor \$31.50 per week for a savings of \$22 per month; now therefore be it

RESOLVED, to authorize the Highway Superintendent and the Chairman to enter into a contract with Heritage Crystal Clean to provide an aqueous parts cleaner for the Highway maintenance shop.

Signed by Axton, Chapman, Cuddeback, Lattimore, Pinckney, Mahunik, Palermo, Mills, Petrus, all in favor.

RESOLUTION NO. 109-10**February 23, 2010 HWYMPRATEREV1****Authorization TO RAISE LABOR/OIL CHANGE SERVICE RATES AT THE MOTOR POOL TO TAKE EFFECT April 1, 2010.**

By: David Axton, Chairman Public Works Committee

Christopher Palermo, Chairman Way and Means Committee

WHEREAS, the Cayuga County Highway Department is in charge of the Motor Pool that maintains the fleet of vehicles that are operated by the county; and

WHEREAS, the current labor rates are set at \$48.00 for vehicles up to 1-ton and \$53.00 for vehicles over 1-ton; and

WHEREAS, the current oil change rates range from \$25.01 - \$40.02 do not accurately reflect the cost of service provided; and

WHEREAS, the cost to provide these services has increased and the rates have not increased in the last two years; and

WHEREAS, outside shops that provide these services charge between \$30- \$60 for oil changes and \$65 - \$90 per hour for labor; now, therefore be it

RESOLVED, to approve raising the Labor Rates to \$50.00 for vehicles up to 1-ton and \$55.00 for vehicles 1-ton and over; and be it further

RESOLVED, to set the fee for a lube, oil change & filter as follows:

LIGHT DUTY VEHICLES (UNDER 1 TON):

5 Quart Service: \$28.75

6 Quart Service: \$30.50

7 Quart Service: \$32.25

HEAVY DUTY VEHICLES (1 TON AND OVER):

5 Quart Service: \$41.25

6 Quart Service: \$43.00

7 Quart Service: \$44.75

8 Quart Service: \$46.50

;and, be it further

RESOLVED, that these rate increases are to take effect **April 1 2010.**

Signed by Axton, Chapman, Cuddeback, Lattimore, Pinckney, Mahunik, all in favor.

RESOLUTION NO. 110-10**February 23, 2010 hwysignagreempserv****AUTHORIZE CHAIRMAN AND HIGHWAY SUPERINTENDENT TO SIGN FUEL PURCHASE/VECHILE REPAIR AGREEMENT WITH VARIOUS AGENCIES FOR MOTOR POOL REPAIRS, GASOLINE AND DIESEL FUELS**

BY: Dave Axton, Chairman Public Works Committee

Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, the Cayuga County Highway Department oversees the Cayuga County Motor Pool, which services vehicles and dispenses fuel for other agencies within Cayuga County; and

WHEREAS, various Cayuga County departments, municipalities and not-for-profit agencies have contacted Cayuga County to perform preventive maintenance and vehicle repairs for its fleet of administrative and maintenance vehicles and provide gasoline and diesel fuel; and

WHEREAS, an Agreement will be reviewed by the County Attorney before the Chairman of the Legislature and/or the Highway Superintendent signs; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature and the Cayuga County Highway Superintendent are hereby authorized to sign an Inter-municipal Agreement with various agencies to purchase gasoline, diesel fuel, and/or have their vehicles repaired by the Cayuga County Motor Pool.

Signed by Axton, Barski, Chapman, Cuddeback, Lattimore, Pinckney, Palermo, Mills, Petrus, all in favor.

RESOLUTION NO. 111-10

February 23, 2010 PW_UST_Additional_Work

**AUTHORIZING A CHANGE ORDER AND CHANGE IN SCOPE WITH
OP-TECH ENVIRONMENTAL SERVICES, INC. FOR FUEL STORAGE TANK
REMOVALS AND SPILL CLEAN-UPS.**

BY: Mr. David Axton, Chair, Public Works Committee

Mr. Christopher Palermo, Chair, Ways and Means Committee

WHEREAS, the Legislature, at its September 22, 2009 meeting, approved Resolution No. 526-09 authorizing the Chairman of the County Legislature to enter into an agreement with OP-Tech Environmental Services, Inc. to remove underground storage tanks at the County Office Building, Highway Administration Building and County Nursing Home as well as diesel piping at the North Highway Barn; and

WHEREAS, fuel leakage was discovered at three locations that necessitated immediate clean-up as “spills” per New York State Department of Environmental Conservation regulations; and

WHEREAS, our bid documents and agreement for said work anticipated extra work might be needed to cleanup possible leakage from these older tanks, by including line items for “extra excavation” and “extra hauling”; and

WHEREAS, OP-Tech’s requested reimbursement has been negotiated down to \$8,179.09 for the extra work using the approved unit prices in the agreement authorized in Resolution No. 526-09 by the County’s Environmental Engineer; and

WHEREAS, the County has two remaining out-of-service underground fuel storage tanks (UST) for decommissioning at its downtown complex; and

WHEREAS, based on their satisfactory work to date, OP-Tech was requested to supply a quote to add these two storage tanks to their original scope, and their figure totals less than \$9,900.00; and

WHEREAS, there are sufficient funds in Account No. A16204 54251 (Removal of Under Ground Tanks) to cover the expenses; now, therefore, be it

RESOLVED, that the Chairman of the County Legislature is hereby authorized to sign a change order with OP-Tech for three fall 2009 spill clean-ups for \$8,179.09; and, be it further

RESOLVED, that the Chairman of the County Legislature is hereby authorized to sign a change in scope for the underground storage tanks decommissioning with OP-Tech for the amount of not to exceed \$9,900.00; and, be it further

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

Signed by Axton, Barski, Chapman, Cuddeback, Lattimore, Pinckney, Palermo, Mills, Petrus, all in favor.

RESOLUTION NO. 112-10**2/23/10 SHR-Auth Sheriff to Enter Agmnt w/Trade-A-Yacht****AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND THE SHERIFF OF CAYUGA COUNTY TO ENTER INTO AN AGREEMENT WITH TRADE-A-YACHT INC. FOR DOCKAGE OF THE SHERIFF'S BOAT UTILIZED TO PATROL THE WATERS OF CAYUGA LAKE.**

BY: Mr. Steven E. Cuddeback, Chair, Judicial and Public Safety Committee, and Mr. Christopher M. Palermo, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Office, Marine Unit, patrols the waters of Cayuga Lake throughout each boating season in Cayuga County; and

WHEREAS, Trade-A-Yacht Inc. Marinas has offered a slip to the Cayuga County Sheriff's Office at Hibiscus Harbor in Union Springs to dock the Sheriff's boat that patrols Cayuga Lake during the 2010 boating season, as well as for each boating season thereafter, for no charge; and

WHEREAS, Trade-A-Yacht Inc. Marinas requires Dockage/Storage Contracts be executed each year to reserve the slip designated for the boat used by the Cayuga County Sheriff's Office, Marine Unit; now therefore be it

RESOLVED, that the entering of a Dockage/Storage Contract between the Cayuga County Sheriff's Office and Trade-A-Yacht Inc. Marinas for a slip free of charge is approved and the Chairman of the Cayuga County Legislature and the Sheriff of Cayuga County are hereby authorized and directed to sign the 2010 Contract, and subsequent yearly contracts to reserve a slip, on behalf of the County of Cayuga.

Signed by Cuddeback, Aikman, Chapman, Petrus, Pinckney, Sincebaugh, Palermo, Mills, Petrus, all in favor.

RESOLUTION NO. 113-10**2/23/10 SHR-Auth Sheriff to Enter Agmnt w/Trade-A-Yacht****AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND THE SHERIFF OF CAYUGA COUNTY TO ENTER INTO AN AGREEMENT WITH TRADE-A-YACHT INC. FOR DOCKAGE OF THE SHERIFF'S BOAT UTILIZED TO PATROL THE WATERS OF CAYUGA LAKE.**

BY: Mr. Steven E. Cuddeback, Chair, Judicial and Public Safety Committee, and Mr. Christopher M. Palermo, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Office, Marine Unit, patrols the waters of Cayuga Lake throughout each boating season in Cayuga County; and

WHEREAS, Trade-A-Yacht Inc. Marinas has offered a slip to the Cayuga County Sheriff's Office at Hibiscus Harbor in Union Springs to dock the Sheriff's boat that patrols Cayuga Lake during the 2010 boating season, as well as for each boating season thereafter, for no charge; and

WHEREAS, Trade-A-Yacht Inc. Marinas requires Dockage/Storage Contracts be executed each year to reserve the slip designated for the boat used by the Cayuga County Sheriff's Office, Marine Unit; now therefore be it

RESOLVED, that the entering of a Dockage/Storage Contract between the Cayuga County Sheriff's Office and Trade-A-Yacht Inc. Marinas for a slip free of charge is approved and the Chairman of the Cayuga County Legislature and the Sheriff of Cayuga County are hereby authorized and directed to sign the 2010 Contract, and subsequent yearly contracts to reserve a slip, on behalf of the County of Cayuga.

Signed by Cuddeback, Aikman, Chapman, Petrus, Pinckney, Sincebaugh, Palermo, Mills, Petrus, all in favor.

RESOLUTION NO. 114-10

Date: 2/23/10 SHR-BehHCNurse-create

AUTHORIZATION TO CREATE 2 POSITIONS WITHIN THE CUSTODY DIVISION OF THE CAYUGA COUNTY SHERIFF’S OFFICE AND ABOLISH TWO POSITIONS WITHIN THE COMMUNITY MENTAL HEALTH SERVICES DEPARTMENT.

By: MR. STEVEN CUDDEBACK, Chairman, Judicial & Public Safety Committee
MS. ANN PETRUS, Chairperson, HHS Committee

MR. CHRISTOPHER PALERMO, Chairman, Ways & Means Committee

WHEREAS, two positions of Behavioral Health Care Nurse are utilized at the Cayuga County Public Safety Building and are currently employed by the Community Mental Health Services Department; and

WHEREAS, there is no reimbursement to the Community Mental Health Services for the services of the two nurses assigned to work full time at the PSB; and

WHEREAS, the day-to-day supervision of the nurses should be done by supervisors from the facility with occasional consultation by the Community Mental Health Nurse Supervisor; and

WHEREAS, the Sheriff has submitted duties statements for two new positions to the Cayuga County Civil Service Commission and the Commission classified the positions as appropriate for the duties proposed; and

WHEREAS, the new organizational plan must be adopted by the legislature prior to enactment; now therefore be it

RESOLVED, two positions of Behavioral Health Care Nurse be hereby created under the Sheriff’s Custody Division; and be it further

RESOLVED, that the Sheriff be hereby authorized and directed to fill the two new positions by transfer of two existing nurses from CMH, effective 3/7/10; and be it further

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

RESOLVED, that upon the transfer of the two CMH Behavioral Health Care Nurses to the new positions within the Sheriff’s Custody Division that Community Mental Health Services Position Control Numbers 004974 and 004970 be hereby abolished the next business day after the transfer; and be it further

RESOLVED, that the Sheriff be hereby authorized to contract with CMH to reimburse the department up to a maximum of 10% of the Community Mental Health Nurse Supervisor’s time and Staff Psychiatrist PT for consultation services; and be it further

RESOLVED, that the County Treasurer be hereby authorized and directed to make the following accounting and journal entries to accomplish the intent of this resolution:

From A43101-51001 MH Sal FT to A31501-51001 Sheriff Sal FT	\$82,688.51
From A43101-58001 MH FICA to A31501-58001 Sheriff FICA	6,325.67
From A43101-58002 MH Retire to A31501-58002 Sheriff Retire	8,434.23
From A43101-58003 MH Health to A31501-58003 Sheriff Health	9,715.40

From A43101-58004 MH Dental to A31501-58004 Sheriff Dental	658.20
From A43101-58005 MH Comp to A31501-58005 Sheriff Comp	2,517.53
From A43101-51004 MH On-Call to A31501-51004 Sheriff On-Call	10,006.97
Total	\$120,346.51
From A31504-54059 Sheriff Prof Service	\$120,346.51
From A43100-41680 MH Jail Fees	\$120,346.51

Signed by Cuddeback, Aikman, Chapman, Petrus, Pinckney, Sincebaugh, Mills, Palermo, all in favor.

RESOLUTION NO. 115-10

2/23/10 SHR-Prchs4MrkdPtrlCrS -1 unmrkPtrlcar rev1

AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO PURCHASE FOUR (4) NEW MARKED PATROL CARS AND ONE (1) UNMARKED PATROL CAR TO REPLACE EXISTING PATROL CARS THAT HAVE EXCEEDED THEIR USEFUL LIFE SPAN AND HAVE ACCUMULATED HIGH MILEAGE.

BY: Mr. Steven E. Cuddeback, Chair, Judicial and Public Safety Committee, and Mr. Christopher M. Palermo, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Office, Law Enforcement Division, presently has four (4) marked patrol cars and one (1) unmarked patrol car that have exceeded their useful life span and have accumulated high mileage; and

WHEREAS, Warnock Automotive, Inc., dba Warnock Fleet, East Hanover, New Jersey, pursuant to NYS Contract No. PC63556, can provide four marked vehicles for a cost not to exceed \$108,000 and one unmarked patrol vehicle for a cost not to exceed \$26,000; and

WHEREAS, there are sufficient funds in the Sheriff's 2010 Law Enforcement Marked Patrol Cars Budget Line A31102 52005 to purchase four (4) new marked vehicles and there are sufficient funds in the Sheriff's 2010 Law Enforcement Unmarked Vehicles Budget Line A31102 52006 to purchase one (1) new unmarked vehicle; and

WHEREAS, the following five (5) existing patrol vehicles will be turned in to the Cayuga County Clerk of the Legislature Office and then to the Cayuga County Motor Pool upon the delivery of the five (5) new patrol vehicles to the Cayuga County Sheriff's Office: (1) Marked 2004 Ford Crown Victoria, VIN 2FAHP71W04X138869, (2) Marked 2004 Ford Crown Victoria, VIN 2FAHP71W44X138874; (3) Marked 2004 Marked Ford Crown Victoria, VIN 2FAHP71W74X138867; (4) Marked 2004 Four Crown Victoria, VIN 2FAHP71W84X138862; and (5) Unmarked 2001 Chevrolet Impala, VIN 2G1WF52E819307401; and now therefore be it

RESOLVED, that the Cayuga County Sheriff is authorized to purchase four (4) new marked black 2010 Dodge Charger Police Cars with emergency equipment from Warnock Automotive, Inc., dba Warnock Fleet, East Hanover, New Jersey, for a cost to exceed \$108,000; and it is further

RESOLVED, that the Cayuga County Sheriff is authorized to purchase one (1) new unmarked black 2010 Dodge Charger Police Car with emergency equipment from Warnock Automotive, Inc., dba Warnock Fleet, East Hanover, New Jersey, for a cost to exceed \$26,000; and further be it

RESOLVED, that upon the delivery of the four (4) new marked patrol vehicles and one (1) new unmarked patrol vehicle, the five existing patrol cars will be delivered to and accepted by the Clerk of the Cayuga County Legislature for disposal; and further be it

RESOLVED, that the purchase of these five new patrol vehicles will be made in accordance with the existing purchasing policies of Cayuga County.

Signed by Cuddeback, Mitchell, Aikman, Chapman, Petrus, Pinckney, Sincebaugh, Palermo, Mills, Axton, Mahunik, all in favor.

RESOLUTION NO. 116-10

2/23/10 SHR-Purchase 2 Laptops

AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO PURCHASE TWO (2) LAPTOP COMPUTERS AND ASSOCIATED EQUIPMENT.

BY: Mr. Steven Cuddeback, Chair, Judicial and Public Safety Committee, and Mr. Christopher Palermo, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Office, Law Enforcement Division, needs to purchase two (2) laptop computers, one to replace an existing laptop computer that no longer performs necessary functions and one to be utilized by the Cayuga County Deputy Sheriff hired to fill a vacancy; and

WHEREAS, these laptop computers are vital for the performance of the to duties of the Cayuga County Sheriff's Office for patrol enforcement and the completion of reports; and

WHEREAS, there is a sufficient amount of money in the 2010 Sheriff's Law Enforcement Equipment Budget Line (A31102 52000) to purchase two (2) new laptop computers; now therefore be it

RESOLVED, that the Cayuga County Sheriff Office's is authorized to purchase two (2) Fujitsu laptop computers, together with associated equipment, from Brite Computers for the amount of \$3,541.00; and further be it

RESOLVED, that the one tablet being replaced will be turned over to the IT Department for their use or disposal; and it is further

RESOLVED, that the purchase will be made in accordance with the existing purchasing policies of Cayuga County.

Signed by Cuddeback, Aikman, Chapman, Petrus, Pinckney, Sincebaugh, Palermo, Mills, Axton, all in favor.

RESOLUTION NO. 117-10

2.23.10 911SoftwareAgrDoubleTake

AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO RENEW A ONE YEAR CONTRACT WITH SUNBELT SOFTWARE TO PROVIDE SUPPORT FOR DOUBLE-TAKE SOFTWARE AT BACK UPE-911 CENTER.

BY: Mr. Steven Cuddeback, Chairperson, Judicial and Public Safety Committee Mr. Christopher Palermo, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County 911 Center utilizes Double Take software to maintain and 'mirror' the databases between the Primary and Back-up Cayuga County E-911 Centers; and

WHEREAS, it is critical that the database servers are updated and copied properly twenty-four hours per day, seven days per week without interruption; and

WHEREAS, the E-911 Center with help from the IT Department utilizes Sunbelt Software to provide the necessary services; and

WHEREAS, Sunbelt Software has submitted a renewal invoice for a one-year contract; and

WHEREAS, there is money in the 911 Communication System Budget Account Number A30204 54019 for this purpose; now therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to sign the contract renewal, with Sunbelt Software for the amount of \$988.50 for the period of April 1, 2010 through March 31, 2011; and be it further

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

Signed by Cuddeback, Aikman, Chapman, Petrus, Pinckney, Sincebaugh, Palermo, Mills, Axton, all in favor.

RESOLUTION NO. 118-10

2.23.10 coasection10rev5

**AUTHORIZING A REQUEST FOR ASSISTANCE FROM
STATE ELECTED OFFICIALS**

WHEREAS, the Cayuga Indian Nation of New York has applied to the Bureau of Indian Affairs to take property in Cayuga and Seneca Counties into trust pursuant to the 1934 Indian Reorganization Act; and

WHEREAS, the State of New York, in fulfilling its obligation under Section 10 of the State Law , provides both counties with representation in defense of this action on the grounds that the action is inconsistent with the sovereignty of the State; and

WHEREAS, in November 2009, law enforcement officials in both Seneca and Cayuga Counties determined that the Cayuga Indian Nation of New York may be in possession and offering for sale cigarettes that lacked the necessary stamp indicating payment of tax imposed under Article 20 of the New York State Tax Law; and

WHEREAS, the investigation following the execution of a search warrant revealed a large quantity of allegedly untaxed cigarettes; and

WHEREAS, in response to the execution of a search warrant, the Cayuga Indian Nation of New York instituted a civil action against Seneca and Cayuga County Officials, challenging the authority of County Officials to enforce the provisions of New York State Tax Law on real property owned by the Cayuga Indian Nation of New York on the grounds that the Nation maintained a “qualified reservation” on these parcels of land and the Nation is immune from enforcement of various provisions of New York State Tax Law by the Counties; and

WHEREAS, Cayuga County was thereby obligated and compelled to retain legal counsel to defend this action and the right of duly elected Law enforcement officials to enforce New York State Law on these parcels of land suite in the County of Cayuga; and

WHEREAS, the civil action is presently under appeal at the New York State Court of Appeals; and

WHEREAS, the County on two occasions requested, pursuant to State Law, Section 10, that the County of Cayuga be provided with representation in defense of these actions inasmuch as these actions by the Cayuga Indian Nation of New York constitute a claim inconsistent with the State of New York’s sovereignty and jurisdiction; and

WHEREAS, the Governor’s Office declined the request of Cayuga County to provide it with representation in the defense of the civil action instituted by the Cayuga Indian Nation of New York; and

WHEREAS, in response to the appeal by the both Cayuga and Seneca Counties of the civil claim the Attorney General submitted a amicus curia brief in support of the claim

of both counties and the brief assert that the refusal of the Cayuga Indian Nation of New York's to pay real property taxes pursuant to Article 20 of the New York State Tax Law is based on its claim of special legal status flowing from its claim that the relevant lands are a "qualified reservation"; and, that indeed one distinguishing characteristic of an Indian reservation is the right of the tribe to exercise sovereignty over the land; and

WHEREAS, it is the position of the Cayuga County Legislature that the action instituted by the Cayuga Indian Nation of New York is inconsistent with the sovereignty and jurisdiction of New York State over the subject parcels and that therefore the State should fulfill its obligations under section 10 of the State Law; now therefore be it

RESOLVED, that the County of Cayuga wishes to request the assistance of its duly elected legislative leaders in speaking with the Governor to fulfill his obligation under Section 10 of the State Law; and be it further

RESOLVED, a copy of this resolution shall be sent to the following public officials: David Paterson, Governor of the State of New York; Michael Nozzolio and David Valesky, New York State Senators; and Brian Kolb, Gary Finch and Robert Oaks, New York State Assemblyman.

Signed by Tortorici, Palermo, Chapman, Axton, Petrus, Pinckney, Mills, Mitchell, Cuddeback, Mahunik, Lattimore, Sincebaugh, Aikman, all in favor.

Motion by Axton, 2nd by Petrus to go into Executive Session at 7:47PM re: Personnel Issue and Acquisition of Real Property. Daniel Larson and John Camardo, asked to come in, all in favor.

Motion by Sincebaugh, 2nd by Mitchell to come back in at 8:41PM, all in favor, no action taken.

Motion by Pinckney, 2nd by Lattimore to adjourn at 8:42PM, all in favor.

Motion by Lattimore to approve minutes of 2-23-10 on 4-27-10, 2nd by Pinckney, all in favor.

MINUTES
SPECIAL CAYUGA COUNTY LEGISLATURE MEETING
THURSDAY, MARCH 4, 2010, 5:30 PM

CALL TO ORDER: Hon. Peter Tortorici, Chairman, at 5:34PM.

ROLL CALL: Sheila Smith, Legislative Assistant, all Legislators present, except Palermo excused.

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

TOPIC: Executive Session to discuss: the appointment or employment of particular person.

Motion by Lattimore, 2nd by Sincebaugh to go into Executive Session at 5:36PM, re: the appointment or employment of particular person, all in favor.

Motion by Petrus, 2nd by Axton to come out of Executive Session at 9:10PM, all in favor. No action taken.

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

Motion by Lattimore to approve minutes of 3-4-10 on 4-27-10, 2nd by Pinckney, all in favor.

**MINUTES
SPECIAL LEGISLATURE MEETING
TUESDAY, MARCH 16, 2010, 6:00 PM
160 GENESEE ST, 6TH FLOOR, CHAMBERS,
AUBURN, NY 13021**

Welcome to tonight's Special Cayuga County Legislature Meeting, Tuesday, March 16, 2010, CCOB, 6th Floor.

CALL TO ORDER: Hon. Peter Tortorici, Chairman, AT 6:05pm.

ROLL CALL: Kim Taggerty, Deputy Clerk of the Legislature, all Legislators present, except Palermo, Pinckney and Sincebaugh excused.

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

RESOLUTIONS

RESOLUTION NO. 119-10

3.16.10 GovOps&W&M-AppHireCountyAdminrtev2

AUTHORIZING THE HIRING OF A COUNTY ADMINISTRATOR; SETTING SALARY; AND, AUTHORIZING CHAIRPERSON OF THE CAYUGA COUNTY LEGISLATURE TO EXECUTE AN EMPLOYMENT AGREEMENT.

BY: Cayuga County Legislature

WHEREAS, Local Law No. 2 for the year 2010 established the office of County Administrator; and

WHEREAS, Thomas G. Squires has accepted the position of County Administrator, subject to confirmation; now, therefore, be it

RESOLVED, that Thomas G. Squires be hired as the County Administrator; and be it further

RESOLVED, that the salary shall be set as set forth in the employment agreement, a copy of which is attached; and be it further

RESOLVED, that the appointment of Thomas G. Squires as the Cayuga County Administrator is subject to and contingent upon the completion of a background check by the Cayuga County Sheriff's Office and the review and acceptance of said background check by the Chairperson of the Cayuga County Legislature and the County Attorney; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is authorized to sign the employment agreement between the County of Cayuga and Thomas G. Squires; and be it further

Signed by Tortorici, Palermo, Chapman, Axton, Petrus, Mills, Fearon, Mitchell, Cuddeback, Barski, Mahunik, Lattimore, and Aikman, all in favor.

Chairman Tortorici welcomed Tom Squires as the New Cayuga County Administrator. Mr. Squires is looking forward to getting to know everyone and getting started.

Chairman Tortorici thanked Nick Mazza for a job well done and with his help selecting a new County Administrator.

PRESENTATION:

Ron Podolak Director of Soil & Water and Kamyar Zadeh President/CEO Blue Electron, RE: the Digester Project, Handout attached to original minutes. Working for funding sources, 1.5 million will be repaid to the county in full.

Discussion: Nick Mazza, when will you be fully operational?

Kamyar Zadeh, January 2011, depends on contractors.

Ron Podolak, it will depend on tonight's vote, if we start tomorrow. Every day the cost goes up.

Mahunik, concern with weather changes.

Ron Podolak, I'm on top of it.

Lattimore, cost keeps going up, what will the savings to county be?

Ron Podolak, with the 1 meter system \$30,000., per year.

Lattimore, total savings?

Kamyar Zadeh, \$200,000 to \$300,000.

Tortorici, sell the power, develop more, and move forward.

Ron Podolak, yes we can add on in the future.

Lattimore, it will save a lot of money at the Jail.

Mahunik, how do materials come in?

Ron Podolak, vacuum sealed tanks.

Mahunik, everything goes to County House road?

Ron Podolak, yes

PRIVILEGE OF THE FLOOR:

Roger Mills for Terry Lattimore, Owasco Town Board, re: the Digester Project, handout attached to original minutes. My main concern is the transportation of manure sludge and the watershed. Chairman Tortorici suggested that Ron Podolak get together with Terry and discuss this issue.

Roger Mills for Joe Wasleski, President Owasco Lake Watershed, re: the Digester Project, handout attached to original minutes. I have concerns with storage facilities being in the watershed area, manure being brought in from outside the area.

Roger Mills for Mike O'Hora, re: the Digester Project, handout attached to original minutes. A potential problem is air quality and the manure to feed the project doesn't come from Cayuga County farmers.

Lattimore, call the question.

Motion by Mitchell to amend the last Whereas, 1,500,000; (together with all costs and expenses associated with the financing, including interest and legal fees incurred by the County), all in favor.

Motion by Mills to amend the 2nd to the last Whereas to add the year 2012, all in favor. Resolution as amended, motion by Mills, 2nd by Petrus, all in favor.

RESOLUTION NO. 120-10

3.16.10 s&wamend resol 704-09rev4

**AMENDING BOND RESOLUTION 704-09 TO SET FORTH A
CLARIFICATION FOR THE ANTICIPATED REIMBURSEMENT FOR THE
SOIL AND WATER COMMUNITY METHANE DIGESTER PROJECT**

WHEREAS, Resolution No. 513-05 authorized the County Legislature to grant permission to the Cayuga County Soil and Water Conservation District (“District”) and the Cayuga County Public Utility Service Agency to conduct planning and studies to build a community methane digester on County owned property; and

WHEREAS, Resolution No. 512-06 declared certain County owned property surplus and gifted same to the Cayuga County Soil and Water Conservation District so that the District could develop and construct a community methane digester (the “Project”); and

WHEREAS, the County of Cayuga (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 an “unlisted action” and will NOT result in any significant adverse impacts to the environment and issued a Negative Declaration with respect to the Project; and

WHEREAS, Resolution No. 704-09 authorized and directed Cayuga County Treasurer to create Capital “H” Project No. 09-3 (Soil and Water Community Methane Digester Project) in an amount not to exceed \$1,500,000.00 with source of funding to be by the issuance of serial bonds or 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; and

WHEREAS, said Resolution also authorized the Chairperson of the Cayuga County Legislature to execute an agreement with the District pursuant to which the District will construct, operate and maintain the Project and reimburse the County with proceeds of a certain Stimulus Grant for all costs and expenses associated with the financing, including interest and legal fees incurred by the County, the form of such agreement to be subject to the review and approval of the County Attorney; and

WHEREAS, the District has informed the County that the District no longer intends to reimburse the County with stimulus grant proceeds but instead proposes to reimburse the County through in-kind services provided by District personnel and cash flow from operations of the Project during 2011; now therefore be it

RESOLVED, that the eighth (8th) and ninth (9) “Whereas clauses” of Resolution No. 704-09 are hereby deleted in their entirety and are replaced as follows:

WHEREAS, the District and the County intend to enter into an agreement pursuant to which the District will construct, operate and maintain the community methane digester and reimburse the County through grant and cash flow from operations of the Project and the District during 2011 **and 2012** for all costs and expenses associated with the financing, including interest and legal fees incurred by the County;

WHEREAS, the County is advancing the monies to the District to facilitate the development and construction of the Project in anticipation of reimbursement from the District; and the County will not be obligated to fund the Project beyond the amount of \$1,500,000 **together with all costs and expenses associated with the financing, including interest and legal fees incurred by the County; and**

RESOLVED, that the remaining terms and conditions as set forth in Resolution No. 704-09 shall continue in full force and effect, as herein amended. This Resolution shall become effective immediately. The Clerk of the Cayuga County Legislature 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 Amending Bond Resolution.

Signed by Mills, Aikman, Lattimore, Mahunik, Axton, Cuddeback, Mills, Petrus, all in favor.

PRESENTATION: Motorola (Mr. Mc Mullen and Mr. Boon) and Langone and Associates, (Chick Langone) handout attached to original minutes.

Discussion: Chapman, how do you enhance analog?

McMullen, analog is on its way out.

Fearon, analog problems with hills?

McMullen, yes, digital P25 trunked will help with that.

Chapman, can we correct analog?

McMullen, no, only digital, it can be up-graded with latest software.

Mahunik, can we go analog with Auburn, trunked?

McMullen, won't be able to talk to each other.

Axton, Sheriff is low band.

McMullen, you get a lot of interference, we don't manufacture.

Boon, low band is not attractive.

Axton, could we at least look into?

McMullen, why invest in low band.

Brian Dahl, EMS Director, a lot of counties are using low band.

McMullen, manufactures in the United States are discontinuing low band.

Brian Dahl, Vertex is doing low band.

Lattimore, frequencies, do we have what we need?

McMullen, no.

Langone, I have filed for the frequencies, it takes time.

Lattimore, 20million towards project, then we find out we can't get frequencies.

Langone, Onondaga system is up and running, move forward, look at sites, process for FCC license. Madison County has received some licenses, frequency pool has been identified.

Lattimore, Onondaga may have more frequencies, can we get from them?

Langone, no, they come from the FCC, I have filed for frequencies, and they have to be coordinated with Canada.

Lattimore, what happens if we go back out to bid?

Langone, frequencies are independent, it's a FCC process.

Tortorici, we are in the process, UHF system.

McMullen, low band within Public Safety market.

Axton, coverage is the problem, being able to hear and communicate.

Fearon, 3 years from now, change the software and be able to up-grade without changes everything.

Tortorici, the issue is to be able to talk and communicate with each other; system may not be the Cadillac but address the issues we have right now.

McMullen, digital system has more coverage; analog can only go to analog.

Lattimore, will it stay working if one tower goes down?

McMullen, yes, re-routes automatically, you wouldn't even know you had a problem.

Project 25 is a national requirement, there is grant money available.

Chapman, financing for Federal Broad Band?

Boon, New York State applied as a whole, it was denied.

Tortorici, I have spoken to Senator Schumer, he will get back to us.

Fearon, Broad Band Conventional, could it be trunked?

McMullen, yes.

Tortorici, go with middle of road with system.

McMullen, digital coverage, 95% for portable, analog poor coverage.

Chapman, 9 sites, is that using towers from other counties?

McMullen, yes.

Mills, 9 sites, can we go up to 15?

McMullen, yes you can expand.

Mills, 9 sites 95% for mobile and 15 sites 97% portable radio, 2 different designs.

Lattimore, we only received one bid.

Tortorici, we are part of the consortium, why do we have to hook up to a master site?

McMullen, the radio system is one component, you can have your own master site.

Ray Dygert, VHF is worse now in my area. The goal is coverage, it's a safety issue, we're going backward, low band not the way to go.

Tom Bagley, UHF is not good in the North end of the County, go with VHF, better for the North, we don't hear the page.

Fearon, a mobile has more power and portable you carry on your hip.

Brian Dahl, with UHF this time of year it works fine, but when you get leafs on the trees not so well.

McMullen, 5 channel, 9 site, P-25 Digital Trunked Shared System \$13,100,000, 5 channel, 9 site, P-25 Digital Trunked Standalone System \$14,100,000, and 5 channel, 9 site, P-25 Digital Conventional System \$9,100,000.

Fearon, operating costs?

McMullen, conventional – lower, shared – medium, standalone – higher.

Tortorici, 9 million un-trunked?

McMullen, yes.

Lattimore, how soon can we be up and running?

Langone, depends on your time frame, we will work with you, looking at 18 to 22 months.

Lattimore, where do we start?

McMullen, where sites are ready.

Fearon, turn on all at once or as they get completed?

McMullen, we prefer to turn on all at once, after it's tested.

Denise Stayton, can you do piece by piece?

Boon, complicated, and would cost more.

Mazza, site options, 9 sites, how many are ready?

Langone, 4 existing sites, 5 new sites.

Mazza, the county needs to acquire 5 plots of land.

Langone, sites can be moved around.

Mazza, 4 sites have towers, 5 sites need to buy real estate and build towers, costs involved.

Langone, sites need building, generator, equipment, roughly \$300,000 not including the land.

Tortorici, what about the frozen ocean site?

Cuddeback, we have Cato, Frozen Ocean, Seneca, Ovid, City of Auburn, and Onondaga, that's 6 sites not 4.

Langone, 4 sites not 6.

Boon, can't use the Frozen Ocean site, it's too high, goes over to Canada, need a lower site.

Mills, the City of Auburn not with us.

Chapman, what is the microwave cost?

McMullen, \$900,000.

Chapman, this meeting has generated more questions.

Mahunik, it's not a county wide system without the city onboard, their ready to sign and we don't have the frequencies.

Tortorici, can we do a patch or gateway to talk?

Axton, gateway at Oswego.

Langone, the city won't commit without frequencies, separate site.

Lattimore, city separate from county and they started their system first.

McMullen, Oswego is in the final agreement, will purchase UHF equipment.

Tortorici, how long is the process?

Langone, it depends.

Mahunik, the city has a system, we have a system taxpayers in city have to pay for county and city?

Denis Stayton, the proposal from Harris was 16-17 million, 15 towers, no site development, but did include the city.

Lattimore, 800 system does not work in the county, but is good for the city.

Tortorici, it's a 23 million dollar system, build a good system and up-grade with technology, come up with a plan. 23 million is a lot, I don't think you have the votes.

Lattimore, stimulus money, wish we had more options, 3yrs have past.

McMullen, 15 to 9 sites, reduce in size, time line, some sites are ready, schedule around 18 months.

Chapman, we still have a lot of homework to do, tons of things to do. What can you do right now to tide us over?

McMullen, nothing you can do right now.

Fearon, band-aid won't work.

Mazza, 3 options, numbers aren't going to change. Real estate, roads, SEQRA notification, public hearing, bond anticipation notes, you need to build into your budget so you don't get hit all in one year. The cost probably won't get lower than 9.1 million; a note can stretch out to five years.

Mills, how are we going to pay for it? We have existing debt, tax rate, we need to get it down some.

Mazza, digital.

McMullen, one trunk.

Mills, need to do it right one time.

Chapman, have we considered all existing cell towers?

Boon, yes, but we can go back and look at again.

Chapman, that would help.

McMullen, payment plan, phased in approach, upgrade.

Gary Giannotta, Auburn Police Chief, we put out for a RFP got an 800 system, frequencies aren't available as told. The City has to move forward, we don't want to be on a separate system, not safe, need to work together. Is there an interest in re-bidding the project, we don't want to pay for 2 systems.

Tortorici, I don't want to pay for 2 either, go for UHF rather than 800 system.

Mike Hammon, Auburn Fire Chief, can we get the frequencies in time?

Langone, the City filed separately, I don't know the time frame.

McMullen, pursue the 800mh, Tompkins County system covers the lower half of Cayuga County, partner with and share cost to use system.

Lattimore, Fearon, need to build fires under our representatives to get these frequencies.

Tortorici, Mazza, we need to aggressively pursue time frame on these frequencies. We need to know when they will be approved, we're in a holding pattern, it's hard to go ahead without the frequencies.

Tortorici, we need to move.

Fearon, how are we going to pay for it.

Cuddeback, special Public Safety Committee, need information on frequencies, what if we don't get them.

Langone, I will get to you tomorrow.

Motion by Aikman to adjourn at 9:02PM, 2nd by Cuddeback, all in favor.

Motion by Lattimore to approve minutes of 3-16-10 on 4-27-10, 2nd by Pinckney, all in favor.

**MINUTES
SPECIAL MEETING
COMMITTEE OF THE WHOLE
MONDAY, MARCH 22, 2010, 6:30 PM
160 GENESEE ST, 6TH FLOOR, CHAMBERS,
AUBURN, NY 13021**

CALL TO ORDER: Hon. Peter Tortorici, Chairman AT 6:38PM.

ROLL CALL: Mary Jones, Clerk of the Legislature, all Legislators present, except excused Petrus, Pinckney, Mahunik, and Sincebaugh.

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

PRESENTATION: Emerson Foundation and Saratoga Associates on the Pavilion at Emerson Park, Power point presentation attached to original minutes.

Meeting Agenda for Emerson Foundation

- A. Welcome / Purpose of Meeting Introduce Tony Franceschelli Chairman Tortorici
- B. Review interest of Emerson Foundation in pavilion Recap earlier work of project team (i.e. architectural, etc.) Introduce Holzman & Burns Tony Franceschelli
- C. Review scope of work / goals Highlight research approach Review key findings / recommendations Rob Holzman, Saratoga Assoc. Frank Burns
- D. Address key questions Propose next steps (i.e. MOU, stakeholder workshop, etc.) Tony Franceschelli
- E. Open Q&A; Discussion All
- F. Adjourn

KEY MESSAGES

CAYUGA COUNTY

Emerson Park is an important public asset utilized by residents from throughout the county and region (reference record 2009 attendance).

The pavilion is one of the most unique public waterfront facilities in the region and has been a gathering place for community celebrations, dances, concerts and weddings for generations.

Today, the pavilion is in need of significant repairs and upgrades in order serve future generations.

Cayuga County is pleased the Emerson Foundation has assisted the County in evaluating the needs and opportunities associated with the pavilion and for their expressed interest in helping the County make strategic investments in the pavilion.

EMERSON FOUNDATION

If anything has been learned from the analysis of the pavilion, it is that the necessary repairs and maintenance will be expensive – even without taking into account any desired upgrades. We remain a step or two away from having a clear understanding of projected costs, so it is premature for us to indicate what the Emerson Foundation may be willing to invest. Suffice to say, we recognize this is likely to be an expensive undertaking and — because this is a facility that is important to the community and to our foundation – we want to be a partner with the county to bring about positive change.

New York State recently rejected a grant application from the County that could have provided \$600,000 to the County for needed renovations to the pavilion. While it is unfortunate the State funding did not come through this time, we remain committed to advancing this project and would like to continue to work with the County to identify other potential funding sources.

The Emerson Foundation is a private entity interested in working with the county to affect a good public outcome. We want the ideas and research that have been shared here tonight to be fully discussed and carefully considered. In the end, we want the people of this community to have an improved pavilion facility and a better Emerson Park. The Foundation does not want to run or operate anything at the Park. We simply want to help the county effectively engage the public and implement smart strategies with long-term, positive outcomes.

SARATOGA ASSOCIATES / FRANK BURNS

Emphasize unique attributes of pavilion

Review research findings (i.e. regional marketplace / demographics, etc.)

Review scope of project – existing conditions, market analysis, general discussion regarding competition

Review benchmarking study with focus on similar facilities/public ownership

Overview of recommendations

Stress positive economic impact of drawing more visitors, out-of-towners to pavilion for events (hotel, shops, theater, wineries, etc).

Questions:

Fearon, 10% for food and beverage, what about a flat fee, big operators, more revenue.
Frank Burns Saratoga Associates, fee structures, capital improvements, 10% is least offensive, provides a source of revenue.
Fearon, approved list of vendors.
Burns, one operator.
Fearon, single vendor.
Burns, yes.
Mills, alcohol beverages?
Burns, yes, we put in our calculations, 10% includes alcohol.
Lattimore, cost to county for operating the park, is a loss of \$350,000?
Gary Duckett Director of Parks & Trails, yes, revenue is \$165,000, \$70,000 which comes from the pavilion.
Burns, need to take the burden away from the taxpayers.
Lattimore, needs air-conditioning.
Gino Alberici Auburn resident, cost of improvement.
Burns, with everything about 6.5 million.
Tony Franceschelli Park advisory committee, we are 1 to 2 steps away from final numbers. I do not think the 6 million is correct, my guess is half of that.
Lattimore, will it take away from business here?
Burns, no, I think it will actually be better.
Tortorici, renovation will bring new people in.
Lattimore, one of the great things in New York State is the Merry-Go-Round Theater.
Burns, single vendor would get more use out of the pavilion, Easter, Mothers Day etc. Work with the Theater, bus tours, people need a place to eat.
Tortorici, some of the places did 3 weddings a day, big turnover.
Burns, one operator, get them in and out.
Sam Giangreco Parks Commission, 3 issues, 1. Heat is there, need to replace windows, 2. Concession stand, could you use the old park garage. 3. Need more staff to do the cleaning.
Burns, Lease agreement would take care of that.
Giangreco, there's no place to dance in Auburn, you have to go to Syracuse for entertainment.
Burns, the market exists, just need the staff.
Fearon, Ithaca market, some people just pick a place for a wedding, not necessarily where they live. Destination Wedding.
Bernie Simmons Caterer, it's good to see your taking steps to secure the building, it needs a lot of work.
Mills, timing, requests for 2012.
Duckett, still booking for 2011.
Franceschelli, that's why we're here, need to move forward with Memorandum of Agreement.
Mills, issue with one vendor, they would book everything so we need to get in place soon.
Tortorici, need to move now.
Mills, renovate and move, we have to do this.
Lattimore, 10 year – \$3,000,000?

Burns, \$67,000 this year capital improvement, \$67,000 next year, put money aside for future.

Tortorici, I would like a resolution and MOA to create partnership with the Fred L. Emerson Foundation to come up with a plan on how to renovate and run the pavilion. One management, take over pavilion, put revenue in an account to maintain it and keep it up. Who would support this and move forward? All Legislator's voting yes. Resolution can run tomorrow.

Motion to adjourn by Lattimore at 7:37PM, 2nd by Axton, all in favor.

Motion by Lattimore to approve minutes of 3-22-10 on 4-27-10, 2nd by Pinckney, all in favor.

MINUTES CAYUGA COUNTY LEGISLATURE
MARCH 23, 2010, 6:30PM

CALL TO ORDER: Hon. Peter Tortorici, Chairman at 6:28PM.

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

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

REPORTS OF DEATH: Justina Okal, Weedsport NY, grandmother of Legislator David Axton.

PRESENTATION'S: Bonadio Group(Kenneth Pink, CPA and Brian Lafountain CPA), Elane Daly, Director of Health & Human Services, and Tom Ryan Director of Case Integrity, re: Detection Program, to Prevent Fraud & Abuse on Public Funded Projects. Handout attached to original minutes.

Discussion: Palermo, 352 cases referred to you based on suspicion or random?

Lafountain, people that run their own business, partnerships, complex cases.

Palermo, do you report back to the county?

Lafountain, yes, we give them the numbers or we reference as fraudulent.

Cuddeback, 352 case out of how many?

Daly, we have 9,000 open cases, about 1,000 are self employed.

Mills, do you do annual review?

Daly, yes.

Lattimore, how much is spent on Bonadio Group?

Ink, approximately \$4,500 a month.

Mazza, 100% State pays Bonadio. We are the gate keepers, screening has to be strong, we are subject to audits.

Mitchell, cost benefit?

Lafountain, State, Federal and County.

Daly, there's no local re-imburement for this.

Tortorici, the State is auditing Mental Health, and Nursing Homes across the state, need to minimize the risk.

Ryan, Front End Detection System, investigate and verification.

Cuddeback, can we e-mail you anytime?

Ryan, yes, and you can leave a voice mail anytime.

Lattimore, average length person on benefits?

Ryan, I've been here 16 years and some of the same people are still on the system, but I'd say average 3 to 5 years, Federal Government say no more than 5 years.

Mazza, people that are on permanent disability can be on the system forever.

Lattimore, 3 and 4 generations.

Mazza, Office of Medicaid Inspector General is doing a lot of auditing. This County is a payer on one end and a provider on the another, Nursing Home, Mental Health, CHHA etc. We are working on this, getting our record ready, to avoid being penalized.

Leadership Cayuga, members present were recognized by the Legislature, Stephanie Salato, Hilary Ford, Lauren Chyle, Bruce Blodgett, Joanne Lanson, Laurie Trojnor, Jeff Alberici, Andrew Bartholomew, Joe Murphy, Lane Duger, Diane Moose, and Tim Donovan

Blueprint II group, re: a grant they received from the Stardust Foundation for Emerson Park shelter renovations. (Dustin Culver, Anna Cuthbert, Emily Latanushyn, Tom Lupo, Zachary Weaver and Alex Wilczeck), members were recognized by the Legislature.

PROCLAMATIONS: Cayuga County Salutes John Vanacore, Tuesday, March 9, 2010
Harriet Tubman Day in Cayuga County, March 10, 2010.
Bernie Corcoran Day in Cayuga County, March 19, 2010

Proclamations titles read by Mary Jones, Clerk of the Legislature.

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: 1-26-10 and 2-1-10 (Committee Meeting of the Whole),
Motion by Lattimore to approve minutes, 2nd by Pinckney, all in favor.
For Reading: 2-23-10, 3-4-10, 3-16-10 and 3-22-10 (Committee of the whole)

CCC REPORT: Dr. Daniel Larson, **Enrollment update, 3,112 students.** Albany Advocacy, visited 9 senators and assembly members to urge the restoration of base aid and TAP funds. Assessment Day, all College departments and offices attended. CASH Program, six student with Professor Dawn Matijas help low to moderate income residents prepare their taxes. Panama Interns, 2 students who completed internships in Panama gave a joint presentation on their experience, re: climate change. Faculty Presentations, Professor Howard Nelson gave a reading on *The Nap* by the Waterfall and Professor Schultz presented excerpts from his biography of James K. McGuire.

DEFEATED
MOTION NO. 121-10
3-23-10

Motion by Fearon, 2nd by Chapman

I move that we approve the contract with the Cayuga County Community College Administrative & Professional Group (APG) bargaining unit.

Discussion:

Chapman, I support.

Cuddeback, no, send proposal back to bargaining.

Lattimore, we can't discuss the terms?

Tortorici, no, have to go into executive session.

Roll Call vote. Noes – Palermo, Axton, Petrus, Mills, Fearon, Mitchell, Cuddeback, Tortorici. Ayes – Lattimore, Mahunik, Chapman, Barski, Sincebaugh. Abstained, Pinckney, Aikman. 493/276/113.

Motion Defeated by roll call vote.

MANAGER'S REPORT: Nick Mazza, I feel we have accomplished a great deal, great people, a wonderful experience. Tortorici, thanked Nick, preformed 110%.

CHAIRMAN'S REPORT: Peter Tortorici, David Axton and I are members of the National Association of Counties, we are on the finance committee for Indian Affairs, we went to Washington. A resolution has passed Carcierri Fix, to put land into trust for the Indians for food, not gas stations and casinos
Fearon, department, of Interior is trying to circumvent Supreme Court, not roll of the Legislative body to over-rule the Supreme Court.

COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS: Axton, re: Washington trip with Peter, we explained our case, other counties had different issues, there were actually two Native Americans that voted with us.

Mills, there will be a Marcellus Shale Gas forum on Thursday, April 29th from 7 to 8:30PM at the Bisgrove Community theater, Cayuga Community College, 197 Franklin St., Auburn, NY.

APPOINTMENTS AND RE-APPOINTMENTS:

Cayuga County Parks Commission:

David Hollier, 838 Victory Rd., Red Creek, NY 13143, term – 1-1-10 to 13-31-2012

Cayuga County Water Quality Management Agency:

Vicky Murphy, Memorial City Hall, Auburn, NY 13021, term 1/1/10 – 12/31/10

APPOINTMENTS AND RE-APPOINTMENTS CON'T:

Cayuga County Planning Board:

Members serve until the locality they represent submits a new nomination

Darrin Rooker, 73 Green Street, Port Byron, NY 13140 – Village of Port Byron

Dorothy Watts, 10854 Duck Lake Road, Red Creek, NY 13143 – Town of Conquest

Ag and Farmland Protection Board:

Doug Young, Spruce Haven Farm, 5004 White Rd, Union Springs, NY, 13160, term: 1/10/10 – 12/31/13

James LaFave, 3068 Goose Street, Locke, NY, 13092, term: 4/1/10 – 12/31/10

David Shurtleff, 1972 Weatherly Road, Cato, NY, 13033, term: 1/10/10 -12/31/10

Motion by Lattimore, 2nd by Barski to approve all appointments, all in favor.

COMMUNICATIONS AND ANNOUNCEMENTS:

1. Received a letter from Musical Theatre Festival, Inc., re: thanking Cayuga County for sending letters of support for the Congressional appropriations.

2. Received a copy of a Local Law #1 from the Town of Brutus – Alternative Energy – Small Wind Energy Systems.

3. Received a thank you letter from the Matthew House for the \$220.50 donation from County employees.

4. Received a thank you letter from Hospice of the Finger Lakes, for the \$271.00 donation from County employees.

Motion by Lattimore, 2nd by Cuddeback to waive reading of Communications, all in favor

RESOLUTIONS:

RESOLUTION NO. 122-10

03-23-10 AuditMarch 2010.doc

**AUTHORIZING THE COUNTY TREASURER TO
PAY March 2010 AUDIT OF CLAIMS**

By: Hon. Christopher Palermo, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on March 23, 2010 audit claims against the County of Cayuga in the aggregate sum of \$1,215,666.49, 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 17, 2009.

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills, and Petrus, all in favor.

RESOLUTION NO. 123-10

03.23.10

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

By: Hon. Christopher Palermo, 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:

February 2010

Electric	\$ 0
Telephone:	\$ 20,822.18
Total:	\$ 20,822.18

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

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills, and Petrus, all in favor.

RESOLUTION NO. 124-10

03.23.10

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

By: Hon. Christopher Palermo, 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:

February 2010

\$129.23

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

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills, and Petrus, all in favor.

RESOLUTION NO. 125-10

3/23/10 NH Audit March

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

BY: Ann Petrus, Chairman, Health & Human Services Committee
Christopher Palermo, 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 \$1,276.11 for the month of February 2010, now therefore be it

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

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 126-10

3-23-10 OFA SEBIOR NUTRITION 3-10

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

BY: Ms. Ann Petrus, Chair of Health & Human Services Committee, and
Mr. Christopher Palermo, Chair of Ways and 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 \$10,493.38 covering the period through 2/26/10 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, Axton, Barski, Mahunik, Mills, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 127-10

03.23.10

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

BY: Hon. Christopher Palermo, 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:

February 2010

First Niagara	\$ 555.96
AmExpress	\$ 3,885.68
Sunoco	\$ 55.61
Walmart	\$ 74.40
Exxon	\$ 168.70
Total:	\$ 4,184.39

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

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills, and Petrus, all in favor.

RESOLUTION NO. 128-10

03.23.10

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

BY: Hon. Christopher Palermo, 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:

February 2010

Copier Leases and Maintenance:	\$ 3,446.90
Postage Leases:	\$ 754.00
Total:	\$ 4,200.90

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

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills, and Petrus, all in favor.

RESOLUTION NO. 129-10

(3/23/10) COA-CAPH3PAYREV

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

BY: MR. CHRISTOPHER PALERMO, 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 #07-5 (Tyler Software):

MILEAGE, MEALS, TOLLS :

Tyler Technologies Inc.-Inv. No. 23353	\$ 613.40
Tyler Technologies Inc. -Inv. No. 23721	\$ 70.70
Tyler Technologies Inc - Inv. No. 159397	\$ 1,355.08
Sub Total	\$ 2,039.18

2. Project #08-01 (Behavioral Health Service Project)	
Green Plumbing Inc. Application # 2	\$ 6,328.00
East Coast Electric, LLC- Application # 2	\$ 8,508.20
Siracusa Mechanical Inc- Application # 2	\$ 30,400.00
Fah's Construction Group - Application # 3	\$69,231.25
Gary Management Systems –Invoice 7	\$ 10,083.75
AAC Contracting Inc – Application # 4	\$ 6,655.00
Sub Total	\$131,206.20
Grand Total	\$ 133,245.38

And be it further

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

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills, Petrus, all in favor.

RESOLUTION NO. 130-10

Action Date 3/23/10 RPSfillSupGISSpec10

AUTHORIZATION TO REVISE GIS-TAX MAP TECHNICIAN RELATED TITLES WITHIN THE REAL PROPERTY TAX SERVICES DEPARTMENT AND TO FILL THE SUPERVISING POSITION DUE TO A RETIREMENT.

BY: Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, the position of Supervising Tax Map Technician (position control # 4158) within the Real Property Tax Services Department will become vacant due to the retirement of the current employee (effective April 30, 2010); and

WHEREAS, the position provides essential services for the department and is necessary for the efficient operation of the Real Property Office; and

WHEREAS, the Director of Real Property Tax Services II met with the Civil Service Commission and requested that the GIS and Tax Map positions within the department be reviewed, revised and modernized; and

WHEREAS, the Civil Service Commission has proposed title changes for the three existing GIS-Tax Map titles within the Real Property Tax Services Offices contingent upon the adoption of said changes by the Legislature; now, therefore be it

RESOLVED, that the following title changes occur with no change in the compensation for the CSEA positions:

Current Title:	Position Control#	New Title:	Grade:
GIS Technician	4398	GIS Specialist	11
Sr. GIS –Tax Map Technician	6354	Senior GIS Specialist	15
Supervising Tax Map Technician	1819	Supervising GIS Specialist	23

;and be it further

RESOLVED, that the above changes be effective March 8, 2010 and be incorporated into the CSEA Compensation Plan as title changes only with no change in compensation; and be it further

RESOLVED, that the changes in title be in accordance with the Cayuga County Civil Service Rules and Regulations; and be it further

RESOLVED, that the Director of Real Property Tax Services II be hereby authorized and directed to fill the position of Supervising GIS Specialist, effective May 1, 2010, in accordance with the Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills, and Petrus, all in favor.

RESOLUTION NO. 131-10
(3/23/10) COMSalAdj
RESTORING FUNDING TO THE PROVISION FOR SALARY
ADJUSTMENT ACCOUNT

BY: Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, during the 2009 fiscal year, the County accumulated funds in an account called Provision for Salary Adjustment through realizing savings in salary and fringe benefit accounts due to position vacancies; and

WHEREAS, these funds are to be utilized to pay employee contracts that are finalized; and

WHEREAS, during the 2009 fiscal year this account was not expended for this purpose; and

WHEREAS, during the 2010 budget process, the Cayuga County Legislature decided that \$385,000.00 of the funds remaining in the Provision for Salary Adjustment Account (A10174-54000) at the end of 2009 be made available for the 2010 fiscal year; now, therefore be it

RESOLVED, that \$385,000.00 be appropriated from the General Fund Balance at the end of the fiscal year 2009 to the 2010 budget for Provision for Salary Adjustment Account (A10174-54000) to restore funding; and, be it further

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

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills, and Petrus, all in favor.

RESOLUTION NO. 132-10
3/23/10 Hwy-LeaveBank rev2
AUTHORIZING THE CREATION OF A TEMPORARY LEAVE BANK FOR A
CAYUGA COUNTY HIGHWAY EMPLOYEE

BY: Mr. Christopher Palermo, Chair, Ways & Means Committee

WHEREAS, an employee of the Cayuga County Highway Department, has an illness requiring treatment that will necessitate extended leave; and

WHEREAS, this employee has worked for the Cayuga County Highway Department, for approximately fifteen years and will exhaust accruals due to this illness; 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 has approval of the 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:

All other leave shall have been exhausted by the employee. All County employees may be permitted to donate personal, or vacation time in no less than full day increments, at any amount up to a grand total of ninety-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 CSEA 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 Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills, and Petrus, all in favor.

RESOLUTION NO. 133-10

3/23/10 costalloc

AWARD THE PROPOSAL FOR COST ALLOCATION PLAN

BY: Mr. Christopher Palermo, Ways and Means Committee

WHEREAS, Cayuga County is in need of a Central Services Cost Allocation Plan, and

WHEREAS, this information is used by County Offices, primarily, the Department of Social Services, to claim Federal Aid for indirect costs and State Aid for maintenance in lieu of rent, and

WHEREAS, requests for proposals were solicited and received (bid summary attached), and

WHEREAS, the recommendation for this contract is *Venesky and Company* at \$12,000 for the year 2010, \$12,000 for the year 2011 and \$12,000 for the year 2012, and

WHEREAS, this contractor has clearly demonstrated to be the most qualified to provide the maximum benefit to the County, now, therefore, be it

RESOLVED, that the Chairman of the Legislature be authorized to enter into a contract with *Venesky and Company* to provide this service to the County.

Signed by Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills, and Petrus, all in favor.

Motion by Petrus to bundle resolutions HH-1 to HH-19, excluding HH-4 which was pulled at committee. Aikman abstained from HH-18, Motion by Fearon to separate HH-18 from bundle, all in favor, except Cuddeback voting no.

RESOLUTION NO. 134-10

(March 23, 2010) HD Temp Fill Caseworker LTCAO

AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO TEMPORARILY FILL A CASEWORKER POSITION AT THE LONG TERM CARE ACCESS OFFICE (LTCAO) BEHIND A RETIREMENT

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

Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, a caseworker position will be vacated in the LTCAO due to a retirement effective March 31, 2010; and

WHEREAS, the long term plan for this position was to convert the caseworker to an RN as the RN can assume the social and nursing assessment needed to manage patients in the Medicaid funded PCA Program; and

WHEREAS, in the interim of executing this conversion we would like to fill a caseworker position on a temporary basis until the conversion can occur; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized and directed to temporarily fill a caseworker position at the LTCAO in accordance with Civil Services Rules and Regulations and the policies of the County of Cayuga.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 135-10

(March 23, 2010) HD Licensure LHCSArev

AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO FILE AN ARTICLE 36 LICENSURE APPLICATION TO ESTABLISH A LICENSED HOME CARE SERVICE AGENCY (LHCSA)

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the County is in the process of transitioning its Certified Home Care Agency to Lifetime Care; and

WHEREAS, once this transition occurs (of the operating certificate), the County Health Department will be prohibited from providing any home-based services including nursing unless licensure is pursued; and

WHEREAS, in the course of doing the public health work required as a recipient of Article VI, State Aid, home visit will be necessary; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health and Human Services be authorized and directed to submit an application for licensure (cost is \$2,000 to be paid from account #A40124 54059) to the Bureau of Project Management in the New York State Department of Health.

Signed by Petrus, Axton, Mahunik, Mills, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 136-10

(October 27, 2009) HD Create/Fill PT Lactation Peer Counselor WIC

AUTHORIZING THE COUNTY LEGISLATURE TO CREATE A PT LACTATION PEER COUNSELOR POSITION IN THE WIC PROGRAM AND AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICE TO FILL THE POSITION

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 funding has been made available for the Cayuga County Health Department to continue to run the WIC program for the period October 1, 2009 through September 30, 2010; and

WHEREAS, one of the mandated services of the NYS WIC Program is to further promote breast feeding among WIC participants by utilizing the services of a Part-Time Lactation Peer Counselor position to, among other duties, assist in teaching breastfeeding classes within the WIC program, provide information on additional sources of help for the breastfeeding mother, and participate in peer support groups; NOW, THEREFORE BE IT

RESOLVED, that upon approval of this position by the Cayuga County Civil Service Commission, the County Legislature be authorized and directed to create a Part-Time Lactation Peer Counselor position for the WIC Program to be placed in the Cayuga County Compensation Plan, Part II for Non-Bargaining, at a rate of \$10 per hour; and be it further

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill this newly created position in accordance with Civil Services Rules and Regulations and the policies of the County of Cayuga; and be also

RESOLVED, that if funding ceases for the position, it will be abolished.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 137-10

(March 23, 2010) HD Transitioning CHHA Prin AC-2010

**AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES
TO FILL A PRINCIPAL ACCOUNT CLERK POSITION BY REINSTATING
A RETIREE UNTIL SUCH TIME AS A JUNIOR ACCOUNTANT
POSITION IS ABOLISHED.**

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

Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Legislature voted recently to begin the process to transition the Health Department's Certified Home Health Agency to Lifetime Care; and

WHEREAS, the Director of Health & Human Services is making every effort to shift CHHA employees at risk of losing their jobs to other county positions as they become available; and

WHEREAS, a Principal Account Clerk (Control #004640) has been filled temporarily until the civil service eligible list was established on 1/13/10; and

WHEREAS, the current incumbent is a retiree that is willing to help with the transition and fill the Principal Account Clerk position by reinstatement until such time as the lay-off of billing staff occurs; and

WHEREAS, the Director of Health and Human Services desires to have the incumbent of the targeted position of Junior Accountant in the Public Health Department be able to be permanently appointed to the Principal Account Clerk from the Preferred Eligible List established after the abolition of positions; and

WHEREAS this aforementioned fill by a retiree will allow this transition upon the lay-off of the Junior Accountant; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health and Human Services be hereby authorized to fill a Principal Account Clerk vacancy effective immediately in the Public Health Department by the reinstatement of a retiree until the abolishment of CHHA billing staff positions; and be it further

RESOLVED, that upon the abolishment of the CHHA billing staff positions and resignation of the reinstated retiree; that the Principal Account Clerk position be hereby filled from the Junior Accountant Preferred Eligible List in accordance with Civil Services Rules and Regulations and the policies of the County of Cayuga.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 138-10

(March 23, 2010) HD Extend CHHA Service Contracts 2010

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO EXTEND CHHA
SERVICE CONTRACTS THROUGH 2010**

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

Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Legislature voted recently to begin the process to transition the Health Department's Certified Home Health Agency to Lifetime Care; and

WHEREAS, the management-transfer between CHHA and Lifetime Care is expected to take about three months; and

WHEREAS, in order to maintain specific patient services as usual during this time of transition and through the transfer of the certificate if needed, it is necessary for the CHHA to extend these service contracts; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized and directed to extend all CHHA service contracts (as listed below) through 2010 under their current terms:

Adirondack Physical Therapy & Occupational Therapy, LLC

Barrette, Mary Lou, Registered Dietician

Cayuga Health Association

Krista Celso, Occupational Therapist

Clark, Elaine, Physical Therapist

Cooney, Michelle, Physical Therapist

Daley, Linda, Physical Therapist

E. John Gavras Center (Physical Therapy, Occupational Therapy, & Speech Therapy)

Feyerabend, Catherine, Occupational Therapist

Garcia, Jill, Speech Therapist

Green, Sue, RN (Wound Care)

Jablonski, Kim, Physical Therapist

Mandel Therapy (Physical Therapy, Occupational Therapy, & Speech Therapy)

McGonagle, Linda, Physical Therapist

Melfi, Kelly, Occupational

Northbrook Heights Home for Adults, Inc. (HHA, PCA, HMKR, HSKP)

Stafkings Healthcare Systems, Inc. (RN, LPN, HHA)

Therapy Partners in OT, PT, Speech-Language Pathology, PLLC

Wolff-Evans, Elizabeth, Physical Therapist

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 139-10

(MARCH 23, 2010) HD SIBLEY NURSING PERSONNEL SERVICE 2010 AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH SIBLEY NURSING PERSONNEL SERVICE, INC.

BY: Chairman Health & Human Services Committee

Chairman Ways & Means Committee

WHEREAS, there exists in the Certified Home Health Agency (CHHA) of the County Health Department a need to provide RN, LPN and Home Health Aide services and a Home Health Aide Scheduler; and

WHEREAS, at times the CHHA does not have sufficient staff to meet the fluctuating needs of the agency and must rely on contracting with licensed home care agencies; and

WHEREAS, funds have been budgeted in the 2010 budget in account #A40124 – 54219 Home Health Aides and account #A40124 – 54128 Nurses/Contracts, #A40124 54059 Professional Services; and

WHEREAS, this contract will only be used in those circumstances when administration determines that there is insufficient clinical coverage; 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 effective January 1, 2010 through December 31, 2010 with Sibley Nursing Personnel Service, Inc. to provide the following services at the following rates:

Rates	Weekday Rate	Weekend Rate
RN	\$42.23/hr.	\$44.72/ hr.
LPN	\$32.44/hr.	\$34.32/hr.
Home Health Aide	\$19.57/hr.	\$22.00/hr.
HHA Scheduler	\$21.63/hr.	N/A

Holidays are paid at the rate of 1½ times the bill rate for the following holidays: New Years Day, New Years Eve, Memorial Day, July 4th, Labor Day, Thanksgiving Day, Christmas Eve, and Christmas day.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 140-10

(March 23, 2010) HS Fill Interim DepDirSocServ

AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO FILL INTERIM DEPUTY DIRECTOR FOR SOCIAL SERVICES POSITION

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

Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, on March 31, 2010 the Deputy Director for Social Services will retire; and

WHEREAS, within the current administrative structure of Health & Human Services, the Deputy is needed to assist in managing the Department of Social Services; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the Deputy Director of Social Services position on an interim basis at a salary of \$61,000 in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 141-10

(March 23, 2010) HS Fill HS 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

Christopher Palermo, 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 resignation effective March 12, 2010; 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 2010 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, Axton, Barski, Mahunik, Mills, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 142-10

(March 23, 2010) HS FLACS Contract

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH FINGER LAKES ASSESSMENT AND COUNSELING SERVICES (FLACS)

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Department of Health & Human Services is responsible to appropriately program for children placed in foster care and/or preventive services; and

WHEREAS, Finger Lakes Assessment and Counseling Services offers outpatient clinical assessment and services for adolescent sexual offender outpatient services and individual and/or group counseling; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to enter into a contract with Finger Lakes Assessment and Counseling Services for the period of 3/24/10 to 3/23/11 at the following rates:

Mandated Evaluations (3 Sessions)	\$90 per session
Individual Counseling Session	\$45 per session
Family or Couples Counseling	\$60 per session
Group Counseling	\$10-\$20 per group session
On-Site Training	\$125 per hour
Professional Court Testimony	\$125 per hour
Minimal Phone Consultation (Under 15 Min.)	No charge
Extensive Phone Consultation (Over Min.)	\$45 per hour

and be it further

RESOLVED, that the payment of these services be from account #A60704 54184 of the 2010 Human Services Budget.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 143-10

(March 23, 2010) HS Huntington Contract

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW A CONTRACT WITH HUNTING FAMILY CENT4R, INC.

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Department of Health & Human Services is responsible to appropriately program for children placed in foster care and/or preventive services; and

WHEREAS, Huntington offers a specialized program; and

WHEREAS, the Department of Health & Human Services has successfully contracted with Huntington Family Center, Inc. in the past to provide outpatient clinical assessment and services; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to enter into a contract with Huntington Family Center, Inc. for the period of 1/1/10 to 12/31/10 at the following monthly rates:

Assessment	\$800
Individual & Family	\$525
Individual	\$400

and be it further

RESOLVED, that the payment of these services be from account #A61194 - 54000 of the 2010 Human Services Budget.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 144-10

(March 23, 2010) HS Med-Rev 2010

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW A
CONTRACT WITH MED REV RECOVERIES, INC. FOR THE
PROVISION OF DEBT RECOVERY SERVICES**

BY: Ann Petrus, Chairman of the Health & Human Services Committee
Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, recipients of public assistance on occasion become ineligible for benefits with an identifiable amount due to the County of Cayuga; and

WHEREAS, the Human Services Division of Health & Human Services is required to provide debt recovery services in order to re-coup monies owed to the County; and

WHEREAS, the Human Services Division has successfully contracted with Med Rev Recoveries, Inc. in the past to provide these services; and

WHEREAS, Med Rev Recoveries, Inc. would receive a contingent fee of 23% of amounts recovered; 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 Med Rev Recoveries, Inc. for the contract period May 1, 2010 through April 30, 2011; and be it further

RESOLVED, that the charges for these services be paid from account #A60104 54059 of the 2010 Human Services Budget.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION 145-10

(March 23, 2010) HS MAS Contract 2010

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW
THE CONTRACT WITH MEDICAL ANSWERING SERVICES, LLC
FOR A NON-EMERGENCY MEDICAID TRANSPORTATION
MANAGEMENT SYSTEM**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Christopher Palermo, 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, the Department has successfully contracted with Medical Answering Services (MAS) for the provision of the above listed services; and

WHEREAS, the cost of these services are 100% State and Federally funded; 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 MAS for a Non-Emergency Medicaid Transportation Management System for the period January 1, 2010 through December 31, 2010 in the amount of \$60,588 paid in equal monthly installments of \$5,049; and be it further

RESOLVED, that the costs of these services be paid from account #A60104 54059. Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 146-10

(March 23, 2010) HS IMA Contract 2010

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A
CONTRACT WITH INDUSTRIAL MEDICINE ASSOCIATES, PC (IMA)**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, IMA with an office in Syracuse provides consultive medical exams for Social Security Disability and SSI, and also provides workforce or "employability" evaluation services to a number of counties; and

WHEREAS, our Department currently has a number of individuals in receipt of cash assistance who are medically exempt from work and/or in the process of awaiting an SSI determination; and

WHEREAS, our goal remains to move as many individuals as possible to self-sufficiency through employment or to SSI or SSD, and provide assistance on a temporary basis; and

WHEREAS, a contract with IMA will, when appropriate, be an effective complement to our SSI case management contract, as well as allow us to get a "second opinion" on some individuals to see if the work restriction could be lifted; NOW, THEREFORE, BE IT

RESOLVED, the Chairman of the Legislature and the Director of Health & Human Services are authorized to enter into a contract with Industrial Medicine Associates, PC for provision of workforce or employability evaluation services for the period of January 1, 2010 through December 31, 2010; and be it further

RESOLVED, that charges for services related to Safety Net Assistance be paid from account #A60104 54059 and for services related to TANF be paid from account #60604 54000 of the 2010 Human Services Budget.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 147-10

DATE: 03/23/10 OFA Contracts March 10

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF THE OFFICE FOR THE AGING TO SIGN CONTRACTS WITH VARIOUS SUBCONTRACTORS.

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

WHEREAS, appropriations were approved in the County budget for the year 2010 for various subcontractors (A67724 54118) for the Cayuga County Office for the Aging, in return for which these subcontractors agree to perform certain services for the benefit of Senior Citizens of Cayuga County; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of the County Office for the Aging are hereby authorized and directed to enter into contracts with the subcontractors listed below:

EISEP (Expanded In Home Services for the Elderly)	*Total of EISEP Services not to exceed \$220,000
Staffings Healthcare Systems, Inc.	
Cayuga Health Association, Inc.	
Northbrook Heights Assisted Living Center	
Home Instead Senior Care	
CSE (Community Services for the Elderly)	
Transportation Project, Inc.	\$38,500
CSI (Congregate Services Initiative)	
Boyle Senior Center, Inc.	\$5,500
AAA (Area Agency on Aging Transportation Funds)	
Transportation Project, Inc.	\$7,200
WRAP (Weatherization Referral & Packaging Last Resort Program)	
Cayuga County Homsite Development Corp.	\$15,000

and be it further

RESOLVED, that the Office for the Aging is authorized and directed to enter into contracts with the above referenced subcontractors for the period of April 1, 2010 through March 31, 2011, in an amount not to exceed the above referenced sums.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 148-10

DATE: 03/23/10 OFA Createfill Food Service Helpers Mar10

CREATING EIGHT (8) FOOD SERVICE HELPER POSITIONS IN THE OFFICE FOR THE AGING; AND AUTHORIZING THE DIRECTOR OF THE OFFICE FOR THE AGING TO FILL THE EIGHT (8) NEWLY CREATED FOOD SERVICE HELPER POSITIONS.

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

WHEREAS, the County Attorney has deemed that the subcontractors working as Congregate Site Managers in the Senior Nutrition Program meet the IRS description of employee; and

WHEREAS, the Civil Service Commission recently reviewed the duties of the Congregate Site Manager position in the Office for the Aging and classified the title for the position as Food Service Helper, Jurisdictional Class Labor; and

WHEREAS, there are eight (8) Food Service Helper positions with the rate of pay of \$11.25 per hour for non-rural congregate sites and \$11.50 per hour for the rural congregate sites; and

WHEREAS, there is funding from the New York State Office for the Aging and the Older Americans Act in the Office for Aging 2010 Budget Line A67734-54059 (Professional Services) for these positions; now, therefore, be it

RESOLVED, that the Cayuga County Legislature create eight (8) Food Services Helper positions in the Office for the Aging; and be it further

RESOLVED, that the rate of pay be hereby set for Food Service Helper in the Cayuga County Compensation Plan, Part II for Non-Bargaining Employees under the Office for the Aging at the following rates of pay:

At Non-Rural Congregate Sites:	\$11.25 per hour
At Rural Congregate Sites:	\$11.50 per hour;

and be it further

RESOLVED, that the Treasurer be authorized and directed to transfer a total of \$51,844 from the OFA 2010 Budget Line A67734-54059 (Professional Services) as follows:

- \$45,780 to Line A67721-51002 (Salaries Part-time); and
- \$3,502 to Line A67721-58001 (Social Security); and
- \$1,168 to Line A67721-58002 (Retirement); and
- \$1,394 to Line A67721-58005 (Workmens Comp); and be it further

RESOLVED, that the Director of the Office for the Aging be authorized and directed to fill the eight (8) newly created Food Services Helper positions effective 4/1/2010 in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 149-10**(03/23/10) ybofcaagnmt****AUTHORIZE THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN 2010 RESOURCE ALLOCATION AGREEMENT WITH THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES.**

By: Ann Petrus, Chairwoman, Health and Human Services Committee

Christopher Palermo, Chairman, Ways and Means Committee

WHEREAS, the County of Cayuga is eligible for \$124,639.00 in Special Delinquency Prevention funds and Youth Development Delinquency Prevention funds from the New York State Office of Children and Families, be it

RESOLVED, that the Chairman of the Cayuga County Legislature is authorized to sign the 2010 Resource Allocation Plan Agreement with the New York State Office of Children and Families.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 150-10**03/23/10) (EMS) 2010 CNY EMS Grant****AUTHORIZING THE CAYUGA COUNTY DIRECTOR OF EMERGENCY SERVICES TO ACCEPT GRANT FUNDING OF \$1,160.72 FROM CENTRAL NEW YORK REGIONAL EMS COUNCIL AND TO AUTHORIZE THE CAYUGA COUNTY TREASURER TO AMEND THE CAYUGA COUNTY EMERGENCY MEDICAL SERVICES 2010 BUDGET (4072) BY RE-ESTABLISHING REVENUE LINE, #A4072-43970, AND TO INCREASE BUDGET A4072.2 EQUIPMENT LINE TO COVER \$1,160.72 EQUIPMENT COSTS FOR THE PURCHASE OF A LCD PROJECTOR AND CPR MANIKINS.**

BY: Ms. Ann Petrus, Chairperson of Health & Human Services Committee

Mr. Christopher Palermo, Chairperson of Ways & Means Committee

WHEREAS, the Central New York Regional EMS Council has awarded Cayuga County EMS a training grant of \$1,160.72 to be used in funding EMS and CPR training equipment which would include a new LCD Projector (cost \$461.17), 6 CPR Manikins (cost \$699.55), for a total equipment cost of \$1,160.72, and

WHEREAS, upon receipt of copies of paid invoices, the Central NY Regional EMS Council will send Cayuga County EMS reimbursement of these billings to a total of \$1,160.72, and

WHEREAS, the Cayuga County Director of Emergency Services seeks authorization to accept this grant and to make the equipment purchases, per NYS Contract pricing, now therefore, be it

RESOLVED, that the Director of Emergency Services is hereby authorized to accept the said grant and to make the equipment purchases, per NYS Contract pricing, and be it further

RESOLVED, that the Cayuga County Treasurer be and is hereby authorized and directed to amend the Cayuga County EMS 2010 Budget (4072) in the following manner: Re-establish EMS revenue line #A4072-43970 for the reimbursement of these funds from the Central NY Regional EMS Council in the amount of \$1,160.72.

Increase account #A40722-52000 equipment line to cover the equipment cost of \$1,160.72. 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 Petrus, Axton, Barski, Mahunik, Mills, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 151-10

(03/23/10) ybagnycyk

AUTHORIZE THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND DIRECTOR OF THE YOUTH BUREAU TO EXECUTE AGREEMENTS WITH VARIOUS AGENCIES TO PROVIDE YOUTH DEVELOPMENT SERVICES

By: Ann Petrus, Chairwoman, Health and Human Services Committee
Christopher Palermo, Chairman, Ways and Means Committee

WHEREAS, the County of Cayuga is eligible for Youth Development Delinquency Prevention and Special Delinquency Prevention Program funds from the New York State Office of Children and Family Services, and

WHEREAS, the Cayuga County Youth Bureau has approved the program description and budget of the following agencies in the amounts not exceeding those designated therefore when proper claims have been submitted, and

WHEREAS, said monies have been included in the Cayuga County 2010 budget and are paid contingent upon the County receiving 100% of the aforesaid amount from the New York State Office of Children and Family Services, now therefore be it

RESOLVED, that the Chairman of the County Legislature, be and he is hereby authorized to execute agreements with the agencies set forth below.

Cayuga Counseling Services: Pre-Trial Diversion Services	\$28,102.00
Freedom Recreational Services: Freedom Camp	\$9,386.00
Merry Go Round Playhouse: Park Playground Performances	\$4,564.00
CHAD: DART Program	\$19,260.00
Auburn YMCA: Y-Pals Program	\$14,264.00
Booker T. Washington Center: AWESUM/SIMUKAI	\$17,754.00

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Cuddeback, and Fearon, all in favor, except Aikman Abstained.

RESOLUTION NO. 152-10

March 23, 2010 IT-VMwareTraining2010.doc

AUTHORIZING THE INFORMATION TECHNOLOGY DEPARTMENT TO ENROLL TECHNICIANS IN TRAINING COURSES

BY: George Fearon, Chairman, Government Operations Committee
Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, the County plans on upgrading its server system to consolidate servers; and

WHEREAS, the Information Technology Department technicians require training in the new systems planning, installation, and configuration and; and

WHEREAS, the system software manufacturer provides scheduled on-line training; now therefore be it

RESOLVED, that the Information Technology department is authorized to purchase VMware on-line training in the amount of \$6,000.00 from account number A16104 54135 and Microsoft on-line Training in the amount of \$8,370.00 from account number A16104 54135.

Signed by Fearon, Aikman, Barski, Chapman, Lattimore, Mitchell, Palermo, Axton, Cuddeback, Mahunik, Mills, and Petrus, all in favor.

RESOLUTION NO. 153-10

3-27-10 CC-DMV SR CASHIER FT

AUTHORIZES THE CAYUGA COUNTY CLERK TO FILL A FULL TIME SENIOR CASHIER IN THE MOTOR VEHICLE DEPARTMENT AND FILL ANY BACKFILL POSITION

BY: MR. GEORGE FEARON, Chairperson, Government Operations Committee
MR. CHRISTOPHER PALERMO, Chairperson, Ways and Means Committee

WHEREAS, there will be a Senior Cashier position vacancy on May 1 in the Motor Vehicle Bureau and that the Full Time Senior Cashier position provides essential services to the Motor Vehicle Department and to the County; and

WHEREAS, it is essential that the position be filled on a permanent basis; and

WHEREAS, the funding for this Full Time Senior Cashier Position # 1842 has been appropriated in the 2010 Department of Motor Vehicle (A14111-51001) salary account in the amount of \$39,021 ; now therefore be it

RESOLVED, that Cayuga County Clerk, Susan Dwyer be authorized to fill the position of full time Motor Vehicle Senior with a full time position with fringe benefits pursuant to the Cayuga County Compensation Plan, Part I – CSEA Bargaining in the title Senior Motor Vehicle Cashier and to fill any backfill positions that may result from promotions; and be it further

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

Signed by Fearon, Aikman, Barski, Chapman, Lattimore, Mitchell, Palermo, Axton, Cuddeback, Mahunik, Mills, and Petrus, all in favor, except Cuddeback voting no.

TABLED TABLED TABLED

RESOLUTION NO. 154-10

3.23.10 coacdnnfrvk

REPEALING RESOLUTION NO. 508-09, (SETTING A FEE SCHEDULE FOR CODE ENFORCEMENT AND BUILDINGS FIRE INSPECTIONS SERVICES PERFORMED BY THE COUNTY AT THE REQUEST OF TOWNS AND VILLAGES WITHIN CAYUGA COUNTY).

BY: Hon. George Fear, Chair, Government Operations Committee
Hon. Christopher Palermo, chair Ways and Means Committee

WHEREAS, Resolution No. 508-09 established a rate for code enforcement and building and fire inspections for the Village of Cato; and

WHEREAS, the Village of Cato elected not to enter into a contract with the County for Cayuga for the provision of code enforcement and building and fire inspections for the Village of Cato; now therefore be it

RESOLVED, that Resolution No. 508-09 is hereby repealed.

Discussion:

Cuddeback, no fee structure.

Fearon, fee structure paid by user not in place.

Chapman, State fees?

Fearon, don't need to adopted by State, defaults to County we can set reasonable fee.

Westphal, I will check.

Pinckney, how long are we looking at?

Fearon, effective with resolution.

Pinckney, go with State, but set our own fees.

Cuddeback, no fee for fire.

Westphal, can't say.

Cuddeback. Will it be retro?

Westphal, no.

Cuddeback, so we don't have fee.

Motion by Axton to table, 2nd by Palermo, all in favor, except Fearon, Chapman, Tortorici, Sincebaugh, Petrus, and Mahunik. Motion to table passed 9 to 6.

RESOLUTION NO. 155-10

3-23-10 COLGovOpsAmdRulerev

**AMENDING RESOLUTION NO. 110-09, ADOPTING THE RULES
OF ORDER OF THE CAYUGA COUNTY LEGISLATURE**

BY: Hon. George Fearon, Chairman, Government Operations Committee

WHEREAS, Resolution No. 110-09 adopting the Cayuga County Rules of Order was adopted on 2-24-09; and

WHEREAS, during a recent review three typographical errors were discovered:

a) Page 2, Weighted Vote, Simple Majority, District 14 reads 46 votes, should be 48; and

b) Page 6, III Committees, Rule 16 Standing Committees, 1 Ways & Means, Real Property was omitted; and

c) Page 4 & 5, Rule 9 Claims, 2 and Page 6, III Committees, Rule 16 and Page 7, 5. c. Government Operations, County Manager change to County Administrator.

WHEREAS, the Government Operations Committee has reviewed these changes in the Rules of Order of the Cayuga County Legislature and has made and recommended changes; now, therefore, be it

RESOLVED, that the Cayuga County Legislature Rules of Order is hereby amended and shall hereafter preside as follows:

a) Page 2, Weighted Vote, Simple Majority, District 14 , 48; and

b) Page 6, III Committees, Rule 16 Standing Committees, 1 Ways & Means, i. Real Property.

c) Page 4 & 5, Rule 9 Claims, 2. and Page 6, III Committees, Rule 16 and Page 7, 5. c. County Manager change to Administrator.

Signed by Fearon, Aikman, Barski, Chapman, Lattimore and Mitchell, all in favor.

RESOLUTION NO. 156-10**(3.08.10) coawkplvlnc****UPDATING EXISTING COUNTY POLICIES AND PROCEDURES**

BY: Hon. George Fearon, Chairman Government Operations

WHEREAS, the County Legislature has adopted numerous policies and procedures for conducting County business and others which are mandated by Federal and State governments; and

WHEREAS, THE County wishes to adopt a Workplace Violence Prevention and Response Policy; now, therefore be it

RESOLVED, the County Legislature does hereby adopt the attached Workplace Violence Prevention and Response Policy;

and, be, it further

RESOLVED, that this resolution will take effect immediately upon adoption.

Signed by Fearon, Aikman, Barski, Chapman, Lattimore, Mitchell, Palermo, Axton, Cuddeback, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 157-10**(3/23/10) coacttyeqiptpley****PROHIBITING THE PERSONAL USE OF COUNTY EQUIPMENT**

BY: George Fearon, Chairman Government Operations Committee

Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, the Cayuga County Employee Handbook adopted March 2008 by Resolution No.210-08, and as amended by Resolution No. 281-09 and Resolution No. 109-09 states at page 16: "Equipment Use: County owned or leased telephones, cellular telephones, telephone lines, pagers, facsimile machines, answering machines, computers, laptops or any other County property are provided to county officers and employees for the conduct of County business. They are not provided for personal use or gain. Personal use of county equipment is strictly prohibited unless authorized by the department head or in an emergency situation."; and

WHEREAS, there is no corresponding provision or restriction contained in the Cayuga County Employee Handbook for Non-represented Employees; and

WHEREAS, the County wishes to clarify the County's position on an employee's use of County equipment; now, therefore be it

RESOLVED, that the County of Cayuga hereby adopt the following policy related to employee use of County equipment:

"County owned or leased telephones, cellular telephones, telephone lines, pagers, facsimile machines, answering machines, computers, laptops or any other County property are provided to county officers and employees for the conduct of County business. They are not provided for personal use or gain. Personal use of county equipment is strictly prohibited unless authorized by the department head or in an emergency situation."

and, be it further

RESOLVED, that the use of County owned or leased equipment will not be a tax liability to the employees of Cayuga County.

Signed by Fearon, Aikman, Barski, Chapman, Lattimore, Mitchell, Palermo, Axton, Cuddeback, Mahunik, Mills and Petrus, all in favor.

RESOLUTION NO. 158-10

March 25, 2010 PB SupportNYS Ag Farm Protect

**RESOLUTION URGING THE NEW YORK STATE LEGISLATURE TO
SUPPORT THE STATE'S FARMLAND PROTECTION PROGRAM AND
ENVIRONMENTAL PROTECTION FUND**

WHEREAS, agriculture is a significant contributor to the economy of Cayuga County and the State of New York; and,

WHEREAS, farms provide jobs, support local businesses and are part of industry sectors that have a \$23 billion economic impact annually in New York; and,

WHEREAS, farms comprise 7 million acres of land in New York, roughly 25% of the state's land base; and,

WHEREAS, rapidly changing economic conditions threaten the future viability of New York's agricultural industry; and,

WHEREAS, 26,000 acres of farmland are developed each year in New York; and,

WHEREAS, the State of New York established a Farmland Protection Program in 1992 to assist towns and counties in developing and implementing local agricultural and farmland protection plans; and,

WHEREAS, over \$3 million has been awarded by the Farmland Protection Planning Grant program to 50 counties and 52 towns to assist in the development of local agricultural and farmland protection plans; and,

WHEREAS, four towns in Cayuga County have been awarded nearly \$100,000 by the Farmland Protection Program's Farmland Protection Planning Grant program; and,

WHEREAS, the Farmland Protection Implementation Grant program has awarded more than \$173 million to help farmers, local governments and land trusts permanently protect 74,000 acres on 303 farms in the State of New York; and,

WHEREAS, the Farmland Protection Implementation Grant program has awarded more than \$15.7 million to help farmers, local governments and land trusts permanently protect more than 8000 acres on 12 farms in Cayuga County; and,

WHEREAS, demand for Farmland Protection Implementation Grant funding has been strong across the State due to the program's popularity, with a record 181 farms in the State of New York seeking \$156 million in state funding to protect 49,500 acres in 2008; and,

WHEREAS, demand for Farmland Protection Program funding has been strong locally due to the program's popularity, with 26 farms in Cayuga County seeking over \$16 million in state funding to protect 8022 acres in 2009; and,

WHEREAS, funding for the state's farmland protection programs is allocated from the state's Environmental Protection Fund (EPF), a dedicated fund whose principle funding source is a state Real Estate Transfer Tax (RETT); and,

WHEREAS, the Governor and State Legislature must take steps this year to protect New York's valuable farmland and strengthen the future for farms across New York; and Support NYS Ag Farm Protect PG 2

WHEREAS, on February 1, 2010 the Cayuga County Agriculture and Farmland Protection Board voted unanimously to support this resolution; now, therefore, be it

RESOLVED, That the County of Cayuga does hereby urge state lawmakers to support New York's farmers, the state's agricultural economy and protection of valuable farmland by supporting funding for the Farmland Protection Program and Environmental Protection Fund; and be it further

RESOLVED, that the County of Cayuga does hereby oppose drastic cuts to the Farmland Protection Program and Environmental Protection Fund, as outlined in the Governor's FY 2010-11 Budget Proposal; and, be it further

RESOLVED, That the Clerk of the County of Cayuga is hereby directed to forward copies of this resolution to Governor David Paterson, Senate Republican Leader Dean Skelos, Senate Democratic Leader Malcolm Smith, Assembly Speaker Sheldon Silver, Assemblyman Gary Finch, Assemblyman Brian Kolb, Assemblyman Robert Oaks, Senator Michael Nozzolio, Senator David Valesky and the American Farmland Trust. Signed by Mills, Fearon, Aikman, Lattimore, Mahunik, Pinckney, Sincebaugh, all in favor, except Palermo voting no.

RESOLUTION NO. 159-10
(3/23/10) COA-IDATAXrev

RESOLUTION IN OPPOSITION TO THE IDA TAX IMPOSED ON ALL LOCAL INDUSTRIAL DEVELOPMENT AGENCIES BY NEW YORK STATE AS A MEANS TO HELP CLOSE THE STATE'S BUDGET DEFICIT

BY: MR. ROGER MILLS, Chairman, Planning & Economic Committee

MR. CHRISTOPHER PALERMO, Chairman, Ways & Means Committee

WHEREAS, local Industrial Development Agencies (IDAs) serve as the primary vehicle for the implementation of economic

development programs in counties and local communities across New York State; and

WHEREAS, the primary mission of local IDAs is the creation and retention of jobs for New York's residents, through innovative, locally-driven and developed programs to make counties and local communities better places in which to invest, grow productive business enterprises and create better business atmospheres to generate new economic activity, job creation and tax revenue producers; and

WHEREAS, the 2009-2010 State budget contained a maximum statewide "cost recovery" tax of \$5 million to "reimburse to New York State and allocable share of state governmental costs attributable to the provisions of services to industrial development agencies;" and

WHEREAS, the State Department of Taxation and Finance has sent Tax bills to every IDA in the state, for amounts corresponding to 4.7% of the gross revenue received by an IDA in the 2008 calendar year, payable by March 31,2010; and

WHEREAS, the tax bills received by local IDAs were received long after local IDAs' budgets were developed and implemented, without the inclusion of this new unanticipated tax in their adopted budgets; and

WHEREAS, the revenue received by IDAs subject to this tax includes payments in lieu of taxes collected for local governments and school districts, state and federal grants and local taxpayer funded appropriations; and

WHEREAS, imposing a state gross receipts tax on revenues from 2008 that include tax generated resources from the state and federal government is redundant, punitive and will lead to these resources and those appropriated by counties for local job creation to be used instead to help bail out the State during its time of financial crisis; now therefore be it

RESOLVED, that New York State Association of Counties (NYSAC) strongly opposes the imposition of the new tax on the gross revenues of local Industrial Development Agencies as a means to help eliminate the state budget deficit; and be it further

RESOLVED, that the New York State Association of Counties calls upon the Governor and the State Legislature to repeal this onerous tax on the primary economic development organizations of New York's counties and other local government; a tax which will take local resources that could better be used to create jobs in our communities in this time of economic crisis; and be it further

RESOLVED, that the New York State Association of Counties shall forward copies of this resolution to Governor David A. Paterson, the New York State Legislature and all others deemed necessary and proper.

Signed by Tortorici, Palermo, Chapman, Axton, Petrus, Pinckney, Mills Fearon, Mitchell, Cuddeback, Barski, Mahunik, Lattimore, Sincebaugh, and Aikman, all in favor.

RESOLUTION NO. 160-10
(3/23/10) COLgreatlakes

**RESOLUTION SUPPORTING AND COMMITTING TO BEING A MEMBER
OF THE GREAT LAKES SMALL HARBORS COALITION.**

BY: Roger A. Mills, Chairman Planning Committee

WHEREAS, there are approximately 120 federally authorized small Great Lakes harbors; and

WHEREAS, the federal government is responsible for maintaining boater access to these harbors through adequate dredging and maintenance of navigation infrastructure (hereinafter referred to as maintenance); and

WHEREAS, small harbors perform other valuable functions such as ports of refuge during inclement weather, ports for U.S. Coast Guard rescue stations, ports for law enforcement, ports for commercial fleets, ports for Great Lakes research vessels, and ferry terminals; and

WHEREAS, many of the 120 federally authorized small harbors in the Great Lakes require regular maintenance because of natural sedimentation, low water levels, storm events, and littoral drift, among other factors; and

WHEREAS, longstanding federal policy prevents the U.S. Army Corps of Engineers from allocating funds for the maintenance of small harbors in its operation and maintenance budget for the Great Lakes, thus forcing these harbors to seek Congressional assistance or "earmarks" to secure funds for maintenance; and

WHEREAS, this inefficient, inequitable system has resulted in maintenance backlogs that have hindered, or in some cases totally blocked access to Great Lakes small harbors, causing significant economic loss and increased risk to human health and safety; and

WHEREAS, small harbors in the Great Lakes have not, to date, had an organization through which to unite and speak with one voice to address concerns about maintenance and other shared interests to federal and state agencies; now therefore be it

RESOLVED that the County of Cayuga supports and commits to being a member of the Great Lakes Small Harbors Coalition; and be it further

RESOLVED that the County of Cayuga urges the Great Lakes Small Harbors Coalition to advocate for a more equitable, sustainable, needs-based system to allocate funds for adequate maintenance of small Great Lakes harbors; and be it further

RESOLVED, that the Clerk of the Cayuga County Legislature is hereby authorized and directed to send a certified copy of this resolution to Hon. Charles Schumer, U.S. Senator and the Hon. Kirsten E. Gillebrand, U.S. Senator.

Signed by Mills, Aikman, Fearon, Lattimore, Mahunik and Sincebaugh, all in favor.

RESOLUTION NO. 161-10**3.23.10 coamouemrsnfndtn**

AUTHORIZING THE CHAIRPERSON OF THE CAYUGA COUNTY LEGISLATURE TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN COUNTY OF CAYUGA AND THE FRED L. EMERSON FOUNDATION, INC. FOR THE PURPOSES OF ARTICULATING A SHARED INTENTION TO CONTINUE EFFORTS TO DEVELOP AND IMPLEMENT COMPREHENSIVE RENOVATION AND OPERATION PLANS TO ENSURE THE EMERSON PARK PAVILION CONTINUES TO BE AN INTEGRAL PART OF THE COMMUNITY FABRIC

WHEREAS, the Emerson Park Pavilion is owned and operated by Cayuga County and is the anchor public facility at Emerson Park; and

WHEREAS, the pavilion is listed on the National Registry of Historic Places and has been used for nearly 100 years as a seasonal facility for special events, dances, banquets, picnics and receptions; and

WHEREAS, in 1944 Fred L. Emerson donated *Enna Jettick Park* to the people of Cayuga County to be used for "...outings and leisurely wholesome enjoyment", at which time, the park was renamed Emerson Park; and

WHEREAS, the Fred L. Emerson Foundation, Inc. approached the County in 2008 with an interest in helping the County consider the future of the pavilion facility; and

WHEREAS, since 2008 a pavilion advisory committee consisting of representatives of Cayuga County and the Emerson Foundation have cooperatively engaged the services of architects, planners and hospitality experts to consider the existing conditions of the pavilion and explore various renovation and operational strategies that would enhance the value and sustainability of the pavilion; and

WHEREAS, members of the pavilion advisory committee have visited several facilities similarly located within a public park to assess the various operational strategies employed; and

WHEREAS, the pavilion advisory committee has identified some preliminary concepts for renovating and operating the pavilion which are in need of further development, consideration and refinement; and

WHEREAS, the County wishes to enter into a Memorandum of Understanding for the purposes of articulating a shared intention of the County of Cayuga and the Fred L. Emerson Foundation, Inc. to continue efforts to develop and implement comprehensive renovation and operation plans to ensure the Emerson Park Pavilion continues to be in integral part of the community fabric; now therefore be it

RESOLVED, that the Chairperson of the Cayuga County Legislature is hereby authorized and directed to execute a Memorandum of Understanding between County of Cayuga and the Fred L. Emerson Foundation, Inc. for the purposes of articulating a shared intention to continue efforts to develop and implement comprehensive renovation and operation plans to ensure the Emerson Park Pavilion continues to be in integral part of the community fabric.

Discussion:

Mitchell, capital reserve fund?

Axton, just putting it out there.

Mitchell, long term maintenance of pavilion, needs to be put in there.

Axton, not necessary yet.

Westphal, it's to allow advisory group to move forward with next step, we don't know the cost yet.

Mitchell, need capital reserve and get it done.

Tortorici, not binding, we're not ready for agreement yet.

Petrus, number 4, page 3, says seek and secure capital resources.

Axton, I don't know how were are funding.

Mills, discussed last night, asset's with capital "H" improvements, future maintenance and negotiate contract. More work needs to be done, I support.

Signed by Tortorici, Palermo, Chapman, Axton, Petrus, Pinckney, Mills Fearon, Mitchell, Cuddeback, Barski, Mahunik, Lattimore, Sincebaugh, and Aikman, all in favor.

RESOLUTION NO. 162-10

(3/23/10) P&T Fireworks contract 3 1

**APPROVING THE CONTRACT WITH AUBURN TELSTAR DISPLAY
FIREWORKS INC. AND OTHER EXPENSES ASSOCIATED WITH THE
ANNUAL JULY THIRD EVENT AT EMERSON PARK**

BY: David R. Axton, Chairperson, Public Works

Christopher Palermo, Chairperson, Ways & Means Committee

WHEREAS, Cayuga County, through the Parks and Trails Department, in conjunction with the City of Auburn, provides a public event celebrating the Fourth of July with a Syracuse Symphony concert and a fireworks display at Emerson Park on July 3; and

WHEREAS, the Public Works Committee is desirous of providing the traditional, professional fireworks display and Syracuse Symphony performance at Emerson Park on July 3, 2010; and

WHEREAS, the Parks and Trails Department has funds budgeted in Account No. A71104-54074 (Department Expense), the amounts of \$4,500.00 for the fireworks portion of this event and \$5,000.00 for The Syracuse Symphony portion of this event; and

WHEREAS, the Parks and Trails Department has funds budgeted up to \$3,000 in Account No. A71104-54059 (Professional Services) for Sheriff Deputies for this event, and

WHEREAS, the fireworks will be purchased according to Cayuga County purchasing policies and procedures; now therefore be it

RESOLVED, that, pending approval by the Auburn City Council, the Chairman of the County Legislature is hereby authorized to sign the agreement with the Auburn Telstar Display Fireworks Inc. submitted herewith in the budgeted amount of \$4,500.00; and be it further,

RESOLVED, that the Parks and Trails Department is authorized to pay the budgeted amount for the Syracuse Symphony the budgeted amount of \$5,000.00, and be it further

RESOLVED, that the Parks and Trials Department is authorized to pay the Cayuga County Sheriff's Department up to \$3,000, and be it further

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

Signed by Axton, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, and Petrus, all in favor, except Palermo voting no.

RESOLUTION NO. 163-10**(3/23/2010) P&TBlueprintIIStardustGrant 3 10rev****AUTHORIZING THE PARKS AND TRAILS DEPARTMENT TO ACCEPT A \$5,000 GRANT FROM THE STARDUST FOUNDATION FOR IMPROVEMENTS TO THE BOAT LAUNCH SHELTER AT EMERSON PARK AND AUTHORIZING AMENDMENT OF THE 2010 PARKS & TRAILS BUDGET TO INCLUDE THE GRANT FUNDS**

BY: Chairperson, Public Works, David Axton

Chairperson, Ways & Means Committee, Chris Palermo

WHEREAS, one of the initiatives of the Stardust Foundation has been the formation of Blueprint II which is a program that encourages youth involvement in the community; and

WHEREAS, one of the Blueprint II Groups decided the shelters at Emerson Park should be improved to include ceilings, better lighting and new fascia and soffit; and

WHEREAS, an engineer determined the Boat Launch Shelter could support the proposed improvements; and

WHEREAS, Cayuga County Parks and Trails Department has been working with the Blueprint II group to define the project and has determined that materials for the project would cost \$5,000 and the labor for the project would cost \$1,173, and

WHEREAS, the Stardust Foundation agreed to pay for the materials; and

WHEREAS, the Parks and Trails Department will provide the required labor; now, therefore, be it

RESOLVED, that the Cayuga County Parks Department is hereby authorized to accept the grant and the Cayuga County Treasurer be directed to amend the 2010 budget as follows: increase Park Miscellaneous Revenue Account A71100-42459 by \$5,000 and increase Building Maintenance Expense Account A71104-54012 by \$5,000 and be it further

RESOLVED, that the Parks and Trails Department is authorized to expend such funds for the materials for the project.

Signed by Axton, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, Mahunik, Mill and Petrus, all in favor.

RESOLUTION NO. 164-10**3/23/2010 Bldgs PSB Temp Controls 2010Rev****AUTHORIZATION TO ENTER INTO AN ASSURED 3 YEAR MAINTENANCE AGREEMENT FOR THE PUBLIC SAFETY BUILDING TEMPERATURE CONTROL SYSTEM**

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

Hon. Christopher Palermo, Chairman, Ways & Means Committee

WHEREAS, the Johnson Controls Metasys system is a intricate piece of equipment for the Public Safety Building HVAC System; and

WHEREAS, the County does not have an employee that is trained or certified to work on this system; and

WHEREAS, it would not be cost effective for the county to train an employee to perform this service; now therefore be it,

RESOLVED, that the County enter into a three year Maintenance Agreement with Upstate Temperature Control, Inc for service on the computer and controls portion of the HVAC system, at the cost of \$11,200.00 for 2010, \$11,648.00 for 2011 and \$12,120.00 for 2012; and be it further

RESOLVED, that account A16204 54045 has sufficient funds for this agreement for 2010; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is authorized and directed to sign a

3 year contract with Upstate Temperature Control, Inc, 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, Barski, Chapman, Cuddeback, Lattimore, Mitchell, Palermo, Fearon, Mahunik, Mill and Petrus, all in favor.

RESOLUTION NO. 165-10

3/23/2010 Bldgs electricity agreement rev2

**AUTHORIZE THE CHAIRMAN TO ENTER INTO A COOPERATIVE
AGREEMENT WITH NEW YORK STATE ELECTRIC AND GAS SOLUTIONS
(NYSEG SOLUTION) FOR ELECTRICITY**

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

Hon. Christopher H. Palermo, Chairman, Ways & Means Committee

WHEREAS, Our Current contract with New York School and Municipal Energy Consortium (NYSMEC) will expire on April 30, 2010; and

WHEREAS, there are 2 Consortiums that the county presently utilizes Municipal Electric and Gas Alliance (MEGA) and (NYSMEC); and

WHEREAS, the County may also utilize New York State Electric and Gas Solutions (NYSEG Solution) as there supplier, and

WHEREAS, MEGA will provide electricity for an average cost of \$0.07652775 per KWH thru all accounts for a 2 year agreement; and

WHEREAS, NYSMEC will provide electricity for \$0.07197 per KWH for all accounts for a 2 year agreement; and

WHEREAS, NYSEG will provide electricity for \$0.05938 per KWH for all accounts for a 2 year agreement; now therefore be it,

RESOLVED, that the County enter into an agreement with NYSEG for a 2 year agreement; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is authorized and directed to sign a 2 year agreement with NYSEG, 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, Barski, Chapman, Cuddeback, Lattimore, Mitchell, Palermo, Fearon, Mahunik, Mill and Petrus, all in favor.

RESOLUTION NO. 166-10**Date: March 23, 2010 HWY10APPROVEBIDS****APPROVE REPORT ON BID LETTING**

BY: Dave Axton, Chairman Public Works Committee

Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, Resolution No. 55-10, adopted on January 26, 2010, authorized the Public Works Committee and the County Highway Superintendent did advertise for and received bids for the following items:

1. Sign Blanks
2. Hot-In-Place Asphalt Recycle
3. Fiber Reinforced Bituminous Membrane Surface Treatment
4. Paver Placed Chip Seal

WHEREAS, the following bids were received for the following products and the Committee made the following recommendations:

Sign Blanks: The following company(s) submitted a bid: Vulcan Aluminum, Custom Products Corporation, Rocal, Inc. The Committee recommends that the bids be accepted and awarded to Vulcan Aluminum as per Attachment 1.

Hot-In-Place Asphalt Recycle: The following company(s) submitted a bid: Highway Rehab Corp. The Committee recommends that the bids be accepted and awarded to Highway Rehab Corp. as per Attachment 2.

Fiber Reinforced Bituminous Membrane Surface Treatment: The following company(s) submitted a bid: Midland Asphalt Materials, Inc. The Committee recommends that the bids be accepted and awarded to Midland Asphalt Materials, Inc. as per Attachment 3.

Paver Placed Chip Seal: The following company(s) submitted a bid: Midland Asphalt Material, Inc. The Committee recommends that the bids be accepted and awarded to Midland Asphalt Materials, Inc. as per Attachment 4.

Now therefore be it

RESOLVED, to accept the Public Works Committees recommendations for the various items bid; and be it further

Resolved, that upon the awarding of the above bids by the County Legislature, the County Highway Superintendent be and is hereby authorized to purchase from successful bidders and to pay from appropriated funds.

Signed by Axton, Barski, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, and Petrus, all in favor.

Motion by Axton to amend the last Resolved to read (RESOLVED, that the Cayuga County Treasurer be authorized and directed to sign the necessary vouchers to receive said funds, to make the journal and accounting entries necessary to implement the intent of this resolution and to disburse said funds upon receiving the special audit), 2nd by Cuddeback, all in favor of the amendment. Resolution as amended, all in favor.

RESOLUTION NO. 167-10
(3/23/10) P&TSnowmobileGrant 3 10
AUTHORIZING PAYMENT OF ANNUAL SNOWMOBILE GRANT
FUNDS BY TREASURER

BY: David Axton, Chairperson, Public Works

Christopher Palermo, Chairperson, Ways & Means Committee

WHEREAS, Cayuga County has been an annual recipient of pass through Snowmobile Trail and Development Grant funds for many years; and

WHEREAS, the Parks and Trails Department is authorized to administer and expend such funds in strict accordance with the regulations of the grant; and

WHEREAS, the funds received are based on the expenses incurred for the upkeep, maintenance and improvements of snowmobile trails in Cayuga County, and

WHEREAS, said upkeep, maintenance and improvements are done at the expense of, and by the volunteers and equipment of snowmobile clubs belonging to the Cayuga County Snowmobile Association, and

WHEREAS, said upkeep, maintenance and improvements can cause a significant financial burden to the snowmobile clubs; now therefore be it

RESOLVED, that upon receiving Snowmobile Trail and Development Grant funds each year the Parks and Trails Department is hereby authorized and directed to request the issuance of a special audit by the Cayuga County Administrative Office, and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to *sign the necessary vouchers to receive said funds, to make the journal and accounting entries necessary to implement the intent of this resolution and to disburse said funds upon receiving the special audit.*

Signed by Axton, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, Mahunik, Mill and Petrus, all in favor.

RESOLUTION NO. 168-10
(3/23/10) COA-LLtrafficsafetyboardfx
FIXING DAY AND NOTICE OF PUBLIC HEARING ON A LOCAL LAW
CREATING THE CAYUGA COUNTY TRAFFIC SAFETY BOARD

BY: HON. STEVEN E. CUDDEBACK, Chairman Judicial & Public Safety,

WHEREAS, there has been duly presented and introduced at a meeting of this County Legislature held on March 23, 2010, a proposed local law entitled:

“A LOCAL LAW CREATING THE CAYUGA COUNTY
TRAFFIC SAFETY BOARD”

Now, therefore, be it

RESOLVED, that a public hearing shall be held concerning the proposed local law before the Cayuga County Legislature on April 27, 2010 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 Cuddeback, Aikman, Chapman, Mitchell, Petrus, and Pinckney, all in favor.

RESOLUTION NO. 169-10**(03/23/2010) authorizetoenterintomoa**

AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND THE DIRECTOR OF EMERGENCY SERVICES TO ENTER INTO A MEMORANDUM OF AGREEMENT (MOA) WITH THE VILLAGE OF ELBRIDGE (ONONDAGA COUNTY) AND THE ELBRIDGE VOLUNTEER FIRE COMPANY (ONONDAGA COUNTY) TO ACCEPT / OWN TWO (2) CARGO CONTAINERS TO BE UTILIZED AT THE CAYUGA COUNTY FIRE TRAINING TOWER AS A CONFINED SPACE / SELF CONTAINED BREATHING APPARATUS CONFIDENCE TRAINING PROP.

BY: MR. CUDDEBACK, Chairman, Judicial & Public Safety Committee
MR. PALERMO, Chairman, Ways & Means Committee.

WHEREAS, the Cayuga County Fire Training Facility located at 14 Quarry Road in Auburn was established and is maintained by Cayuga County and the Cayuga County Office of Emergency Services to enhance the capabilities of Cayuga County Public Safety Agencies; and

WHEREAS, the addition of a confined space / self contained breathing apparatus confidence prop will enhance the capabilities of Cayuga County First Responders and Interior Firefighters and assist in the fulfillment of the mission of the Cayuga County Fire Training Facility; and

WHEREAS, the Village of Elbridge and the Elbridge Volunteer Fire Company are in possession of and willing to provide two (2) cargo containers to Cayuga County and the County Office of Emergency Services in exchange for monitored use of the Cayuga County Fire Training Facility as outlined in the memorandum of agreement and in compliance with Cayuga County Fire Training Facility policies and procedures for a pre-determined period of time; therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature and the Director of Emergency Services be authorized to enter into the Memorandum of Agreement (MOA) with the Village of Elbridge and the Elbridge Volunteer Fire Company Inc.
Signed by Cuddeback, Aikman, Mitchell, Chapman, Petrus, Pinckney, Palermo, Axton, and Fearon, all in favor.

RESOLUTION NO. 170-10**3.23.10 corfillvncy-rev3**

AUTHORIZING THE CAYUGA COUNTY CORONER TO FILL A VACANT CORONER'S INVESTIGATOR, PT POSITION.

BY: Hon. Steven Cuddeback, Chair, Judicial and Public Safety
Hon. Christopher Palermo, Chair, Ways and Means

WHEREAS, a Coroner's Investigator PT position, position control number 2085, will be vacant in the Coroner's Office on or after February 26, 2010 due to a retirement; and

WHEREAS, this is a critical position for the operation of the Coroner's office; now therefore be it

RESOLVED, that the Coroner is hereby authorized and directed to fill the position of Coroner's Investigator, position control number 2085, on or after February 27, 2010.
SIGNED BY Aikman, Chapman, Mitchell, Petrus, Pinckney, Palermo, Axton, Cuddeback, Fearon, Mahunik, Mills.

Cuddeback called for a roll call vote. Ayes – Mahunik, Palermo, Chapman, Petrus, Petrus, Mills, Fearon, Mitchell, Aikman. Noes – Lattimore, Axton, Pinckney, Cuddeback, Barski, Sincebaugh, Tortorici. Vote – 492/392.

Passed by roll call vote.

Motion by Lattimore to adjourn at 8:00PM, 2nd by Palermo, all in favor.

Motion by Lattimore to approve minutes of 3-23-10, 2nd by Mahunik, all in favor.

**MINUTES
CAYUGA COUNTY LEGISLATURE
APRIL 27, 2010, 6:30PM**

WELCOME: In case of an emergency, please exit to the rear of the chambers. You will have to take the stairs down to the basement, turn right and exit through the rear door. Please note, the elevators will not function. If anyone is unable to use the stairway, I will stay with you in the safe room, located behind the chambers, caucus room #2.

Restrooms are located in the main hallway and handicapped restroom is located behind the chambers.

CALL TO ORDER: Hon. Peter Tortorici, Chairman, at 6:30PM.

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

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

PUBLIC HEARING: opened at 6:30PM – To Adopt Local Law No. 2 for the Year 2010
“ A Local Law Creating the Cayuga County Traffic Safety Board.

PROCLAMATIONS: Federation of New York Insurance Professional Week – 4-19-10 to 4-25-10, title read by Mary Jones, Clerk of the Legislature.

National Travel and Tourism Week – 5-8-10 to 5-16-10, read by Mary Jones, Clerk of the Legislature, presented to Meg Vanek, Director of Tourism by Chairman Peter Tortorici.

Crime Victim’s Rights Week, 4-18-09 to 4-24-10, read by Mary Jones, Clerk of the Legislature, presented to David Gould, Sheriff by Chairman Peter Tortorici.

Caitlyn Dillard Day – Tuesday, 4-27-10, read by Mary Jones, Clerk of the Legislature, presented to Caitlyn Dillard by Chairman Peter Tortorici.

PRESENTATION: Andrew Fish, Director Chamber of Commerce, re: Cayuga County Development Agency, handout attached to original minutes.

Phillip Spellane, Harris Beach, re: Indian Affairs, cigarette sales argued in Syracuse court on 3/25/10. Our case is in State Court, decision by late summer. Land into Trust, 130 acres Seneca and Cayuga’s, a Public Hearing was held, BIA hasn’t made decision yet .

MINUTES: For Approval: 2-23-10, 3-4-10, 3-16-10 and 3-22-10 (Committee of the whole), **Motion by Lattimore, 2nd by Pinckney, all in favor.**

For Reading: 3-23-10

CCC REPORT: Dr. Daniel Larson, Enrollment update – full-time enrollment year-to-date is 3,154 or 109%, spring up nearly 16%, summer, 1,162 have registered, Fall, still in process. SUNY Strategic Plan, a five year plan to challenge the 64 campus SUNY system to revitalize the New York economy and quality of life through higher education. New York State Budget, Governor reduced the cut of \$285 per FTE in base aid. New University Center Partner, the college partnered with Cazenovia College for two new baccalaureate degrees in human Services and Health Care Management now available at the Auburn campus. Cultural Events and Earth Day, violinist Tracy Silverman and Joanne Shenandoah, singer songwriter. For Earth day we held a green car rally. Student Civic Projects, the tutor club had a dress recycling event, the Criminal Justice Club visited the new Child Advocacy Center, the Fulton Criminal Justice Society held its fourth annual chili cook-off, and both campuses coordinated bloodmobiles. Athletics Highlights, sophomore Caitlyn Dillard was named to the 2010 All-America First Team in NJCAA Division III women's basketball and Terry Harrison led the team in scoring for 2 years in men's basketball was named to the 2010 All-Conference First Team and the All-Region Third Team.

COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS:

Mills, reminder, Public Forum, Thursday 4-29-10 at 7:00PM, Bisgrove Community Theater at Cayuga County Community College, Re: Marcellus Shale Gas. Fearon, Motor Vehicle Department had an organ donor month and 260 people signed up.

COUNTY ADMINISTRATOR'S REPORT: Tom Squires, I'm meeting with Department heads, seeing what I can do to help. I have been sitting in on the MUNIS meetings. Attended meeting at Inter-County Western Association on sales tax. Looking at resolutions for May, Department Head comp-time, Building Assessment Policy, Radio System, and I will have a resolution for the reorganization of my office. Auditor position, need to put the funding in place, advertise in June, bring candidates in for interview with full Legislature hopefully start date of August. The Purchasing policy is a draft working on that. Review of 1st quarter budget report, I will post on line and send link to you. We have received the deposit from Life Time Care for CHHA, \$100,000.00. Sales tax was up through end of March down a couple of percents for April. Provision for Salary adjustment numbers are in there. Contingency account used \$123,000 from \$550,000. George Wethey, Highway Superintendent has put a plan in order regarding CHIP funding in case money doesn't come in.

Mills, property tax.

Jim Orman, Treasurer, a little behind last year, will know more after 2nd installment.

CHAIRMAN'S REPORT: Peter Tortorici, will bring up new business at the end of the meeting.

Public Hearing closed at 7:40PM.

RESOLUTION NO. 171-10**(4/27/10) COA-LLRplgLL#2safetybrdADP****TO ADOPT LOCAL LAW NO. 2 FOR THE YEAR 2010 A LOCAL LAW
CREATING THE CAYUGA COUNTY TRAFFIC SAFETY BOARD**

BY: HON. STEVEN E. CUDDEBACK, Chairman, Judicial & Public Safety Committee
 WHEREAS, Local Law No. 2 for the year 2010 was presented to the Cayuga County Legislature on the 23rd day of March, 2010; and

WHEREAS, pursuant to law and after proper notice having been given, the County Legislature held a public hearing on said Local Law No. 2 for 2010 on April 27, 2010 at 6:30 P.M.; now, therefore, be it

ENACTED, that the Cayuga County Legislature does hereby adopt Local Law No. 2 for 2010, entitled:

**“A LOCAL LAW CREATING THE CAYUGA COUNTY
TRAFFIC SAFETY BOARD”**

and be it further

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 date of its adoption.

Signed by Cuddeback, Aikman, Chapman, Mitchell, Petrus, Pinckney, and Sincebaugh, all in favor.

STATE OF NEW YORK**COUNTY OF CAYUGA****LOCAL LAW NO. 2 FOR THE YEAR 2010****A LOCAL LAW CREATING THE CAYUGA COUNTY
TRAFFIC SAFETY BOARD**

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

SECTION 1. Pursuant to the provisions of Section 1672 of the Vehicle & Traffic Law of the State of New York, there is hereby created in and for the County of Cayuga, the Cayuga County Traffic Safety Board, whose powers and duties shall be those as prescribed by virtue of Section 1673, 1674, 1675, 1676 and 1677 of the Vehicle & Traffic Law of the State of New York.

SECTION 2. This Local Law shall take effect immediately.

APPOINTMENTS AND RE-APPOINTMENTS:**Traffic Safety Board:**

Michael Wellauer, PO Box 272, 51 Mattie St., Auburn, NY 13021 (Chair) term – 1-1-10 to 12-31-2012

Lloyd Hoskins, 123 South St., Auburn, NY 13021, term – 4-27-10 to 12-31-2012

David S. Gould, 7445 County House Rd, Auburn, NY 13021, term - 4-27-10 to 12-31-2012

Richard Wheeling, 11 Columbus St., Auburn, NY 13021, term - 4-27-10 to 12-31-2011

Patrick Steger, 5921 New Hope Rd., Moravia, NY 13118, term - 4-27-10 to 12-31-2011

George Wethey, 6994 State St. Rd., Auburn, NY 13021, term - 4-27-10 to 12-31-2011

James W. O'Brien, 1551 Clark St. Rd, Auburn, NY 13021, term - 4-27-10 to 12-31-2010

Gregory D. Gilfus, 46 North St., Auburn, NY 13021, term - 4-27-10 to 12-31-2010

Judy Clarke, 5230 Silver St. Rd., Auburn, NY 13021, term – 4-27-10 to 12-31-2010
Michael Chapman, 11290 Myers Rd., Cato, NY 13033 to serve his Legislative term
Motion by Lattimore, 2nd by Pinckney, all in favor.

Cayuga County Planning Board

Members serve until the locality they represent submits a new nomination

Bill Carmen, 3812 Carver Rd. Moravia, NY 13118 (replaces Barbara Eberhardt) – Town of Niles

Kelly Norris, PO Box 1116, Moravia, NY 13118 (replaces Sara Crossgrove) – Village of Moravia

Sidney Wolff, PO Box 506, Union Springs, NY 13160 (replaces Thomas Parsnick) – Village of Union Springs

Motion by Lattimore, 2nd by Mills, all in favor.

Civil Service Commission:

Peter Stephenson, 3590 Blumer Rd., Jordan, NY 13080, term – 6-1-10 to 5-31-2016

Motion by Lattimore, 2nd by Fearon, all in favor.

COMMUNICATIONS AND ANNOUNCEMENTS:

1. Received an acknowledgement from Brian Kolb, State Assembly Minority Leader, for receipt of Resolution No. 158-10, support the State's Farmland Protection Program, Resolution No. 94-10 Opposition to the trial of terrorists anywhere in New York State, and Resolution No. 118-10, Authorizing a request for assistance from State elected officials to provide Cayuga County with representation in the defense of the civil action by the Cayuga Indian Nation.

2. Received acknowledgement from David Patterson, governor, in receipt of Resolution 118-10, Authorizing a request for assistance from State elected officials to provide Cayuga County with representation in the defense of the civil action by the Cayuga Indian Nation.

Motion by Palermo to waive reading of communications and announcements, 2nd by Cuddeback, all in favor.

RESOLUTIONS:

RESOLUTION NO. 172-10

04-27-10 AuditApril 2010.doc

AUTHORIZING THE COUNTY TREASURER TO PAY

MARCH 2010 AUDIT OF CLAIMS

BY: Hon. Christopher Palermo, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on April 27, 2010 audit claims against the County of Cayuga in the aggregate sum of \$1,725,306.70, 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 17, 2009.

Signed by Palermo, Cuddeback, Fearon, Mills, and Petrus, all in favor.

RESOLUTION NO. 173-10**04.27.10****AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF UTILITY BILLS.**

By: Hon. Christopher Palermo, 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:

March 2010	
Electric	\$ 107,712.95
Telephone:	\$ 16,053.41
Total:	\$ 123,766.36

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

Signed by Palermo, Cuddeback, Fearon, Mills, and Petrus, all in favor.

RESOLUTION NO. 174-10**04.27.10****AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF THRUWAY TOLLS**

By: Hon. Christopher Palermo, 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:

March 2010	\$231.56
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RESOLVED, that said payments be part and partial payment of the full audit of this Board.

Signed by Palermo, Cuddeback, Fearon, Mills, and Petrus, all in favor.

RESOLUTION NO. 175-10**4-27-10 OFAseniornutrition****REPORT AND APPROVAL OF BILLS PAID BY THE COUNTY TREASURER FOR OPERATION OF THE SENIOR NUTRITION PROGRAM IN THE OFFICE FOR THE AGING.**

By: Ms. Ann Petrus, Chair of Health & Human Services Committee, and Mr. Christopher Palermo, Chair of Ways and 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 \$11,615.88 covering the period through 3/31/10 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, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 176-10

04.27.10

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

BY: Hon. Christopher Palermo, 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:

March 2010

First Niagara	\$ 62.99
AmExpress	\$ 7,457.15
Sunoco	\$ 127.14
Walmart	\$ 300.00
Exxon	\$ 13.28
Total:	\$ 7,960.56

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

Signed by Palermo, Cuddeback, Fearon, Mills, and Petrus, all in favor.

RESOLUTION NO. 177-10

04.27.10

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

BY: Hon. Christopher Palermo, 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:

March 2010

Copier Leases and Maintenance:	\$ 11,359.00
Postage Leases:	\$ 478.00
Total:	\$ 11,837.00

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

Signed by Palermo, Cuddeback, Fearon, Mills, and Petrus, all in favor.

**RESOLUTION NO. 178-10
(4/27/10) COA-CAPH4PAYREV**

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

BY: MR. CHRISTOPHER PALERMO, 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:

Project #07-5 (Tyler Software):	Amount
Tyler Technologies Inc.-Inv. No. 24227	2,810.40
Inn at the Fingerlakes -Inv. No. 4358	280.00
Tyler Technologies Inc. -Inv. No. 24685	2,813.45
Subtotal	5,903.85
Project #08-1 (Behavioral Health Service Project):	
Green Plumbing Inc. Application # 3	3,303.00
Fah’s Construction Group - Application # 4	298,462.69
Gray Management System - Bill # 8	11,111.25
Atlantic Testing Laboratories – Inv. 60724	2,063.38
Atlantic Testing Laboratories – Inv. 59794	1,523.00
Subtotal	316,463.32
Project #09-2 (Historic Post Office Renovations)	
Larson Design Group – Inv. 44548	9,490.97
Subtotal	9,490.97
GRAND TOTAL	331,858.14

And be it further

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

Signed by Palermo, Cuddeback, Fearon, Mills, and Petrus, all in favor.

**RESOLUTION NO. 179-10
(04/227/10) TREASrftaxe**

**AUTHORIZING THE CLERK OF THE CAYUGA COUNTY LEGISLATURE TO
SOLICIT REQUESTS FOR PROPOSALS FOR THE PURPOSE OF
ACQUIRING TAX COLLECTION AND ENFORCEMENT SOFTWARE**

BY: Mr. Christopher Palermo, Ways and Means Committee

WHEREAS, the current software used by the County Treasurer’s Office for the collection and enforcement of taxes is over fifteen years old and no longer meets the current needs, making it necessary to use several stand-alone programs, and

WHEREAS, it was the intent to use the Munis Software Tax Module, which, upon further investigation, does not meet the needs of the Treasurer’s Office, and

WHEREAS, upon discussion with the previous County Manager, Interim County Manager, Legislative Chairman, County Attorney, County Treasurer and pertinent staff members, it was agreed that it was in the best interest of the County to solicit new Requests for Proposals now, therefore be it

RESOLVED, that the Cayuga County Legislature does authorize the Clerk of the Cayuga County Legislature to hereby solicit Requests for Proposals for the acquisition of tax collection and enforcement software.

Signed by Palermo, Cuddeback, Fearon, Mills, and Petrus, all in favor.

RESOLUTION NO. 180-10

1/26/10 TRE increasesalary

**AUTHORIZATION TO INCREASE THE SALARY OF 100% REIMBURSED
POSITION OF SECRETARY/TREASURER TO THE CCIDA**

BY: Mr. Christopher Palermo, Chairman Ways and Means

WHEREAS, the Cayuga County Industrial Development Agency has increased the salary for the Secretary/Treasurer of the Agency and

WHEREAS, the salary is paid through the County Treasurer's Account A13251-51001 and is 100% reimbursed by the CCIDA, therefore, be it

RESOLVED that the County Treasurer is hereby authorized to increase the Salary for the position of Confidential Secretary to the IDA, Part-Time to \$10,000 retroactive from January 1st, 2009 and shall be adapted to any further increase in funding from the CCIDA.

Signed by Palermo, Cuddeback, Fearon, Mills, and Petrus, all in favor.

RESOLUTION NO. 181-10

(April 27, 2010) HS Bonadio Group Contract

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A
CONTRACT WITH THE BONADIO GROUP TO CONDUCT ELIGIBILITY
REVIEWS FOR MEDICAID HEALTH BENEFITS**

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

Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Human Services Department desires to conduct Eligibility Reviews relating to self-employed individuals applying for Medicaid healthcare benefits; and

WHEREAS, the Bonadio Group is an accounting and business consulting firm with experience in the auditing of public benefit programs, and is duly licensed to practice in the State of New York; and

WHEREAS, it is economically and organizationally feasible for the Department to contract with the Bonadio Group for the performance of their audit and accounting services; and

WHEREAS, the Bonadio Group has successfully worked with other counties in New York State, and the program has proven to promote deterrence in fraudulent applications; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services enter into a contract with the Bonadio Group for the period 5/1/10 to 4/30/11 to conduct Eligibility Reviews relating to self-employed individuals applying for Medicaid healthcare benefits at \$150/hr., in an amount not to exceed \$50,000 which is 100% reimbursed by State and Federal funds; and be it further

RESOLVED, that payment for these services comes out of account #A60104 54059. Signed by Petrus, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback, Fearon, all in favor.

RESOLUTION NO. 182-10**(April 27, 2010) HS Fill Principle Social Welfare Examiner****AUTHORIZING THE DIRECTOR OF HEALTH AND HUMAN SERVICES TO
FILL A PRINCIPLE SOCIAL WELFARE EXAMINER POSITION IN THE TANF
UNIT OF HUMAN SERVICES**

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

Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, there is a vacant Principle Social Welfare Examiner position in the TANF unit of the Human Services Department due to a retirement effective April 30, 2010; and

WHEREAS, this position is responsible to supervise a group of examiners and sr. examiners responsible for determining financial eligibility for public assistance, safety-net assistance and food stamps, and day care related to the case; and

WHEREAS, this position is 75% federally funded; NOW, THEREFORE, BE IT RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the Principle Social Welfare Examiner position in the Temporary Assistance unit of Human Services 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, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 183-10**(April 27, 2010) HD Childhood Lead Grant 2010****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A
CONTRACT WITH THE NYS DEPARTMENT OF HEALTH TO PARTICIPATE
IN THE 100% FUNDED "CHILDHOOD LEAD POISONING
PREVENTION PROGRAM"**

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

Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Health Department has received a 100% reimbursable grant in the amount of \$18,985 from the NYS Department of Health called the "Childhood Lead Poisoning Prevention Program" grant for the period April 1, 2010 through September 30, 2010; and

WHEREAS, in order to carry out the terms of this grant, the 2010 Health Department Budget must be amended so as to provide the appropriations and revenues necessary to support the services connected with the grant; NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to enter into a contract with the NYS Department of Health to implement the "Childhood Lead Poisoning Prevention Program" grant for the period April 1, 2010 through September 30, 2010; and that the Health Department be allowed to contract for services necessary to implement this grant without further action from the Legislature; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the following amendments to the 2010 Health Department Budget:

Increase Appropriation Account #A40284 54000	\$18,985
Increase Revenue Account #A40280 43428	\$18,985

and be it also

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, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 184-10

(April 27, 2010) HD Dental Grant 2010-2011

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO AN AGREEMENT WITH THE STATE TO ACCEPT THE 100% REIMBURSABLE PREVENTIVE DENTISTRY GRANT AND ANY ADDITIONAL COLA ADJUSTMENTS RELATIVE TO THIS GRANT

BY: Ann Petrus, Chairman of the Health & Human Services Committee
Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Department of Health has been awarded a grant from the NYS Department of Health called the "Preventive Dentistry for High Risk and Underserved Children" in the amount of \$50,000 for the period July 1, 2010 through June 30, 2011 and any additional COLA adjustments relative to this grant; and

WHEREAS, in order to carry out the terms of this grant, the 2010 Health Department Budget must be amended so as to provide the appropriations and revenues necessary to implement the grant; 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 accept the 100% reimbursable Preventive Dentistry Grant and any additional COLA adjustments relative to 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 and to amend the Health Department's 2010 budget in the following manner:

Increase Appropriation Account A40294 54000.....	\$50,000
Increase Revenue Account A40290 43429.....	\$50,000

Signed by Petrus, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 185-10

(April 27, 2010) HD HMWP Provider Contracts

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO CONTRACT WITH MULTIPLE SERVICE AGENCIES AND INDIVIDUALS (LISTED) FOR THE PROVISION OF SERVICES FOR THE HEALTHY MEN AND WOMEN'S PARTNERSHIP PROGRAM

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Health Services Division of Health & Human Services entered into a contract with the NYS Department of Health to participate in the Healthy Men &

Women's Partnership Program, and in addition to funding staff in the program, the Department also receives funds (Federal and State) that pays providers for their services; and

WHEREAS, the rate schedule is established and set by NYS Department of Health:

WHEREAS, the Health Department has successfully contracted with the listed agencies and individuals to provide these services in the past on an annual basis; and

WHEREAS, it has been determined that it would be more efficient and less time-consuming to enter into a 3-year contract with each of the service providers for the remaining 3-years of the 5-year contract; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into 3-year contracts with the following service providers and any new providers that may come forward for the remaining three-year period of April 1, 2010 – March 31, 2013:

Dr. Bock	Midwifery & Women's Services
Auburn OB/GYN (AMMS, PC)	Women's Health Specialists
Community Medical Center	Dr. Eppolito
Auburn Family Care	Soderberg, Kroeger & Wike
Finger Lakes Migrant Health Project	Family Health Network of CNY
Internal Medicine Associates	Dr. Geer Of Auburn
Dr. Locastro	Dr. Ryan
Harrison Outpatient Surgery	CNY Gastroenterology
East Hill Family Medical	Elizabeth Wende Breast Care Center
Auburn Memorial Hospital	Cortland Regional Medical Center
Auburn Memorial Hospital Lab	Cytology Outreach, LLC
Quest Diagnostics	Comprehensive Gynecology
Auburn Medical PC	Auburn Radiology
Medical Imaging Center	Centrex Labs.
Laboratory Alliance of CNY	Dr. Gregory Ripich
Digestive Disease Center of NY	Gastroenterology and Hepatology of CNY

and be it also

RESOLVED, that payment for these services is charged to account #A40164 54000 of the Health Department's Budget. If funding for the program ceases, the contracts will cease.

Signed by Petrus, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 186-10

(April 27, 2010) HD Optimum Partners CHA 2010

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH OPTIMUM PARTNERS TO UPDATE THE COMMUNITY HEALTH ASSESSMENT

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

Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Health Department has developed a comprehensive Community Health Assessment recognized by the Community; and

WHEREAS, the Department is required to maintain such an assessment that is used as the basis for our Municipal Public Health Services Plan; and

WHEREAS, we have successfully contracted with Optimum Partners for the purpose of maintaining the assessment; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services enter into a contract with Optimum Partners for the period of May 1, 2010 to December 31, 2010 to update our current assessment in an amount not to exceed \$7,000; and be it further

RESOLVED, that the charges for these services be paid out of account A40104 54059 of the 2010 Health Department Budget.

Signed by Petrus, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 187-10

(April 27, 2010) HD Accept 2009-10 COLA Funds

**AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO
AMEND CONTRACTS WITH NYS DEPARTMENT OF HEALTH TO
ACCEPT ADDITIONAL FUNDING (COLA)**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, Chapter 57, Laws of 2006 provide for the Commissioner of Health to establish an annual cost of living adjustment (COLA) programs outlined in the statute. This COLA is based on a Congressional budget Office calculation for state fiscal year 2009-2010, and has been established at 8.53% less a reduction of 6% pursuant to Chapter 496 of the Laws of 2008; and

WHEREAS, payment of the COLA amount associated with these contracts will be made separately from authorized contract payments; NOW, THEREFORE, BE IT

RESOLVED, that as the Health Department receives notification of the cost of living adjustments to 100% State funded grant programs that fall in this category, the Director of Health & Human Services be authorized to sign the required certifications to accept the COLAs attached to these programs; and be it also

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the appropriate adjustments to the Health Department's budget to accomplish this.

Signed by Petrus, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 188-10

(April 27, 2010) HD Susan G. Komen Contract

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A
CONTRACT WITH THE CNY AFFILIATE OF THE SUSAN G. KOMEN
BREAST CANCER FOUNDATION, INC. AND ACCEPT FUNDING**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Community Health Services division of the Health Department has a program in which they provide services to qualified participants, which include mammograms, ultrasounds, surgical consults, and assistance with biopsy costs; and

WHEREAS, the Central New York Affiliate of the Susan G. Komen Breast Cancer Foundation, Inc. wishes to contract with the Health Department to assist qualified participants in obtaining these services, with a grant in the amount of \$18,440 for the period of April 1, 2010 through March 31, 2011; 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 the Central New York Affiliate of the Susan G. Komen Breast Cancer Foundation, Inc. as noted above, and to authorize the Chairman of the Legislature and the Director of Health & Human Services to sign all subcontracts necessary to implement this grant; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the Health Department's 2010 Budget in the following manner:

Increase Appropriation Account #A40184 54000	\$18,440
Increase Revenue Account #40180 43418	\$18,440

Signed by Petrus, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 189-10

(April 27, 2010) HD Amend 2010 Health Dept Budget

**AUTHORIZING THE COUNTY TREASURER TO AMEND THE
2010 CAYUGA COUNTY HEALTH DEPARTMENT BUDGET**

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

Christopher Palermo, Chairman of the Ways and Means Committee

WHEREAS, after the submission of the 2010 Health Department Budget, the County decided to sell its Home Health Care Agency's Certificate of Need (CON) to Genesee Region Homecare (GHRC) d/b/a Lifetime Care; and

WHEREAS, part of the agreement to sell the CON has resulted in the County entering into a management agreement and a purchase of services agreement for clinical services with GRHC; and

WHEREAS, funds for these agreements were not budgeted in the contractual accounts in the 2010 Health Department budget; and

WHEREAS, County employees working in the Home Care Agency providing billing and clinical services will be transitioned to employment at Lifetime Care, transferred to another County department, or laid off; and

WHEREAS, the vacating of these positions will result in unspent funds in the salary and fringe benefit accounts within the 2010 Health Department budget; and

WHEREAS, funds will need to be transferred between these accounts in order to pay Lifetime Care for management and clinical services provided to the Home Care Agency before the CON is transferred; NOW, THEREFORE BE IT

RESOLVED, that the County Treasurer be authorized and directed to transfer funds between the following accounts, within the 2010 Health Department Budget, on a monthly basis, as required to pay Lifetime Care for the services provided to the County:

Appropriation Accounts:

Increase #A10174 54000 Provision for Salary Adjustment

Increase #A40124 54059 Professional Services

- Decrease #A40121 51001 Salaries – Full Time
- Decrease #A40121 51002 Salaries – Part Time
- Decrease #A40121 51003 Salaries – Overtime
- Decrease #A40121 51004 Salaries – On-call
- Decrease #A40121 58001 Social Security
- Decrease #A40121 58002 State Retirement
- Decrease #A40121 58003 Health Insurance
- Decrease #A40121 58004 Dental Insurance
- Decrease #A40121 58005 Workers Compensation
- Decrease #A40121 58007 Unemployment Insurance

and be it further

RESOLVED, that the Health Department’s administrative staff will report to the County Legislature on a monthly basis, to report the services provided by Lifetime Care and the payments made for these services; 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 monthly transfers requested by the Health Department.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 190-10

Date of Meeting: 4/27/10 nhbdgtrnsfrREV1

AUTHORIZING THE TREASURER OF CAYUGA COUNTY TO TRANSFER FUNDS AUTHORIZED IN THE BUDGET TO THE CAYUGA COUNTY NURSING HOME ACCOUNT.

BY: Christopher Palermo, Chairman, Ways and Means Committee
Ann Petrus, Chairman, Health and Human Services Committee

WHEREAS, the Cayuga County Nursing Home has engaged Select Rehabilitation to provide all rehabilitation services for the nursing home beginning April 1, 2010; and,

WHEREAS the contracts with independent providers have been terminated; and,

WHEREAS the payments in the budget need to be transferred to accurately reflect the contract for rehabilitation services; Now therefore be it

RESOLVED that the Treasurer of Cayuga County be authorized to transfer funds as follows:

- Physical Therapists E45044 54127 \$65,000.00
- Occupational Therapists E45054 54217 \$50,000.
- Speech Therapy E45064 54218 \$10,180.00
- to Rehab Service Contractual E45184 54000 \$125,180.00

and be it further;

RESOLVED that the Treasurer of Cayuga County be authorized to transfer funds as follows:

- Physical Therapy Supplies E45044 54365 \$2,071.80
- Occupational Therapy Supplies E45054 54365 \$1,537.55 to
- Rehab Services –Other Supplies E45184 54365 \$3,609.35

Signed by Petrus, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 191-10**Date of Meeting: 4/27/10 nhcontrthskpng****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 (ROCHESTER REHABILITATION) TO PROVIDE CONTRACT HOUSEKEEPING SERVICE TO THE NURSING HOME.**

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

Christopher Palermo, Chairman, Ways & Means Committee

WHEREAS, the Nursing Home has had housekeeping service provided by New York State Industries for the Disabled for the past 4 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 (Rochester Rehabilitation) for said services at an estimated cost of \$262,050.00 (Two hundred sixty-two thousand Fifty dollars), depending on consumer price index changes.

Signed by Petrus, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 192-10**Date of Meeting: 4/27/10 nhwtrhtr****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ACCEPT A PROPOSAL FOR REPLACEMENT OF A HOT WATER TANK AT THE NURSING HOME.**

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

Christopher Palermo, Chairman, Ways & Means Committee

WHEREAS, a hot water tank at the Nursing Home needs replacement, and

WHEREAS, quotes have been received from several firms as follows:

Northrup Supply for \$4,383.44;

Johnson Supply for \$5,554.00;

Grainger for \$ 6469.00; and

WHEREAS, the proposals were for tanks with the same specifications; and

WHEREAS, the quote submitted by Northrup Supply is the lowest cost for the same tank; now therefore be it,

RESOLVED, that Northrup Supply provide the hot water tank for \$4,383.44 (Four thousand three hundred eighty-three dollars and forty-four cents).

Signed by Petrus, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 193-10

4/27/10 MHContractors2Payroll4.10

AUTHORIZING THE CREATING AND FILLING OF POSITIONS FOR MENTAL HEALTH AND THE CONVERSION OF THOSE POSITIONS FROM INDEPENDENT CONTRACTORS TO EMPLOYEES

By: Ann R. Petrus, Chair, Health and Human Services Committee, and

Christopher M. Palermo Chair, Ways and Means Committee

WHEREAS, the Community Mental Health Center of Cayuga County has been staffed primarily with salaried employees supplemented by contracted clinicians; and

WHEREAS, review of contracted services identified several positions that should be appropriately identified as salaried positions according to Internal Revenue Service regulations; and

WHEREAS, there is a demonstrated need for services that are currently being provided by the contracted clinicians; therefore, be it

RESOLVED, that one Psychiatric Nurse Practitioner position be created and placed within the Cayuga County Compensation Plan, Part IV, and compensated at the current rate of \$75 per hour; and be it further

RESOLVED, that the existing full-time position code, 0012, Staff Psychologist, be filled at the annual rate, grade 40, as stipulated by the contract between the County of Cayuga and CSEA, not to exceed twenty hours per week; and be it further

RESOLVED, that the two (2) contracted positions of Psychiatric Nurse Practitioner and Psychologist, be abolished; and be it further

RESOLVED, that the four (4) part-time vacant positions of Social Work Assistant (code 4180), Community Mental Health Nurse (code 06720), and two Associate Psychologists (codes 7038 and 7039) be abolished in order that those budgeted funds be redirected to the two converted positions; and be it further

RESOLVED, that the Director of Community Mental Health Services be authorized and directed to fill the position of Staff Psychologist and the position of Psychiatric Nurse Practitioner in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of Cayuga County, and be it further

RESOLVED, that the Cayuga County Treasurer be directed and authorized to make the necessary accounting entries transferring budgeted funds in the 2010 Cayuga County Budget as follows:

Increase A43101-51001 Salaries – FT	\$93,361
Increase A43101-58001 FICA	3,170
Increase A43101-58004 Dental Insurance	264
Increase A43101-58005 Workers Comp	1,262
Decrease A43101-51002 Salaries – PT	51,912
Decrease A43101-58002 Retirement	3,642
Decrease A43104-54330 Medicaid Elig	42,503

Signed by Petrus, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 194-10**4.27.10 coamoansea****AUTHORIZING THE CAYUGA COUNTY ADMINISTRATOR, THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO SIGN A “MEMORANDUM OF AGREEMENT” WITH CSEA**

BY: Hon. Ann Petrus, Chairperson of the Health & Human Service Committee
 Hon. Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, a “Memorandum of Agreement” has been drawn up in the matter of the transfer of the Certificate of Need for the Cayuga County Home Health Agency and Long Term Home Care Program which directly impacts upon employment relationship between the County of Cayuga, the Cayuga County Department of Health and Human Services and the Civil Services Employees Association, Inc., Cayuga Local 806 (hereinafter referred to as “CSEA”); NOW, THEREFORE, BE IT

RESOLVED, that the Legislature of the County of Cayuga hereby approves the “Memorandum of Agreement” presented by CSEA, and authorizes and directs the County Administrator, the Chairman of the Cayuga County Legislature and the Director of Health and Human Services to sign the aforementioned “Memorandum of Agreement Retention Incentive Bonus and Severance Package” between Cayuga County CSEA. Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Palermo, Cuddeback, and Fearon, all in favor, except Cuddeback voting no and Sincebaugh abstained.

RESOLUTION NO. 195-10**4.27.10 COA-countysheriffSalary2011-2014****ESTABLISHING THE SALARY FOR THE CAYUGA COUNTY SHERIFF.**

BY: MR. George Fearon, Chairman, Government Operations Committee.

MR. Christopher Palermo, Chairman, Ways & Means Committee.

WHEREAS, it is the duty and obligation of the Cayuga County Legislature to establish compensation for officers, pursuant to Section 201 of the County Law; and

WHEREAS, it is necessary to establish the salary for the Cayuga County Sheriff, commencing January 1, 2011; now, therefore be it

RESOLVED, that compensation in the form of an annual salary for the Cayuga County Sheriff is hereby established as follows:

January 1, 2011–December 31, 2011 - \$75,480.00

January 1, 2012–December 31, 2012 - \$76,990.00

January 1, 2013–December 31, 2013 - \$78,530.00

January 1, 2014–December 31, 2014 - \$80,000.00

And be it further

RESOLVED, that the Cayuga County Treasurer is hereby directed to make the necessary accounting and journal entries to carry out the same.

Signed by Fearon, Aikman, Barski, Chapman, Lattimore, Mitchell, Palermo, Cuddeback, Mills, and Petrus.

**TABLED TABLED TABLED
4-10-GO-2**

MOTION BY: Fearon to bring back onto floor, 2nd by Cuddeback. Discussion

Discussion:

Chapman, please read resolution.

Fearon, read resolution

Lattimore, as chairman of the committee you recommend 2% increase?

Fearon, yes.

Palermo, we talked about this in committee, reconstruct Coroner’s Office.

Fearon, we don’t have a candidate right now.

MOTION BY: Palermo to table, 2nd by Aikman, all in favor.

RESOLUTION NO. 196-10

12/15/09 COA-countycoronerSalary2011-2014

ESTABLISHING THE SALARY FOR THE CAYUGA COUNTY CORONER.

BY: MR. George Fearon, Chairman, Government Operations Committee.

MR. Christopher Palermo, Chairman, Ways & Means Committee.

WHEREAS, it is the duty and obligation of the Cayuga County Legislature to establish compensation for officers, pursuant to Section 201 of the County Law; and

WHEREAS, it is necessary to establish the salary for the Cayuga County Coroner, commencing January 1, 2011; now, therefore be it

RESOLVED, that compensation in the form of an annual salary for the Cayuga County Coroner is hereby established as follows:

January 1, 2011–December 31, 2011 - \$15,300.00

January 1, 2012–December 31, 2012 - \$15,606.00

January 1, 2013–December 31, 2013 - \$15,918.00

January 1, 2014–December 31, 2014 - \$16,236.00

And be it further

RESOLVED, that the Cayuga County Treasurer is hereby directed to make the necessary accounting and journal entries to carry out the same.

TABLED

RESOLUTION NO. 197-10

3.23.10 coacdntfrvk

REPEALING RESOLUTION NO. 508-09, (SETTING A FEE SCHEDULE FOR CODE ENFORCEMENT AND BUILDINGS FIRE INSPECTIONS SERVICES PERFORMED BY THE COUNTY AT THE REQUEST OF TOWNS AND VILLAGES WITHIN CAYUGA COUNTY).

BY: Hon. George Fear, Chair, Government Operations Committee

Hon. Christopher Palermo, chair Ways and Means Committee

WHEREAS, Resolution No. 508-09 established a rate for code enforcement and building and fire inspections for the Village of Cato; and

WHEREAS, the Village of Cato elected not to enter into a contract with the County for Cayuga for the provision of code enforcement and building and fire inspections for the Village of Cato; now therefore be it

RESOLVED, that Resolution No. 508-09 is hereby repealed.

Signed by Fearon, Aikman, Barski, Chapman, Lattimore, Mitchell, Palermo, Axton, Cuddeback, Mahunik, Mills, and Petrus.

RESOLUTION NO. 198-10**4.27.10 coa bldfrfees****ESTABLISHING AND ADOPTING A BUILDING CODE INSPECTION AND FIRE INSPECTION FEE SCHEDULE FOR BUILDING CODE INSPECTIONS AND FIRE INSPECTIONS PREFORMED BY THE CAYUGA COUNTY CODE ENFORCEMENT OFFICER.**

By: Hon. George Fearon, Chari Government Operations Committee

Hon. Christopher Palermo, Chair Ways and Means Committee

WHEREAS, the County of Cayuga wishes to establish a fee schedule for building code inspections and fire inspections preformed by the Cayuga County Code Enforcement Officer; and

WHEREAS, the Government Operations Committee and the Ways and Means Committee reviewed the attached Building Code inspection and Fire Inspection Fee Schedule and recommends adoption of such fee Schedule by the Cayuga County Legislature; now therefore be it

RESOLVED, that the attached Building Code Inspection and Fire Inspection Fee Schedule is hereby adopted; and be it further

RESOLVED, that the Fee Schedule is effective immediately.

Signed by Fearon, Aikman, Barski, Chapman, Lattimore, Mitchell, Palermo, Cuddeback, Mills, and Petrus.

RESOLUTION NO. 199-10**(427.10) coasftyprctply****ADOPTING GENERAL SAFETY RULES AND SAFE WORK PRACTICES POLICY**

BY: Hon. George Fearon, Chairman Government Operations

WHEREAS, the County Legislature has adopted numerous policies and procedures for conducting County business and others which are mandated by Federal and State governments; and

WHEREAS, the Risk Management Committee drafted a General Safety Rules and Safe Work Practice Policy which Policy has been forwarded for review and comment to Department Heads and Union Presidents; and

WHEREAS, the County Legislature wishes to adopt a General Safety Rules and Safe Work Practice Policy; now, therefore be it

RESOLVED, the County Legislature does hereby adopt the attached General Safety Rules and Safe Work Practice Policy; and, be, it further

RESOLVED, that this resolution will take effect immediately upon adoption.

Signed by Fearon, Aikman, Barski, Chapman, Lattimore, Mitchell, and Palermo.

RESOLUTION NO. 200-10**(4/27/10) coadptrvdmplyhndbknnbrgng****ADOPTING A REVISED CAYUGA COUNTY EMPLOYEE HANDBOOK FOR NON-REPRESENTED EMPLOYEES.**

BY: Hon. George Fearon, Chairman Government Operations Committee

WHEREAS, on June 24, 2008, Resolution No. 402-08 "Adopting the Cayuga County Employee Handbook for Non-Represented Employees" was adopted by the Legislature; and

WHEREAS, Resolution No. 402-08 states that “the County Legislature shall reserve the right to amend or modify the Rules, Regulations and Policies at any time”; and

WHEREAS, the Government Operations tasked the Human Resources Department with updating and reviewing the Cayuga County Employee Handbook for Non-Represented Employees(copy attached); now, therefore be it

RESOLVED, that the attached the Cayuga County Employee Handbook for Non-Represented Employees is hereby adopted in full; and, be it further

RESOLVED, that the attached Cayuga County Employee Handbook for Non-Represented Employees shall supersedes any and all previously adopted Cayuga County Employee Handbook and amendments thereto; and be it further

RESOLVED, the Human Resources Department be permitted to change minor text for the purpose correcting typographical errors that may occur from time to time but do not change the intent of the section without requiring a resolution; and be it further

RESOLVED, the Cayuga County Legislature shall reserve the right to amend or modify the Cayuga County Employee Handbook for Non-Represented Employees. Signed by Fearon, Aikman, Barski, Chapman, Lattimore, Mitchell, and Palermo.

RESOLUTION NO. 201-10

4-27-10 LEG-ReviseEmpHandbk

**AUTHORIZATION TO AMEND THE CAYUGA COUNTY EMPLOYEE
HANDBOOK PURSUANT TO NEGOTIATION TO END CSEA IMPROPER
LABOR PRACTICE CHARGE U-28297**

BY: George Fearon, Chairperson, Government Operations Committee

Christopher Palermo, Chairperson, Ways & Means Committee

WHEREAS, the Local CSEA Bargaining Unit, Local 1000, AFSCME, AFL-CIO did file an improper labor practice regarding the adoption of the Cayuga county Employee Handbook and its content; and

WHEREAS, Labor Relations Specialists for both the CSEA and County have agreed to the attached revised document and format; and

WHEREAS, Language that is subject to mandatory negotiations has been removed from the document and other updated language has been added; NOW THEREFORE, BE IT

RESOLVED, that the Cayuga County Employee Handbook as amended be hereby approved; and be it further

RESOVED, that the handbook revision be copied for future orientations and place on the Cayuga County Website for access by the county employees; and be it further

RESOLVED, that the Human Resources and Civil Service Department be hereby given the authority to update and statute changes that may occur in the future to keep the document up-to-date and in accordance to current statute.

Signed by Fearon, Aikman, Barski, Chapman, Lattimore, Mitchell, Palermo, Cuddeback, Mills, and Petrus, all in favor.

RESOLUTION NO. 202-10**4/27/10 Vetpost10rev****AUTHORIZING THE COUNTY TREASURER TO PAY VETERANS POSTS**

BY: Honorable George Fearon, Chair, Government Operations Committee

Honorable Christopher Palermo, Ways & Means Committee

WHEREAS , the budget for the fiscal year 2010 contains funds for payment to Veterans Posts in a Special Act of the Legislature applying to Cayuga County; and

WHEREAS, applicants and bonds were required to be made by each Post on a form prepared by the County Attorney; and

WHEREAS, five Post have not submitted the necessary applications for payment leaving the amount of \$750.00 in account A65104-54065; and

WHEREAS, the additional funds available be transferred into Trust Account T-17004 to be used as emergency funds for operation of the Veteran's Van; now therefore, be it

RESOLVED, that the Cayuga County Treasurer be and is hereby authorized and directed to make payments of \$150.00 to each of the eligible Veteran Posts who have made proper applications as follows:

City of Auburn - W. Mynderse Rice American Legion Post #97

City of Auburn - Swietoniowski – Kopeczek American Legion Post # 1324

City of Auburn – Carnicelli – Indelicato American Legion Post #1776

City of Auburn – Auburn City Veterans Council

City of Auburn – Korean War Veterans Association, Cayuga County Chapter # 296

City of Auburn – St. Nicholas Veterans Post # 1

City of Auburn – Vietnam Veterans of America Inc., Chapter # 704

City of Auburn – La Societe Cayuga county 40 & 8, Voiture 1064

City of Auburn – Cayuga Memorial Detachment, Marine Corps League

City of Auburn – Joseph E. Rice Memorial Chapter # 103, Disabled American Veterans

Town of Montezuma – Robert F. Stryker Memorial American Veterans Post # 513

8137
Town of Montezuma-Thurston-Schramm-Reynolds Veterans of Foreign Wars Post

Town of Owasco – Owasco Memorial Veterans of Foreign Post # 6575

Village of Cato – Town of Cato – LaBuff - Cole American Legion Post #911

Village of Cayuga, Town of Aurelius – Donald R. Ward American Legion Post #1259

658
Village of Fair Haven, Town of Sterling – George E. Ingersoll American Legion Post

Village of King Ferry, Town of Genoa – Frontenac Veterans of Foreign Wars Post #

7274

Village of Moravia, Town of Moravia – Rowe – Churchill American Legion Post

#710

Village of Port Byron, Town of Mentz – John Cool American Legion Post # 257

Village of Weedsport, Town of Brutus – Clerk – Heck American Legion Post # 568
and be it further

RESOLVED that the Cayuga County Treasurer is hereby directed to transfer the amount of \$750.00 from account A65104-54065 into Trust account T-17004 and make any necessary journal and accounting entries to accomplish the same.

Signed by Fearon, Aikman, Barski, Chapman, Lattimore, Mitchell, Axton, Cuddeback, Mills, and Petrus, all in favor, except Palermo voting no.

RESOLUTION NO. 203-10

(04-27-10) CC- Online DMV Retention Fees Rev

**SUPPORT ASSEMBLY BILL A-9919 and S7338 WHICH WILL GIVE THE
LOCAL DEPARTMENT OF MOTOR VEHICLES IN EACH COUNTY
RETENTION FEES FOR ONLINE TRANSACTIONS**

BY: MR. GEORGE FEARON, Chairperson, Government Operations Committee
MR. CHRISTOPHER PALERMO, Chairperson, Ways and Means Committee

WHEREAS, the New York State Vehicle and Traffic Law places the responsibility of operating Department of Motor Vehicle Offices to 51 Counties across New York State through their respective County Clerk; and

WHEREAS, acting as an "agent" of the New York State Department of Motor Vehicles, our county taxpayers bear the cost of running local Department of Motor Vehicles operations; and

WHEREAS, our current share of certain transaction fees is 12.7%, available only if a customer appears in person or if customers direct their mail renewals specifically to the Auburn office; and

WHEREAS, there are numerous transactions we are required to perform that are time consuming, labor intensive for which New York State does not allow the County any fee and we are often competing with the NYS Department of Motor Vehicles for limited business in order to sustain our operations; and

WHEREAS, the Commissioner of Motor Vehicles has advised the New York State Association of County Clerks that 35 online transactions are currently available for customers via the NYS DMV website and more online transactions can be expected, leaving the County with even fewer revenue sharing opportunities; now therefore be it

RESOLVED, the Cayuga County Legislature support Assembly Bill A-9919, and Senate Bill S-7338 allowing County Clerks who operate DMV offices to retain a share of fees collected from County residents for motor vehicle transactions completed through the NYS DMV website; and be it further

RESOLVED, that the Clerk of this Legislative body be hereby directed to transmit copies of this resolution to Governor David A. Paterson, State Senators Michael Nozzolio and David Valesky, Assemblymen Gary Finch, Brian Kolb and Robert Oaks to ask for their support of this legislation.

Signed by Fearon, Aikman, Chapman, Barski, Lattimore, Mitchell, Palermo, Axton, Cuddeback, Mahunik, Mills, and Petrus, all in favor.

RESOLUTION NO. 204-10

04/27/2010 Bldgs HPO HVAC 2010

**AUTHORIZATION TO ENTER INTO A 3 YEAR ASSURED MAINTENANCE
AGREEMENT FOR THE HISTORIC POST OFFICE TEMPERATURE
CONTROL SYSTEM**

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

Hon. Christopher Palermo, Chairman, Ways & Means Committee

WHEREAS, the HVAC at the Historic Post Office system is a intricate piece of equipment; and

WHEREAS, the County does not have an employee that is trained or certified to work on this system; and

WHEREAS, it would not be cost effective for the county to train an employee to perform this service; now therefore be it,

RESOLVED, that the County enter into a three year Maintenance Agreement with Upstate Temperature Control, Inc for service on the controls portion of the HVAC system, at the cost of \$3,120.00 for 2010, \$3,244.00 for 2011 and \$3,374.00 for 2012; and be it further

RESOLVED, that Account A16234 54001 has sufficient funds for this agreement; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is authorized and directed to enter into a contract with Upstate Temperature Control, Inc.; 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, Barski, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, Mills, and Petrus, all in favor.

RESOLUTION NO. 205-10

April 27, 2010 Hwybudtranseqiprent10Rev

AUTHORIZATION TO AMEND THE 2010 CAYUGA COUNTY HIGHWAY BUDGET FOR INTERNAL EQUIPMENT RENTALS

BY: David Axton Chairman, Public Works Committee

Christopher Palermo Chairman, Ways and Means Committee

WHEREAS, after the submission of the 2010 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 2010 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:

Appropriation Accounts	Current	Increase/Decrease	Revised
D51104 54093 Maintenance of Roads Bridges	\$ 720,000.00	\$ (170,000.00)	\$ 550,000.00
D51134 54093 Capital Improvements	\$ 480,000.00	\$ -	\$ 480,000.00
D51424 54093 County Snow	\$ 270,000.00	\$ 90,000.00	\$ 360,000.00
D51444 54093 State Snow	\$ 100,000.00	\$ 80,000.00	\$ 180,000.00
D51484 54093 Other Agencies	\$ 30,000.00	\$ -	\$ 30,000.00
TOTALS	\$ 1,600,000.00	\$ -	\$ 1,600,000.00

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, Barski, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, Mahunik, Mills, and Petrus, all in favor.

RESOLUTION NO. 206-10
April 27, 2010 Hwybudtranssalaries2010rev
AUTHORIZATION TO AMEND THE 2010 CAYUGA COUNTY
HIGHWAY BUDGET

BY: David Axton Chairman, Public Works Committee

Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, the submission of the 2010 Cayuga County Highway Budget could not accommodate the reflection of salaries in the necessary budget accounts; and

WHEREAS, the funds to pay for these expenditures were originally budgeted in a single Highway account; and

WHEREAS, it is necessary to amend the 2010 Highway Budget to allow these various accounts to reflect estimated salaries; 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:

ORG	OBJECT	2010 CURRENT	INCREASE/(DECREASE)	2010 REVISED
D51101	Full Time Salaries	\$2,066,826.00	(\$600,326.00)	\$1,466,500.00
D51101	Seasonal Salaries	\$0.00	\$80,000.00	\$80,000.00
D51131	Full Time Salaries	\$0.00	\$230,000.00	\$230,000.00
D51421	Full Time Salaries	\$0.00	\$159,232.00	\$159,232.00
D51421	Seasonal Salaries	\$0.00	\$9,000.00	\$9,000.00
D51441	Full Time Salaries	\$0.00	\$97,594.00	\$97,594.00
D51441	Seasonal Salaries	\$0.00	\$4,500.00	\$4,500.00
D51481	Full Time Salaries	\$0.00	\$20,000.00	\$20,000.00
	Total	\$2,066,826.00	\$0.00	\$2,066,826.00
D51101	Overtime	\$212,200.00	(\$208,200.00)	\$4,000.00
D51131	Overtime		\$6,200.00	\$6,200.00
D51421	Overtime		\$125,000.00	\$125,000.00
D51441	Overtime		\$77,000.00	\$77,000.00
	Total	\$212,200.00	\$0.00	\$212,200.00
Totals by Object:				
51001	Full Time Salaries	\$2,066,826.00	\$ (93,500.00)	\$1,973,326.00
51005	Seasonal	\$0.00	\$93,500.00	\$93,500.00
51003	Overtime	\$212,200.00	\$0.00	\$212,200.00
Total		\$2,279,026.00		\$2,279,026.00
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, Barski, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, and Mills, all in favor.

RESOLUTION NO. 207-10

Date: April 27, 2010 HWYSUMHLP

RESOLUTION TO AUTHORIZE HIRE OF 10 SEASONAL LABORERS

By: Hon. David Axton, Chairman Public Works Committee

Hon. Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, summer is the prime construction season as well as the period when many regular employees take time off; and

WHEREAS, funding was allocated in the 2010 highway budget for the hiring of seasonal laborers for an 18 week period in Account. D51101 51001 – FULL TIME SALARIES

WHEREAS, the decrease in the size of the Highway Department over the last few years has made the reliance on seasonal employees more critical than in the past to get work done in the short summer construction season; and

WHEREAS, the lack of these seasonal employees would seriously hamper the operations of the department during prime construction season; and

WHEREAS, many of the tasks that need to be done are seasonal in nature commencing from the beginning of June to the end of September; now therefore be it

RESOLVED, that the County Highway Superintendent be hereby authorized to hire 10 seasonal laborers to start in May and end in September for a period not to exceed 18 weeks to accomplish the added seasonal tasks required by the highway department; and be it further

RESOLVED, that the seasonal personnel be paid at an hourly rate of \$10.00 without fringe benefits except those that are required by 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.

Signed by Axton, Barski, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, Petrus, and Mills, all in favor.

RESOLUTION NO. 208-10

Date: April 27, 2010 PW_TANKINSPECT

TO AUTHORIZE THE CREATION OF A UNIFORM FUEL TANK INSPECTION AND RECORD KEEPING PROCESS FOR COUNTY FACILITIES.

By: Hon. David Axton, Chairman Public Works Committee

Hon. Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, Cayuga County has petroleum storage facilities at a number of sites operated by several different departments, and

WHEREAS, the petroleum storage sites include the Highway Department at York Street, County Highway Department at Ira, County Highway Department at Venice, County Office Building, Jail, Nursing Home, Soil and Water Conservation District and Emerson Park, and

WHEREAS, to ensure compliance with state and federal fuel storage regulations, it would be beneficial to develop a single tank inspection procedure and a single repository for routine inspections, and procedure to alert County Administration if there is an issue that needs to be addressed, and

WHEREAS, Asbestos & Environmental Consulting Corporation (AECC) was retained by Resolution #357-09 to provide environmental compliance services for Cayuga County, and their proposal included hourly rates to be used for unscheduled and/or unforeseen circumstances, and

WHEREAS, AECC has provided a proposal to complete the monthly inspections for one month, and then train a county worker at each site for the two or three months following their initial inspections at a cost of \$600 per month, and

WHEREAS, sufficient funds are available in the tank removal project line A16204 54251 to cover this expenditure.

NOW, THEREFORE BE IT

RESOLVED, that the County Chairman is authorized and directed to sign a change order with AECC to accomplish the intent of this resolution.

Signed by Axton, Barski, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, Petrus, and Mills, all in favor.

RESOLUTION NO. 209-10

Date: April 27, 2010 HWY10APPMILLINGSRev

APPROVE BID FOR ASPHALT MILLINGS

By: Dave Axton, Chairman Public Works Committee

Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, Resolution No. 55-10, adopted on January 26, 2010, authorized the Public Works Committee and the County Highway Superintendent did advertise for and received bids for the following items:

Asphalt Millings

WHEREAS, the following bids were received for the following products and the Committee made the following recommendations:

Awardee

Company Name	Cold Springs Construction	Paul F. Vitale, Inc.
Contact	Brett J. Bottone	Ben J. Vitale, VP
Address	P.O. Box 358	7665 North St. Rd.
City, State, Zip	Akron, NY 14001	Auburn, NY 13021
Phone	716-542-2011	315-253-9797
Price per CY	\$6.00	\$8.25
Price per Ton	\$3.00	n/a

Now therefore be it

RESOLVED, to accept the Public Works Committees recommendations for Cold Springs Construction to be awarded the item bid; and be it further

RESOLVED, that upon the awarding of the above bids by the County Legislature, the County Chairman and the County Highway Superintendent be and is hereby authorized to sign an agreement, purchase from successful bidders and to pay from appropriated funds.

Signed by Axton, Barski, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, Mahunik, Petrus, and Mills, all in favor.

MOTION BY: Axton to rescind Resolution Number (210-10) 4-10-PW-6, 2nd by Fearon, all in favor.

RESOLUTION NO. 210-10

(4/27/10) COMappt.CNYRTArevl 4-10-PW-6

SUBMISSION OF CANDIDATES FOR GOVERNOR'S APPOINTMENT TO THE CENTRAL NEW YORK REGIONAL TRANSPORTATION AUTHORITY

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

WHEREAS, Section 1328 of the Public Authorities Law provides that the Governor shall appoint one member of the Central New York Regional Transportation Authority from a list of not less than two candidates submitted by the Cayuga County Legislature; and

WHEREAS, on July 31, 2009, the appointment of Darlene Lattimore DeRosa's term expired; now, therefore be it

RESOLVED, that in order to maintain the appropriate representation on the Central New York Regional Transportation Authority, the following names of candidates be submitted to the Governor's Office:

Darlene Lattimore DeRosa

Warren Albrecht

Resolution rescinded

RESOLUTION NO. 211-10

(4/27/10) COMappt.CNYRTArevl

SUBMISSION OF CANDIDATES FOR GOVERNOR'S APPOINTMENT TO THE CENTRAL NEW YORK REGIONAL TRANSPORTATION AUTHORITY

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

WHEREAS, Section 1328 of the Public Authorities Law provides that the Governor shall appoint one member of the Central New York Regional Transportation Authority from a list of not less than two candidates submitted by the Cayuga County Legislature; and

WHEREAS, on July 31, 2009, the appointment of Darlene DeRosa Lattimore's term expired; now, therefore be it

RESOLVED, that in order to maintain the appropriate representation on the Central New York Regional Transportation Authority, the following names of candidates be submitted to the Governor's Office:

Darlene DeRosa Lattimore

Warren Albrecht

Signed by Axton, Cuddeback, Barski, Chapman, Lattimore, Mitchell, and Pinckney, all in favor, except Lattimore abstained.

RESOLUTION NO. 212-10

4/27/10 PSAPftESDfill (2)rev

AUTHORIZATION TO FILL TWO VACANT EMERGENCY SERVICES DISPATCHER POSITIONS

BY: Mr. Steven Cuddeback, Chairperson, Judicial and Public Safety Committee

Mr. Christopher Palermo, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County 911 Center currently has two vacant Full-Time Emergency Services Dispatcher positions.

WHEREAS, it is necessary to select candidates and fill the Emergency Services Dispatcher position for continuity of services; now therefore be it

RESOLVED, that the positions (#01921 and #01912) be filled, and that the 911 Administrator be hereby authorized to fill the 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 Cuddeback, Aikman, Chapman, Mitchell, Petrus, Palermo, Axton, Fearon, and Mills, all in favor.

RESOLUTION NO. 213-10

4.27.10 911SoftwareNewWorldRev

AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO RENEWA THREE YEAR CONTRACT WITH NEW WORLD SYSTEMS TO PROVIDE CAD, MAPPING, RECORDS MANAGEMENT, AND AVL SERVICES.

BY: Mr. Steven Cuddeback, Chairperson, Judicial and Public Safety Committee
Mr. Christopher Palmero, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County 911 Center utilizes New World Systems for Computer Aided Dispatch, Records Management, Mapping, and Automatic Vehicle Locator (AVL) services, and

WHEREAS, New World Systems has submitted a renewal invoice for a three-year contract; and

WHEREAS, pricing of a three (3) year contract is \$83,746 for 2010, \$86,259 for 2011, and \$88,846 for 2012; and

WHEREAS, there is money in the 911 Communication System Budget Account Number A30204 54019 for this purpose; now therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to sign the contract renewal, with New World Systems for the amount of \$258,851 for the period of June 1, 2010 through May 31, 2013; and be it further

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

Signed by Cuddeback, Aikman, Chapman, Mitchell, Petrus, Palermo, Axton, Fearon, and Mills, all in favor.

RESOLUTION NO. 214-10

(April 27, 2010) DA.ByrneJAG Grant.10

AUTHORIZING THE DISTRICT ATTORNEY TO ACCEPT A GRANT FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO PURCHASE VIDEO RECORDING OF STATEMENTS EQUIPMENT FOR THE CAYUGA COUNTY DISTRICT ATTORNEY'S OFFICE AND THE CAYUGA COUNTY SHERIFF'S OFFICE; AND AMEND THE RESPECTIVE 2010 BUDGETS

By: Hon. Steven A. Cuddeback, Chairman, Judicial & Public Safety; and
Hon. Christopher M. Palermo, Chairman, Ways & Means

WHEREAS, Cayuga County has been awarded \$15,000 Byrne JAG Grant to purchase video recording equipment for defendant interviews and statements; 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 funds will lapse on September 30, 2010; and

WHEREAS, the Cayuga County Sheriff's Office award is \$10,000 and the Cayuga County District Attorney's award is \$5,000; and

WHEREAS, the District Attorney's Office is responsible for monitoring the grant, preparing the reports, and reporting expenditures for said grant; now therefore, be it

RESOLVED, that Cayuga County accepts the \$15,000 Byrne JAG Grant Award in order to implement, administer, and expend the grant funds 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 Cayuga County Sheriff's Office 2010 budget shall be amended to increase Revenue Account A31100 44325 FEDERAL AID-SHERIFF DCJS" in the amount of \$10,000; and be it further

RESOLVED, that the District Attorney's 2010 budget shall be amended to increase Revenue Account A11650 44326 FEDERAL AID-DA BYRNE GRANT" in the amount of \$5,000; and be it further

RESOLVED, that the Cayuga County Sheriff's Office 2010 budget shall be amended to increase Account A31104 54244 Grant Expenditures \$10,000; and be it further

RESOLVED, that the District Attorney's 2010 budget shall be amended to increase Account A11652 52000 Equipment \$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 foregoing.

Signed by Cuddeback, Aikman, Chapman, Mitchell, Petrus, Pinckney, Sincebaugh, Palermo, Fearon, and Mills, all in favor.

RESOLUTION NO. 215-10

4/20/10 SHR-CPS Incentive Grant

AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO ACCEPT GRANT MONIES FROM THE NEW YORK STATE CHILD PASSENGER SAFETY (CPS) GRANT PROGRAM AND THE TREASURER'S DEPARTMENT TO AMEND THE 2010 LAW ENFORCEMENT BUDGET

BY: Mr. Steven Cuddeback, Chair, Judicial and Public Safety Committee, and Mr. Christopher Palermo, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Office applied for and was awarded a \$6,500.00 Child Passenger Safety Grant from the National Highway Traffic Safety Administration through the New York State Governor's Traffic Safety Committee; and

WHEREAS, all expense has been approved through the Grant which is 100% funded: now therefore be it

RESOLVED, that the 2010 Cayuga County Sheriff's Law Enforcement Operating Budget be amended to allow the following changes: An increase in the Revenue Line A31100 A44390 Traffic Enforcement of \$6500.00 and an increase in the Expenditure Account A31100 A54244 Grant Expenditure: and be it

RESOLVED, that the Cayuga County Sheriff's Office be allowed to purchase child safety seats and necessary items to effect this Grant; 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 Cuddeback, Aikman, Chapman, Mitchell, Petrus, Pinckney, Sincebaugh, Palermo, Fearon, and Mills, all in favor.

RESOLUTION NO. 216-10**4/27/10 SHR-SETTLEMENT SEACC PERB****AUTHORIZING THE TREASURER'S DEPARTMENT TO TRANSFER MONIES FROM THE PROVISION FOR CONTINGENCY ADJUSTMENT ACCOUNT TO THE 2010 SHERIFF'S CUSTODY BUDGET DUE TO THE SETTLEMENT OF THE SHERIFF 'S EMPLOYEES ASSOCIATION OF CAYUGA COUNTY, INC(SEACC) IMPROPER PRACTICE CHARGE.**

BY: Mr. Steven Cuddeback, Chair, Judicial and Public Safety Committee, and
Mr. Christopher Palermo, Chair, Ways & Means Committee

WHEREAS, the previous County Manager, discontinued allowing On Duty Custody Officers, formerly Corrections Officers, to eat free of charge at the County Custody facilities, effective February 2, 2009 and the Sheriff's Employees Association of Cayuga County, Inc. (SEACC) filed an Improper Practice Charge against the County of Cayuga and the Cayuga County Sheriff's Department for alleged violations of the Taylor Law with the Public Employment Relations Board (PERB); and

WHEREAS, a settlement has been negotiated to compensate each of these employees a sum of \$300.00 before taxes and to be prorated for the two members whose employment began after February 2, 2009, to compensate for meals lost during the pendency of the Improper Practice charge; now therefore, be it

RESOLVED, that Cayuga County transfer \$28,464.00 from the Contingency Adjustment Account A10164 54000 to the 2010 Sheriff's Custody Operating budget line A31500 54610; 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 Cuddeback, Aikman, Chapman, Mitchell, Petrus, Pinckney, Sincebaugh, Palermo, Fearon, and Mills, all in favor.

RESOLUTION NO. 217-10**4/27/09 SHR-Nav. Employment.rev****AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO EMPLOY SEASONAL PERSONNEL FOR THE MARINE UNIT**

BY: Mr. Steven Cuddeback, Chair, Judicial and Public Safety Committee, and
Mr. Christopher Palermo, Chair, Ways & Means Committee

WHEREAS, the Legislature has authorized the Sheriff to employ seasonal personnel to assist in implementation of the Sheriff's Marine Unit as designated in the Marine Unit ; and

WHEREAS, it is now necessary to set the pay rate for the 2010 season so the Sheriff may hire qualified Peace Officers and Police Officers to supplement his Deputy Sheriffs working in the Marine Unit; and

WHEREAS, the State of New York through Parks and Recreation reimburses the County of Cayuga upon application and certification of the Sheriff which is anticipated at the past rate of approximately seventy-five percent; and

WHEREAS, these positions are funded in the 2010 Sheriff's Navigation Unit Budget Line (Salaries – Part Time) A31111 51002 in the amount of \$55,000.00; now therefore be it

RESOLVED, that under the recommendation of the Sheriff and the Judicial & Public Safety Committee the hourly rates of pay rates for Deputy Sheriff – Navigation – Seasonal Positions are hereby set as follows: Seasonal Peace Officer at the rate of \$12.00 per hour and Seasonal Police Officer at the rate of \$18.00 per hour; and be it further

RESOLVED, that the Sheriff is authorized to hire and pay up to twenty-two Seasonal Marine Unit Personnel (Deputy Sheriff-Navigation (Seasonal)) at the rates set forth above; and be it further

RESOLVED, that the Sheriff is authorized to fill these positions in accordance with Civil Service Rules and Regulations and within the policies of the County of Cayuga. Signed by Cuddeback, Aikman, Chapman, Mitchell, Petrus, Pinckney, Sincebaugh, Palermo, Fearon, and Mills, all in favor, except Fearon abstained.

RESOLUTION NO. 218-10

4/27/10 ShrAwardStorageProjectrev

AWARDING THE GENERAL CONTRACTOR BID FOR THE CONSTRUCTION OF A POST FRAME BUILDING TO BE UTILIZED BY THE CAYUGA COUNTY SHERIFF'S OFFICE FOR STORAGE OF EQUIPMENT AND EVIDENCE AND TO BE USED FOR TRAINING, AUTHORIZING THE ESTABLISHMENT OF A CAPITAL H PROJECT No. 10-02 (CONSTRUCTION OF A POST FRAME BUILDING PROJECT) AND AUTHORIZING THE TRANSFER OF FUNDS

BY: HON. MR. Steven Cuddeback, Chairman, Public Safety Committee, and HON. MR. Christopher Palermo, Chairman, Ways & Means Committee.

WHEREAS, Resolution No. 718-09 authorized the Clerk of the Legislature to advertise and receive bids for the purpose of the construction of a post frame building located at the Cayuga County Sheriff's Office, 7445 County House Road; and

WHEREAS, the following Bids have been received for the buildings project:

Contractor Name	City/State	Bldg. Amount	Concrete Pad Amount
RLS Construction	Cato, NY	\$ 89,412.00	\$ 34,722.00
Massa Construction,	Geneva, NY	\$312,000.00	\$ 51,000.00
Fingerlakes Const.	Clyde, NY	\$ 83,700.00	\$ 31,500.00
Secor Bldg,	Savannah, NY	\$120,781.00	\$ NO BID
CB Structures,	North Holland, PA	\$104,988.00	\$ 36,659.00; and

WHEREAS, Fingerlakes Construction is the lowest responsible bidder with the amount of \$115,200.00; and

WHEREAS, the funds for this project will be paid from two separate inmate T Accounts as follows:

\$24,000 – T Account 92 - (SCAAP) State Criminal Alien Assistant Program

\$91,200 – T Account 77 - Inmate Phone Account

now therefore let it be

RESOLVED, that the Cayuga County Legislature award the Contractor bid to Fingerlakes Construction at a cost not to exceed \$115,200.00; and let it be further

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. 10-02 (CONSTRUCTION OF A POST FRAME BUILDING PROJECT) in an amount not to exceed \$115,200.00 source of funding to be the transfer of funds from the following accounts:

\$24,000 – T Account 92 - (SCAAP) State Criminal Alien Assistant Program

\$91,200 – T Account 77 - Inmate Phone Account

RESOLVED, that the Chairman of the Cayuga County Legislature sign all contracts, to implement the intent of this resolution, and let it be 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 Cuddeback, Aikman, Chapman, Mitchell, Petrus, Pinckney, Sincebaugh, Palermo, Fearon, and Mills, all in favor.

RESOLUTION NO. 219-10

4/27/10 SHR-Prch. AWD Passenger Express Van

AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO PURCHASE A 2010 CHEVY EXPRESS PASSENGER VAN TO REPLACE AN EXISTING 2002 CHEVY PASSENGER VAN THAT IS IN NEED OF EXTENSIVE REPAIRS AND HAS ACCUMULATED HIGH MILEAGE.

BY: Mr. Steven E. Cuddeback, Chair, Judicial and Public Safety Committee, and Mr. Christopher M. Palermo, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Office, Custody Division, presently has a 2002 Chevy 2500 Passenger Van, Serial No. 1GAGG25U631137372, that is used to transport inmates for court appearances, medical appointments and other various engagements that may arise, that is in need of extensive repairs and has accumulated high mileage; and

WHEREAS, Hoselton Chevrolet, Rochester, New York, pursuant to NYS Contract No. PC62820, can provide a new 2010 Chevy Express AWD Passenger Van for a cost not to exceed \$24,500; and

WHEREAS, there are sufficient funds in the Sheriff's 2010 Custody Equipment Budget Line A31502 52000 to purchase a new passenger van, have it properly equipped with necessary radio equipment and have it detailed; and

WHEREAS, the existing 2002 Chevy 2500 Passenger Van, Serial No. 1GAGG25U631137372, will be turned into the Cayuga County Clerk of the Legislature Office and then to the Cayuga County Motor Pool upon the delivery of the new 2010 Chevy Express AWD Passenger Van; and now therefore be it

RESOLVED, that the Cayuga County Sheriff is authorized to purchase a 2010 Chevy Express AWD Passenger Van from Hoselton Chevrolet, Rochester, New York, for a cost not to exceed \$24,500, and have it properly equipped with necessary radio equipment and have it detailed; and it is further

RESOLVED, that upon the delivery of the new passenger van, the existing passenger van will be delivered to and accepted by the Clerk of the Cayuga County Legislature for disposal; and further be it

RESOLVED, that the purchase of this new passenger van will be made in accordance with the existing purchasing policies of Cayuga County.

Signed by Cuddeback, Aikman, Chapman, Mitchell, Petrus, Pinckney, Sincebaugh, and Palermo, all in favor.

RESOLUTION NO. 220-10

4.27.10 911APCOLICENSING

**AUTHORIZING THE ADMINISTRATOR OF THE 911 CENTER TO PAY
APCO INTERNATIONAL FOR FREQUENCY COORDINATION FEES,
OF VHF FREQUENCIES, THAT COUNTY RESPONDERS
ARE CURRENTLY OPERATING ON.**

BY: Mr. Steven Cuddeback, Chairperson, Judicial and Public Safety Committee
Mr. Christopher Palermo, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County 911 Center now handles all frequency licensing;
and

WHEREAS, APCO and the FCC have submitted an invoice for frequency coordination and licensing service fees of VHF frequencies that County responders are currently operating on; and

WHEREAS, the cost is 12,130.00, with a 31% discount, for a total of \$9000.00; and
WHEREAS, the coordination fees will be paid from the 911 Communication System Budget Account Number A30204 54063 for this purpose; now therefore be it

RESOLVED, that the 911 Administrator be authorized to pay the necessary fees and continue to move forward with the licensing of the VHF frequencies; and be it further

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

Signed by Cuddeback, Aikman, Chapman, Mitchell, Petrus, Pinckney, Sincebaugh, Palermo, Fearon, and Mills, all in favor.

RESOLUTION NO. 221-10

4.27.10 911SoftwareESRI

**AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO
RENEW A ONE YEAR CONTRACT WITH ESRI INC. TO PROVIDE
MAINTENANCE ON ARC EDITOR SOFTWARE.**

BY: Mr. Steven Cuddeback, Chairperson, Judicial and Public Safety Committee
Mr. Christopher Palermo, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County 911 Center utilizes ARC editor software to maintain our CAD mapping; and

WHEREAS, it is critical that the mapping is current; and

WHEREAS, the E-911 Center with help from the Cayuga County Planning department utilizes Arc Editor Software to provide the necessary services; and

WHEREAS, Arc Editor has submitted a renewal invoice for a one-year contract; and

WHEREAS, there is money in the 911 Communication System Budget Account Number A30204 54018 for this purpose; now therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to sign the contract renewal, with ESRI Inc. for the amount of \$1556.00 for the period of 10/1/09 – 9/30/10; and be it further

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

Signed by Cuddeback, Aikman, Chapman, Mitchell, Petrus, Pinckney, Sincebaugh, Palermo, Fearon, and Mills, all in favor.

**RESOLUTION NO. 222-10
4-27-10 pro Leandra's Law**

**TO RECOMMEND AND REQUEST THAT THE STATE OF NEW YORK
DELAY THE IMPLEMENTATION OF THE IGNITION INTERLOCK
PROVISIONS OF LEANDRA'S LAW**

BY: Steven Cuddeback, Chair, Judicial & Public Safety

WHEREAS, in late 2009 New York State enacted and passed into legislation "Leandra's Law" which (a) added the category of "Child In Vehicle" to DWI Offenses, that has already been implemented; and, (b) which added a section to the V&T Law requiring the installation and use of an Ignition Interlock Device as part of all DWI sentences in New York State, to be implemented effective August 15, 2010; and,

WHEREAS, the Legislation provided no direction or resources whereby the Ignition Interlock Section of this legislation could be implemented; and,

WHEREAS, in accord with the request of the Law, the NYS DPCA has prepared a Proposed Rule to direct the implementation of this law; and,

WHEREAS, the proposed Rule does not demonstrate how the Counties are to organize and/or support the implementation of this Program, and requires each County to demonstrate how the County will implement and fund this Program; and,

WHEREAS, the Cayuga County Department of Probation, STOP DWI, District Attorney, Cayuga County Sheriff, County Administrator and others have discussed this Program with the Judiciary and Public Safety Committee and no adequate solutions have been put forth; and,

WHEREAS, Cayuga County, in this time of severe fiscal crises, does not have the resources to assume responsibility for an unfunded mandate of this magnitude;

NOW, THEREFORE BE IT RESOLVED, that the Cayuga County Legislature join with NYSAC and other appropriate statewide organizations to recommend and request that the State of New York delay the implementation of the Ignition Interlock Program for two or more years until the appropriate resources can be identified and made available to the Counties for the implementation of this Program.

Signed by Cuddeback, Chapman, Mitchell, and Petrus, all in favor.

NEW BUSINESS:

Indian Affairs:

Lattimore, concerned on Indian Affairs.

Tortorici, we are fighting against the Carcieri Fix, Senate wants it to be easier to put Land-into-Trust.

Fearon, Senate trying to go around Supreme Court.

Axton, another issue, does not allow counties to foreclose on property.

Tortorici, Land-into-Trust application have to have their taxes paid before Land-into-Trust.

Radio System:

Tortorici, Madison County awarded \$800,000, we secured \$300,000.

Tom Squires, County Administrator, I left a message with Paul Miller, I will let you know what I find out.

Tortorici, we will have a special Committee Meeting of the Whole on May 6, 2010 at 6:30PM, Motorola and C & S Company will be there. We have received all 7 pairs of UHF frequencies from the FCC. Move resolution to Ways & Means then to Legislature Meeting on the 25th of May.

CHHA Update:

Fred Westphal, County Attorney, we have 3 agreements, Management, approved last Monday, Skilled Services, finalized, and Asset Purchase agreement, down to one issue. The Certificate of need will take 6 to 8 months.

Lattimore, I would like a summary of long term employees in regards to CHHA cost. Fred Westphal, we don't have all the information yet.

Cleaning:

Aikman, unemployment impact, need more information, specific, how cleaning needs to be done.

Tortorici, unemployment impact is being figured out by Faye Hatfield.

Fred Westphal, Mike Pawlenko included but will verify.

Axton, \$8,000 to \$14,00 per employee per year, depending on whether they have a family of individual.

Fearon, it's unpredictable, have to work a certain number of years before you qualify.

Tortorici, have to be here 20 years before you can collect benefits.

Motion by Aikman to adjourn at 8:32PM, 2nd by Pinckney, all in favor.

Motion by Lattimore to approve minutes of 4-27-10 on 6-22-10, 2nd by Pinckney, all in favor.

**MINUTES
SPECIAL MEETING
COMMITTEE OF THE WHOLE
THURSDAY, MAY 6, 2010, 6:30 PM
160 GENESEE ST, 6TH FLOOR, CHAMBERS,
AUBURN, NY 13021**

CALL TO ORDER: Hon. Peter Tortorici, Chairman, at 6:33PM.

ROLL CALL: Mary Jones, Clerk of the Legislature, all Legislators present, except excused Mahunik and Lattimore arriving at 6:42PM

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

Motion by Fearon, to go into Executive Session at 6:34PM, re: Discussions regarding proposed, pending or current litigation and Collective negotiations pursuant to article fourteen of the civil service law. 2nd by Palermo, all in favor.

Motion by Axton to come back in from Executive Session at 6:53PM, 2n by Mills, all in favor. No action taken.

TOPIC: Work Session on Cayuga County Radio System, Motorola handouts attached to original minutes.

Motorola Speakers: Rick Angelilo Aaron Boone, and Miraj Oza.

Questions:

Palermo, with a shared master site, could we add a master site later?

Rick Angelilo, yes, shared is better, savings on maintenance.

Chapman, the price for shared master site is price from consortium?

Rick Angelilo, yes.

Fearon, shared, cost savings for tax payers, less full time employees.

Rick Angelilo, yes, key topic man power.

Mills, we will pay some of that cost if we share over and above.

Rick Angelilo, yes.

Mills, maintenance for 4th year?

Rick Angelilo, it's in your packet, 3% per year.

Mills, 10 year maintenance?

Rick Angelilo, we can look at that.

Fearon, rather pay part then all of it.

Lattimore, what equipment is deleted?

Rick Angelilo, portables, less sites, but you can ad later. Original 5 sites we went to 7 sites no extra charge.

Lattimore, purpose to be able to talk to all.

Rick Angelilo, yes all of Cayuga County.

Lattimore, other counties?

Rick Angelilo, those that are on UHF, not different bands.

Lattimore, life of system, 10 years?

Rick Angelilo, yes, all agencies in county are covered.

Fearon, be able to talk in Scipio, we had a lot of dead areas.

Axton, the old equipment, can we still trade it in?

Denise Stayton, not one for one.

Axton, we need to discuss this.

Tortorici, we don't know the numbers yet.

Mills, does this amount include the towers?

Rick Angelilo, no.

Tortorici, microwave?

Rick Angelilo, no.

Axton, site preparations, we will do most of the work in house?

Tortorici, need to know where the sites will be.

Fearon, how many towers do we need to put up?

Denise Stayton, 6 sites.

Lattimore, microwave system?

Rick Angelilo, we don't manufacture, we just provide vendor, it's better if you the owner go out and get it yourself and build to your own specs.

Lattimore, your price?

Rick Angelilo, 1.5 to 1.7 million, that was for 15, so it would be less.

Chapman, microwave cost, last amount was \$900,000.

Denise Stayton, that was an estimate.

Rick Angelilo, \$100,000 a hop.

Chapman, does that include other cell towers?

Rick Angelilo, we look at what's there first.

Tortorici, we can reach out to cell phone towers.

Rick Angelilo, yes.

Sincebaugh, how long will the system last?

Rick Angelilo, 10, 20, 25 years, software based do you can always up-grade.

Mills, lease option?

Rick Angelilo, lease to own will give you a better bond rate.

Aikman, shared master site, control issues.

Aaron Boone, you manage your own, partitions are set up.

Tortorici, City would control their own site.

Denise Stayton, work on master site, will work with attorney to cover all aspects.

Aikman, what if master site goes down, do we all go down.

Rick Angelilo, no.

Mills, map shows 97% coverage was that with 15 sites, now we have 9 sites, what is the coverage?

Rick Angelilo, mobile has more coverage than portables.

Denise, portables were 97% now at 85%.

Mills, has to do with topography?

Rick Angelilo, different coverage maps are conservative, most find better than what we guarantee.

Chapman, does it change our RFP.

Fred Westphal, no.

Axton, in 6 months if we have a dead spot we can add.

Rick Angelilo, yes.

Tortorici, need to start and build on.

Axton, you will test to know where dead spots are?

Rick Angelilo, yes, we will know.

Cuddeback, if L2 is chosen, we can't add sites?

Rick Angelilo, you could only add one site.

Cuddeback, even at its worst it's better than what we have.

Lattimore, bonding?

Tom Squires, I will cover that later.

Sincebaugh, system will be tested before hand?

Rick Angelilo, yes, we test before you accept system.

Chapman, when all sites are in place how long before active?

Rick Angelilo, 18 months.

Denise Stayton, they will set up a model.

Rick Angelilo, yes, there is a staging process in Illinois, you are welcome to come out at look at it.

Miraj Oza, 2nd round of testing is also done.

Mills, is there a guarantee on the server?

Rick Angelilo, 2 hour response time, Finger Lakes Communications will take care of maintenance

Fearon, city has to be on, they have a time limit..

Sincebaugh, other alternatives?

Rick Angelilo, this is the best today for you.

Tortorici, need to try system.

Tom Squires, total system, additional site \$113,000, do as is and test so we know what works, then make decision if we need more.

Rick Angelilo, 2 months for additional site.

Denise Stayton, low band will still work.

Aaron Boone, we will know what works when we test, we will know if we have problems.

Rick Angelilo, simulcast benefits, you don't accept if it doesn't work.

Legislator's correct.

Mills, how long is this price good for, until June?

Rick Angelilo, yes.

Fearon, we need to get going.

Tortorici, the City needs to re-band, we have a meeting scheduled with the Mayor on the 10th and move forward.

C& S Speaker Companies: Speaker Robert Duclos, handout attached to original minutes.

Questions:

Robert Duclos, other counties are moving forward with systems, we will work for you as long or as little as you need us to.

Tom Squires, you are hands on.

Robert Duclos, yes.

Tortorici, Madison County, you dealt with land owners and negotiation of property.

Robert Duclos, yes, we look for about an acre of land that the owner wants to sell at a reasonable price.

Lattimore, what is your cost for the system?

Robert Duclos, depends on the system, usually 3% to 5% range.

Fearon, having a stranger try to buy property, probably not the best way to go.

Robert Duclos, yes, there are different ways.

Pinckney, if we hire you, you come right on board as project manager?

Robert Duclos, yes, I would like to see things from start to finish.

Tortorici, I asked C&S to come and talk, we do not have a proposal.

Estimated Radio System Cost Summary: Tom Squires County Administrator, handout attached to original minutes.

Questions:

Fearon, Madison County cost \$1,283,000, \$9,000 per tower.

Tom, shelter, generator, error on the side of caution.

Mills, doesn't include project manager cost, about \$600,000.

Tom, we can push the borrowing out to 15 years, equipment to 10 years. Group with Mental Health which is 20 years.

Mills, we have things coming up that will be paid off too.

Tom, yes.

Mills, \$100,000 home levy increase.

Tom, we don't know yet.

Mills if we say 5% increase to taxpayers, they won't go for it.

Tortorici, we need to decide what system so we can move forward.

Lattimore, there are other projects coming up, I would like to know where we stand.

Tortorici, we will have savings from selling of the CHHA.

Fearon, telephone tax.

Tortorici, cell phone and land line.

Tom, we can do both.

Cuddeback, 911 fund, (cell phone) \$200,000,000 was in the fund and its disappeared.

Will we see a resolution for Judicial & Public Safety for next Tuesday's meeting?

Tortorici, yes I have asked Fred and Tom to work on.

Chapman, maintenance for radio system, is there money set aside for that?

Tom, maintenance for current system is in the budget.

Denise Stayton, it's in my budget.

Chapman, Madison County, how will they handle home rule request?

Palermo, good point, more information is needed, what the resolution will say, if RFP is for project manager, if we go with the system.

Mills, need to know about our debt, existing and what is going to be paid off.

Tom Squires, need to plot out the debt, MH has 7 million in bonds.

Mills, need to know the funding.

Tortorici, bonding contingency, might not have to spend all the money.

Lattimore, Motorola good provider, Fingerlakes good service, I would like a summary of the consultant contract for what we have paid?

Denise Stayton, contract states not to exceed \$264,000, we have paid the consultant \$117,000 so far.

Lattimore, what services have we received for \$117,000?

Axton, we are not obligated to pay him anymore.

Fred Westphal, performance is not open for discussion.

Palermo, choose project manager then go out for RFP.

Fred Westphal, C & S Professional Services will send a quote tomorrow.

Tortorici, the City's date is April 2011.

Mike Hammon, the City's time line, frequencies, plan by April 2011, funding in place, contract for vendors.

Axton, you will resolution for next Tuesday?

Tortorici, 2 resolutions, consultant and radio.

Axton, I'd like to get it done.

Motion by Cuddeback to adjourn at 8:52 PM, 2nd by Lattimore, all in favor.

Motion by Lattimore to approve minutes of 5-6-10 (Committee of the Whole) on 6-22-10, all in favor