

**MINUTES
CAYUGA COUNTY LEGISLATURE
REORGANIZATION MEETING
JANUARY 3, 2011, 6:00 PM**

ROLL CALL: Sheila Smith, Deputy Clerk of the Legislature, all Legislators present, except Palermo arriving at 6:13PM.

EMERGENCY EVACUATION STATEMENT: read by Sheila Smith, Deputy Clerk

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

NOMINATIONS FOR LEGISLATIVE CHAIRPERSON. Motion by Cuddeback for Tortorici, 2nd by Axton, all in favor.

Motion by Fearon to close nominations, 2nd by Cuddeback, all in favor.

County Clerk Susan Dwyer administered Oath of Office and Peter Tortorici signed book. Chairman Tortorici read speech, attached to original minutes.

NOMINATIONS FOR LEGISLATIVE VICE CHAIRPERSON. Motion by Tortorici for Pinckney, 2nd by Axton, all in favor.

Motion by Fearon to close nominations, 2nd by Mitchell, all in favor.

County Clerk Susan Dwyer administered Oath of Office and Paul Pinckney signed book.

DESIGNATION OF MAJORITY AND MINORITY LEADERS FOR 2011. Motion by Axton for Chapman as Majority Leader, 2nd by Cuddeback, all in favor.

Motion by Fearon to close nominations, 2nd by Mitchell, all in favor.

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

Motion by Tortorici to close nominations, 2nd by Mitchell, all in favor.

Motion by Chapman to go into Executive Session at 6:16PM, re: the performance and or appointment of a particular person, 2nd by Cuddeback, all in favor. Fred Westphal asked to join.

Motion by Mills to come out of Executive Session at 6:31PM, 2nd by Sincebaugh, all in favor. No action taken.

Motion by Fearon to add 3rd. RESOLVED that funds for her salary increase be taken from Account A10164-54000 (Contingency) and put into Account A10401 (Salaries), 2ND by Mills, all in favor.

RESOLUTION NO. 1-11
1/3/11 COL ClkLeg.Appt11
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 2011; now, therefore be it

RESOLVED, that Mary Jones is hereby appointed Clerk of the Cayuga County Legislature for the year 2011; and be it further

RESOLVED, that her salary for 2011 shall be **\$49,500.00**; and, be it further

RESOLVED, that funds for her salary increase be taken from Account A10164-54000 (Contingency) and put into Account A10401 (Salaries)

RESOLVED, that this resolution shall take effect immediately.

RESOLUTION NO. 2-11
1/03/11 911CoCtyrbndngagmenre
AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE
TO EXECUTE AN AGREEMENT WITH THE CITY OF AUBURN FOR THE
CITY OF AUBURN TO PARTNER WITH CAYUGA COUNTY TO INTEGRATE
THEIR RESPECTIVE RADIO COMMUNICATIONS SYSTEMS.

BY: Chairperson, Judicial and Public Safety Committee

Chairperson, Ways & Means Committee

WHEREAS, on August 6, 2004, the Federal Communications Commission ("FCC") issued a Report and Order that modified its rules governing the 800 MHz band. The purpose of the Order was to reconfigure the 800 MHz band to minimize harmful interference to public safety radio communications in the band ("Reconfiguration"). On December 22, 2004, the FCC issued a Supplemental Order and Order on Reconsideration. (The August 6, 2004 and December 22, 2004 FCC Orders and any supplemental FCC Orders in the Reconfiguration proceeding or subsequent actions after the date of this Agreement are collectively referred to as the "Order"); and

WHEREAS, the City of Auburn ("City") maintains licenses issued by the FCC on frequency allocations subject to Reconfiguration; and

WHEREAS, the City and Nextel of New York, Inc. ("Nextel"), a wholly owned indirect subsidiary of Sprint-Nextel Corp., a Kansas corporation, entered into a Frequency Reconfiguration Agreement dated effective as of August 18, 2010 ("FRA"), wherein Nextel is obligated to pay the City an amount to effect a Reconfiguration of the City's affected frequency allocations (the "Reconfiguration Cost"). A copy of the FRA is attached hereto and made a part hereof as Exhibit A; and

WHEREAS, pursuant to the FRA, the aggregate Reconfiguration Cost is Four Hundred Thirty-two Thousand Twenty-One and 40/100 Dollars (\$432,021.40). Pursuant to the Order, the FCC has appointed a Transition Administrator ("TA") to insure that the re-banding initiative proceeds on schedule and in a planned and coordinated manner so that disruption to a licensee's system is minimized. A licensee may, provided it is in

Monday, January 03, 2011

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compliance with the TA's guidelines, in lieu of re-banding its existing system, apply the Reconfiguration Cost to upgrade its existing network or to improve another network (including a non-800 MHz network, if that is the network that the licensee is moving to); and

WHEREAS, Cayuga County ("County") has determined and identified the need and benefits associated with updating its current radio infrastructure (the "New System"). The estimated cost of the New System is in excess of Seventeen Million Dollars (\$17,000,000.00); and

WHEREAS, the County has entered into a Communications System Agreement with Motorola, Inc. ("Motorola") to effectuate and implement the New System in accordance with the Statement of Work ("SOW") attached thereto (the "Motorola Contract"); and

WHEREAS, the City has determined that it is in the best interest of the City and the public safety of its citizens to partner with the County to integrate their respective radio communications systems into a compliant interoperable system with enhanced capabilities.

WHEREAS, as the result of the foregoing, the City and the County desire to set forth their respective understandings and agreements with each other with respect to the City's move to the County's New System; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute the agreement annexed hereto.

Signed by Cuddeback, Barski, Chapman, Palermo, Pinckney, Sincebaugh, Fearon, Axton and Mitchell, all in favor.

Chairman Tortorici congratulated Sheriff David Gould on being re-elected.

Committee Assignments handed out.

Motion by Chapman to adjourn at 6:38PM, 2nd by Fearon, all in favor.

**MINUTES
CAYUGA COUNTY LEGISLATURE
JANUARY 25, 2011 – 6:30PM**

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:

DEATHS: Marjorie Kennedy Lacey, mother of Katie Lacey Commissioner of Board of Elections

Heather A. Gaglianese, Seneca Falls, NY Daughter of Frank and Charlene Rapa Gaglianese

PROCLAMATION: The NAACP, 12th Annual Millennium Luncheon, January 11, 2011

PRESENTATIONS:

Bob Duclos, C & S Companies: Update on Radio System, handout attached to original minutes.

Rick Angelillo, Motorola: Staging on Radio System in Chicago, video was presented.

Questions:

Lattimore, will we be able to talk to other counties, like Tompkins?

Duclos, yes.

Angelillo, Tompkins County is different, but it will work.

Lattimore, when will the Sheriff's mobile unit be on line?

Angelillo, April time frame.

Sincebaugh, Tompkins County is 800 system is there a cost involved in being able to talk with them?

Angelillo, not a cost, just programming, can be done with a patch.

Mills, what about Seneca and Wayne County?

Duclos, they are not a trunked systems, but the capability is there with patching.

Chapman, I was approached by different fire companies in the north end of the county, Onondaga responded and Cayuga also responded, and they couldn't converse, is there any way we could get a couple of radios ahead of time to give to the coordinators so they can communicate.

Duclos, yes we can get them early.

Lattimore, the equipment needs to be environmentally controlled?

Angelillo, yes.

Sincebaugh, system was tested at the plant, will it be tested here?

Angelillo, just equipment, we will test here when everything is installed.

Sincebaugh, you will test the one in Auburn in the spring, there won't be any leafs on the trees, will that make a difference.

Duclos, we will do the final testing when the leafs are out, Cayuga County will not sign off until everything is working properly.

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MINUTES: For Approval: 11-23-10, 12-1-10, 12-8-10 and 12-9-10,
Motion by Chapman to approve minutes, 2nd by Pinckney, all in favor.
For Reading: 12-13-10, 12-20-10 and 1-3-2011

CCC REPORT: Diane Hutchinson VP of Administration and Treasurer, attached to original minutes.

COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS: none

COUNTY ADMINISTRATOR'S REPORT: Tom Squires, handouts on Summary on what we paid for Labor Attorney Services for the last 3 years, update on the consultant contract for the Radio Project, also a package on the Statement of Work with ENTRE for IT Services, attached to original minutes. Mental Health update, icing issue, the Project Manager and C & S are working to solve this. The District Attorney came to us a few years back and was looking at a resolution to move some money around for some extra witness fees for a case they were working on, the District Attorney in pretty short order, brought that case to a conclusion, quickly and cost effectively. Working diligently on closing the books and will have preliminary financial information for 2010, sometime in February.

CHAIRMAN'S REPORT: Peter Tortorici, we have received a \$40,000 grant for renewable energy feasibility study grant, for the Bio-gas Pipeline project, this will go along with the \$30,000 we received from Regional Planning, handout attached to original minutes. The Bio-gas Project, we are open to all questions and concerns as we move forward. Letters of support for the Bio-gas Project are attached to original minutes. We are in the process of the RFQ and started today with the interviews with the firms to see who is qualified to move this project and see if it is feasible. We understand there are questions and concerns on where this project is going to go and we want to answer all the questions and address concerns. E-mail from Mr. Young Spruce Haven Farm is attached to original minutes.

APPOINTMENTS AND RE-APPOINTMENTS:

Drug/Alcohol Subcommittee

Ray Bizzari – 1291 Levanna Road, Aurora, NY 13026 – Term 1/1/11 to 12/31/14

Community Service Board

Thomas J. McKellop – 32 Lake Avenue, Auburn, NY 13021 – unexpired Term 1/1/09 to 12/31/12

Hon. Patrick Mahunik, 160 Genesee St., Auburn, NY, Term – 1-1-11 to 12-31-11

Francis Mitchell, 160 Genesee St., Auburn, NY, Term – 1-1-11 to 12-31-11

Mental Health Subcommittee

Thomas J. McKellop – 32 Lake Avenue, Auburn, NY 13021 – Term 1-1-11 to 12-31-14

Cayuga County Planning Board:

Member serves until the locality they represent submits a new nomination.

Keith Welch, 3149 Center Rd., Moravia, NY 13118 – (replaces Bruce Hatfield – T/O Scipio)

Cayuga County Board of Health:

Rosalyn McCormick, I McCormick Way, Auburn, NY 13021, term – 1-1-11 to 12-31-2014

Martha Mackay, 47 Charles St., Auburn, NY 13021, term – 1-1-11 to 12-31-14

Central New York Regional Planning and Development Board

All appointments are one year (January 1, 2011 through December 31, 2011)

Stephen Lynch, Director of Planning 160 Genesee Street, Auburn, New York 13021

Vijay Mital, 52 Kearney Avenue, Auburn, New York 13021

Ann Petrus, 2435 Route 31, Weedsport, New York 13166

Peter Tortorici, Chairman, 160 Genesee Street, Auburn, New York 13021

Steve Zabriski, P.O. Box 119, 441 Main Street, Aurora, New York 13021

Roger Mills, 6117 Oakridge Road, auburn, New York 13021

Keith Welch, 3149 Center Road, Moravia, New York 13118

Cayuga County Soil & Water Conservation District:

Hon. Roger Mills, 160 Genesee St., Auburn, NY, Term – Legislative Appointment

Hon. Paul Pinckney, 160 Genesee St., Auburn, Term – Legislative Appointment

Cayuga County Water and Sewer Authority:

Francis Mitchell, 355 State Rte. 34B, King Ferry, NY 13081, Term – 1-1-10 to 12-31-11 (Chris Palermo's unexpired term)

Motion by Chapman to approve all appointments and to appoint Bruce Sherman, Owasco, NY to the Civil Service Commission, 2nd by Sincebaugh, all in favor.

COMMUNICATIONS AND ANNOUNCEMENTS:

1. Received a letter from Deborah Mendzef, Tobacco Program Coordinator, re: damaging effects of cigarette smoke.

2. Received a letter from Carmella Mantello, Director NYS Canal Corporation, re: the 186th consecutive navigation season, to learn more go to www.canals.ny.gov

3. Received an e-mail from Tom Begley Lake Breese Farms, Cato, NY, re: cost sharing, grants for farmers, and disposal of the plastic on wrapped baleage.

4. Received a letter of resignation from Christopher Palermo as Legislator for District 1, effective January 26, 2011 at 12:01AM

Motion by Palermo to waive reading of communications, 2nd by Sincebaugh, all in favor.

RESOLUTIONS:**RESOLUTION NO. 3-11**

1-25-11 AP Audit Dec10

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

BY: Hon. Roger Mills, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on January 25, 2011 audit claims against the County of Cayuga in the aggregate sum of \$2,750,028.11, 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

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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 Mills, Axton, Cuddeback, Fearon, Mahunik, Mitchell and Petrus, all in favor.

RESOLUTION NO. 4-11

1.25.11 AP Utility11

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 2010

Electric (Gas)	\$ 133.33
Telephone:	\$ 21,131.22
Total:	\$ 21,264.55

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

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

RESOLUTION NO. 5-11

1.25.11 AP Thruway11

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 2010	\$87.27
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RESOLVED, that said payments be part and partial payment of the full audit of this Board.

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

RESOLUTION NO. 6-11
1-25-11 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 \$5,320.00 covering the period through 12/31/10 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 Mahunik, Aikman, Axton, Barski, Mills, Axton, Cuddeback, Fearon, Mitchell and Petrus, all in favor.

RESOLUTION NO. 7-11
1.25.11 AP CreditJan11
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 2010

First Niagara	\$ 39.92
AmExpress	\$3,019.87
Sunoco	\$ 190.22
Walmart	\$ 0
<u>Exxon</u>	<u>\$ 86.38</u>
Total:	\$ 3,336.39

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

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

RESOLUTION NO. 8-11
1.25.11 AP LeaseJan11
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

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

December 2010

Copier Leases and Maintenance:	\$11,460.75
<u>Postage Leases:</u>	<u>\$ 478.00</u>
Total:	\$11,938.75

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

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

RESOLUTION NO. 9-11

(1/25/11) COA-CAPHIPAYrev1

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

BY: Hon. Roger Mills, 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 #08-1	(RENOVATION & CONSTRUCTION AT MENTAL HEALTH FACILITY AT 146 NORTH STREET)	
FAHS Construction Group APPLICATION # 13		171,089.08
Gray Management Systems Bill #17		11,355.50
Trespasz & Marquardt, LLP		12,408.00
Green Plumbing Inc. APPLICATION # 12		20,534.00
Siracusa Mechanical Inc. APPLICATION # 11		39,520.00
Atlantic Testing Laboratories INVOICE: 64567		212.50
East Coast Electric LLC APPLICATION # 11		27,193.75
AAI INVOICE: 455279-00		1,116.03
Finger Lakes Technologies Group Inc. INVOICE: 2010-1046		12,978.20
ICS TeleCom INVOICE: 17038		18,402.35
Eastern Shore Associates INVOICE: 239591		2,025.62
Total		316,835.03

Project #10-01	Meridian Brownfield	
Sign Guys, LLC	INVOICE: 8344	162.00
Total		162.00

Project #10-03	Emergency Communication Project		
	Spectra Environmental Group Inc.		
	Note: Forward payment to Gilberti,		
	Stinziano Heintz & Smith	INVOICE: 9105	787.12
	Gilberti, Stinziano Heintz & Smith	INVOICE: CAYU02-55298 68839	22,658.60
	Trespasz & Marquardt, LLP		9,792.00
	C & S Companies	INVOICE: 0124230 (NOTE ON THE BILL THERE ARE SEVERAL SUB INVOICE PLEASE SEE ATTACHED)	31,436.91
	TOTAL		64,674.63
Project #10-04	Ira Salt Shed – Highway		
	Secor Building Solutions	INVOICE: 727-4070	61,746.51
	TOTAL		61,746.51
Grand Total	443,418.17		

And be it further

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

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

Motion by Mills, 2nd by Cuddeback.

RESOLUTION NO. 10-11

1-25-11 AP Audit, Jan 11 rev

**AUTHORIZING THE COUNTY TREASURER TO PAY
JANUARY 2011 AUDIT OF CLAIMS**

BY: Hon. Roger Mills, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on January 25, 2011 audit claims against the County of Cayuga in the aggregate sum of \$759,323.23, 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 13, 2010.

Signed by Mills, Axton, Cuddeback and Mitchell, all in favor.

RESOLUTION NO. 11-11

1/25/11 COA Agency Ctrs Reso 2011

**AUTHORIZE CHAIRMAN TO SIGN CONTRACTS WITH
CERTAIN AGENCIES.**

BY: Roger Mills, Ways & Means Committee.

WHEREAS, certain appropriations were approved in the County Budget adopted for 2011 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

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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 – A10144-54503
3. Pretrial Release - \$18,960.00 – A31504-54118 – paid by Jail.
4. Sexual Assault Victims Advocate Resource (SAVAR) - \$3,755.00 – A10144-54137

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

CAYUGA COUNTY SOIL & WATER CONSERVATION DISTRICT - \$773,360.00 – A87304-54000

CAYUGA COUNTY OFFICE OF TOURISM - \$387,030.00 – A64104-54000

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 BOARD - \$24,968.00 – A80254-54000

CENTRO - \$176,200.00 – A56304-54000

COMMUNITY PRESERVATION COMMITTEE (WILLARD CHAPEL) - \$3,150.00 – A75204-54000

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

FEDERATION OF CONSERVATION CLUBS - \$1,800.00 – A87204-54000

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

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

STEWART B. LANG MEMORIAL LIBRARY - \$8,000.00

WEEDSPORT LIBRARY - \$8,000.00

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

RESOLUTION NO. 12-11

1/25/11 RP DirSearch

**AUTHORIZATION TO ADVERTISE, SEARCH AND INTERVIEW FOR THE
DIRECTOR OF REAL PROPERTY TAX SERVICES II POSITION
DUE TO A RESIGNATION.**

BY: Roger Mills, Chairman Ways and Means Committee

WHEREAS, the Director of Real Property Tax Services II position is currently vacant due to the resignation of the previous employee effective December 31, 2010 and

WHEREAS, the Director of Real Property Tax Services II position is vital to the Real Property operations of Cayuga County, and

WHEREAS, it is the intent to fill the position of Director of Real Property Tax Services II with a qualified applicant pursuant to Section 1530, subdivision 1, of the New York State Real Property Tax Law; now therefore be it

RESOLVED, that the Office of the Cayuga County Civil Service Commission be authorized to advertise for the position of Director of Real Property Tax Services II, and be it further

RESOLVED, that the position of Director of Real Property Tax Services II be advertised with the 2011 salary range of \$50,000 to \$60,000, and be it further

RESOLVED, that the funding for advertising come out of the Civil Service advertising budget line A14304-54061, and be it further

RESOLVED, that the Office of the Cayuga County Civil Service Commission review and submit qualified applicants to the County Administrator and the Ways & Means oversight committee for interviews and consideration of appointment.
Signed by Mills, Axton, Cuddeback, Fearon, Mahunik, Mitchell and Petrus, all in favor.

RESOLUTION NO. 13-11
1/25/11 TRE updateinvestpolicy11rev
ADOPTING RESOLUTION FOR ANNUAL UPDATE TO CAYUGA COUNTY
INVESTMENT POLICY

BY: Mr. Roger Mills, Ways and Means Committee

WHEREAS, pursuant to Section 212 of County Law and Section 10 of the General Municipal Law; the County needs to update its investment policy annually; and

WHEREAS, the list of banks and the amount held on deposit, found in section VII, Designation of Depositories, requires amendment; now, therefore, be it

RESOLVED, that the attached CAYUGA COUNTY INVESTMENT POLICY, which includes the designation of banks, be updated and approved, effective January 1st, 2011.

Signed by Mills, Axton, Cuddeback and Mitchell, all in favor.

INVESTMENT POLICY FOR
COUNTY OF CAYUGA
UPDATED 1/1/11

I. SCOPE

This investment policy applies to all moneys and other financial resources available for investment on its own behalf of any other entity or individual.

II. OBJECTIVES

The primary objectives of the local government's investment activities are, in priority order,

- * to conform with all applicable federal, state and other legal requirements (legal);
- * to adequately safeguard principal (safety);
- * to provide sufficient liquidity to meet all operating requirements (liquidity);

and

- * to obtain a reasonable rate of return (yield).

III. DELEGATION OF AUTHORITY

The governing board's responsibility for administration of the investment program is delegated to the chief fiscal officer and other officers having custody of money who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a database or records incorporation description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

IV. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the COUNTY OF CAYUGA to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

V. DIVERSIFICATION

It is the policy of the COUNTY OF CAYUGA to diversify its deposits and investments by financial institutions, by investment instrument, and by maturity scheduling.

VI. INTERNAL CONTROLS

It is the policy of the COUNTY OF CAYUGA for all moneys collected by an officer or employee of the government to transfer those funds to the chief fiscal officer within 30 days of deposit, or within the time period specified in law, whichever is shorter.

The chief fiscal officer and other officers having custody of money is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with managements authorization and recorded properly and are managed in compliance with applicable laws and regulations.

Resolution Date 1/25/11

VII. DESIGNATION OF DEPOSITORIES

The banks and trust companies authorized for the deposit of monies up to the following maximum amounts are:

BANK OF AMERICA	\$ 25,000,000
CAYUGA LAKE NATIONAL BANK	\$ 10,000,000
FIRST NIAGARA BANK	\$ 500,000
HSBC	\$15,000,000
KEY BANK OF NEW YORK	\$ 1,000,000
M & T BANK	\$ 500,000
TOMPKINS TRUST	\$15,000,000

VIII. COLLATERALIZING OF DEPOSITS

In accordance with the provision of General Municipal Law, §10, all deposits of COUNTY OF CAYUGA, including Certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

1. By a pledge of "eligible securities" with an aggregate "market value", or provided by General Municipal Law, §10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.
2. By an eligible "irrevocable letter of credit" issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short term debt obligations are rated in one of the three highest rating categories by at least on nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk based capital requirements.

3. By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

IX. SAFEKEEPING AND COLLATERALIZATION

Eligible securities used for collateralizing deposits shall be held by the depository and/or a third party bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events, which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the COUNTY OF CAYUGA or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing. For any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security: may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

Resolution Date 1/25/11

X. PERMITTED INVESTMENTS

As authorized by General Municipal Law, §11, the CAYUGA COUNTY LEGISLATURE authorizes the chief fiscal officer and other officer having custody of money to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Special time deposit accounts;
- Certificates of deposit;
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United State of America;
- Obligations of the State of New York;
- Obligations issued pursuant to LFL §24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the COUNTY OF CAYUGA
 - Obligation of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorizes such investments;
 - Certificates of Participation (COPs) issued pursuant to GTML. §109-b;

- Obligations of this local government, but only with any moneys in a reserve fund established pursuant to GML §6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the COUNTY OF CAYUGA within such times as which the moneys were provided and in the case of obligations redeemable at the option of the COUNTY OF CAYUGA within two years of the date of purchase.

XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The COUNTY OF CAYUGA all maintain a list of financial institutions and dealer approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution or dealer. All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidate Report of Condition (Call Report) at the request of the COUNTY OF CAYUGA. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The chief fiscal officer and other officers having custody of money is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

XII. PURCHASE OF INVESTMENTS

The chief fiscal officer and other officer having custody of money is authorized to contract for the purchase of investments:

1. Directly, including through a repurchase agreement, from an authorized trading partner.
2. By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88 46, and the specific program has been authorized by the governing board. Resolution Date 1/25/11
3. By utilizing an ongoing investment program with an authorized tracking partner pursuant to a contract authorized by the governing board.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the office authorized to make the investment. All such transactions shall be confirmed in writing to the COUNTY OF CAYUGA by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, §10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

XIII. REPURCHASE AGREEMENTS

Repurchase agreements are authorized subject to the following restrictions:

- All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.
- Obligations shall be limited to obligations of the United States of America and obligations of agencies of the United States of America where principal and interest are guaranteed by the United States of America.
- No substitution of securities will be allowed.
- The custodian shall be a party other than the trading partner

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Schedule of Eligible Securities

_____ (i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.

_____ (ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter American Development Bank, the Asian Development Bank, and the African Development Bank.

_____ (iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the Market Value of the obligation that represents the amount of the insurance or guaranty.

_____ (iv) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal, school district or district corporation of such State or obligations of any public benefit corporation, which under a specific State statute may be accepted as security for deposit of public moneys.

_____ (v) Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

_____ (vi) Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

_____ (vii) Obligations of counties, cities and other governmental entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

_____ (viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.

_____ (ix) Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by bank regulatory agencies.

_____ (x) Commercial paper and bankers' acceptances issued by a bank, other than the Bank, rated in the highest short term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.

_____ (xi) Zero coupon obligations of the United States government marketed as "treasury strips"

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RESOLUTION NO. 14-11
(1/25/11) RP AuthMOUwithNYState
AUTHORIZING CAYUGA COUNTY TO ENTER INTO A MEMORANDUM
OF UNDERSTANDING WITH THE STATE OF NEW YORK REGARDING
REIMBURSEMENT FOR ENTERING FORM RP-5217
TRANSFER INFORMATION

BY: Roger Mills Chairman, Ways & Means Committee

WHEREAS, The Cayuga County Office of Real Property personal have been entering information recorded on form RP-5217 into New York State Salesnet software; and

WHEREAS, New York State Office of Real Property has been reimbursing the Cayuga County Office of Real Property in the amount of .50 cents per form entered on a quarterly basis; and

WHEREAS, the New York State Office of Real Property has recently merged with the New York State Department of Taxation and Finance; and

WHEREAS, they are updating their records and would like Cayuga County to sign the attached Memorandum of Understanding regarding this arrangement;

NOW THEREFORE BE IT RESOLVED, that the Chairman of the Cayuga County Legislature be authorized to sign and execute attached Memorandum of Understanding with the State of New York; and also be it

RESOLVED, that the Cayuga County Treasurer is authorized to sign forms to facilitate electronic reimbursement from the State of New York.

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

RESOLUTION NO. 15-11
Date: 1/25/2011 ADM SafeTrainGrant
RESOLUTION TO AUTHORIZE THE CHAIRMAN AND HUMAN RESOURCES
ADMINISTRATOR TO APPLY FOR GRANT TO CONDUCT SAFETY
TRAINING FOR HIGHWAY, PARKS AND TRAILS, AND BUILDING AND
GROUNDS EMPLOYEES

BY: Roger Mills, Chairman Ways and Means Committee

WHEREAS, AECC, the county's contracted compliance officer has asked if the county would be interested in applying for a safety grant that would pay for required safety training for highway, building and grounds and, parks and trails employees, and

WHEREAS, the application for the safety training grant would be prepared by AECC and OSEA at minimal cost to the county; and

WHEREAS, the safety training will have to be conducted whether or not the county is successful in the grant process, and

WHEREAS, due to the limited time available to prepare and submit the grant application; now therefore be it

RESOLVED, authorize the Human Resources Department to submit an application to the State for grant money to conduct required safety training for highway, buildings and grounds and parks and trails employees.

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

RESOLUTION NO. 16-11
(January 25, 2011) HD Fingerlakes Dog Protection 2011rev
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: Patrick Mahunik, Chairman of the Health & Human Services Committee
 Roger Mills, Chairman of the Ways & Means Committee

WHEREAS, Finger Lakes Dog Protection Agency, Inc. has a contract with Cayuga County, which expired December 31, **2010**, 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, 2011 through December 31, 2011; 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. (2.5% increase over last year's rates) as follows:

- § On-call rate from \$25.63/day
- § Hourly rate from \$25.63/hr.
- § Specimen preparation \$25.63 (except for bird preparation, \$12.80)
- § Euthanasia from \$16.65/prep
- § Confinement of animals for 10-Day Confinement \$10.24/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 2011 Health Department budget.

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

RESOLUTION NO. 17-11
(January 25, 2011) HD Thadine Collier Contract 2011rev
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A
CONTRACT WITH THADINE COLLIER, RN

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee
 Roger Mills, 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

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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, 2011 through December 31, 2011 at the rate of \$21.43 per hour; and be it further

RESOLVED, that the charges for these services be paid from Account #A40104 54123 of the 2011 Health Department Budget.

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

RESOLUTION NO. 18-11

(January 25, 2011) 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, 2010; and

WHEREAS, it is our desire to renew Mr. Tonzi's contract for the period January 1, 2011 through December 31, 2011 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 2011 Health Department Budget.

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

RESOLUTION NO. 19-11

(January 25, 2011) HD SPCA Contract 2011

**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, 2011 through December 31, 2011 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 2011 Health Department Budget.

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

RESOLUTION NO. 20-11

(January 25, 2011) HD East Hill STD 2011

**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, 2011 through December 31, 2011; and be it further

RESOLVED, that payment for these services shall be made from Account #A40104 54126 of the 2011 Health Department's Budget.

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

RESOLUTION NO. 21-11
(January 25, 2011) HHS_DSSTransFunc11
IMPLEMENTATION OF THE TRANSFER OF FUNCTION OF CERTAIN
STAFF FROM THE PUBLIC HEALTH DEPARTMENT TO THE DEPARTMENT
OF SOCIAL SERVICES WITHIN HEALTH AND HUMAN SERVICES
PURSUANT TO THE RECOMMENDATION OF THE DIRECTOR OF HEALTH
AND HUMAN SERVICES.

BY: Chairperson, Health & Human Services Committee

Chairperson, Ways and Means Committee

WHEREAS, the Long Term Care Access office operates as a combined County Agency office and upon administrative review it has been determined that it will be fiscally beneficial to the County to operate the office as a DSS and OFA combined office; and

WHEREAS, the positions of RPN and Sr. Typist, as part of the Department of Social Services, will have a reimbursement rate of 100%; and

WHEREAS, it became apparent during the 2011 budget preparation that these functions need to be placed under the jurisdiction of the Department of Social Services in 2011; and

WHEREAS, to achieve the transfer of function from Public Health to DSS requires a resolution adopted by this legislature; and

WHEREAS, NYS CS Law, Section 70.2 states "As soon as practicable after the adoption of a law, rule, order or other action direction such a transfer of function, but not less than twenty days prior to the effective date of such transfer, the head of the department or agency from which such function is to be transferred shall certify to the head of the department or agency which such function is to be transferred a list of the names and titles of those employees substantially engaged in the performance of the function to be transferred, and shall cause copies of such certified list to be publicly and conspicuously posted in the offices of the department or agency from which such function is to be transferred, along with copies of this subdivision"; and

WHEREAS, funding for the positions of Registered Professional Nurse and Sr. Typist were allocated within the Department of Social Services for the year 2011 to accommodate the anticipated transfer for the employee's payroll and fringe benefits; NOW, THEREFORE, BE IT

RESOLVED, that the Transfer of Function of one Registered Professional Nurse and one Sr. Typist as listed in the attachment in the Department of Social Services be hereby ordered and initiated with the effective date of transfer to be March 1, 2011 or as soon as practicable as directed by the County Attorney; and be it further

RESOLVED, that the Director of Health & Human Services be hereby directed to post a certified list of employees as attached pursuant NYS CS Law, Section 70.2 "As soon as practicable after the adoption of a law, rule, order or other action direction such a transfer of function, but not less than twenty days prior to the effective date of such transfer, the head of the department or agency from which such function is to be transferred shall certify to the head of the department or agency which such function is to be transferred a list of the names and titles of those employees substantially engaged in the performance of the function to be transferred, and shall cause copies of such certified list to be publicly and conspicuously posted in the offices of the department or agency from which such function is to be transferred, along with copies of this subdivision"; and be it further

RESOLVED, that the above list be posted the day after the adoption of this resolution; and be it further

RESOLVED, that since the transfers will not be effective until March 1, 2011, that the following plan be hereby adopted:

<u>Accounts</u>	<u>Increase</u>	<u>Decrease</u>
Salary A40101 51001	\$13,432	
FICA A40101 58001	\$1,026	
Health A40101 58003	\$3,764	
Dental A40101 58004	\$66	
Salary A60101 51001		\$13,432
FICA A60101 58001		\$ 1,026
Health A60101 58003		\$ 3,764
Dental A60101 58004		\$ 66

And, be it also

RESOLVED, that the Treasurer be hereby authorized to make the appropriate journal entries to carry out the intent of this resolution; and be it further

RESOLVED, that this Transfer of Function be facilitated in accordance to NYS Civil Service Law, Cayuga County Civil Service Rules and Regulations, Bargaining Contracts, and the Policies of the County of Cayuga.

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

RESOLUTION NO. 22-11

(January 25, 2011) HHS Aurora of CNY Contract 2011

**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 2011 Budget and the Human Services' 2011 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, 2011 through December 31, 2011; 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 Mahunik, Aikman, Axton, Barski, Mills, Palermo, Cuddeback, Fearon, Mitchell and Petrus, all in favor.

RESOLUTION NO. 23-11
(January 25, 2011) HS County Attorney Contract 2011
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 multiple years; and

WHEREAS, said Agreement as amended expired December 31, 2010, 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 2011 on the same terms as set forth in the agreement; 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, 2011 through December 31, 2011 and to reimburse the Legal Department for costs associated with DSS work; and be it further

RESOLVED, that payment for these services be paid from Account #A60104 54118, of the 2011 Human Services Budget.

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

RESOLUTION NO. 24-11
(1/25/11) HS Sheriff's Transportation & Security 2011
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 1/1/11 to 12/31/11; and, be it further

RESOLVED, that payment for these services will be from Account #A60104 54118, of the 2011 Human Services Budget.

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

RESOLUTION NO. 25-11**(January 25, 2011) HS MAS Contract 2011****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: Chairman of the Health & Human Service Committee

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 Federal 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, 2011 through December 31, 2011 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 Mahunik, Aikman, Axton, Barski, Mills, Palermo, Cuddeback, Fearon, Mitchell and Petrus, all in favor.

RESOLUTION NO. 26-11**(January 25, 2011) HS Catholic Charities Case Management & LIFT****AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES
CONTRACT WITH CATHOLIC CHARITIES FOR CASE MANAGEMENT AND
INTENSIVE CASE SERVICES (LIFT) FOR TANF FAMILIES (100% FUNDED
BY FFFS FUNDS)**

BY: Chairman of the Health and Human Services Committee

Chairman of the Ways & Means Committee

WHEREAS, the County, in an effort to support TANF families to achieve self-sufficiency, has successfully contracted with Catholic Charities to provide case management and intensive case services (LIFT); and

WHEREAS, these services are used to assist sanctioned or at-risk families overcome barriers so they can become engaged in appropriate work activities; and

WHEREAS, these services are 100% Federally reimbursed through the flexible fund allocation; 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 to provide the above mentioned services for the period January 1, 2011 through December 31, 2011; and be it further

RESOLVED, that the expenses incurred by the case management services provided not exceed \$51,500, and the expenses incurred by the intensive case services (LIFT) provided not exceed \$37,908; and be it also

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RESOLVED, that the charges for these services be paid from Account #A60604 54000.

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

RESOLUTION NO. 27-11

**(January 25, 2011) HS Catholic Charities Contract 2011
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 62% 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, 2011 to December 31, 2011 in an amount not to exceed \$47,768; and be it further

RESOLVED, that payment for these services be made from Account #A60704 54184 of the 2011 Human Services' Budget.

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

RESOLUTION NO. 28-11

**(1/25/11) HS Catholic Charities SSI Max 2011 SNA & TANF
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A
CONTRACT WITH CATHOLIC CHARITIES TO PROVIDE SSI
MAXIMIZATION FOR SAFETY NET ASSISTANCE (SNA) AND TEMPORARY
ASSISTANCE TO NEEDY FAMILIES (TANF)**

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 Public Assistance individuals (SNA and TANF) who appear eligible to move to SSI approval; and

WHEREAS, these contracts have been successful in helping a number of individuals navigate the application process and move off Public Assistance to SSI benefits; and

WHEREAS, there is a direct reduction in local share benefits paid by the County when SSI is approved; 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 to provide SSI Maximization for SNA and TANF clients for the period January 1, 2011 through December 31, 2011 in the amount of \$20,411 for SNA and \$10,500 for TANF ; and be it further

RESOLVED, that these services be paid for from TANF Account #A60604 54000 and SNA Account #A60104 54059 of the Human Services Department's 2011 Budget. Signed by Mahunik, Aikman, Axton, Barski, Mills, Palermo, Cuddeback, Fearon, Mitchell and Petrus, all in favor.

RESOLUTION no. 29-11

(January 25, 2011) HS Cayuga Counseling 2011

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 Respite; 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, 2011 through December 31, 2011 at the following costs:

<u>Services</u>	2011	<u>Rates Per Unit of Service</u>
PINS Adjustment		\$64.63
Parent Aide		\$45.91
Juvenile Special Supervision		\$72.13
Aftercare		\$72.13

RESOLVED, that these services be paid from Account #A60704 54185 of the Human Services Department's 2011 Budget.

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

RESOLUTION no. 30-11
(January 25, 2011) HS Cayuga Home FPP, ERD, MST 2011
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 (WIT), AND MST

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 62% net of Federal; and

WHEREAS, Cayuga Home for Children provided a number of preventive services to families in Cayuga County including Family Preservation Program focusing on high-risk CPC cases, MST therapies, high-risk adolescents, and Early Residential Discharge Program allowing children to come out of costly Residential Care; 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, 2011 through December 31, 2011 at the following costs:

Services

Family Preservation	\$74.68/Unit of Service
Early Residential Discharge Program (WIT)	Individualized Service Plans at Basic Support Rate \$2,000/Month Operational Supports Coaching at \$30/Hour Therapy at \$50/Session Overnight Respite at \$100/Night
Multi-Systemic Therapy (MST)	\$6,500/Month

RESOLVED, that these services be paid from Account #A60704 54184 of the Human Services Department's 2011 Budget.

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

RESOLUTION no. 31-11
(January 25, 2011) HS Partnership for Results 2011
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, 62%; 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:

<u>Services</u>	<u>Contract Amount</u>	<u>Rate per Unit of Service</u>
Intensive Supervision Conditional Discharge Program	\$103,630	N/A
Multi-Dimensional Preventive Services	\$109,686	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, 2011 to December 31, 2011; and be it further

RESOLVED, that the charges for these services be paid from Account #A60704 54184 of the 2011 Health Department Budget.

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

RESOLUTION NO. 32-11
1/25/11 MHBudAdjEquip1.11Rev
AMENDING THE 2011 MENTAL HEALTH BUDGET FOR
UNEXPENDED 2010 FUNDS

BY: Patrick Mahunik, Chair, Health and Human Services Committee, and
Roger Mills, 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 2010 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 and the delay of the State implementation of Clinic Restructuring, the selection was not finalized within the 2010 budget year; and

WHEREAS, specific vendor information is required in order to encumber funds from year to year, therefore, the equipment funds allocated to this project could not be encumbered from 2010 to 2011; and

WHEREAS, those budgeted funds, in the amount of \$138,250 in line A43102-52000, will revert to the County Fund Balance as unexpended 2010 dollars, and, in order to utilize those funds in the intent that they were budgeted for, accounting entries are required; now, therefore, be it

Tuesday, January 25, 2011

29

RESOLVED, that the Cayuga County Treasurer be authorized to carry forward \$138,250 from Account A43102-52000 in the 2010 budget to the 2011 Mental Health Department budget, equipment line A43102-52000, and make the necessary journal entries to accomplish this.

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

RESOLUTION NO. 33-11

1/25/11 MHsoftware1.11

ACCEPTING A PROPOSAL FOR INTEGRATED SOFTWARE TO INCLUDE THE PURCHASE, INSTALLATION, TRAINING, AND OTHER ASSOCIATED COSTS FOR THE MENTAL HEALTH RECORDS AND BILLING SYSTEM PROPOSED BY ACCUMEDIC COMPUTER SYSTEMS, INC & DOCUTRAC, INC. AND AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN AGREEMENTS TO ACCOMPLISH THIS

BY: Patrick Mahunik, Chair, Health and Human Services Committee, and Roger Mills, Chair, Ways and Means Committee.

WHEREAS, the Mental Health Department is the only remaining Cayuga County Department utilizing the AS400 computer hardware; 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, the current software is limited to billing functions, does not have the capacity to integrate with clinical records, and does not meet the needs of the department, and

WHEREAS, due to the magnitude and technical nature of this project it was necessary to engage a qualified consultant, Coordinated Care Services, Inc., to evaluate the department's software needs and to prepare the appropriate Request for Proposal; and

WHEREAS, the Request for Proposal process was completed and all responses were evaluated through a lengthy process involving the Mental Health, Information Technologies, and Data Processing Departments in conjunction with Coordinated Care Services, Inc.. The joint proposal submitted by Accumedic Computer Systems, Inc. and DocuTrac, Inc was selected; and

WHEREAS, funds were allocated in the 2010 and 2011 Mental Health Budgets, line A43102-52000, Equipment, for this project, now, therefore, be it

RESOLVED, that the County Legislature authorizes the Chairman to sign a contract, in an amount not to exceed a combined total of \$195,000, with Accumedic Computer Systems, Inc. and DocuTrac, Inc.

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

RESOLUTION NO. 34-11**DATE: 01/25/11 OFA Boyle Center Nutrition Lease, Jan 11****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO AMEND THE LEASE AGREEMENT WITH THE PFI HOUSING COMPANY OF AUBURN, INC. FOR RENTAL OF A PORTION OF COMMERCIAL SPACE LOCATED IN THE EDWARD T. BOYLE CENTER AT 149 GENESEE STREET, AUBURN, NEW YORK CONSISTING OF A SMALL OFFICE (250 SQUARE FEET) NEXT TO THE MANAGER'S OFFICE.**

BY: Patrick Mahunik, Chair, Health & Human Services Committee, and
 Roger Mills, Chair, Ways and Means Committee.

WHEREAS, the Cayuga County Office for the Aging provides nutritionally balanced meals to eligible Senior Citizens through the Senior Nutrition Program; and

WHEREAS, funds have been received from the New York State Office for the Aging to provide the Senior Nutrition Program and are budgeted in Munis line item A67734 54065 Rent of Facilities; and

WHEREAS, to carry out the intent of the aforementioned grants, it is necessary to lease office space to provide the Senior Nutrition Program; now, therefore, be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to sign on behalf of the County an amendment to the lease agreement with the PFI Housing Company of Auburn, Inc. for rental of a portion of commercial space located in the Edward T. Boyle Center at 149 Genesee Street, Auburn, New York and consisting of the small office (250 square feet) next to the Manager's Office for the amount of \$151.50 per month; and be it further

RESOLVED, that the term of the lease shall automatically be extended and renewed for successive annual terms of twelve (12) months each, beginning on January 1st of the year immediately succeeding the then existing term, unless and until either party shall have given written notice to the other of its intention to terminate this lease, no less than sixty (60) days prior to the expiration of the then existing term.

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

RESOLUTION NO. 35-11**Date of Meeting: 1/25/11 nh sblystfng****AUTHORIZING CHAIRMAN OF THE LEGISLATURE AND ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ENTER INTO AN AGREEMENT WITH SIBLEY STAFFING SOLUTIONS TO PROVIDE STAFF RECRUITMENT SERVICES.**

BY: Patrick Mahunik, Chairman, Health and Human Services Committee
 Roger Mills, Chairman, Ways and Means Committee

WHEREAS, New York State Department of Health regulation requires Cayuga County Nursing Home utilize staffing to provide nursing services, and,

WHEREAS, Cayuga County Nursing Home has experienced difficulty recruiting for certain nursing positions; and,

WHEREAS, Sibley Staffing Solutions is in the business of recruiting difficult to place positions; and, therefore be it,

RESOLVED that Chairman of the Legislature and Administrator of Cayuga County Nursing Home be authorized to sign an agreement with Sibley Staffing Solutions to provide recruitment services for Cayuga County Nursing Home.

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

RESOLUTION NO. 36-11

1/25/11 NH amdcompplan

AMENDMENT TO THE CAYUGA COUNTY 2011 COMPENSATION PLAN TO INCLUDE A SUPERVISING NURSE SUB AT THE NURSING HOME.

BY: Patrick Mahunik, Chairman, Health and Human Services Committee

Roger Mills, Chairman, Ways and Means Committee

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

WHEREAS, it is necessary to designate a nurse to supervise the nursing staff; and

WHEREAS, the regular staffing may not be sufficient due to unexpected circumstances; and

WHEREAS, the cost of using temporary agencies is greater than use of regular staff and a burden to the financial condition of the nursing home; now therefore be it

RESOLVED, that the compensation plan be amended to include the supervising nurse sub; and be it further

RESOLVED, that a supervising nurse sub be used as a last resort to scheduling and overtime of regular staff; and be it further resolved

RESOLVED, that the rate of pay be set at \$30.00 per hour in the Non-Bargaining Compensation Plan, Part II which shall be amended to include the title within the Nursing Home; and be it further

RESOLVED, that any person in this title shall be considered temporary and not be entitled to any benefits or regular salary as the title is used only as needed.

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

RESOLUTION NO. 37-11

1-25-11 BOE NTS Data Services Contract

A RESOLUTION TO AUTHORIZE THE CHAIRMAN OF THE LEGISLATURE TO SIGN A SOFTWARE MAINTENANCE CONTRACT FOR THE BOARD OF ELECTIONS

BY: George Fearon, Government Operations Committee, and

Roger Mills, Ways & Means Committee

WHEREAS, The Board of Election currently utilizes the eSuite program from NTS Data Services, Inc. for election night reporting and certification; and

WHEREAS, NTS has provided a contract price for maintenance and support for these programs from January 1, 2011 to December 31, 2011; and

WHEREAS, funds exist in the Board of Elections budget for 2011; NOW, therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized to sign a contract with NTS Data Services, Inc. for \$7,600 for software maintenance and support to be paid immediately.

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

RESOLUTION NO. 38-11
1/25/11 COLADOPTRULES2011Rev
AMENDING RESOLUTION NUMBER 155-10, ADOPTING THE RULES OF
ORDER OF THE CAYUGA COUNTY LEGISLATURE

BY: George Fearon, Chair Government Operations Committee

WHEREAS, Resolution No.155-10 adopting the Cayuga County Rules of Order was adopted on 3-23-10; and

WHEREAS, during a recent review necessary changes were identified:

a) reference made to the County Manager changed to County Administrator; and

WHEREAS, the County Auditor has been added to the Ways & Means Committee for reporting purposes; and

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 adopted as amended above..

Signed by Fearon, Aikman, Lattimore and Mitchell, all in favor.

RESOLUTION NO. 39-11
1/25/11 colstandardworkweek
STANDARD WORK DAY AND REPORTING RESOLUTION
FOR ELECTED AND APPOINTED OFFICIALS.

BY: George Fearon ,Chairman, Government Operations Committee

Roger Mills, Chairman, Ways and Means Committee

WHEREAS, New York State adopted a new regulation 315.4 for additional reporting requirements for elected or appointed officials that more clearly defines the process for reporting time worked for those officials who are members of the New York State Retirement System elected or appointed on or after August 12, 2009; and

WHEREAS, a three month record of work activities was submitted to the Clerk of the Legislature by those officials that do not maintain a daily record of actual time worked; now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, that the Cayuga County Legislature hereby establishes the following as standard work days for elected officials and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body:

Title	Name	Social Security Number (last 4)	Registration Number	Standard Work Day	Tem Begins/ Ends	Participates in Employer's Time Keeping System	Days/Month (ROA)
Human Resource Administrator:	Jennifer Marshall	5600	50032549	7	2/10/10- 12/31/10	Y	

and it is further

RESOLVED, further, that the redacted copy of the resolution which does not show the employees last four digits of their social security number or registration number shall be posted on the Cayuga County website for a minimum of 30 days and that a certified copy of the resolution and affidavit of posting be filed with the Office of the State Comptroller within 45 days of adoption.

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

RESOLUTION NO. 40-11
1/25/11 colvendingcontract

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO ENTER INTO A CONTRACT WITH ACE AUTOMATICS FOR VENDING EQUIPMENT & SERVICES FOR VARIOUS CAYUGA COUNTY DEPARTMENTS.

BY: George Fearon, Chairman of Government Operations Committee

WHEREAS, the Cayuga County Office Buildings have vending machines located in various buildings throughout the County for the employees use and enjoyment; and

WHEREAS, Ace Automatics was the highest bidder and offered the highest commissions for vending service to the County; and

WHEREAS, Resolution No. 404-08 authorized the County to enter into an agreement for vending Services with Ace Automatics from Seneca Falls, NY at the rate of 12% commission with options to extend for a period of five years; now, therefore be it

RESOLVED, that the Chairman of the Legislature be authorized and directed to sign the contract with Ace Automatics, Seneca Falls, New York.

Signed by Fearon, Aikman, Chapman, Lattimore, Mitchell and Palermo, all in favor..

RESOLUTION NO. 41-11
1.25.11 coa rfplbrltnssrvcs

AUTHORIZING THE CLERK OF THE CAYUGA COUNTY LEGISLATURE TO ADVERTISE FOR REQUEST FOR PROPOSALS FOR SERVICES RELATED TO THE PROVISION OF LABOR RELATIONS SERVICES INCLUDING LABOR NEGOTIATIONS, ADVICE, CONSULTATION, AND REPRESENTATION IN CIVIL SERVICE AND RELATED LEGAL MATTERS

By: Hon .George Fearon, Chair Government Operations Committee

Hon. Roger Mills, Chair Ways & Means Committee

WHEREAS, the Government Operations Committee recommends to the Cayuga County Legislature that Requests for Proposals be sought for services related to the provision of labor relations services including labor negotiations, advice, consultation, and representation in Civil Service and related legal matters; now therefore be it

RESOLVED, that the Clerk of the Cayuga County Legislature be authorized to advertise Request for Proposals for services related to the provision of labor relations services including labor negotiations, advice, consultation, and representation in Civil Service and related legal matters

Signed by Fearon, Aikman, Lattimore, Mitchell, Axton, Mahunik and Petrus, all in favor.

RESOLUTION NO. 42-11**1.25.11 ADM IT Services****AUTHORIZING THE CHAIRPERSON OF THE CAYUGA COUNTY LEGISLATURE TO NEGOTIATE AND SIGN A CONTRACT FOR INFORMATION TECHNOLOGY SERVICES (IT) FOR CAYUGA COUNTY**

BY: Mr. George Fearon, Chairperson, Government Operations Committee
 Mr. Roger Mills, Chairperson, Ways & Means Committee

WHEREAS, Cayuga County is in need of Information Technology Services.

WHEREAS, Entre Computer Services has provided the lowest cost to perform the necessary services; and

WHEREAS, due to two resignations in the Information Technology department there are sufficient funds in the A16101 salary 2011 budget to perform the services; now therefore, be it

RESOLVED, that funds be transferred from

A16101 51001 Sal	\$100,917
A16101 58001 FICA	\$ 7,720
A16101 58002 Ret	\$ 14,836
A16101 58003 Ins	\$ 11,892
A16101 58004 Dent	\$ 395

to: A16104 54059 (Professional Services, which currently has \$80,000 budgeted for 2011; and be it further

RESOLVED, that the Chairman of the Legislature is hereby authorized to negotiate and sign the contract with Entre Computer Services for the amount not to exceed of \$215,760.00; and be it further

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

Signed by Fearon, Aikman, Lattimore, Mitchell, Axton, Mahunik and Petrus, all in favor.

Motion by Palermo to table resolution, 2nd by Chapman. DEFEATED, by majority vote. No votes, Aikman, Axton, Pinckney, Mills, Fearon, Mitchell, Cuddeback, Barski, Mahunik, Sincebaugh and Tortorici. Yes votes, Chapman, Palermo, Petrus and Lattimore. 643/239

Motion by Sincebaugh to reduce mileage rate to 50% of the IRS rate, 2nd by Mahunik, DEFEATED by majority vote. No votes, Chapman, Aikman, Palermo, Axton, Petrus, Pinckney, Mills, Fearon, Mitchell, Cuddeback and Tortorici. Yes votes, Barski, Mahunik, Lattimore and Sincebaugh. 687/195.

RESOLUTION NO. 43-11**1/25/11 ADM Mileagerate2011rev1****SETTING THE MILEAGE REIMBURSEMENT RATE FOR NON-BARGAINING EMPLOYEES, APPOINTED AND ELECTED OFFICIALS TO THE IRS MILEAGE RATE EFFECTIVE JANUARY 1, 2011**

BY: Mr. George Fearon, Chairman, Government Operations
 Mr. Roger Mills, Chairman Ways and Means Committee

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

WHEREAS, The Internal Revenue Service has changed the allowed mileage reimbursement rate to fifty one (\$0.51) per mile, effective January 1, 2011

WHEREAS, The Cayuga County Legislature wishes to pay the IRS mileage rate to Non-Bargaining Employees, Appointed and Elected Officials; now therefore, be it

RESOLVED, that the mileage reimbursement rate for Non-Bargaining Employees, Appointed and Elected Officials, shall be set at the IRS mileage rate, as adjusted periodically by the IRS; and be it further

RESOLVED, that the terms of this resolution take effect as of January 1, 2011 and remain in effect until repealed; and be it further

RESOLVED, that in order to obtain reimbursement for mileage, requests for reimbursement must be made within ninety (90) days after the end of the fiscal quarter; and be it further

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

17. Mileage Allowance

A. The mileage reimbursement rate for non-bargaining employees, appointed and elected officials, including County Legislators, is set by resolution of the Cayuga County Legislature. The mileage reimbursement rate set by the County will be the same as the IRS mileage rate, as adjusted periodically by the IRS. The terms of this resolution take effect as of January 1, 2011. The current Cayuga County mileage reimbursement rate may be obtained by inquiry to the offices of the County Treasurer or the County Administrator. In order to obtain reimbursement for mileage, requests for reimbursement must be made within ninety (90) days after the end of the fiscal quarter. and be it further

RESOLVED, that this resolution supersedes Resolution 729-09 from the year 2009. Signed by Fearon, Aikman, Chapman, Lattimore, Mitchell, Palermo, Sincebaugh, Mills, Axton, Cuddeback, Mahunik and Petrus.

Approved by majority vote. Yes votes, Chapman, Aikman, Palermo, Axton, Petrus, Pinckney, Mills, Fearon, Mitchell, Cuddeback and Tortorici. No votes, Barski, Mahunik, Lattimore and Sincebaugh. 687/195

RESOLUTION NO. 44-11

January 24, 2011 PB WQIPGRANT10v2

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO ACCEPT A GRANT FROM THE New York STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION'S WATER QUALITY IMPROVEMENT PROGRAM.

BY: Ann R. Petrus, Chair, Planning & Economic Development Committee

Roger A. Mills, Chair, Ways & Means Committee

WHEREAS, the New York State Department of Environmental Conservation's Water Quality Improvement Project program ("WQIP") provides grant funds for water quality management for County Water Quality Coordinating Committees to develop an annual report for 2010 and 2011; and

WHEREAS, Cayuga County Water Quality Management Agency ("WQMA") has been chosen to receive grant funds from the New York State Department of Environmental Conservation's WQIP for the WQMA Annual Report Project (the "Project"); and

WHEREAS, the total Project cost is budgeted to be \$5,334; representing \$4,000 of grant funds and \$1,334 local funds, which can be entirely in-kind staff services in the creation of the report; and

WHEREAS, the New York Environmental Conservation Law authorizes State assistance to municipalities for water quality improvement projects by means of a contract and Cayuga County deems it to be in the public interest and benefit under this law to enter into a contract therewith; now therefore it be

RESOLVED, by the Cayuga County Legislature as follows:

1. The Chairman of the Legislature is designated as the representative authorized to act in behalf of the Cayuga County's governing body in all matters related to State assistance under ECL Articles 17, 51 and 56 and/or any applicable federal grant provisions for this grant and Project;
2. The Chairman is authorized to make application, execute the State Assistance Contract, submit Project documentation, and otherwise act for the Cayuga County's governing body in all matters related to the Project and to State assistance and 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;
3. Cayuga County agrees that it will fund its portion of the cost of the Project (through in-kind paid staff services) and that funds will be available to initiate the Project's field work within twelve (12) months of written approval of its application by the New York State Department of Environmental Conservation
4. That one (1) certified copy of this Resolution be prepared and sent to the Albany office of the New York State Department of Environmental Conservation;
5. That the County Treasurer is hereby authorized to make the journal and accounting entries necessary to accomplish the administration of the grant funds and the Project; and
6. This resolution shall take effect immediately.

Signed by Petrus, Fearon, Aikman, Lattimore, Pinckney, Mills, Axton, Cuddeback, and Mitchell, all in favor.

RESOLUTION NO. 45-11

1/25/11 P&T ATV Trail Agreement 1 11

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 FOR THE 2011 SEASON

BY: David Axton, Chairperson, Public Works Committee

WHEREAS, for the last two years the Cayuga County Legislature has passed resolutions allowing an agreement with the Oswego Valley ATV Club to allow ATV use on specific sections of the county trail on a year to year basis; and

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

WHEREAS, for 2011 the Oswego Valley ATV Club has again requested permission to include the Hojack Trail from Oswego County west to the Cato/Fair haven Trail and for the entire length of the Cato/Fair Haven Trail; and

WHEREAS, the Oswego Valley ATV Club has successfully completed another year of using and assisting with the maintenance of the trails; and

WHEREAS, the definition of an ATV is a 4 wheeled vehicle that travels on low pressure tires, with a seat that is straddled by the operator, and with handlebars for steering control. Riders are permitted but must maintain a safe position behind the driver. Vehicles such as LUV (Light Utility Vehicles) or UV (Utility Vehicles) which typically have side 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 repair of trails. ATV's must have stock, unmodified, factory installed exhaust systems with spark arresters. Motorcycles or any other 2 or 3 wheeled vehicles are not considered ATV's and therefore will not be allowed on trails. No homemade ATV will be considered an approved ATV by definition; and

WHEREAS, the proposed agreement is supported by the local politicians, the Park Commission and Legislators Palermo and Chapman; 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 2011 season (from April 15, 2011-October 9, 2011; 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, Cuddeback, Lattimore, Mitchell and Pinckney, all in favor.

RESOLUTION NO. 46-11

Date: 1/25/11 PT SterlingNatureCentCapReserve 1 11

**AUTHORIZING TRANSFER OF \$10,000 TO THE CAPITAL RESERVE FUND
ESTABLISHED FOR THE PARKS DEPARTMENT BUILDING
IMPROVEMENTS AT THE STERLING NATURE CENTER**

BY: David Axton, Chairperson, Public Works

Roger Mills, Chairperson 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 in the amount of \$48,160; and

WHEREAS, the Treasurer was further authorized by Resolution 104-10 to transfer an additional \$10,000 into that account for a total of \$58,160; and

Whereas, the legislature included another \$10,000 in the 2011 Budget Account #A71134-54609 Fund Transfer to be put toward this project; 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 2011 Sterling Nature Center Budget Account A71134-54609; 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, Mitchell, Pinckney, Fearon, Mahunik, and Petrus, all in favor.

RESOLUTION NO. 47-11**Date: 1/25/11 PT flowers 1 11****AUTHORIZING THE PURCHASE OF FLOWERS FOR THE VARIOUS
FLOWERBEDS AT EMERSON PARK**

By: David Axton, Chairperson, Public Works

Roger Mills, 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, Mitchell, Pinckney, Fearon, Mahunik, and Petrus, all in favor.

RESOLUTION NO. 48-11**Date: January 25, 2011 hwyfillworkformn****AUTHORIZATION FOR SUPERINTENDENT OF HIGHWAYS TO FILL A
WORKING FOREPERSON POSITION WITHIN THE HIGHWAY
DEPARTMENT**

BY: Steven Cuddeback, Public Works Committee

Roger Mills, Chairman, Ways & Means Committee

WHEREAS, a Working Foreperson position was vacated on 12/31/10 due to retirement; and

WHEREAS, this Working Foreperson position is critical to the operation of the highway department's satellite location in Venice; and

WHEREAS, this position (Position Control #002441) has been budgeted for the entire year; now therefore be it

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

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

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

RESOLUTION NO. 49-11

Date: January 25, 2011 hwyconsulhireGlnHavn

AUTHORIZATION FOR THE HIGHWAY SUPERINTENDENT TO CONTRACT WITH A CONSULTANT ENGINEER TO EVALUATE SLOPE AND RETAINING WALL ON GLEN HAVEN RD

BY: David Axton, Chairman, Public Works Committee

Roger Mills, Chairman, Ways & Means Committee

WHEREAS, There appears to be de-stabilization of the Glen Haven Road embankment; and

WHEREAS, This situation needs to be evaluated by a geotechnical engineer and three competent consultant engineers were contacted for proposals; and

WHEREAS, The proposal by Fisher Associates, who has worked in the past with Soil Nail Launcher (SNL) in the Town of Middlesex, Yates County, is familiar and capable of evaluating a design-build proposal by SNL; and

WHEREAS, A section of bank, south of the area of concern, 6894 & 6897 Glen Haven Rd, has developed a hole and erosion near the edge of pavement on Glen Haven Rd that also is in need of design/evaluation and repair; now therefore be it

RESOLVED, that the Highway Superintendent is authorized to sign a contract with Fisher Associates, not to exceed \$16,800, to evaluate the original area, 6894 & 6897 Glen Haven Rd, and an area south at 6975 Glen Haven Rd.

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

RESOLUTION NO. 50-11

1-25-11 PT EmersonPavilionSEQRIldAgency01

DESIGNATING THE CAYUGA COUNTY LEGISLATURE AS LEAD AGENCY UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) FOR THE EMERSON PARK PAVILION RENOVATION PROJECT, DETERMINING IT AS A "TYPE I ACTION", AND AUTHORIZING COUNTY STAFF TO ADMINISTER A COORDINATED SEQRA REVIEW

BY: Mr. David Axton, Chair, Public Works Committee

WHEREAS, Cayuga County, in partnership with the Fred L. Emerson Foundation, is undertaking the renovation of the County-owned Emerson Park Pavilion (the "Pavilion") that will include: improvements to the Park Entrance/Gateways, the West Parking Lot, the addition of interior vehicle and pedestrian circulation systems, landscaping and site drainage improvements (together, the "Pavilion Site Improvements"); in-kind repairs and rehabilitation, and/or replacement work, including windows, doors, roof systems, porch, breezeway, colonnade, columns and patios and interior finishes (together, the "Pavilion Repairs and Renovations"); the addition and/or expansion of approximately 2,964 Square Feet of new facility components, including the West kitchen, toilet rooms, storage and offices and the East satellite kitchen and storage room (together, the "Pavilion Additions") and the repair, renovation and/or new installation of Heating, Ventilating and Air Conditioning systems, Fire Protection systems and Electrical systems (together, the "Pavilion Facility Systems"), and collectively, the Pavilion Site Improvements, the Pavilion Repairs and Renovations, the Pavilion Additions and the Pavilion Facility Systems being the "Pavilion Project"; and

WHEREAS, the Cayuga County Legislature, in undertaking and funding the Pavilion Project is required to comply to the requirements of the State Environmental Quality Review Act and the regulations of Article 8 of the New York State Department of Environmental Conservation Law adopted thereunder (collectively, "SEQRA"); and

WHEREAS, the Cayuga County Legislature has identified the Pavilion Project as a "Type I Action" as said term is defined under SEQRA and has prepared a Full Environmental Assessment Form (the "EAF") in compliance with Article 8 of SEQRA with respect to the Pavilion Project, a copy of which is attached hereto as Exhibit A, and now wishes to advance a coordinated environmental review of the Pavilion Project in compliance with SEQRA; now therefore be it

RESOLVED, BY THE CAYUGA COUNTY LEGISLATURE AS FOLLOWS:

1. The Pavilion Project is designated as a Type I Action under SEQRA due to the Emerson Park Pavilion and grounds being listed on the National Park Service National Register of Historic Places; and
2. The Cayuga County Legislature hereby designates itself as "Lead Agency" for the SEQRA review of the Pavilion Project, as said term is defined under SEQRA; and
3. The Cayuga County Legislature, as Lead Agency, authorizes the County staff to administer and conduct, on its behalf, a Coordinated Review of this Type I Action, communicating with any and all Involved Agencies, as such terms are defined under SEQRA, including but not limited to: the New York State Department of Parks, Recreation and Historic Preservation ("NYSHPO") and the New York State Department of Transportation ("NYSDOT"); and
4. The Chairman of the Legislature is hereby authorized and directed to sign and execute such documents and correspondence as required to conduct said SEQRA review. Signed by Axton, Barski, Chapman, Cuddeback, Lattimore, Mitchell and Pinckney, all in favor.

RESOLUTION NO. 51-11

(01/25/11) EMO SHSP GRANT Rev

AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND THE DIRECTOR OF EMERGENCY SERVICES TO ACCEPT A NEW YORK STATE HOMELAND SECURITY PROGRAM (SHSP) GRANT TO ENHANCE THE ALL HAZARDS PREPAREDNESS AND RESPONSE CAPABILITIES OF CAYUGA COUNTY, AND TO AUTHORIZE THE CAYUGA COUNTY TREASURER TO AMEND THE EMERGENCY MANAGEMENT 2011 BUDGET (A 3640) BY CREATING A REVENUE AND A CONTRACTUAL LINE IN ORDER TO ACCEPT AND EXECUTE THE PURPOSES OF THE GRANT.

BY: Steven Cuddeback, Chairperson, Judicial & Public Safety Committee, and Roger Mills, Chairperson, Ways & Means Committee.

WHEREAS, the Director of Emergency Services applied for and the County was granted a \$137,135.00 State Homeland Security Grant to enhance all hazards preparedness and response capabilities of Cayuga County by strengthening the County's ability to plan for, train for, respond to, and recover from all hazards emergencies and disasters.

WHEREAS, the funds from this Grant will be utilized to strengthen and enhance the County's capabilities through a comprehensive all hazards planning, training, response, mitigation and recovery approach, which will include advanced planning, backfill of first responders while on training activities, and purchasing equipment to strengthen the all hazards response.

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WHEREAS, the Cayuga County Legislature Chairman and the Director of Emergency Services are authorized to accept this grant of \$137,135.00; Now therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature and the Director of Emergency Services are hereby authorized to accept this grant and to sign any and all documents necessary for acceptance and execution of the Grant; and be it further

RESOLVED, that the Chairman of the Legislature and the Director of Emergency Services are authorized to advertise for bids for equipment not listed on NYS OGS Contract; and be it further

RESOLVED, upon bid completion of any bidding process the Director of Emergency Services be authorized to enter into all contracts necessary for the purchase of equipment, and be it further

RESOLVED, that the Director of Emergency Services be authorized to enter into contracts with vendors in order to accomplish the goals and objectives set forth in the grant contract without further Legislative Action; and be it also

RESOLVED, the Cayuga County Treasurer's Office is hereby authorized and directed to create and amend the 2011 Emergency Management A3640 Budget in the following manner:

Create Revenue Account A36470 44304 HM SEC10	\$137,135.00
Create Contractual Account A36474 54511 HM SEC10	\$137,135.00

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

PULLED AT LEGISLATURE MEETING

RESOLUTION NO 52-11

1/25/11 COA LLfixmetals 2011rev

FIXING DAY AND NOTICE OF A PUBLIC HEARING ON A PROPOSED LOCAL LAW SETTING FORTH TO ADOPT LOCAL LAW NO. _____ FOR THE YEAR 2011 TO REGULATE THE TRANSFER OF SECONDHAND ARTICLES

BY: Steven Cuddeback, Chairman, Judicial & Public Safety Committee

WHEREAS, there has been duly presented and introduced at a meeting of this County Legislature held on January 25, 2011, a proposed Local Law entitled:

"A LOCAL LAW SETTING FORTH TO ADOPT LOCAL LAW NO. _____
FOR THE YEAR 2011 TO REGULATE THE TRANSFER OF
SECONDHAND ARTICLES"

Now, therefore, be it

RESOLVED, that a public hearing shall be held concerning said Local Law before the Cayuga County Legislature on February 22, 2011 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.

PULLED

RESOLUTION NO. 53-11**Action Date 1/25/11 911 bidawardrev1****AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN A CONTRACT WITH MIDSTATE COMMUNICATIONS FOR THE PHASE 1 CONSTRUCTION OF THE NEW EMERGENCY COMMUNICATIONS SYSTEM**

BY: Steven Cuddeback, Chairperson, Judicial & Public Safety Committee
 Roger Mills, Chairperson, Ways & Means Committee

WHEREAS, Cayuga County is in the process of upgrading its Emergency Communications System; and

WHEREAS, Cayuga County has released bids for Phase I of the project; and

WHEREAS, the bid opening was January 21, 2011; and

WHEREAS, Cayuga County will award the contract to Midstate Communications for the amount of \$424,900; and

WHEREAS, there is money in the Capital H 10-03 Emergency Communications Project for this purpose; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature be authorized to sign a contract with Midstate Communications for the Phase 1 construction of the new Emergency Communications Project; 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, Barski, Chapman, Petrus, Pinckney, Sincebaugh, Axton, Fearon, and Mahunik, all in favor.

RESOLUTION NO. 54-11**1.25.11 911 landpurchaseOVID****AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO SIGN AN AGREEMENT WITH THE TOWN OF OVID FIRE DEPARTMENT FOR THE PURCHASE OF LAND TO BE USED AS A TOWER SITE LOCATION FOR THE NEW EMERGENCY COMMUNICATIONS SYSTEM.**

BY: Steven Cuddeback, Chairperson, Judicial and Public Safety Committee
 Roger Mills, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County has contracted with Motorola for the build out of a new Emergency Communications System; and

WHEREAS, Motorola has established necessary locations needed by Cayuga County to place tower sites to obtain the optimum coverage requirements; and

WHEREAS, the Town of Ovid Fire Department currently owns land in a prime location for a Cayuga County tower site; and

WHEREAS, the Town of Ovid has agreed to sub-divide their parcel, selling .65 acres to Cayuga County at a cost of 10,000; and

WHEREAS, the land will be purchased out of Capital H Project 10-03 Emergency Communications Project; now therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to sign an agreement with the Village of Ovid Fire Department; 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, Barski, Chapman, Palermo, Petrus, Pinckney, Sincebaugh, Mills, Axton, Fearon, Mahunik and Mitchell, all in favor.

RESOLUTION NO. 55-11

1/25/11 SHR ExtendCanteenAgmnt.

**AUTHORIZE THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE
AND THE SHERIFF OF CAYUGA COUNTY TO EXTEND THE AGREEMENT
WITH CANTEEN CORRECTIONAL SERVICES TO PROVIDE FOOD
SERVICES FOR THE INMATES HOUSED AT THE CAYUGA COUNTY JAIL.**

By: MR. STEVEN CUDDEBACK, Chairman, Judicial & Public Safety Committee
MR. ROGER MILLS, Chairman, Ways & Means Committee

WHEREAS, Cayuga County entered into an Agreement with Canteen Correctional Services pursuant to Resolution No. 723-07 to provide food services for the inmates housed at the Cayuga County Jail; and

WHEREAS, said Agreement was for a term commencing February 5, 2008 and terminating December 31, 2010 with an option to extend each year thereafter for two years with the approval of both parties until December 31, 2012; and

WHEREAS, the Cayuga County Sheriff's Office is satisfied with the services provided from Canteen Correctional Services and together with Canteen, is desirous in extending said Agreement until December 31, 2012; and

WHEREAS, sufficient funds have been appropriated in the Sheriff's Custody Division Budget Line A31504 54028 designated "Contract Food Services" to pay for these services; now therefore be it

RESOLVED, that the Chairman of the Legislature and the Sheriff are hereby authorized to execute the necessary documents to effect an extension of this Agreement for the period of January 1, 2011 through December 31, 2012; and be it further

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

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

RESOLUTION NO. 56-11

1/25/11 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 2011 LAW ENFORCEMENT BUDGET**

BY: Mr. Steven Cuddeback, Chair, Judicial and Public Safety Committee, and
Mr. Roger Mills, 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 2011 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 \$6,500.00 and an increase in the Expenditure Account A31100 A54244 Grant Expense: 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, Barski, Chapman, Palermo, Petrus, Pinckney, Sincebaugh, Mills, Axton, Fearon, Mahunik and Mitchell, all in favor.

RESOLUTION NO. 57-11

1/25/11 SHR Purchase 2011 Chevy Tahoe

AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO PURCHASE A 2011 CHEVROLET TAHOE TO REPLACE AN EXISTING 2007 FORD CROWN VICTORIA THAT IS IN NEED OF NUMEROUS MECHANICAL REPAIRS AND HAS ACCUMULATED HIGH MILEAGE.

BY: Mr. Steven E. Cuddeback, Chair, Judicial and Public Safety Committee, and Mr. Roger Mills, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Office, Custody Division, presently has a 2007 Ford Crown Victoria, Serial No. 2FAHP71W27X100788, that is used to transport inmates for court appearances, medical appointments and other various engagements that may arise, that is in need of numerous mechanical repairs and has accumulated high mileage that exceeds 97,000; and

WHEREAS, Hoselton Chevrolet, Rochester, New York, pursuant to NYS Contract No. PC62820, can provide a new 2011 Chevrolet Tahoe for a cost not to exceed \$29,000; and

WHEREAS, there are sufficient funds in the Sheriff's 2011 Custody Equipment Budget Line A31502 52000 to purchase a new vehicle, have it properly equipped with necessary radio equipment and have it detailed; and

WHEREAS, the existing 2007 Ford Victoria, Serial No. 2FAHP71W27X100788, will be turned into the Cayuga County Clerk of the Legislative Office and then to the Cayuga County Motor Pool upon the delivery of the new 2011 Chevrolet Tahoe; and now therefore be it

RESOLVED, that the Cayuga County Sheriff is authorized to purchase a 2011 Chevrolet Tahoe from Hoselton Chevrolet, Rochester, New York, for a cost not to exceed \$29,000, and have it properly outfitted with necessary radio equipment and have it detailed; and it is further

RESOLVED, that upon the delivery of the new Chevrolet Tahoe, the existing Ford Victoria 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 the new vehicle will be made in accordance with the existing purchasing policies of Cayuga County.

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

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**RESOLUTION NO. 58-11
COUNTY OF CAYUGA, NEW YORK
January 25, 2011**

A regular meeting of the County Legislators of the County of Cayuga, New York (the "County") was held at the Legislature Chamber on the 6th floor of the Cayuga County Office Building, 160 Genesee Street, Auburn, New York on January 25, 2011, at 6:30 P.M. (Prevailing Time).

There were present: (County Legislators)

Peter Tortorici
Cynthia Aikman
David Axton
Stephen Barski
Michael Chapman
Steven Cuddeback
George Fearon
Timothy Lattimore
Patrick Mahunik
Roger Mills
Francis Mitchell
Christopher Palermo
Ann Petrus
Paul Pinckney
Daniel Sincebaugh

There were Absent: (County Legislators) none

Also Present: Tom Squires, Fred Westphal, David Gould, George Wethey, Elane Daly, Denise Stayton, Mary Jones, Sheila Smith.

The following resolution was offered by Steven Cuddeback, who moved its adoption, and second by David Axton to wit:

**RESOLUTION NO. 58-11
1.25.11 911 bond rsl(rdprjct)jan2011rev
BOND RESOLUTION OF THE COUNTY OF CAYUGA, NEW YORK,
ADOPTED ON JANUARY 25, 2011 AUTHORIZING ISSUANCE OF AN
ADDITIONAL \$3,000,000 OF BONDS OF THE COUNTY OF CAYUGA TO PAY
A PORTION OF THE COSTS OF CONSTRUCTION OF THE COUNTY'S
E9-1-1 COMMUNICATIONS SYSTEM. (2/3)**

BY: Hon. Steven Cuddeback, Chair, Judicial and Public Safety Committee
Hon. Roger Mills, Chair, Ways and Means Committee

WHEREAS, by adoption of Resolution No. 315-10 on June 30, 2010, the Legislature of the County previously identified the need to proceed with an Emergency Communications Project (the "Project"); and

WHEREAS, the Project was designated as a Type 1 Action requiring a coordinated review by all involved agencies in accordance with applicable provisions of the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the County was properly established as lead agency for the Project in accordance with the requirements of SEQRA; and

WHEREAS, the County previously determined that segmentation of the design and environmental review process (the "Design Project") from the Project is appropriate and permissible; and

WHEREAS, by adoption of Resolution No. 315-10 on June 30, 2010, the County further determined that the Design Project constitutes an Unlisted Action which will not result in any significant environmental impacts and accordingly, no further SEQRA review is required; and

WHEREAS, by adoption of Bond Resolution No. 317-10 on June 30, 2010, the County (i) authorized undertaking the Design Project, (ii) authorized the issuance of up to \$17,022,383.00 in bonds of the County to finance the Project, and (iii) determined that the plan for the financing of the of up to \$17,022,383.00 maximum estimated cost was (a) the issuance of up to \$15,000,000.00 bonds authorized by Bond Resolution No. 317-10 and (b) by the issuance of up to \$3,000,000.00 bonds of the County if and when any of the identified purposes related to the Project has undergone a SEQRA review and permitting process allowing that aspect of the Project to go forward, if so adopted by the County Legislature, and (c) by the application of state and/or federal assistance available or to any revenues available for such purpose from any other source; and

WHEREAS, the County subsequently determined that the balance of the Project may include the potential for at least one significant adverse environmental impact; and, accordingly the County made a positive declaration of significance; and

WHEREAS, the County resolved that a generic environmental impact statement was appropriate to assess the Project's environmental impacts; and

WHEREAS, the County filed, published and circulated the negative declaration and the positive declaration in accordance with SEQRA; and

WHEREAS, the County prepared and circulated to potentially interested and involved agencies a draft scoping document for the Project in accordance with 6 NYCRR 617.8 and made the draft scoping document publicly available; and

WHEREAS, the County published notice of a public scoping session in The Citizen on August 6, 2010; and

WHEREAS, the County conducted a public scoping hearing on August 16, 2010, and accepted written comments on the draft scoping document from August 9 through September 7, 2010; and

WHEREAS, no public comments were received on the draft scoping document; and

WHEREAS, prior to the expiration of 60 days since the submittal of the draft scoping document, the County prepared and thoroughly reviewed a proposed final scope (the "Final Scoping Document") addressing each requirement contained in 6 NYCRR 617.8(f); and

WHEREAS, on September 28, 2010, the County adopted the proposed final scope and directed that a draft generic environmental impact statement ("DGEIS") be prepared consistent with that Final Scoping Document; and

WHEREAS, the Final Scoping Document was filed, published and circulated in accordance with SEQRA; and

WHEREAS, a proposed draft generic environmental impact statement (“DGEIS”) was prepared for the Project; and

WHEREAS, the County thoroughly reviewed the proposed DGEIS, and considered the final scope and the standards contained in 6 NYCRR 617.9 to determine whether to accept the proposed draft generic environmental impact statement (“DGEIS”) as adequate with respect to its scope and content for purpose of commencing public review; and

WHEREAS, based on the County’s review of the proposed DGEIS, and its consideration of the final scope prepared for the Project and the standards contained in 6 NYCRR 617.9 and 617.10, the proposed DGEIS was accepted as adequate with respect to its scope and content for the purpose of commencing public review on October 26, 2010; and

WHEREAS, the County determined that, due to the county-wide scope of the Project, a public hearing on the DGEIS should be conducted; and

WHEREAS, the County properly filed, circulated, and published a Notice of Completion of the DGEIS, Notice of a Public Hearing, an ENB Notice, and the DGEIS in accordance with SEQRA; and

WHEREAS, pursuant to 6 NYCRR 617.9(a)(3), the County established a comment period of at least 30 days, commencing with the first filing and circulation of the notice of completion of the DGEIS and ending at 5 pm on Monday, November 29, 2010; and

WHEREAS, a public hearing was held on November 18, 2010 at 7 p.m. and no comments were received at this hearing and no potentially interested or involved agencies submitted comments or participated in the public hearing; and

WHEREAS, a proposed Final Generic Environmental Impact Statement (“FGEIS”) was prepared which assembled the relevant and material facts which appropriately analyzed the potential significant adverse impacts, evaluated all reasonable alternatives, and which was written in clear and concise language that can be read and understood by the public; and

WHEREAS, by adoption of a SEQRA Resolution No. 575-10 on December 20, 2010, the FGEIS was accepted as complete and a Notice of Completion of the FGEIS was the prepared, filed and published in accordance with 6 NYCRR 617.12, and as such, the requirements of 6 NYCRR Part 617 were satisfied; and

WHEREAS, the County now intends to authorize the issuance of up to \$3,000,000.00 of bonds of the County to finance the construction and completion of the Project; and

NOW, THEREFORE BE IT RESOLVED ON JANUARY 25, 2011 BY THE COUNTY LEGISLATORS OF CAYUGA COUNTY, NEW YORK (by favorable vote of not less than two thirds of said Legislature), AS FOLLOWS:

Section 1. For the specific object or purpose of undertaking the Project, including the development and construction of an emergency radio system for voice and data radio communications services constituting a digital trunked land mobile radio system, including all related construction, renovations, site improvements, furnishings, fixtures and equipment required for such purposes, environmental studies, architectural, legal and engineering fees, and all other necessary costs incidental to such work, in and for the County of Cayuga, New York, the County hereby restates and ratifies the authorization set forth in Bond Resolution No. 317-10 on June 30, 2010 of up to \$17,022,383.00 bonds of said County pursuant to the provisions of the Local Finance Law. Undertaking the entire Project is hereby approved.

Section 2. The plan for the financing of the up to \$17,022,383.00 maximum estimated cost thereof shall be as follows:

(a) By the issuance of up to \$15,000,000.00 bonds of said County as authorized by Bond Resolution No. 317-10 adopted on June 30, 2010; and

(b) By the issuance of up to \$3,000,000.00 bonds of said County authorized pursuant to this bond resolution; and

(c) By the application of state and/or federal assistance available or to any revenues available for such purpose from any other source.

Section 3. The faith and credit of said County of Cayuga, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such years and such debt service payments may be made in substantially level or declining amounts as may be authorized by law. All the taxable real property within said County shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such matter, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 5. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of Cayuga County, New York, by the manual or facsimile signature of the County Treasurer and a facsimile of its corporate seal shall be imprinted or impressed thereon and maybe attested to by the manual or facsimile signature of the County Clerk. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent.

Section 7. The County hereby covenants and agrees with the holders from time to time of the Bonds and any bond anticipation notes issued in anticipation of the sale of the Bonds, that the County will faithfully observe and comply with all provisions of the

Internal Revenue Code of 1986, as amended (the "Code"), and any proposed or final regulations issued pursuant thereto unless, in the opinion of bond counsel, such compliance is not required by the Code and regulations to maintain the exclusion from gross income of interest on said obligations for federal income tax purposes.

Section 8. The following additional matters are hereby determined and declared:

(a) Pursuant to subdivision 98 of paragraph a of Section 11.00 of the Local Finance Law, subdivision 11(a) of Section 11.00 of the Local Finance Law, and subdivision 21 of Section 11.00 of the Local Finance Law, the weighted average period of probable usefulness of the Project is 12 years; and

(b) Current funds are not required by the Local Finance Law to be provided prior to the issuance of the bonds and any notes issued in anticipation thereof authorized by this resolution; and

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

(d) The County reasonably expects to reimburse itself for expenditures made out of the County's General Fund for the Project from the proceeds of the bonds or notes herein authorized.

(e) This resolution is a declaration of official intent to reimburse for purposes of Treasury Regulation Section 1.150-2.

(f) The bonds authorized herein are not being issued for an assessable improvement.

Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 10. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 11. This resolution, which takes effect immediately, shall be published in summary form in the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

WHEREFORE, the foregoing Resolution was put to a vote of the members of the County Legislators of the County on January 25, 2011, the result of which vote was as follows:

<u>COUNTY LEGISLATOR</u>	<u>VOTE</u>
Michael Chapman	yes
Cynthia, Aikman	yes
Christopher Palermo	yes
David Axton	yes
Ann Petrus	yes
Paul Pinckney	yes
Roger Mills	yes
George Fearon	yes
Francis Mitchell	yes
Steven Cuddeback	yes
Stephen Barski	yes
Patrick Mahunik	yes
Timothy Lattimore	yes
Daniel Sincebaugh	yes
Peter Tortorici	yes

DATED: January 26, 2011

CERTIFICATE

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

That I have compared the annexed extract of the minutes of a meeting of the County Legislators of said County including the resolution contained therein, held on January 25, 2011, with the original thereof on file in my office, and that the same is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relates to the subject matters therein referred to.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Cayuga County, New York, this ____ day of January, 2011.

Susan M. Dwyer, County Clerk
[SEAL]

NOTICE OF BOND RESOLUTION

The resolution, a summary of which is published herewith, was adopted on January 25, 2011. The validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Cayuga, New York is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice

Tuesday, January 25, 2011

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were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the constitution.

Susan M. Dwyer, County Clerk

SUMMARY OF BOND RESOLUTION

A Resolution adopted by the County Legislators of the Cayuga County, Cayuga County, New York (the "County") on January 25, 2011 restates and ratifies the authorization set forth in Bond Resolution No. 317-10 on June 30, 2010, of the issuance of \$17,022,383.00 bonds of said County pursuant to the provisions of the Local Finance Law for the specific object or purpose of undertaking the development and construction of an emergency radio system for voice and data radio communications services constituting a digital trunked land mobile radio system, including all related construction, renovations, site improvements, furnishings, fixtures and equipment required for such purposes, environmental studies, architectural, legal and engineering fees, and all other necessary costs incidental to such work. The plan for the financing of the \$17,022,383.00 maximum estimated cost is (i) by the issuance of \$15,000,000 bonds of said County as authorized by Bond Resolution No. 317-10 adopted on June 30, 2010, (ii) the issuance of \$3,000,000 bonds of said County authorized pursuant to the subject bond resolution adopted on January 25, 2011, and (iii) by the application of state and/or federal assistance available or to any revenues available for such purpose from any other source. The resolution authorizes the levy of a tax for the foregoing object or purpose in an amount not to exceed \$17,022,383.00, which shall be levied and collected in annual installments in such years and in such amounts as may be determined by the County Legislators and that in anticipation of the collection of such tax, bonds and notes of the County are hereby authorized to be issued at one time, or from time to time, in the principal amount not to exceed \$17,022,383.00 and a tax is authorized to pay the interest on said obligations when due. Under the Local Finance Law, the Project has a period of probable usefulness of 12 years. Such resolution shall be kept available for public inspection in the County Clerk's Office during regular business hours for twenty days following this publication.

Motion by Aikman to amend, change **Execute** an agreement to **Negotiate** an agreement, 2nd by Mills, all in favor.

Resolution as amended, all in favor.

RESOLUTION NO. 59-11

1.25.11 911 emrgmeddsptchrev

**AUTHORIZING THE CHAIR OF THE CAYUGA COUNTY LEGISLATURE TO
NEGOTIATE AN AGREEMENT WITH TLC EMERGENCY MEDICAL
SERVICES, INC. TO PROVIDE MEDICAL PRIORITY DISPATCHING
SERVICES AT THE 911 CENTER.**

By: Hon. Steven Cuddeback, Chair, Judicial & Public Safety Committee
Hon. Roger Mills, Chair, Ways & Means Committee

Whereas, The 911 Center presently relays medical priority dispatching services to one of two providers in the County; and

Whereas, the Judicial and Public Safety Committee believes that it is in the best interest of public safety to locate medical priority dispatching services directly within the 911 Center; and

Whereas, TLC emergency Medical Services, Inc. has offered to provide medical priority dispatching services directly from the 911 Center; now therefore be it

Resolved, that the Chair of the Cayuga County Legislature is hereby authorized and directed to **Negotiate** an agreement with TLC emergency Medical Services, Inc. to provide medical priority dispatching services at the 911 Center.

Signed by Cuddeback, Barski, Chapman, Palermo, Petrus, Pinckney, Sincebaugh, Mills, Axton, Fearon, Mahunik and Mitchell, as amended all in favor.

Motion by Chapman to go into Executive Session at 7:56PM, re: Pending Litigation, 2nd by Pinckney, all in favor. Asked to come in Phil Spellane, Fred Westphal, Tom Squires. No action taken.

Motion by Palermo to come out of Executive Session at 8:40PM, 2nd by Axton, all in favor.

Motion by Palermo to adjourn at 8:41PM, 2nd by Axton, all in favor.

Motion by Chapman to approve minutes of Minutes of 1-25-11, 2nd by Cuddeback, all in favor.

**MINUTES
CAYUGA COUNTY LEGISLATURE
FEBRUARY 22, 2011 – 6:30PM**

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

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

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

APPOINTMENT: Cayuga County Legislature, Legislator District #1
Tucker M. Whitman, 940 finches Corners Rd., Martville, NY 13111
Motion by Chapman to appoint Tucker M. Whitman as Legislator for District #1, 2nd by Axton, all in favor.
Tucker M. Whitman, with his family by his side was sworn in by Judge Mark H. Fandrich and signed the oath book.

Motion by Axton to take a 5 minute recess, 2nd by Cuddeback, all in favor.

PROCLAMATION: Community Action Awareness Day in Cayuga County, February 23, 2011
Laurie Didio, Executive Director will accept proclamation. Read by Mary Jones Clerk of the Legislature and presented by Peter Tortorici Chairman of the Legislature to Laurie Didio. Ms. Didio thanked everyone and invited them to Community Action Awareness Day, Wednesday February 23, 2011 at the agency's site at 11:00AM.

Chairman Tortorici welcomed Mike Sheehan from Leadership Cayuga.

MINUTES: For Approval: 12-13-10, 12-20-10 and 1-3-2011, **Motion by Chapman to approve minutes, 2nd by Petrus, all in favor.**
For Reading: 1-25-11

CCC REPORT: Dr. Daniel Larson, attached to original minutes.

COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS:
Aikman, I attended the NYSAC conference in Albany and learned that over the next 10 years, high skill and high paying jobs will make up 74% of the jobs available in the United States. It is imperative that we continue to offer affordable, appropriate skill driven education for all of us to be able to step into these jobs.

Chapman, in regards to high paying jobs, Cayuga County can be proud that this past weekend, at the Daytona 500, we were represented by Regan Smith of Cato NY, started 2nd and finished 7th, it just goes to show you little boys driving go-carts can make their dreams come true.

COUNTY ADMINISTRATOR'S REPORT: Tom Squires, handout attached to original minutes.

Reminder Sue Dwyer, County Clerk will hold an out-reach at the Fingerlakes this Saturday for Passports and Veterans discount cards.

Discussion:

Mills, you mention key accounts, develop some type of action plan.

Squires, yes.

Lattimore, labor contracts, are we thinking about what is happening in Wisconsin.

Squires, I have been following closely, the State Legislature in Wisconsin is trying to do away with Unions in the public sector.

Lattimore, are we going to continue with the same negotiated team as before.

Squires, it remains to be seen, we did an RFP for Labor Attorney Services, part of the services are negotiating contracts, should results back in a couple of weeks, then we have a decision to make.

Lattimore, unemployment insurance, do we know where we stand.

Squires, we have unemployment costs and manage as best we can.

Lattimore, just like the State Pension, when it's down we have to make up the shortfall.

Fearon, the DMV, if someone e-mails, mail, drives to Albany, takes away revenue from this County.

Mahunik, can we process electronically in the DMV.

Dwyer, no we can't.

Lattimore, capital improvement for the Radio Project, interest rates are low now, do we see interest rates climbing, should we borrow sooner or later.

Squires, we passed a resolutions a month ago to borrow an additional 3 million for the Radio Project, we are trying to schedule the borrowing as strategically as we can. We don't want to fully fund the project yet, because that takes away our ability to get grant money, we are going to move forward and will look at again in September.

CHAIRMAN'S REPORT: Peter Tortorici, handout on summary of meetings held in Albany, attached to original minutes. I had meetings this month with Onondaga County, met with Joanie Mahoney on issues with purchasing and Native American Affairs, we need to partner with other counties or states to look for savings. NYSAC, attended a Native American Affairs Committee Meeting, they will have a sub-committee, David Axton will be a representative on that committee. This is a State issue on the sales tax, that we are losing, and a Federal issue on the Land-Into-Trust. We need to grow this coalition, get a big group and go to Washington, meet with the Department of Interior, Indian Affairs and discuss these issues.

Discussion:

Fearon, Sales Tax, the Turning Stone is opening a new store, selling purses and jewelry, it's not just cigarettes.

APPOINTMENTS AND RE-APPOINTMENTS:

Variance Committee

Dale Powell, 192 E. Lake Road, Port Byron, NY – Term: January 1, 2011 – December 31, 2014

COMMUNICATIONS AND ANNOUNCEMENTS:

1. Received a check for \$11.66 from American Express, 2010 savings at work rebate check.
2. The Cayuga County Cancer Services Program will hold a “Main Street Goes Blue” event on Friday, March 4th, 2011 from 10AM to 10:30AM with a ribbon cutting ceremony across Genesee St. between the Tourism Office and PBJ on the Corner.

RESOLUTIONS 2-22-11

RESOLUTION NO. 60-11 2-22-11 AP AuditFeb11

**AUTHORIZING THE COUNTY TREASURER TO PAY JANUARY 2011
AUDIT OF CLAIMS**

BY: Hon. Roger Mills, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on February 22, 2011 audit claims against the County of Cayuga in the aggregate sum of \$5,206,702.07, 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 13, 2010.

Motion by Mills to bring to floor, 2nd by Pinckney, all in favor.

Signed by Mills, Axton, Cuddeback, Fearon, Mitchell and Petrus, all in favor.

RESOLUTION NO. 61-11

2-22-11 LEG Insurancetransfer

**ALLOCATE INSURANCE COSTS TO DEPARTMENTS THAT RECEIVE
REIMBURSEMENT**

BY: Hon. Roger Mills, Chairman of the Ways & Means Committee

WHEREAS, during the process for the 2011 County Budget, insurance costs for Liability, Property, Professional 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 A10141-54131 (Legislative, Contracts, Insurance) to:

Account

Increase

Mental Health, Admin	A43104-54039	Auto Ins	\$1,094
	A43104-54040	Prof Liab	\$34,117
	A43104-54114	Gen Liab	\$3,173
Mental Health, CSS	A43114-54039	Auto Ins	\$1,458
	A43114-54040	Prof Liab	\$4,272
	A43114-54114	Gen Liab	\$397
Mental Health, ICM	A43134-54039	Auto Ins	\$2,187
	A43134-54040	Prof Liab	\$3,167
	A43134-54114	Gen Liab	\$295

Human Services	A60104-54039	Auto Ins	\$8,181
	A60104-54114	Gen Liab	\$3,856
Public Health	A40104-54039	Auto Ins	\$4,388
	A40104-54114	Gen Liab	\$3,943
WIC	A40824-54114	Gen Liab	<u>\$751</u>
		Total	\$71,279

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 Mills, Axton, Cuddeback, Mahunik, Mitchell and Fearon, all in favor.

RESOLUTION NO. 62-11

2/22/11 TRE taxcollsoftwarerev1

AUTHORIZING THE PURCHASE OF TAX COLLECTION SOFTWARE

BY: Mr. Roger Mills, Ways and Means Committee

WHEREAS, Resolution No. 179-10 authorized the Clerk of the Legislature to solicit requests for proposals for the purpose of acquiring tax collection and enforcement software; and

WHEREAS, after careful review and consideration, the County Treasurer's Office has determined the software that best meets their needs, now, therefore, be it

RESOLVED, the County Treasurer is hereby authorized to enter into a contract for the purchase of the Allen-Tunnell Corp. software package, and be it further

RESOLVED, partial funding of this acquisition (\$102,000) was budgeted for in the 2011 Budget. The County Treasurer is hereby authorized to transfer \$25,000 from A16804 54019 (Computer Support) to A13252 52000 (Equipment) and \$37,000 from Cap H Project 07-05 (Tyler Project) to A13252 52000 (Equipment) and \$10,000 from A16802 52000 (Grant Funds) to A13252 52000 (Equipment) for the purchase of this software package for a total purchase price of \$174,000. The Cayuga County Treasurer is hereby authorized and directed to make the journal and accounting entries to accomplish the above.

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

RESOLUTION NO. 63-11

2/22/11 TRE fillsrcomputertech

**AUTHORIZATION TO CREATE AND FILL A SENIOR COMPUTER SYSTEMS
TECHNICIAN POSITION IN THE COUNTY TREASURER'S
OFFICE/DATA PROCESSING DIVISION**

BY: Mr. Roger Mills, Chairman, Ways and Means Committee

WHEREAS, due to the pending retirement of a long-time county employee, there is a need to create and fill a Sr. Computer Systems Technician in the County Treasurer's Office/ Data Processing Division effective April 1, 2011 in order to do the necessary training; and

WHEREAS, the main function of this position is the application specialist for RPS working closely with the Town Assessors and the County Real Property Department. They are also responsible for printing the County, School and Village tax bills and is the Project Manager for the Munis software and related issue; and

WHEREAS, the County Treasurer has an employee within the Data Processing division who meets the qualification of the Sr. Computer System Technician, and he would like to promote said employee; and

WHEREAS, funding for this position is available in the Treasurer's 2011 Budget A16801 position control #01815, \$10,000 from A16801 51000 Grant funds and \$6,000 from A16804 54018 Computer Support; now therefore be it

RESOLVED, that the County Treasurer be authorized to make the necessary budget adjustments to execute the intent of this resolution, including the transfer of \$6,000 from A16804 54018 to A16801 51000; and be it further

RESOLVED, that the County Treasurer is hereby authorized to create and fill a full time Sr. Computer Systems Technician position by promoting an internal candidate effective April 1, 2011 and backfill any position caused by the filling of this position; and be it further

RESOLVED, that upon the retirement of the Sr. Computer System Technician (PS# 01815) that position #01815 be abolished; and be it further

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

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

RESOLUTION NO. 64-11

**(FEB. 22, 2011) HD FILL PT LACTATION PEER COUNSELOR WIC 2011
AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICE TO
FILL A PT LACTATION PEER COUNSELOR POSITION AT
WIC DUE TO RESIGNATION**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee

Roger Mills, Chairman of the Ways & Means Committee

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; and

WHEREAS, there is a Part-Time Lactation Peer Counselor position vacancy in WIC due to the resignation of the incumbent effective January 5, 2011; 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 probationary rate of \$10.13 per hour; and be it further

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the Part-Time Lactation Peer Counselor vacancy at the rate of \$10.13 per hour 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 Mahunik, Aikman, Axton, Barski, Mills, Sincebaugh, Cuddeback, Fearon and Mitchell, all in favor.

RESOLUTION NO. 65-11
(February 22, 2011) HD Childhood Lead Grant 2011
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: Patrick Mahunik, Chairman of the Health & Human Service Committee
 Roger Mills, 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 October 1, 2010 through September 30, 2011; and

WHEREAS, in order to carry out the terms of this grant, the 2011 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 October 1, 2010 through September 30, 2011; 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 2011 Health Department Budget:

Increase Appropriation Account #A40284 54000	\$37,971
Increase Revenue Account #A40280 43428	\$37,971

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 Mahunik, Aikman, Axton, Barski, Mills, Sincebaugh, Cuddeback, Fearon and Mitchell, all in favor.

RESOLUTION NO. 66-11
(February 22, 2011) HD CHHA LTHHCP 2011 Rates REV
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: Patrick Mahunik, Chairman of the Health & Human Service Committee
 Roger Mills, 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 and review of our current charges, a new physical therapy rate needs to be established to maximize Medicaid reimbursement based on 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 2011 rates be established:

CHHA/LTHHC:

Skilled Nursing	\$155/Visit
Physical Therapy	\$125/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 2011 by the NYS Department of Health.

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

RESOLUTION NO. 67-11

(February 22, 2011) HS Hillside Detention Bed 2011

**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, 2011– DECEMBER 31, 2011**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee
Roger Mills, 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 \$57,451 to reserve one non-secure detention bed for the period of January 1, 2011 to December 31, 2011.

RESOLVED, that payment for these services will be from Account #A61234 54000 of the 2011 Human Services Budget.

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

RESOLUTION NO. 68-11

(February 22, 2011) HS Create/Fill PT Code Enforcement Officer

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO CREATE AND FILL A
PART-TIME CODE ENFORCEMENT OFFICER IN THE CHILDREN
SERVICES UNIT OF HUMAN SERVICES**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee
Roger Mills, Chairman of the Ways & Means Committee

WHEREAS, the County Department of Social Services, by regulation, must ensure that the foster home is in substantial compliance with all applicable provisions of State and local law, ordinances, rules and regulations concerning health and safety; and

WHEREAS, the Department requests that a PT Code Enforcement Officer position be created to conduct home inspections primarily outside the City of Auburn for the purpose of certifying new foster homes and to conduct annual re-inspections of these homes; and

WHEREAS, funds exist in the 2011 Human Services Budget to support this position; and

WHEREAS, the Cayuga County Civil Service Commission has reviewed the New Position Duties Statement submitted for this position, and has classified it as a Part-Time Code Enforcement Officer; NOW, THEREFORE, BE IT

RESOLVED, that the Cayuga County Legislature create, in the Children Services Unit of Human Services, a Part-Time Code Enforcement Officer position set at an hourly rate of \$15.00 in Part II of the Cayuga County Compensation Plan, Non-Bargaining Employees; and be it further

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the newly created Part-Time Code Enforcement Officer position in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga. Signed by Mahunik, Aikman, Axton, Barski, Mills, Sincebaugh, Cuddeback, Fearon and Mitchell, all in favor.

RESOLUTION NO. 69-11

(February 22, 2011) HS NYSOFA Contract POE 2010-2011

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A
CONTRACT WITH NYS OFFICE FOR THE AGING
AND ACCEPT 100% FUNDING**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee
Roger Mills, Chairman of the Ways & Means Committee

WHEREAS, the State requires every county to operate a Long Term Care Point of Entry Program and Cayuga County, through its Long Term Care Access Office, has again been approved to operate this "Point of Entry" program for the time period October 1, 2010 through September 30, 2011, and accept funds to meet the program mandates; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services enter into a contract with NYS Office for the Aging to operate the Long Term Care Point of Entry Program in Cayuga County and accept funding in the amount of \$48,000 for the period of October 1, 2010 – September 30, 2011, and that the Cayuga County Treasurer be authorized and directed to make the necessary journal and accounting entries to amend the 2011 Human Services budget in the following manner:

Munis

<u>Org</u>	<u>Object</u>		
A60104	54264	Increase Appropriations	\$48,000
A60100	43650	Increase Revenue	\$48,000

and be it further

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to subcontract for services necessary to implement this program.

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

RESOLUTION NO. 70-11

(February 22, 2011) HS IMA Contract 2011

**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: Pat Mahunik, Chairman of the Health & Human Service Committee

Roger Mills, 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; and

WHEREAS, this service is 100% federally funded when provided to TANF families (there is no reimbursement when provided to a Safety Net individual; 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, 2011 through December 31, 2011; 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 2011 Human Services Budget.

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

RESOLUTION NO. 71-11

(February 22, 2011) HS Day Light House 2011

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO CONTRACT WITH DAY
LIGHT HOUSE, INC. (TEMPORARY HOUSING FOR HOMELESS FAMILIES)**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee

Roger Mills, Chairman of the Ways & Means Committee

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, Chapel House offers temporary shelter to single men only; and

WHEREAS, when families present to the Department with emergency shelter needs the Department, often times must authorize hotel stays; and

WHEREAS, this contract will offer another less costly and more appropriate alternative to a select number of families; and

WHEREAS, the costs incurred by the local district are reimbursed at 75% State and Federal (TANF Families – Temporary Housing); NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services enter into a contract with Day Light House, Inc. for transitional housing for the period March 1, 2011 through February 29, 2012 at the following rates:

\$25 per diem room rate for first 31 days.

\$20 per diem room rate for greater than 31 days

and be it further

RESOLVED, that these expenditures will be paid out of account #A61094 54000 of the 2011 Human Services Budget.

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

RESOLUTION NO. 72-11

(February 22, 2011) HS Chapel House 2011

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW THE
CONTRACT WITH CHAPEL HOUSE (TEMPORARY HOMELESS SHELTER)**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee

Roger Mills, 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 50%; 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, 2011 through December 31, 2011 at a rate of \$25/day, per person, after 30 days, the basic shelter allowance will be paid; and be it further

RESOLVED, that these expenditures will be paid out of account #A6140 54000 of the 2011 Human Services Budget.

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

RESOLUTION NO. 73-11

(February 22, 2011) HS Huntington Contract 2011 REV

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW A CONTRACT
WITH HUNTINGTON FAMILY CENTER, INC.**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee

Roger Mills, 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 out patient 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 1/1/11 to 12/31/11 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 Mahunik, Aikman, Axton, Petrus, Mills, Sincebaugh, Cuddeback, Fearon and Mitchell, all in favor.

RESOLUTION NO. 74-11

(February 22, 2011) HS Cayuga Home Family Support Program

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A
CONTRACT WITH CAYUGA HOME FOR CHILDREN FOR PROVISION OF
PREVENTIVE SERVICES**

BY: Peter Mahunik, Chairman of the Health & Human Service Committee

Roger Mills, 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 based on our recent analysis of the increased number of children removed on a neglect petition; and

WHEREAS, Cayuga Home for Children has developed a new program, "Cayuga Family Support", which addresses the shift in need; and

WHEREAS, this program offers a mid-level/mid-length intervention to Cayuga County families with a child or children at imminent risk of placement into foster care; and the program includes the services of a social worker with a caseload of 10 families; and each family will receive in-home services one to two times per week for a total of 2 to 2.5 hours per week over a period of four to six months; and

WHEREAS, the program incorporates intensive skill building with family members, which includes skills such as anger management, parenting, coping, problem-solving, and negotiation; and

WHEREAS, the program is designed to reduce incidents of child abuse and neglect and to promote the safety and well-being of children and family members; 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 at the base rate of \$74.68 per hour (or unit) for the contract period of March 1, 2011 through December 31, 2011; and be it further

RESOLVED, that these services be paid from Account #A60704 54184 of the Human Services Department's 2011 Budget.

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

RESOLUTION NO. 75-11**(Feb. 22, 2011) HS Cayuga/Seneca Residential DVS 2011****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: Patrick Mahunik, Chairman of the Health & Human Service Committee

Roger Mills, 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 1/1/11 through 12/31/11 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 2011 Human Services Budget.

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

RESOLUTION NO. 76-11**(Feb. 22, 2011) HS Cayuga/Seneca Non-Residential DVS2011****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: Patrick Mahunik, Chairman of the Health & Human Service Committee

Roger Mills, 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 1/1/11 through 12/31/11 at a cost of \$95,000; and be it further

RESOLVED, that payment for these services be from account #A60704 - 54182 of the 2011 Human Services Budget.

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

RESOLUTION NO. 77-11

Action 2/22/11 MHFillSSW2.11

**AUTHORIZE THE FILLING OF A FULL-TIME STAFF SOCIAL WORKER
(CMH) POSITION AT THE COMMUNITY MENTAL HEALTH CENTER OF
CAYUGA COUNTY**

BY: Hon. Patrick Mahunik, Chair Health and Human Services Committee, and
Hon. Roger Mills, Chair Ways and Means Committee.

WHEREAS, there is a vacant full-time Staff Social Worker (CMH) position in the Community Mental Health Center of Cayuga County as the result of a retirement from position control number 02098; and

WHEREAS, this position provides direct patient care to individuals with severe and persistent mental illnesses; and

WHEREAS, the position (02098) is reflected in the 2011 County Budget as 100% funded position through state aid and revenues generated by that individual; now therefore, be it

RESOLVED, that the Director of Community Mental Health Services be authorized and is hereby directed to fill the position of one full-time Staff Social Worker (CMH) in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

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

RESOLUTION NO. 78-11

Action 02.22.11 MH CreateFillICM2.11

**AUTHORIZE THE CREATION AND FILLING OF TWO INTENSIVE CASE
MANAGERS AT THE COMMUNITY MENTAL HEALTH CENTER**

By: Hon. Patrick Mahunik, Chair, Health and Human Services Committee
Hon. Roger Mills, Chair, Ways and Means Committee

WHEREAS, the Mental Health Department receives 100% State funding to provide Intensive Case Management Services under strict patient eligibility, staff credentialing, and programming requirements; and

WHEREAS, the Department needs to create job titles specific to this program in order to be consistent with the requirements established by the NYS Office of Mental Health; and

WHEREAS, a Staff Social Worker (CMH) in the Intensive Case Management Program in the Department has notified us of her pending retirement; and

WHEREAS, an individual doing the same work is currently in the position of Social Work Assistant (MH), pay grade 14, and should be paid at the same rate as others performing identical functions, therefore, be it

RESOLVED, that two positions of Intensive Case Manager be created and placed within Part I, General CSEA portion of the Cayuga County Compensation Plan under Community Mental Health at salary grade 19; and be it further

RESOLVED, that the position of Staff Social Worker (CMH), position code 2136, as reflected in the budget line A43131-51001, Salaries-FT, be unfunded; and be it further

RESOLVED, that the position of Social Work Assistant (MH), position code 2113, also reflected in the budget line A43131-51001, Salaries-FT, be unfunded until such time that the incumbent is permanently appointed to another title, and that the position will then be abolished; and be it further

RESOLVED, that the Director of Community Mental Health Services be authorized and directed to fill two positions of Intensive Case Manager 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 to accomplish this.

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

RESOLUTION NO. 79-11

02/22/11 OFA FillFoodServicesHelpersFeb11rev

AUTHORIZING THE DIRECTOR OF THE OFFICE FOR THE AGING TO FILL TWO VACANT PART-TIME FOOD SERVICES HELPER POSITIONS IN THE SENIOR NUTRITION PROGRAM

BY: Mr. Patrick Mahunik, Chair, Health & Human Services Committee, and Mr. Roger Mills, Chair, Ways and Means Committee.

WHEREAS, there are two vacancies in two part-time Food Services Helper positions in the Senior Nutrition Program due to resignations of two employees; and

WHEREAS, one position is a shared part-time position at a congregate site where the employee who shares this position has been able to cover temporarily, and the second position is a part-time position that will be vacant as of 2/22/11; and

WHEREAS, there is funding from the New York State Office for the Aging and the Older Americans Act in the Office for Aging 2011 Budget Line A67721-51002 (Salaries Part-time) for this position; now, therefore, be it

RESOLVED, that the Director of Office for the Aging be authorized and directed to fill the two part-time Food Services Helper positions in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga.

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

RESOLUTION NO. 80-11

DATE: 02/22/11 OFAContractsFeb11

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF THE OFFICE FOR THE AGING TO SIGN CONTRACTS WITH VARIOUS SUBCONTRACTORS.

BY: Mr. Patrick Mahunik, Chair, Health & Human Services Committee, and Mr. Roger Mills, Chair, Ways and Means Committee.

WHEREAS, appropriations were approved in the County budget for the year 2011 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:

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January 1, 2011 through December 31, 2011:

Title IIB Services
Staffings Healthcare Systems (Home Care) \$7,500
Transportation Project, Inc. \$8,000

April 1, 2011 through March 31, 2012:

EISEP (Expanded In Home Services for the Elderly) *Total of EISEP Services
Staffings Healthcare Systems, Inc. not to exceed \$204,500
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. \$7,000
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 in an amount not to exceed the above referenced sums.

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

RESOLUTION NO. 81-11

DATE: 2/22/11 OFANewsletterBidFeb11

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO AWARD THE
BID FOR THE PRINTING OF THE CAYUGA COUNTY OFFICE FOR THE
AGING SENIOR CITIZEN NEWSLETTER.**

BY: Mr. Patrick Mahunik, Chair, Health & Human Services Committee, and
Mr. Roger Mills, Chair, Ways and Means Committee.

WHEREAS, the Cayuga County Office for the Aging publishes a quarterly newsletter for the benefit of 6,000 Senior Citizen residents of Cayuga County; and

WHEREAS, funds have been received from the New York State Office for the Aging to continue this publication; and

WHEREAS, one bid was received as follows:

6000 copies Regular Newsprint 16pp	<u>2011</u>	<u>2012</u>
	\$947.47/qtr	\$1002.17/qtr

Now, therefore, be it

RESOLVED, that the bid for the printing of the Senior Citizen newsletter be awarded to the lowest bidder, Wayuga Community Newspapers, Inc., PO Box 199, 6784 Main Street, Red Creek, NY for the period of March 1, 2011 through December 31, 2012.

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

RESOLUTION NO. 82-11**Date of Meeting: 2/22/11 nh onsgtagmnt****TO AUTHORIZE THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ENTER INTO AN AGREEMENT WITH ONSIGHT HEALTH SERVICES TO PROVIDE OPTOMETRY SERVICES TO CAYUGA COUNTY NURSING HOME RESIDENTS.**

BY: Roger Mills, Chairman, Ways and Means Committee

Patrick Mahunik, Chairman, Health and Human Services Committee

WHEREAS, Onsite Health Services has the required experience and wishes to provide optometry services to Cayuga County Nursing Home; and

WHEREAS, Cayuga County Nursing Home residents have need for on site optometry services: and

WHEREAS, Onsite Health Services will bill independently of the Cayuga County Nursing Home for services to Cayuga County Nursing Home residents. Now therefore be it

RESOLVED that the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home be authorized to sign an agreement with Onsite Health Services to provide optometry services at Cayuga County Nursing Home effective March 1, 2011 for three years.

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

RESOLUTION NO. 83-11**Date of Meeting: 2/22/11 nh cygacnagmnt REV****TO AUTHORIZE THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ENTER INTO AN AGREEMENT WITH CAYUGA COUNSELING SERVICES FOR PSYCHIATRIC SERVICES AT CAYUGA COUNTY NURSING HOME.**

BY: Roger Mills, Chairman, Ways and Means Committee

Patrick Mahunik, Chairman, Health and Human Services Committee

WHEREAS, Cayuga County Nursing Home is required to provide the residents of the facility with psychiatric services, and

WHEREAS, It is necessary to contract with a provider of services from outside the facility to, and

WHEREAS, Cayuga County Nursing Home has been able to identify a provider willing to provide both psychiatric and counseling services, and

WHEREAS, the compensation for the services will be a flat rate of \$500.00 (Five Hundred dollars) per month; Now therefore be it

RESOLVED that the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home be authorized to enter into an agreement with Cayuga Counseling Services for a period of 1 years, from March 1, 2011 to February 29, 2012.

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

RESOLUTION NO. 84-11
February 22, 2011 nh slctrhb
AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE
AND THE ADMINISTRATOR OF THE NURSING HOME TO EXTEND AN
AGREEMENT FOR REHABILITATION SERVICES AT THE
CAYUGA COUNTY NURSING HOME.

BY: Patrick Mahunik , Health and Human Service

Roger Mills, Ways and Means

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

WHEREAS, Select Rehabilitation has provided those services for the past year satisfactorily; and

WHEREAS, the contract allows for a 1 year extension; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature and Administrator of the Cayuga County Nursing Home are authorized to extend the agreement with Select Rehabilitation.

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

RESOLUTION NO. 85-11
Date of Meeting: 2/22/11 nh podagmnt
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ENTER
INTO AN AGREEMENT WITH MICHAEL COUCH MD FOR PODIATRY
SERVICES OF CAYUGA COUNTY NURSING HOME.

BY: Roger Mills, Chairman, Ways and Means Committee

Patrick Mahunik, Chairman, Health and Human Services Committee

WHEREAS, Cayuga County Nursing Home has provided the residents of the facility with podiatry services on site; and

WHEREAS, It is necessary to contract with a podiatrist from outside the facility to provide this service; and

WHEREAS, Cayuga County Nursing Home has worked with a podiatrist who has been providing the services in a satisfactory manner for the past 6 years; and

WHEREAS, the services are billed to individual residents' third party payers at no cost to the facility; now therefore be it

RESOLVED that the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home be authorized to enter into an agreement with Michael Couch, MD for a period of 3 years, from March 1, 2011 to February 28, 2014.

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

RESOLUTION NO. 86-11
(February 22, 2011) HD Fill Temp P.T. Driver 2011
AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO
FILL A TEMPORARY PART-TIME DRIVER POSITION DUE
TO UNPAID LEAVE OF ABSENCE

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee

Roger Mills, Chairman of the Ways & Means Committee

WHEREAS, there will be a temporary part-time driver vacancy in the Early Intervention/Children with Special Health Care Needs (EI/CSHCN) division of the Health Department due to an unpaid leave of absence effective February 4, 2011; and

WHEREAS, this position is necessary to transport eligible children being served in the 3-5 program and pre-school programs who need special arrangements not part of the current transportation bid; and

WHEREAS, sufficient funding exists in the Health Department's Budget to support this fill; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized to fill the Temporary Part-Time Driver vacancy in the EI/CSHCN division of the Health Department in a manner consistent with the rules and regulations of the County of Cayuga and the Cayuga County Civil Service Commission.

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

RESOLUTION NO. 87-11

2/22/11 PUR awardcopypaperev

AUTHORIZING THE COUNTY TO ACCEPT A BID FOR XEROGRAPHIC COPY PAPER FOR VARIOUS DEPARTMENTS WITHIN CAYUGA COUNTY.

BY: George Fearon, Chairman, Government Operations Committee

Roger Mills, Chairman, Ways & Means Committee

WHEREAS, Resolution No. 305-10 authorized the issuance of an ITB to obtain bids for copy paper for various Cayuga County Departments; and

WHEREAS, the Administrator's office sent out specification packages to local, New York State and nationally based firms; and,

WHEREAS, two (2) firms responded with proposals; and,

WHEREAS, the following bids were received based on estimated bi annual use:

Vendor Name	8.5x11	8.5x14	11x17
	est.usage 460	est.usage 25	est. usage 4
Hummel's	\$30.00/case	\$43.00/case	\$35.00/case
Office Max	\$28.50/case	\$44.56/case	\$34.79/case

WHEREAS, Office Max is able to provide the necessary services at the lowest cost; now therefore be it,

RESOLVED, that the bid be awarded to Office Max, at an estimated bi-annual usage cost of \$14000.00, which is a savings of \$2728 bi-annually from the current NYS contract price for copier paper.

Motion by Fearon, 2nd by Mills.

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

RESOLUTION NO. 88-11

(02/22/11) ET lattingagmnt

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 1, 2011; 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; now 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 1, 2011; 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.

RESOLUTION NO. 89-11

(2/22/11) PT SeasonalHelp 2 11 rev1

AUTHORIZING THE HIRING OF SEASONAL STAFF FOR THE PARKS & TRAILS DEPARTMENT FOR THE 2011 SEASON

BY: David R. Axton, Chairperson, Public Works
Roger Mills, 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 fifty-two (52) full-time equivalent seasonal positions will be needed, which will include: Fourteen (14) Laborers, six (6) Lifeguards, two (2) Head Lifeguards, four (4) Maintenance Crew Leaders, ten (10) Park Security Guards, one (1) Supervising Park Security Guard, one (1) Building Maintenance Mechanic, two (2) Building Maintenance Persons, two (2) Cleaners, eight (8) 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 fifty-two (52) 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	\$10.00/hr.
Supervising Park Security Guard	\$13.25/hr.
Building Maintenance Mechanic	\$15.00/hr.
Building Maintenance Persons	\$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 2011 Parks & Trails Department Budget Account # A71101-51005 (Sal Sea), total not to exceed the budgeted amount.

Signed by Axton, Chapman, Cuddeback, Mitchell, Pinckney, Mills, Axton, Fearon and Mahunik, all in favor.

RESOLUTION NO. 90-11

(2/22/11) PT PavilionCapitalH 2-11

AUTHORIZING THE TRANSFER OF FUNDS FROM THE 2011 EMERSON PARK BUDGET ACCOUNT A71104-54606 INTO CAPITAL H 08-2 FOR EMERSON PARK PAVILION RENOVATIONS AND AMENDING CAPITAL "H" PROJECT NO. 08-2

BY: David R. Axton, Chairperson, Public Works

Roger A. Mills, 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, the Fred L. Emerson Foundation has funded plans for The Emerson Park Pavilion and surrounding site transforming it into a year-round facility; and

WHEREAS, the Fred L. Emerson Foundation will be funding a majority of the work; and

WHEREAS, this will allow the county to use the funding in Capital H 08-2 in support of this project; and

WHEREAS, the county placed \$80,000 in the 2011 Budget for Emerson Park, Transfer to Capital Fund, Account # A71104-54606, for this project; now, therefore be it

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to transfer the \$80,000.00 from the 2011 Emerson Park Budget Account #A71104-54606 into Capital H 08-2 increasing that account by \$80,000; and be it further

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

Signed by Axton, Chapman, Cuddeback, Mitchell, Pinckney, Mills, Axton, Fearon and Mahunik, all in favor.

RESOLUTION NO. 91-11

(2/22/11) PT AgMuseumTransfer 2 11rev1

AUTHORIZING THE TRANSFER OF FUNDS WITHIN THE PARKS AND TRAILS 2011 BUDGET FOR THE WARD W. O'HARA AGRICULTURAL MUSEUM AND THE DR. JOSEPH F. KARPINSKI SR. EDUCATIONAL CENTER

BY: David R. Axton, Chairperson, Public Works

Roger Mills, Chairperson, Ways & Means Committee

WHEREAS, by Resolution 489-10 of the Cayuga County Legislature the County Treasurer was authorized to establish Capital H 10-05 for a climate controlled wing on the Ward W. O'Hara Agricultural Museum to be named the Dr. Joseph F. Karpinski Sr. Educational Center; and

WHEREAS, the 2011 Budget for the Ag Museum included \$15,000 in Budget Account # A71114-54609 Transfer to Other Funds; and

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WHEREAS, the Educational Center is currently under construction with a planned opening this spring; and

WHEREAS, we have now defined the accounts we need to transfer the funds into as follows:

Account #	Description	Amount
A71114-54012	Building Maintenance	\$8,640.00
A71104-54024	Gas Heat	\$802.50
A71101-51005	Salaries Sea	\$5,000.00
A71101-58001	Social Security	\$382.50
A71101-58005	Workers Comp.	\$175.00
Total		\$15,000.00;

now therefore be it

RESOLVED, that the Cayuga County Treasurer is hereby directed to transfer the funds within the Parks and Trails 2011 Budget as specified above; 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, Chapman, Cuddeback, Mitchell, Pinckney, Mills, Axton, Fearon and Mahunik, all in favor.

RESOLUTION NO. 92-11
(2/22/11) PT Sterling Friend's Agree 2-11
APPROVING 2011 AGREEMENT WITH FRIENDS OF THE
STERLING NATURE CENTER, INC.

BY: Mr. David R. Axton, Chairman, Public Works

Mr. Roger A. Mills, Chairman, Ways & Means Committee

WHEREAS, a group of volunteers have formed a corporation known as the Friends of the Sterling Nature Center Inc. for the purpose of providing volunteer services at the Sterling Nature Center on Jenvolt Road in the Town of Sterling in the County of Cayuga; and

WHEREAS, the Friends of the Sterling Nature Center Inc. are desirous of fostering programs that support and are consistent with the mission of the Nature Center for the edification of visitors to the Sterling Nature Center for educational and recreational use; and

WHEREAS, the Public Works Committee is desirous of utilizing the Friends of the Sterling Nature Center Inc. volunteer services at the Sterling Nature Center to assist the County and its staff; now therefore be it

RESOLVED, that the Chairperson of the County Legislature is hereby authorized to sign the 2011 agreement with the Friends of the Sterling Nature Center Inc., and be it further,

RESOLVED, that the Treasurer is hereby directed to reimburse the Friend's for the commercial portion of their liability insurance in an amount not to exceed \$1,000 from the Sterling Nature Center Budget Account #A71134.54059.

Signed by Axton, Chapman, Cuddeback, Mitchell, Pinckney, Mills, Axton, Fearon and Mahunik, all in favor.

RESOLUTION NO. 93-11
(2/22/11) PT RFP MGR Roof 2 11rev
AUTHORIZING THE PURCHASING OFFICE TO DO A REQUEST FOR
PROPOSALS FOR THE REPLACEMENT OF THE ROOF ON THE SEATING
PORTION OF THE MERRY-GO-ROUND PLAYHOUSE

By: David R. Axton, Chairperson, Public Works

Roger Mills, Means Committee

WHEREAS, the roof over the seating section of the Merry-Go-Round Playhouse has been leaking; and

WHEREAS, the Parks and Trails Department has tried repeatedly to repair the roof; and

WHEREAS, the current roof has three layers which contributes to the problem; and

WHEREAS, the parks department believes the only way to permanently repair the roof is by tearing off the current roof and replacing it with a two layer roof including ice and water and shingles; and

WHEREAS, the parks department did include \$29,409.00 in the 2011 budget for Emerson Park, Building Maintenance, Account # A71104-54012 for the new roof; now, therefore be it

RESOLVED, that the Purchasing Office is hereby authorized and directed to advertise for interested parties to submit proposals for tearing off the current roof on the structure and replacing it with a new roof including a layer of ice and water covered by architectural shingles with a minimum of 30 year warranty; and be it further

RESOLVED, such proposals will then be considered by, the Park Maintenance Supervisor, the County Administrator and the County Attorney; and be it further

RESOLVED, that proposals deemed to have merit will be submitted for approval to the Public Works Committee and, if necessary, the Cayuga County Legislature.

Signed by Axton, Chapman, Cuddeback, Mitchell, Pinckney, Mills, Axton, Fearon and Mahunik, all in favor.

RESOLUTION NO. 94-11
February 22, 2011 HWYawardbatteries
AUTHORIZATION FOR HIGHWAY SUPERINTENDENT TO ACCEPT BID
FOR BATTERIES FOR CAYUGA COUNTY'S FLEET

BY: Dave Axton, Chairman, Public Works Committee

Roger Mills, Chairman, Ways & Means Committee

WHEREAS, the Motor Pool is responsible for the maintenance and repair of Cayuga County's vehicle fleet; and

WHEREAS, the Administrator's office developed ITB #2010-11 for auto parts and supplies, and bids were opened on January 5, 2011; and

WHEREAS, six (6) firms responded with bids, and after careful review of the bids it was determined that only 1 bidder met the requirements as set forth in the bid packet; now therefore be it

RESOLVED, that the bid for batteries be awarded to Northeast Battery, 345 State Street, Auburn, NY; and be it further

RESOLVED, that the remaining auto parts categories be re-bid.

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

RESOLUTION NO. 95-11
Date: February 22, 2011 HWY accbidtretrim
AUTHORIZATION FOR HIGHWAY SUPERINTENDENT TO ACCEPT BID
AND SIGN CONTRACT FOR TREE TRIMMING SERVICE

BY: David Axton, Chairman Public Works Committee
 Roger Mills, Chairman Ways and Means Committee

WHEREAS, the Highway Department is required to maintain and keep clear of obstruction the County highway system and right-of-way, does not own the necessary equipment to cut and clear trees and limbs over 30' in height, and funds were budgeted in account D51104 54096 to fund this service; and

WHEREAS, ITB HWY 2011-01 for tree trimming service was developed and proposals were opened on January 24, 2011; and

WHEREAS, the proposals were reviewed and the proposal submitted by Cranebrook Tree Service best meets the overall requirements in terms of pricing, equipment, experience and insurance coverage as stated in the ITB; now therefore be it

RESOLVED, the Cayuga County Legislature does hereby accept the proposal from Cranebrook Tree Service to provide for tree trimming, removal and stump grinding for the County Highway department; and

RESOLVED, that the Highway Superintendent and Chairman of Legislature are authorized to enter into an agreement for aforementioned service.

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

RESOLUTION NO. 96-11
February 22, 2011 HWYbudtranssalaries2011
AUTHORIZATION TO AMEND THE 2011
CAYUGA COUNTY HIGHWAY BUDGET

BY: David Axton, Public Works Committee
 Roger Mills, Chairman Ways and Means Committee

WHEREAS, the submission of the 2011 Cayuga County Highway Budget could not accommodate the reflection of salaries in the necessary budget accounts and the funds to pay for these expenditures were originally budgeted in a single Highway account; and

WHEREAS, it is necessary to amend the 2011 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	Description	Budgeted	Increase/Decrease	Revised
D51101	51001	SALARIES - FULL TIME	\$2,074,668.00	-\$478,139.00	\$1,596,529.00
D51131	51001	SALARIES - FULL TIME	\$0.00	\$255,282.00	\$255,282.00
D51421	51001	SALARIES - FULL TIME	\$0.00	\$154,358.00	\$154,358.00
D51441	51001	SALARIES - FULL TIME	\$0.00	\$56,354.00	\$56,354.00
D51481	51001	SALARIES - FULL TIME	\$0.00	\$12,145.00	\$12,145.00
TOTALS			\$2,074,668.00	\$0.00	\$2,074,668.00
D51101	51003	SALARIES - OVERTIME	\$231,700.00	-\$229,215.00	\$2,485.00
D51131	51003	SALARIES - OVERTIME	\$0.00	\$9,636.00	\$9,636.00
D51421	51003	SALARIES - OVERTIME	\$0.00	\$144,800.00	\$144,800.00
D51441	51003	SALARIES - OVERTIME	\$0.00	\$72,976.00	\$72,976.00
D51481	51003	SALARIES - OVERTIME	\$0.00	\$1,803.00	\$1,803.00
TOTALS			\$231,700.00	\$0.00	\$231,700.00

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, Chapman, Cuddeback, Mitchell, Mills, Axton, Fearon and Mahunik, all in favor.

RESOLUTION NO. 97-11
2/22/11 BLD Mental Health Soil and Water MOUrev
AMENDING THE MEMORANDUM OF UNDERSTANDING WITH CAYUGA COUNTY SOIL AND WATER CONSERVATION DISTRICT FOR THE MENTAL HEALTH BUILDING PROJECT.

BY: Hon. David R. Axton, Chairman, Public Works Committee, and
 Hon. Roger A. Mills, Chairman, Ways & Means Committee.

WHEREAS, a memorandum of understanding was signed between County of Cayuga and Cayuga County Soil and Water Conservation District for modifications of the Mental Health site before construction bids; and,

WHEREAS, a cost of \$25,000.00 was stated in the MOU plus any additional documented costs; and

WHEREAS, the Cayuga County Soil and Water Conservation District has submitted for payment, for the agreed upon amount of \$25,00.00 and for additional work that was requested in the amount of \$5,372.67; now therefore be it

RESOLVED, that the Cayuga County Soil and Water Conservation District be paid \$25,000.00 plus \$5,372.67 for the additional work that they performed for the Mental Health Project for a total amount of \$30,372.67; and let it be further

RESOLVED, that the funding to pay Cayuga County Soil and Water Conservation District come out of the Mental Health Capital H Project # 08-01; 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 Axton, Chapman, Cuddeback, Mitchell, Mills, Axton, Fearon and Mahunik, all in favor.

RESOLUTION NO. 98-11
2.22.11 911 LandpurchaseCatorev
AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO SIGN A CONTRACT WITH MR. & MRS. JOHN DALY, IN THE AMOUNT OF \$10,000, FOR THE PURCHASE OF LAND TO BE USED AS A TOWER SITE LOCATION FOR THE NEW EMERGENCY COMMUNICATIONS SYSTEM.

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

WHEREAS, the Cayuga County has contracted with Motorola for the build out of a new Emergency Communications System; and

WHEREAS, Motorola has established necessary locations needed by Cayuga County to place tower sites to obtain the optimum coverage requirements; and

WHEREAS, Mr. & Mrs. Daly currently own land in a prime location, in the village of Cato, for a Cayuga County tower site; and

WHEREAS, the landowners have agreed to subdivide parcel 51.00-1-12.11 and sell approximately .25 acres to Cayuga County at a net cost of \$10,000; and

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WHEREAS, the land will be purchased out of Capital H Project 10-03 Emergency Communications Project; now therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to sign a contract with Mr. & Mrs. John Daly; 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, Chapman, Petrus, Pinckney, Sincebaugh, Mills, Axton, Fearon, Mahunik and Mitchell, all in favor.

RESOLUTION NO. 99-11

2.22.11 911 Software Agr Double Take

AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO RENEW A THREE YEAR CONTRACT WITH DELL TO PROVIDE SUPPORT FOR DOUBLE-TAKE SOFTWARE AT BACK UPE-911 CENTER.

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

Mr. Roger Mills, 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 three-year contract, \$941.06 paid annually; 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 Dell for the amount of \$2823.18 for the period of March 22, 2011 through March 21, 2014,; 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, Barski, Chapman, Petrus, Pinckney, Sincebaugh, Mills, Axton, Fearon, Mahunik and Mitchell, all in favor.

RESOLUTION NO. 100-11

(2/22/2011) EMO Agree Village of Fayetteville rev

AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND THE DIRECTOR OF EMERGENCY SERVICES TO SIGN ON BEHALF OF CAYUGA COUNTY AND ENTER INTO A MEMORANDUM OF AGREEMENT (MOA) WITH THE VILLAGE OF FAYETTEVILLE AND THE FAYETTEVILLE FIRE DEPARTMENT FOR THE ACQUISITION OF A 2002 FORD E-350 CHASSIS WITH AMBULANCE BODY FOR THE CAYUGA COUNTY REHABILITATION PROGRAM.

BY: MR. Cuddeback, Chairman, Judicial & Public Safety Committee

MR. Mills, Chairman, Ways & Means Committee.

WHEREAS, the Cayuga County Office of Emergency Services provides Rehabilitation support and equipment to Cayuga County Public Safety agencies when requested and called upon under the Cayuga County Mutual Aid Annex and / or through other public safety methods for incident support and rehabilitation; and

WHEREAS, the quantity of available resources and the demand for the resources has grown and exceeded the Office of Emergency Services expectations; and

WHEREAS, the Fayetteville Fire Department and the Village of Fayetteville in Onondaga County have a 2002 Ford / Wheeled Coach Econoline Moduvan Chassis with Ambulance Body that they are prepared to donate and surrender and/or transfer all ownership and entitlement of the specified vehicle in exchange for monitored access to the Cayuga County Fire Training Facility as outlined in the MOA; therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature and the Director of Emergency Services be authorized to sign on behalf of Cayuga County and enter into the Memorandum of Agreement (MOA) with the Village of Fayetteville and the Fayetteville Fire Department to execute the intentions of the MOA.

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

RESOLUTION NO. 101-11

(2/22/2011) EMO AgreeWayneCo.

AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND THE DIRECTOR OF EMERGENCY SERVICES TO SIGN ON BEHALF OF CAYUGA COUNTY AND ENTER INTO A REGIONAL PARTNERSHIP AGREEMENT (RPA) WITH WAYNE COUNTY, THE SUBMITTING PARTNER OF THE WAYNE, SENECA, CAYUGA COUNTY COMPANION ANIMAL SHELTERING EQUIPMENT GRANT PROGRAM, FOR PARTICIPATION IN AND THE EXECUTION OF THE NEW YORK STATE DIVISION OF HOMELAND SECURITY & EMERGENCY SERVICES COMPANION ANIMAL SHELTERING EQUIPMENT GRANT PROGRAM AWARD.

BY: MR. CUDDEBACK, Chairman, Judicial & Public Safety Committee

MR. MILLS, Chairman, Ways & Means Committee.

WHEREAS, the Wayne County Emergency Management Office, on behalf of Cayuga, Seneca and Wayne County's, applied for and was awarded a \$60,000.00 New York State Division of Homeland Security & Emergency Services Companion Animal Sheltering Equipment Grant (CASE Grant) to receive equipment for support of companion animal needs and response capabilities in disaster.

WHEREAS, the funds from this New York State Division of Homeland Security & Emergency Services Companion Animal Sheltering Equipment Grant must be utilized to procure companion animal sheltering response equipment and appropriate warranty & service contract for first responders to respond to Animal Affected in Disasters; and

WHEREAS, the New York State Division of Homeland Security & Emergency Services mandates all regional non submitting partner counties to enter into a Regional Partnership Agreement (RPA) with the submitting partner member identified in the Grant Application (Wayne County); therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature and the Director of Emergency Services be authorized to sign on behalf of Cayuga County and enter into the Regional Partnership Agreement (RPA) with Wayne County, the submitting partner of the Companion Animal Sheltering Equipment Grant Program Award for participation

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in and the execution of the Companion Animal Sheltering Equipment Grant Program.
Signed by Cuddeback, Barski, Chapman, Petrus, Pinckney, Sincebaugh, Mills, Axton,
Fearon, Mahunik and Mitchell, all in favor.

RESOLUTION NO. 102-11

(2/22/2011) EMO Implement Program Guidance

**AUTHORIZING THE DIRECTOR OF EMERGENCY SERVICES TO
IMPLIMENT AND ISSUE THE CAYUGA COUNTY OFFICE OF EMERGENCY
SERVICES PROGRAM GUIDANCE FOR DEPUTY COORDINATORS AND
FIRE INVESTIGATORS AS A DEPARTMENT SPECIFIC ADDENDUM TO THE
CAYUGA COUNTY EMPLOYEE HANDBOOK.**

BY: MR. CUDDEBACK, Chairman, Judicial & Public Safety Committee

MR. MILLS, Chairman, Ways & Means Committee.

WHEREAS, the Cayuga County Office of Emergency Services Deputy Coordinators and Fire Investigators provide vital support and assistance to Cayuga County Public Safety Agencies, often function autonomously for extended operational periods, providing service and support for Cayuga County and out of County emergency responses; and

WHEREAS, the Deputy Coordinators and Fire Investigators are specialized units of non-bargaining employees that are often called upon to assist in manors not customary of other employees and departments in Cayuga County Government; and

WHEREAS, It is prudent to provide program guidance, direction and control mechanisms for these units in order to promote continuity of operations, communications, cooperation and collaboration in the performance of their duties; and

WHEREAS, The program guidance has been reviewed and approved by the Cayuga County Administrator, the Cayuga County Human Resources / Civil Service Administrator, and the Cayuga County Attorney; therefore, be it

RESOLVED, that the Director of Emergency Services be authorized to issue, implement, and amend when necessary, the Program Guidance for Deputy Coordinators and Fire Investigators, as a Department specific addendum to the Cayuga County Employee Handbook / Policy Manual.

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

RESOLUTION NO. 103-11

(2/22/2011) EMO Adopt Fire Mutual Aid Annex

**APPROVING THE REVISIONS OF, AND RE-TITLING OF THE "CAYUGA
COUNTY FIRE MUTUAL AID PLAN" OF 2003 TO THE "CAYUGA COUNTY
FIRE MUTUAL AID ANNEX TO THE COMPREHENSIVE EMERGENCY
MANAGEMENT PLAN" AND AUTHORIZING THE DATE OF REVISION TO
BE SET TO THE DATE OF ADOPTION BY THE LEGISLATURE
THROUGH THIS RESOLUTION.**

BY: MR. CUDDEBACK, Chairman, Judicial & Public Safety Committee

WHEREAS, in accordance with section 225A of the New York State County Law, Cayuga County has in effect a County Fire Mutual Aid Plan to ensure continuity of emergency response; and

WHEREAS, the Mutual Aid Plan was previously approved and adopted by the Cayuga County Board of Supervisors on November 17, 1958; with approved revisions

on February 25, 1959, April 16, 1963 and October 28, 2003 by the Cayuga County Legislature; and

WHEREAS, The Cayuga County Office of Emergency Services and a Fire Advisory Board committee undertook major revisions and update, and re-titled the Mutual Aid Plan during the 2009 / 2010 years to meet changing and emerging needs of Fire Services, Mutual Aid and the Comprehensive Emergency Management Plan of Cayuga County; and

WHEREAS, The Cayuga County Office of Emergency Services met with and addressed needs and concerns of various Cayuga County Fire Departments, Fire Districts, and Authorities Having Jurisdictions during the review process in 2009 / 2010; and

WHEREAS, The Cayuga County Fire Advisory Board voted to adopt, and all Fire Departments and their Authorities Having Jurisdiction servicing an area of Cayuga County have Resolved to adopt and comply with the revised Cayuga County Fire Mutual Aid Annex of the Comprehensive Emergency Management Plan; now therefore, be it

RESOLVED, That the Cayuga County Legislature approves the re-titling of the "Fire Mutual Aid Plan" for Cayuga County to the "Cayuga County Fire Mutual Aid Annex to the Comprehensive Emergency Management Plan", and endorses and approves the attached revised annex for adoption; also be it

RESOLVED, That the Director of Emergency Services, with agreement of the Fire Advisory Board, is authorized to amend / revise sections the document when necessary to fulfill the intention of the Mutual Aid Annex annual review.

Signed by Cuddeback, Barski, Chapman, Petrus, Pinckney and Sincebaugh, all in favor.

RESOLUTION NO. 104-11

2/22/11 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. Roger A. Mills, 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 2011 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 2011 Contract, and subsequent yearly contracts to reserve a slip, on behalf of the County of Cayuga.

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

RESOLUTION NO. 105-11
2/22/11 SHR Town of Owasco Comm Policing Agmnt
AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE
AND THE SHERIFF OF CAYUGA COUNTY TO ENTER INTO AN
AGREEMENT WITH THE TOWN OF OWASCO FOR
COMMUNITY POLICING.

BY: Mr. Steven E. Cuddeback, Chair, Judicial and Public Safety Committee, and
Mr. Roger A. Mills, Chair, Ways & Means Committee

WHEREAS, pursuant to Resolution No. 237-04, the Cayuga County Legislature authorized the Cayuga County Sheriff's Office to enter into Agreements with municipalities, fire departments, school districts, organizations and other entities to provide policing by Cayuga County Sheriff's Deputies; and

WHEREAS, the Cayuga County Sheriff's Office has contracted on a yearly basis with the Town of Owasco to provide community policing within the Town of Owasco for the sum of \$52.00 per hour; and

WHEREAS, both parties are desirous to continue these services for the year 2011; now therefore be it

RESOLVED, that the Chairman of the Legislature and the Sheriff are hereby authorized to execute the necessary documents to enter this Agreement for the period of January 1, 2011 through December 31, 2011; and be it further

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

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

RESOLUTION NO. 106-11
2/22/11 SHR Renew CNY Psych Agmnt.
AUTHORIZE THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE
AND THE SHERIFF OF CAYUGA COUNTY TO RENEW THE AGREEMENT
WITH THE COUNTY OF ONEIDA FOR SECURITY SERVICES FOR
INMATES HOUSED AND TREATED AT THE CENTRAL NEW YORK
PSYCHIATRIC CENTER FORENSIC UNIT.

BY: MR. STEVEN CUDDEBACK, Chairman, Judicial & Public Safety Committee
MR. ROGER MILLS, Chairman, Ways & Means Committee

WHEREAS, Cayuga County has the periodic need to have Cayuga County Jail Inmates treated and housed at the Central New York Psychiatric Center Forensic Unit in Oneida County as these services are not available in Cayuga County; and

WHEREAS, the Oneida County Sheriff provides security services at the aforesaid Unit and the County of Cayuga has an existing Agreement under section 508 of the Correction Law which expired December 31, 2010; and

WHEREAS, the County of Oneida has submitted a renewal Agreement for the aforesaid security services and the County of Cayuga is desirous of renewing said Agreement with the County of Oneida for a period of three years at the rate of \$165.00 per day per inmate; and

WHEREAS, sufficient funds have been appropriated in the Sheriff's Custody Division Budget Line A31504 54036 designated "Doctors and Hospitals" to pay for these services; now therefore be it

RESOLVED, that the Chairman of the Legislature and the Sheriff are hereby authorized to execute the necessary documents to effect the renewal of this Agreement for the period of January 1, 2011 through December 31, 2013; and be it further

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

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

RESOLUTION NO. 107-11

2/22/11 SHR Wells College MOU

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE
AND THE SHERIFF OF CAYUGA COUNTY TO ENTER INTO A
MEMORANDUM OF UNDERSTANDING WITH THE WELLS COLLEGE
DEPARTMENT OF CAMPUS SAFETY.**

BY: Mr. Steven E. Cuddeback, Chair, Judicial and Public Safety Committee, and
Mr. Roger A. Mills, Chair, Ways & Means Committee

WHEREAS, Wells College has established policies setting forth investigative procedures to be followed in the event a felony offense occurs at or on the grounds of Wells College or a Wells College student is reported missing; and

WHEREAS, said policies are required by the New York State Education Law to provide a provision for the coordination with local law enforcement agencies in the investigation of said felony crimes and/or missing person reports; and

WHEREAS, the Cayuga County Sheriff's Office, at the request of the Wells College Department of Campus Security, is willing to complete, or assist in, an investigation of any such felony crime occurring at or on the grounds of Wells College or involving a missing person report of a Wells College student; and

WHEREAS, the Cayuga County Sheriff's Office and the Wells College Department of Campus Security are desirous to execute a Memorandum of Understanding to achieve the aforementioned agreement; now therefore be it

RESOLVED, that in order to accomplish the foregoing, the Chairman of the Cayuga County Legislature and the Sheriff of Cayuga County are hereby authorized and directed to enter into a Memorandum of Understanding with the Wells College Department of Campus Security.

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

RESOLUTION NO. 108-11

2/22/11 SHR NYSSA Traffic Grant

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO ACCEPT A
GRANT FROM THE NEW YORK STATE SHERIFFS' ASSOCIATION'S
SHERIFFS' COOPERATIVE TRAFFIC SAFETY INITIATIVE**

BY: Mr. Steven Cuddeback, Chair, Judicial and Public Safety Committee, and
Mr. Roger Mills, Chair, Ways & Means Committee

WHEREAS, monies were awarded from the New York State Sheriffs' Association's Sheriffs' Cooperative Traffic Safety Initiative Grant for the Cayuga County Selective Traffic Enforcement Program (STEP); and

WHEREAS, the New York State Sheriffs' Association's Sheriffs' Cooperative Traffic Safety Initiative Grant would aide in identifying traffic safety problems in Cayuga County and assist in developing and implementing various countermeasures, with emphasis on selective enforcement; and

WHEREAS, the New York State Sheriffs' Association's Sheriffs' Cooperative Traffic Safety Initiative Grant would provide funding for supplemental traffic enforcement, educational activities, related training, and in some instances, equipment for the Cayuga County STEP; and

WHEREAS, the Cayuga County Sheriff's Department qualified for this Grant in the amount of \$14,000.00 for overtime wages only; and

WHEREAS, payroll taxes and the associated benefits are not covered by the Grant and will remain the obligation of the County; now therefore be it

RESOLVED, that the Chairman of the Legislature be authorized to sign the necessary documentation to accept the New York State Sheriffs' Association's Sheriffs' Cooperative Traffic Safety Initiative Grant; and be it further

RESOLVED, the Sheriff's 2011 Operating Budget, Revenue Account Line A31100 44390 (Fed Aid – Traffic Enforcement Gr) be increased in the amount of \$14,000.00, and be it further

RESOLVED, that the Sheriff's 2011 Salary Line A31101 51003 (Salary Overtime) be increased in the amount of \$14,000.00, the amount of the Grant, and benefits be increased in the following amounts: Soc Sec A31101 58001 by \$1,071.00 and Retirement A31101 58002 by \$2,646.00; 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, Barski, Chapman, Petrus, Pinckney, Sincebaugh, Mills, Axton, Fearon, Mahunik and Mitchell, all in favor.

RESOLUTION NO. 109-11

02/22/11 SHR-BYRNE JAG Grant

AUTHORIZING THE CAYUGA COUNTY SHERIFF'S OFFICE TO APPLY FOR FUNDING THROUGH THE 2010-2011 BYRNE JAG EQUIPMENT GRANT PROGRAM FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES

BY: Steven Cuddeback, Chair, Judicial & Public Safety
Roger Mills, chair, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Office wishes to apply for a Grant from the New York State Division of Criminal Justice to provide funding for the law enforcement community to support their crime reduction efforts; and

WHEREAS, all equipment purchased through the Grant will require no match of funding by the County as it will be 100% funded by the New York State Division of Criminal Justice; now therefore be it

RESOLVED, that the Cayuga County Sheriff's Office is hereby permitted to apply for monies available through New York State Division of Criminal Justice Byrne Jag Equipment Grant Program.

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

RESOLUTION NO. 110-11
2/22/11 SHR – Salary Increases COB Security
AUTHORIZING CHANGES TO THE 2011 CAYUGA COUNTY
COMPENSATION PLAN TO REFLECT SALARY INCREASES OF
CERTAIN NON-BARGAINING POSITIONS IN THE
CAYUGA COUNTY SHERIFF’S OFFICE

BY: Mr. Steven E. Cuddeback, Chair, Judicial and Public Safety Committee, and
 Mr. Roger A. Mills, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff’s Office Building Security Officers have not received an increase in wages since 2007 and the Department of Health and Human Services has been consulted by the Sheriff’s Department regarding their 2011 budget for security costs; and

WHEREAS, the Department of Health and Human Services receives reimbursement for security expenses for buildings that their staff occupy; now therefore be it

RESOLVED, that the County Office Building Security Officers receive a \$1.00 per hour wage increase and the Non-Bargaining Part II Special Patrol Officers, PT for County Office Building, of the Cayuga County Compensation Plan be amended to show that the adopted 2011 salary be \$19.00 per hour; and be it further

RESOLVED, that the Cayuga County Sheriff’s Office 2011 County Office Building Security Budget Revenue Line A31190 41518 be increased \$4100.00, the Expense Line A31191 51002 Salaries-Part Time be increased \$3810.00 and the Expense Line A31191 58001 Social Security be increased \$290.00; and be it further

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

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

RESOLUTION NO. 111-11
2/22/11 SHR AmendRes 57-11 (Purch.Vehicle)Rev
AMENDING RESOLUTION NO. 57-11 THAT AUTHORIZED THE CAYUGA
COUNTY SHERIFF’S OFFICE TO PURCHASE A
NEW 2011 CHEVROLET TAHOE

BY: Mr. Steven E. Cuddeback, Chair, Judicial and Public Safety Committee, and
 Mr. Roger A. Mills, Chair, Ways & Means Committee

WHEREAS, Resolution No. 57-11 authorized the Cayuga County Sheriff’s Office to purchase a new 2011 Chevrolet Tahoe to replace an existing 2007 Ford Crown Victoria that is in need of numerous mechanical repairs and has accumulated high mileage; and

WHEREAS, Resolution No. 57-11 incorrectly stated NYS Contract No. PC62820 as the contract that the 2011 Chevrolet Tahoe would be purchased in accordance with; and

WHEREAS, the 2011 Chevrolet Tahoe will actually be purchased pursuant to NYS Contract No. PC64892; now therefore be it

RESOLVED, that upon the delivery of the a new 2011 Chevrolet Tahoe to replace an existing 2007 Ford Crown Victoria that is in need of numerous mechanical repairs and has accumulated high mileage will be delivered to and accepted by the Clerk of the Cayuga County Legislature for disposal; and be it further

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RESOLVED, that Resolution No. 57-11 is hereby amended to reflect that the 2011 Chevrolet Tahoe that the Cayuga County Sheriff's Office has been authorized to purchase shall be done pursuant to NYS Contract No. PC64892; and be it further

RESOLVED, that the purchase of the 2011 Chevrolet Tahoe, will be made in accordance with the existing purchasing policies of Cayuga County.

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

RESOLUTION NO. 112-11

2/22/11 EMO-create/fillDeputyPositionrev-1

**AUTHORIZATION TO CREATE AND FILL THE POSITION OF DEPUTY
DIRECTOR OF EMERGENCY SERVICES IN THE EMERGENCY
MANAGEMENT DEPARTMENT**

BY: Mr. Steven Cuddeback, Chairman, Judicial and Public Safety
Mr. Roger Mills, Chairman Ways and Means Committee

WHEREAS, it is the desire of the Legislature to create a Deputy Director of Emergency Services position and place said position in the Cayuga County 2011 Non-Bargaining Compensation plan; and

WHEREAS, during the 2011 budget process funding for the Deputy Director of Emergency Services position was set at \$41,709, and

WHEREAS, the Cayuga County Civil Service Commission classified the position of Deputy Director of Emergency Services as competitive, and

WHEREAS, Niel Rivenburgh meets the competitive qualifications to fill the Deputy Director of Emergency Services position based on successfully passing the OC exam #62931, now therefore be it

RESOLVED, that the position of Deputy Director of Emergency Services be hereby created within the EMO Department; and be it further

RESOLVED, that the position be placed in the Cayuga County Compensation Plan, Part IV under Emergency Management and be set at a rate of \$41,709 for the year 2011, and be it further

RESOLVED, that the Director of Emergency Services be hereby authorized to fill the position of Deputy Director of Emergency Services with Niel Rivenburgh retroactive to January 1, 2011, and be it further

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

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

RESOLUTION NO. 113-11

2/22/11 SHR SealedBidsPatrolCarsRev

**AUTHORIZING THE PURCHASING OFFICE TO ADVERTISE AND RECEIVE
SEALED BIDS FOR THE PURCHASE OF FIVE BLACK DODGE
CHARGERS, POLICE PACKAGE, AND ONE BLACK
DODGE DURANGO, POLICE PACKAGE.**

BY: Mr. Steven Cuddeback, Chair, Judicial and Public Safety Committee, and
Mr. Roger Mills, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Office, Law Enforcement Division, pres-

ently has five (5) marked patrol cars and one (1) marked SUV (sport utility vehicle) that are in need of replacement as they have exceeded their useful life span and have accumulated high mileage; and

WHEREAS, the purchase of five new (5) marked Dodge Chargers, Police Package, and one new (1) marked Dodge Durango, Police Package, to replace the above mentioned vehicles has been accounted for in the 2011 Sheriff's Budget Lines A31502 52005 (\$125,000) and A31502 52006 (\$29,000); and

WHEREAS, a NYS contract does not exist for Dodge vehicles, it would be most advantageous to the County to receive sealed bids from various Dodge dealerships that are capable of providing police package vehicles; now therefore be it

RESOLVED, that the Purchasing Office be authorized to advertise and receive sealed bids for the purchase of five new (5) marked Dodge Chargers, Police Package, and one new (1) marked Dodge Durango, Police Package, for the Cayuga County Sheriff's Office, Law Enforcement Division; and be it further

RESOLVED, that upon the delivery of the five new (5) marked Dodge Chargers, Police Package, and one new (1) marked Dodge Durango, Police Package, the existing five (5) marked patrol cars and one (1) marked SUV (sport utility vehicle) will be delivered to and accepted by the Clerk of the Cayuga County Legislature for disposal; and be it further

RESOLVED, that the purchase of the five new (5) marked Dodge Chargers, Police Package, and one new (1) marked Dodge Durango, Police Package, will be made in accordance with the existing purchasing policies of Cayuga County.

Signed by Cuddeback, Barski, Chapman, Pinckney, Sincebaugh, Mills, Axton, Fearon, Mahunik and Mitchell, all in favor.

RESOLUTION NO. 114-11

**Action Date (02/22/2011) EMOFILLFIREINVEST11
AUTHORIZATION TO FILL ONE POSITION OF FIRE
INVESTIGATOR, PT, DUE TO VACANCY.**

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

Mr. Roger Mills, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County Emergency Management Office has oversight of the Fire Investigation Team members; and

WHEREAS, the Director of Emergency Services was authorized to create and fill six part-time positions of Fire Investigator in accordance to the Cayuga County Civil Service Rules and Regulations and the Policies of the County of Cayuga on September 23, 2008; and

WHEREAS, this position is critical to the operation of the Fire Services Program within the Emergency Management Office; and

WHEREAS, this position is necessary to investigate and determine cause and origin of fires throughout Cayuga County, and

WHEREAS, the funding for this position is allocated in the 2011 Emergency Management Budget (A36401); and

WHEREAS, one of the six part time positions has been vacated; now, therefore, be it

RESOLVED, the Cayuga County Compensation Plan, Part II, for non-bargaining employees for title of Fire Investigator PT under Fire Control at the following rates of pay:

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Certification as Fire Investigator I:	\$802.00 per year
Certification as Fire Investigator II:	\$1,337.00 per year
International Certification as a Fire Investigator:	\$1,337.00 per year;

And be it further

RESOLVED, that the Director of Emergency Services be hereby authorized to fill the vacant part-time position of Fire Investigator in accordance to the Cayuga County Civil Service Rules and Regulations and the Policies of the County of Cayuga
Signed by Cuddeback, Barski, Chapman, Pinckney, Sincebaugh, Petrus, Mills, Axton, Fearon, Mahunik and Mitchell, all in favor.

RESOLUTION NO. 115-11

2/22/11 COA OTB-REY

OPPOSING THE STATE OF NEW YORK'S APPROPRIATION OF CAYUGA COUNTY'S ASSETS BY THE STATE TAKE OVER AND CONSOLIDATING OF THE WESTERN REGIONAL OFF TRACK BETTING CORPORATION

BY: Cayuga County Legislators

WHEREAS, in September 1973, eleven western New York counties established the Western Regional Off-Track Betting Corporation, they being Cattaraugus, Chautauqua, Erie (and the City of Buffalo), Genesee, Livingston, Monroe, (and the City of Rochester), Niagara, Orleans, Seneca, Steuben, and Wayne, as enable by state law; and

WHEREAS, these municipal "stockholders" chose to exercise that local option to form such a corporation that dictated local control by those municipalities over such gaming activities in their respective communities; and

WHEREAS, the start-up costs of this enterprise were funded solely by these initiating in their respective communities; and

WHEREAS, since those eleven counties voted to form Western Regional Off-Track Betting Corporation, an additional four western New York counties have joined them in the local control of such gaming activities, that has since 1973 generated over \$200 million in operating and surcharge revenues to the taxpayers of those participating municipalities; and

WHEREAS, Cayuga County joined the Western Regional Off-Track Betting Corporation in 1978 by Resolution No. 142; and

WHEREAS, Cayuga County tax payers realize between \$90,000.00 and \$100,000.00 yearly from its participation; and

WHEREAS, the participating municipalities of Western as its shareholders have a pro-rata financial interest in the \$39 million of net equity re-invested in its 30-plus corporately-owned branch facilities and the track and casino at Batavia Downs; and

WHEREAS, the State of New York proposes a consolidation and takeover of the Western Region OTB; and

WHEREAS, the reality of such state-sponsored consolidation and takeover the OTB's would deprive Western's communities of not only local control but their substantial re-investment of profits to acquire and maintains such money-making assets; now, therefore, be it

RESOLVED, that the County Legislators, and its individual members representing their respective participating municipality, unalterably oppose such threatened "nationalizing" of Regional Off-Track Betting Corporation by New York State; and be it further

RESOLVED, a copy of this resolution shall be sent to the following public officials:

Governor Andrew M. Cuomo, 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.

Motion by Tortorici, 2nd by Fearon.

Signed by Tortorici, Whitman, Chapman, Acton, Petrus, Pinckney, Mills, Fearon, Mitchell, Cuddeback, Barski, Mahunik, Lattimore, Sincebaugh and Aikman, all in favor.

Motion by Mills to go into Executive Session at 7:34PM, re: the proposed acquisition, sale or lease of real property, 2nd by Axton, all in favor. Asked to come into the Executive Session, Tom Squires, County Administrator, Fred Westphal, County Attorney and Jim Orman Treasurer.

Motion by Chapman to come out of Executive Session at 7:58PM, 2nd by Pinckney, all in favor, no action taken.

Motion by Chapman to adjourn at 7:59PM, 2nd by Pinckney, all in favor.

MINUTES
SPECIAL CAYUGA COUNTY LEGISLATURE MEETING
TUESDAY, MARCH 15, 2011, 6:30 PM
(CCOB, 6th Floor, Chambers)

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

ROLL CALL: Sheila Smith, Deputy Clerk of the Legislature, all Legislator's present, except Pinckney excused.

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

Tortorici, calling hours and funeral for Deputy Bernard Gallow, Thursday, March 17 at Farrell Funeral Home, 4 to 7PM. The funeral will be Friday, March 18 at Sacred Heart Church, 9:30AM, followed by burial at St. Joe's Cemetery.

Motion by Mills to go into Executive Session at 6:37PM, re: Real Property, Contract Negotiations, Pending Litigation and the Employment History of a Particular Person. Fred Westphal amends Real Property to Tax Foreclosure, 2nd by Cuddeback, all in favor.

Asked to come in Tom Squires, Fred Westphal, Jim Orman, Paul Padlick, Daniel Larson, Diane Hutchinson, Carol Zenzo and John Camardo.

Motion by Cuddeback to come out of Executive Session at 8:04PM, 2nd by Axton, all in favor.

Motion by Tortorici to adjourn at 8:06PM, 2nd by Cuddeback, all in favor.

**MINUTES
CAYUGA COUNTY LEGISLATURE
MARCH 22, 2011 – 6:30PM**

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

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

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

DEATHS: Bernard A. Gallow, Scipio Center, employee of the Cayuga County Sheriff's Department since 1980, passed away on March 12, 2011.

Thomas (Tucker) Leone, Auburn, NY, practicing Attorney in Cayuga County since 1962, passed away on March 17, 2011.

PROCLAMATIONS: Colon Cancer Awareness Month

Federation of NY Insurance Professionals Week 4-25-11 to 5-1-2011

EMERGENCY AUTHORIZATION:

Application for Safe Haven Grant through the Department of Justice Office for Violence Against Women.

Granting authorization for the Chairman of the Legislature and the Director of Health & Human Services to sign application.

Signed by Cuddeback, Aikman, Tortorici, Mills and Chapman and Squires.

EMERGENCY AUTHORIZATION FOR SPENDING:

The nursing home has been advised by the New York State Department of Health that a consultant is necessary to work with them on issues related to operations. This directive is time sensitive as must be completed by March 28th. An available consultant has been found through the Red Group located near Buffalo, New York at a fee of \$2000 per day plus expenses. This fee will be funded through the professional service line (E45004-54059) of the nursing home.

The County Legislature does hereby authorize the purchase of the aforementioned consultant services.

Signed by Mahunik, Aikman, Tortorici, Mills and Squires.

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

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MINUTES: For Approval: 1-25-1 - Motion by Chapman, 2nd by Cuddeback, all in favor.

For Reading: 2-22-11 and Spec. Legislature meeting 3-15-11

CCC REPORT: Dr. Daniel Larson, attached to original minutes.

COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS:

Axton, attended the NACO Convention in March, discussions on tribal relations, meet with attorneys and lobbyist's, good conversations, other counties dealing with the same issues. If any other Legislator would like information on this please contact him.

COUNTY ADMINISTRATOR'S REPORT: Tom Squires, attached to original minutes.

Discussion:

Sincebaugh, take home vehicles.

Squires, I will have a report for Government Operations next month.

Sincebaugh, can we sell the Historic Post Office?

Squires, need to look at all county space and how best to utilize it.

Sincebaugh, before we spend any more money maybe we should sell the Historic Post Office.

Lattimore, inmates.

Squires, we had to turn federal inmates away, no space.

Gould, working on it, I will have more information next month.

CHAIRMAN'S REPORT: Peter Tortorici, handout on Economic Development, they will have a reception at the Schwine Arts Museum on March 28, 2011 from 6 to 7:30PM. Tom and I had a meeting 2 weeks ago with JD Pabis, Auburn Schools and Bill Speck, joint management team for inter-municipal purchasing, will look at new ideas on how we do purchasing. Joe Harvey from the USDA we received a grant for \$40,000, a copy of the press release is in everyone's mailbox. I have met with IMS, mailing service company, to look at our mailing system and cost. Thank Deb English, IGT money, met with representatives in Albany, trying to get that funding back. Thank David Gould and Brian Dahl for their part in organizing the service for Bernie Gallow.

APPOINTMENTS AND RE-APPOINTMENTS:

Ethic Board: (re-appointments)

Ellen DellaStritto, 5599 West Lake Rd, Auburn, NY 13021, term: 1/1/2011 to 12/31/2014

Louis House, 3471 Jorolemon Rd, Jordan, NY 13080, term: 1/1/2011 to 12/31/2015

Central New York Regional Planning and Development Board

Vijay Mital, 52 Kearney Ave., Auburn, NY 13021 term – 1-1-2011 to 12-31-2011

Cayuga County Planning Board:

George Hiza, 5589 W. Lake Rd., Auburn, NY 13021, Term – Members serve until the locality they represent submits a new nomination.

Ward W. O'Hara Agricultural Museum

Reappointments: all terms run 2/1/2011 to 1/31/2015 or until appointment is repealed by the Legislature pursuant to Resolution No.: 469-05

Terry Coon, 3269 Ira Hill Rd., Cato, NY
 Andrew Dennison, 3144 Dalton Rd., Cato, NY, 13033
 Ben Haynes, 7519 Cherry St. Rd., Auburn, NY, 13021
 Stephen Kalet, 1041 Conners Rd., Cayuga, NY, 13034
 Jackie Komanecky, 211 Genesee St., Cayuga, NY, 13034
 Charles Minturn, 7639 Freeman Rd., Auburn, NY, 13021
 Meta Riester, 4743 Silver Street Rd., Auburn, NY, 13021
 George Saxton, 4708 Ridge Rd., Union Springs, NY, 13160
 Martha Shaw, 3 Harden Street, Auburn, NY, 13021
 Rod Spingler, 3659 Depot Rd., Auburn, NY, 13021

Community Services Board

<u>Name</u>	<u>Unexpired Term</u>	<u>Replacing</u>	<u>Term Dates</u>
Laurie Trojnor, 65 South St.	Yes	Dr. Godbout	1/1/08 – 12/31/11
Toni Turner, 7286 Sherman Rd.	Yes	Anne McCarthy	1/1/09 – 12/31/12
Timothy Donovan, 9 Chestnut St.	Yes	Deb Schwarting	1/1/09 – 12/31/12

People With Developmental Disabilities Subcommittee

<u>Name</u>	<u>Term Dates</u>
Susan Barrette, 7077 N. Division St. Rd	1/1/11 – 12/31/14 Reappointment for her 2 nd Term
Laurie Trojnor, 65 South Street	1/1/11 – 12/31/14 New 1 st Term
Toni Turner, 7286 Sherman Rd.	1/1/11 – 12/31/14 New 1 st Term

Alcohol and Substance Abuse Subcommittee

<u>Name</u>	<u>Unexpired Term</u>	<u>Replacing</u>	<u>Term Dates</u>
Peter Petrosino, 410 N. Seward Ave	Yes	Timothy Lattimore	1/1/08 – 12/31/11
Timothy Donovan, 9 Chestnut St. (Reappointment for his 2 nd Term)			1/1/11 – 12/31/14
James Stowell, Sheriff's Department(Reappointment for his 2 nd Term)			1/1/11 – 12/31/14

Jury Board:

Hon. Steven Cuddeback, 4663 State Rte. 38A, Skaneateles, NY 13152 Term – 3-22-11, serves at the pleasure of the Board

Motion by Chapman to approve all appointments, 2nd by Sincebaugh, all in favor.

COMMUNICATIONS AND ANNOUNCEMENTS:

1. Received a thank you letter from Matthew House, Auburn, NY, thanking the Cayuga County employees for their donation of \$656.00 for the "From the Heart Campaign".

Motion by Axton to waive the reading of the communications, 2nd by Cuddeback, all in favor, except Aikman

Voting no.

RESOLUTIONS 3-22-11

RESOLUTION NO. 116-11
3-22-11 AP Audit Mar 11 (A)
AUTHORIZING THE COUNTY TREASURER TO PAY
FEBRUARY 7-22, 2011 AUDIT OF CLAIMS

BY: Hon. Roger Mills, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on March 22, 2011 audit claims against the County of Cayuga in the aggregate sum of \$761,751.30 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 13, 2010.

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

RESOLUTION NO. 117-11
3-22-11 AP Audit Mar 11 (B)
AUTHORIZING THE COUNTY TREASURER TO PAY
FEBRUARY 24-MARCH 8, 2011 AUDIT OF CLAIMS

BY: Hon. Roger Mills, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on March 22, 2011 audit claims against the County of Cayuga in the aggregate sum of \$1,394,122.65 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 13, 2010.

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

RESOLUTION NO. 118-11
3.22 11 tres amendresolno62-11
AMENDING RESOLUTION NO. 62-11 TO AUTHORIZE THE CHAIRMAN OF
THE CAYUGA COUNTY LEGISLATURE TO EXECUTE A CONTRACT WITH
ALLEN-TUNNELL CORP. FOR THE PURCHASE OF
TAX COLLECTION SOFTWARE

BY: Mr. Roger Mills, Ways and Means Committee

WHEREAS, Resolution No 62-11 authorized the County Treasurer to enter into a contract for the purchase of the Allen-Tunnell Corp. software package; and

WHEREAS, the resolution should have authorized the Chairman of the Cayuga County Legislature to execute the contract as well; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized to enter into a contract for the purchase of the Allen-Tunnell Corp. software package

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

RESOLUTION NO. 119-11
(3/22/11) TRE INREMAccepting bid
AUTHORIZING THE CAYUGA COUNTY TREASURER TO ACCEPT BID FOR
IN REM TAX FORECLOSURE SEARCHES.

BY: Mr. Roger Mills, Chair, Ways and Means Committee

WHEREAS, The County Administrator's Office and the County Treasurer prepared and sent out invitations to bid for In Rem Tax Foreclosure Searches; and

WHEREAS, the following responses were received;

- | | |
|-----------------------------|----------|
| A) Heritage Abstract | |
| a. New searches: | \$ 95.00 |
| b. Redates: | \$ 60.00 |
| B) Independent Title Agency | |
| a. New Searches | \$115.00 |
| b. Redates | \$ 65.00 |

Now therefore be it

RESOLVED, that the Cayuga County Treasurer is authorized to accept the proposal made by Heritage Abstract; and be it further

RESOLVED, that the Cayuga County Chairman is authorized to enter into a contract with Heritage Abstract for In Rem Tax Foreclosure Searches.

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

RESOLUTION NO. 120-11
(March 22, 2011) ADM bdgtrnsfrsrev
AUTHORIZE BUDGET TRANSFERS WITHIN DEPARTMENTAL BUDGETS

BY: Hon. Roger Mills, Chairman of the Ways & Means Committee

WHEREAS, during the budget process, County Departments estimate their expenditure amounts, by account type, that will be needed during a calendar year; and

WHEREAS, actual expenditures usually vary from the actual amounts budgeted in an account type; and

WHEREAS, departments are not authorized to spend above their current budget amount; and

WHEREAS, in order to facilitate the payment of bills in a timely manner and to respond to unanticipated emergency needs, Departments need to be able to transfer funds within their budgets; NOW, THEREFORE, BE IT

RESOLVED, that the County Administrator is authorized to approve the following budget transfers without additional Legislative approval:

Equipment Accounts (52... Series Accounts): Transfer up to \$5,000 within equipment lines in a department's budget and transfer up to \$1,000 between equipment lines and contractual lines.

Contractual Accounts (54... Series Accounts): Transfer up to \$5,000 within contractual lines in a department's budget.

And, be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to process the budget transfers that have been authorized by the County Administrator. Signed by Mills, Cuddeback, Mahunik, Mitchell, Petrus and Fearon, all in favor.

RESOLUTION NO. 121-11
4-26-11 COLHANDICAPPARK
AUTHORIZES THE CAYUGA COUNTY TREASURER TO WRITE A CHECK
OUT OF THE CM17064 TRUST ACCOUNT (HANDICAPPED PARKING
AWARENESS PROGRAM PARKING FEES) TO OPTIONS FOR
INDEPENDENCE FOR THE AMOUNT OF \$2,000.00.

BY: MR. ROGER MILLS, Chairperson, and Ways and Means Committee

WHEREAS, the Legislature of the State of New York established a handicapped parking education program under Chapter 497 of the Laws of 1999; and

WHEREAS, the Cayuga County Legislature established a handicapped parking education program in 2000 to expend monies collected locally from citizens who parked their vehicles in handicapped parking places who were not handicapped; and

WHEREAS, to date there is a balance of \$3,701.05 in said trust account: and

WHEREAS, the Clerk of the Legislature has met with the Director of Options for Independence who has agreed to assist in coordinating the education program for 2011; and

WHEREAS, the sum of \$2,000.00 has been agreed on for the expense of marketing said program; it is hereby

RESOLVED, that a check be made payable to Options for Independence for the sum of \$2,000.00 from the CM17064 Trust Account; and it is further

RESOLVED, that the Director of Options for Independence will use these funds to pay for advertising, radio announcements and other means of promoting Handicap Awareness; and it is further

RESOLVED, that the Director of Options for Independence will keep a journal of paid receipts/expenses for the promotion of the program and provide a complete copy to the Clerk of the Legislature; and it is further

RESOLVED that any remaining funds will be sent to the Clerk of the Legislature by the Director of Options for Independence and deposited into the CM17064 Trust account, if any.

Signed by Mills, Cuddeback, Mahunik, Mitchell, Petrus and Fearon, all in favor.

RESOLUTION NO. 122-11
3/22/11 ADM HomeRuleReqToExtAdd'lSalesTax(1%)
REQUESTING STATE HOME RULE LEGISLATION FOR EXTENSION OF
ADDITIONAL 1% SALES TAX TO NOVEMBER 30, 2013.

BY: Mr. Roger Mills, Ways and Means Committee

WHEREAS, the County of Cayuga presently has authority to collect an additional 1% sales tax, but said authority expires as of November 30, 2011; and

WHEREAS, without said additional 1% sales tax, real estate taxes would be further burdened and would be significantly increased; now, therefore, be it

RESOLVED, that this County Legislature hereby requests our State Legislators, Senator Michael Nozzolio, Senator David Valesky, Assemblyman Gary Finch, Assemblyman Robert Oaks and Assemblyman Brian Kolb, to prepare a Home Rule Statute giving the County of Cayuga authority to extend the additional 1% sales tax from December 1, 2011 to November 30, 2013.

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

RESOLUTION NO. 123-11
(3/22/11) HD Additional HRI Funds Cancer Services Program
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ACCEPT ADDITIONAL
FEDERAL FUNDING THROUGH HRI FOR OUR INTEGRATED CANCER
SERVICES PROGRAM

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee
 Roger Mills, Chairman of the Ways & Means Committee

WHEREAS, the Health Department's Integrated Cancer Services Program is partially funded by federal funding through Health Research, Inc.; and

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

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services accept additional federal funding for our Integrated Cancer Services Program in the amount of \$4,779 to be used for clinical services rendered between the period June 30, 2010 – June 29, 2011; and be it further

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

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the necessary journal and accounting entries to the Health Department's Budget as follows:

Increase Appropriation Account #A40230 43423	\$4,779
Increase Revenue Account #A40234 54000	\$4,779

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

RESOLUTION NO. 124-11
(March 22, 2011) HD Optimum Partners CHA 2011
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: Patrick Mahunik, Chairman of the Health & Human Service Committee
 Roger Mills, 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 April 1, 2011 to December 31, 2011 to update our current assessment in an amount not to exceed \$6,000; and be it further

RESOLVED, that the charges for these services be paid out of account A40104 54059 of the 2011 Health Department Budget.

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

RESOLUTION NO. 125-11
(March 22, 2011) HS Transitional Jobs 2 Program 2010-11
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A
CONTRACT WITH NYS OTDA AND ACCEPT FUNDING FOR THE
TRANSITIONAL JOBS 2 PROGRAM

BY: Peter Mahunik, Chairman of the Health & Human Service Committee
Roger Mills, Chairman of the Ways & Means Committee

WHEREAS, we received a letter dated February 1, 2011 which stated the Transitional Jobs Program plan, submitted to the NYS Office of Temporary and Disability Assistance (OTDA) by the County's Human Services' TANF division, has been approved in the amount of \$14,798; and

WHEREAS, these funds are made available to provide subsidized job placements combined with education and training for TANF-eligible individuals; NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services enter into a contract with the NYS OTDA to accept \$14,798 (100% State funding) to administer the Transitional Jobs Program through September 30, 2011; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the 2011 Human Services Budget in the following manner and make the necessary journal and accounting entries to accept these funds:

Increase Account #A60100 44611	\$14,798
Increase Account #A60104 54266	\$14,798

And be it further

RESOLVED, that payment for these services be made from accounts #A60100 44611 and #A60104 54266 of the 2011 Human Services Budget.

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

RESOLUTION NO. 126-11
(March 22, 2011) HS FLACS 2011 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: Patrick Mahunik, Chairman of the Health & Human Service Committee
Roger Mills, 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 3/24/11 to 3/23/12 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 15 Min.)	\$45 per hour

and be it further

RESOLVED, that the payment of these services be from account #A60704 54184 of the 2011 Human Services Budget.

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

RESOLUTION NO. 127-11

(March 22, 2011) HS Med-Rev 2011

**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: Patrick Mahunik, Chairman of the Health & Human Services Committee
Roger Mills, 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, 2011 through April 30, 2012; and be it further

RESOLVED, that the charges for these services be paid from account #A60104 54059 of the 2011 Human Services Budget.

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

RESOLUTION NO. 128-11

(March 22, 2011) HS CHAD 2011

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A
CONTRACT WITH CHAD FOR THE PROVISION OF ALCOHOL AND
SUBSTANCE ABUSE ASSESSMENTS**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee
Roger Mills, Chairman of the Ways & Means Committee

WHEREAS, the Welfare Reform Act of 1997 requires that all public assistance

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heads of household be screened for alcoholism and substance abuse and, when indicated, be referred for a more comprehensive assessment; and

WHEREAS, the Human Services Division of Health & Human Services has successfully contracted in the past with CHAD to provide these assessments; and

WHEREAS, these assessments are reimbursed at 100%; 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 CHAD (Confidential Help for Alcohol and Drugs) to provide these services for the period January 1, 2011 through December 31, 2011 at the amount of \$- - - 50.00 per case to be renewed annually unless amended or changed; and be it further

RESOLVED, that payment for these services be made from Account #A60604 54000 of the 2011 Human Services Budget.

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

RESOLUTION NO. 129-11

Date of Meeting: 3/22/11 nh rdlyagmnt

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO SIGN AN AGREEMENT WITH K & A RADIOLOGY SERVICES.

BY: Patrick Mahunik, Chairman, Health and Human Services Committee

Roger Mills, Chairman, Ways and Means Committee

WHEREAS, the Cayuga County Nursing Home has the need to have an agreement for the provision of radiology services; and,

WHEREAS K & A Radiologic Technology Services has provided those services for many years satisfactorily; and,

WHEREAS services are billed to third party payers whenever possible; and,

WHEREAS the services that are the responsibility of the facility are discounted at a rate of 20% of the allowable fee schedule if paid within 45 days of the invoice; and; Now therefore be it

RESOLVED that the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home be authorized to sign the agreement with K & A Radiologic Technology Services.

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

RESOLUTION NO. 130-11

Date of Meeting: 3/22/11 nh mrcnhlthermdcl

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO SIGN AN AGREEMENT WITH AMERICAN HEALTH CARE FOR MEDICAL SUPPLIES.

BY: Patrick Mahunik, Chairman, Health and Human Services Committee

Roger Mills, Chairman, Ways and Means Committee

WHEREAS, the Cayuga County Nursing Home has the need to have an agreement for the provision of medical supplies that are billed by provider to Medicare; and,

WHEREAS the nursing home also has to use supplies that may not be covered under any third party payer; and,

WHEREAS this contract with American Health Care which is a division of Buffalo Hospital Supply allows for billing insurances when possible and allows the facility to take advantage of group purchasing agreements when there is a cost to the facility; Now therefore be it

RESOLVED that the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home be authorized to sign the agreement with American Health Care for some medical supplies.

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

RESOLUTION NO. 131-11

Date of Meeting: 3/22/11 NH syrtmlrmRev

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO SIGN AN AGREEMENT WITH SYRACUSE TIME AND ALARM.

BY: Patrick Mahunik, Chairman, Health and Human Services Committee

Roger Mills, Chairman Ways and Means Committee

WHEREAS, the Cayuga County Nursing Home has the need to have an agreement for testing and monitoring of the fire alarm system; and,

WHEREAS Syracuse Time and Alarm has installed the system and still maintains the warranty for same; and,

WHEREAS Syracuse Time and Alarm is able to perform the bi-annual inspections as required by the State Department of Health; Now therefore be it

RESOLVED that Syracuse Time and Alarm test, inspect and monitor the fire alarm system for the nursing home for 2011 at the cost of \$1852.00 (One thousand eight hundred fifty-two dollars).

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

RESOLUTION NO. 132-11

(03/22/11) EMS/SE FIRE/EMS COORD.

AUTHORIZING THE APPOINTMENT OF THE SOUTH EAST DEPUTY COUNTY FIRE/EMS COORDINATOR.

BY: Patrick Mahunik, Chairperson of the Health and Human Services Committee

Roger Mills, Chairperson of Ways & Means Committee

WHEREAS, the Cayuga County Legislature has previously authorized the position of the South East Deputy County Fire/EMS Coordinator for the Cayuga County Emergency Services, and

WHEREAS, this position was and is necessary to provide assistance and be an Emergency Medical Services resource at emergency calls for the South East District of Cayuga County, and

WHEREAS, this position was previously held by Mr. Michael Deyneka, who has transferred to the South East Deputy County Fire Coordinator. Now, therefore, be it

RESOLVED, that the Cayuga County Director of Emergency Services, Brian Dahl, be allowed to fill this position of South East Deputy County Fire/EMS Coordinator; further, be it

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

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

RESOLUTION NO. 133-11

Action 3/22/11 MHFillPsychi3.11

**AUTHORIZE THE FILLING OF A PART-TIME STAFF PSYCHIATRIST
POSITION AT THE COMMUNITY MENTAL HEALTH CENTER OF CAYUGA
COUNTY DUE TO A RESIGNATION**

BY: Hon. Patrick Mahunik, Chair Health and Human Services Committee, and
Hon. Roger Mills, Chair Ways and Means Committee.

WHEREAS, there will be a vacant part-time Staff Psychiatrist position in the Community Mental Health Center of Cayuga County as the result of a resignation from position control number 02133; and

WHEREAS, this position provides direct patient care to individuals with severe and persistent mental illnesses with a specialization in services for children and youth; and

WHEREAS, the current practitioner will be leaving in March 2011 and has an active caseload of children and youth who require continuity of care; now therefore, be it

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

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

RESOLUTION NO. 134-11

March 22, 2011 COL standardworkweekrevised

**AMENDED STANDARD WORK DAY AND REPORTING RESOLUTION FOR
ELECTED AND APPOINTED OFFICIALS**

BY: George Fearon, Chairman, Government Operations Committee
Roger Mills, Chairman Ways and Means Committee

WHEREAS, effective August 12, 2009, New York State adopted a new regulation 315.4 for additional reporting requirements for elected or appointed officials that more clearly defines the process for reporting time worked for those officials who are members of the New York State Retirement System; and

WHEREAS, a three month record of work activities was submitted to the Clerk of the Legislature by those officials that do not maintain a daily record of actual time worked; and

WHEREAS, Resolution Number 399-10 was passed on August 24, 2010 by the Legislature; and

WHEREAS, said Resolution was posted for 30 days on the Cayuga County website as required; and

WHEREAS, the a copy of the certified Resolution and Affidavit of Posting was duly filed with the Office of the State Comptroller; and

WHEREAS, the NYS Retirement System has requested that an amended Resolution be passed, posted and filed with their office which shows additional columns; such as: Tier 1 employee and a Not Submitted Column; now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, that the Cayuga County Legislature hereby establishes the following as standard work days for elected officials and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body and outlined on the attached Standard Work Day and Reporting Chart which is made a part hereof; and it is further

RESOLVED, further, that the redacted copy of the amended resolution which does not show the employees last four digits of their social security number or registration number shall be posted on the Cayuga County website for a minimum of 30 days and that a certified copy of the resolution and affidavit of posting be filed with the Office of the State Comptroller within 45 days of adoption.

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

RESOLUTION NO. 135-11

3/22/11 COLTransFunc11

IMPLEMENTATION OF THE TRANSFER OF FUNCTION OF A CERTAIN STAFF MEMBER FROM THE CLERK OF THE LEGISLATURE DEPARTMENT TO THE DEPARTMENT OF THE COUNTY ATTORNEY PURSUANT TO THE RECOMMENDATION OF THE COUNTY ADMINISTRATOR.

BY: Chairperson, George Fearon, Government Operations Committee
Chairperson, Roger Mills, Ways and Means Committee

WHEREAS, The Building Inspector & Code Enforcement functions of the Department of the Clerk of the Legislature have been reviewed by the County Administrator at the request of the Legislature; and

WHEREAS, The County Administrator determined that the building inspection and code enforcement functions are better overseen by the Department of the County Attorney; and

WHEREAS, to achieve the transfer of function from the Clerk of the Legislature to the Department of the County Attorney requires a resolution adopted by this legislature; and

WHEREAS, NYS CS Law, Section 70.2 states "As soon as practicable after the adoption of a law, rule, order or other action direction such a transfer of function, but not less than twenty days prior to the effective date of such transfer, the head of the department or agency from which such function is to be transferred shall certify to the head of the department or agency which such function is to be transferred a list of the names and titles of those employees substantially engaged in the performance of the function to be transferred, and shall cause copies of such certified list to be publicly and conspicuously posted in the offices of the department or agency from which such function is to be transferred, along with copies of this subdivision;" and

WHEREAS, funding for the position of Building Inspector and Code Enforcement Officer was allocated within the Clerk of the Legislature budget for the year 2011, and will need to be reallocated to the Department of the County Attorney; now, therefore be it

RESOLVED, that the Transfer of Function of the Building & Code Enforcement Officer as listed in the attachment in the Department of the County Attorney be hereby

ordered and initiated with the effective date of transfer to be May 1, 2011 or as soon as practicable as directed by the County Attorney; and be it further

RESOLVED, that the Clerk of the Legislature be hereby directed to post a certified list of the employee as attached pursuant NYS CS Law, Section 70.2 “As soon as practicable after the adoption of a law, rule, order or other action direction such a transfer of function, but not less than twenty days prior to the effective date of such transfer, the head of the department or agency from which such function is to be transferred shall certify to the head of the department or agency which such function is to be transferred a list of the names and titles of those employees substantially engaged in the performance of the function to be transferred, and shall cause copies of such certified list to be publicly and conspicuously posted in the offices of the department or agency from which such function is to be transferred, along with copies of this subdivision;” and be it further

RESOLVED, that the attached list be posted the day after the adoption of this resolution; and be it further

RESOLVED, that since the transfer will not be effective until May 1, 2011, that the following plan be hereby adopted:

<u>Accounts</u>	<u>Increase</u>	<u>Decrease</u>
A10401-51002 SAL PT		6,000
A10401-58001 FICA		460
A10401-58002 Retirement		1,323
A10164-54000 Contingency		9,060
A14201-51002 SAL PT	13,500	
A10401-58001 FICA	1,033	
A10401-58002 Retirement	2,310	

RESOLVED, that the Treasurer be hereby authorized to make the appropriate journal entries to carry out the intent of this resolution; and be it further

RESOLVED, that this Transfer of Function be facilitated in accordance to NYS Civil Service Law, Cayuga County Civil Service Rules and Regulations, and the Policies of the County of Cayuga.

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

**RESOLUTION NO. 136-11
3-22-11 ADM WPV Policy**

**RESOLUTION TO REPLACE EXISTING CAYUGA COUNTY WORKPLACE
VIOLENCE POLICY WITH A COMPREHENSIVE WRITTEN WORKPLACE
VIOLENCE POLICY AND PREVENTION PROGRAM.**

BY: George Fearon, Chairman Government Operations Committee

Roger Mills, Chairman Ways and Means Committee

WHEREAS, NYS Labor Law 27b and 12 NYCRR Part 800.6 requires that the county prepare a written Workplace Violence Prevention (WVP) Program that incorporates elements from pre-existing county-approved workplace violence-related documents, and

WHEREAS, the County’s Risk Management Committee has prepared a written WVP Program for adoption by the county; and

WHEREAS, the written WVP Program is considered to be a “living document” that will be revised and updated continuously so as to encompass all county employees and workplaces; now therefore be it

RESOLVED, That the County Legislature does hereby adopt the attached comprehensive written Workplace Violence Prevention Program that complies with the requirements of NYS Labor Law 27b and 12 NYCRR Part 800.6.; and be it further

RESOLVED, that the newly adopted policy be added to the Cayuga County Policy Manual; and be it further

RESOLVED, that the County Legislature hereby repeals Resolution 156-10, which adopted the original Cayuga County Workplace Violence Prevention and Response, and that it be removed from the Cayuga County Policy Manual; and be it further

RESOLVED, That the WVP Program will be a "living document" and that future revisions to the WVP Program will be made as necessary, with approval of the County Administrator and the County Attorney.

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

RESOLUTION NO. 137-11

3/22/11 VET Posts11rev1

AUTHORIZING THE COUNTY TREASURER TO PAY VETERANS POSTS

BY: Honorable George Fearon, Chair, Government Operations Committee

WHEREAS, the budget for the fiscal year 2011 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; 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 – Swietonowski Kopeczek American Legion Post #1324
 City of Auburn – Carnicelli Indelicato American Legion Post #1776
 City of Auburn – Auburn Veteran's 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 40-8 Cayuga County Voiture 1064
 City of Auburn – Cayuga Memorial Detachment Marine Corps League
 City of Auburn – Disabled American Veterans Chapter 103 Joseph E Rice Memorial
 City of Auburn – Veterans of Foreign Wars Post #1975
 Town of Mentz – John Cool American Legion Post #257
 Town of Aurelius – Donald R Ward American Legion Post #1259
 Town of Owasco – Veterans of Foreign Wars Post #6575
 Town of Sterling – George E Ingersoll American Legion Post #658
 Town of Brutus – Cayuga County American Legion
 Town of Brutus – Clark Heck American Legion Post #568
 Town of Genoa – Veterans of Foreign Wars Frontenac Post #7274
 Town of Moravia – Rowe Churchill American Legion Post #710
 Town of Moravia – Veterans of Foreign Wars Clifford E Galbraith Memorial Post #7127
 Town of Cato – LaBuff Cole American Legion Post #911

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Town of Montezuma – Veterans of Foreign Wars Thurston Schramm Reunolds Post # 8137

Town of Montezuma – Robert F Stryker American Veterans Post #513

Town of Springport – Walter T Conley American Legion Post #1107

Signed by Fearon, Aikman, Chapman, Lattimore, Mitchell, Sincebaugh and Whitman, all in favor.

RESOLUTION NO. 138-11

3-22-11 PB OLTtestingFLInstitute

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO EXECUTE A CONTRACT AGREEMENT BETWEEN THE FINGER LAKES INSTITUTE AND CAYUGA COUNTY FOR IMPLEMENTATION OF THE FY 2011 OWASCO LAKE AND STREAM MONITORING PROGRAM

BY: Hon. Ann R. Petrus, Chair, Planning & Economic Development Committee
Hon. Roger A. Mills, Chair, Ways & Means Committee

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”) advises the Cayuga County Legislature on matters related to water resource management, protection and planning; and

WHEREAS, the adopted 2011 WQMA Work Plan lists the continued monitoring of water bodies and ongoing research coordination with the Finger Lakes Institute and others as a priority for the WQMA in 2011; and

WHEREAS, Dr. John Halfman, of the Finger Lakes Institute, has proposed an Owasco Lake and Stream Monitoring Program for 2011 (the Project), developed in coordination with the WQMA Chair, Planning Department and Environmental Department staff; and

WHEREAS, the total Project cost is \$23,500, while the Planning & Economic Development Department’s WQMA budget has \$25,000 available in FY 2011 budget item A87404-54059 specifically allocated for professional services and targeted research related to Owasco Lake and Stream monitoring; and

WHEREAS, Cayuga County deems it to be in the public interest and benefit to enter into a contract to conduct this lake and stream monitoring on its main drinking water source; and

WHEREAS, the Cayuga County Attorney has reviewed the Finger Lakes Institute professional services proposal in the context of the ongoing research and data collection conducted by Dr. Halfman and the Finger Lakes Institute on Owasco Lake and its major stream tributaries, and has concluded that the proposed contract should be considered a sole source procurement contract for professional services; and

WHEREAS, Cayuga County is funding this Project on the behalf of, and as its contribution to, the Owasco Lake Watershed Management Council; now, therefore be it

RESOLVED, by the Cayuga County Legislature as follows:

1. The Chairman is authorized and directed to sign such documents as may be necessary to implement this Project so long as costs do not exceed the available budget; and

2. That the County Treasurer is hereby authorized to make the journal and accounting entries necessary to accomplish the administration of the Project; and

3. This resolution shall take effect immediately.

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

RESOLUTION NO. 139-11

~~3-22-11~~ PB CDBG Cntrct D&W

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO EXECUTE GRANT FUNDING CONTRACTS BETWEEN CAYUGA COUNTY AND NYS HOUSING TRUST FUNDS CORPORATION, OFFICE OF COMMUNITY RENEWAL, FOR ECONOMIC DEVELOPMENT FUNDS SECURED IN SUPPORT OF D&W DIESEL, INC. 2011 ECONOMIC DEVELOPMENT PROJECT IN THE TOWN OF AURELIUS AND AUTHORIZING THE PLANNING DEPARTMENT TO ADMINISTER SUCH FUNDS

BY: Hon. Ann R. Petrus, Chair, Planning & Economic Development Committee

Hon. Roger A. Mills, Chair, Ways and Means Committee

WHEREAS, Cayuga County is eligible to receive grant funds for economic development projects under the U.S. Department of Housing and Urban Development's Community Development Block Grant (CDBG) program administered by the NYS Office of Community Renewal; and

WHEREAS, the Planning Department advertized and held two (2) Public Hearings to solicit suggestions for projects under the CDBG program; and

WHEREAS, during the Public Hearings it was suggested that the County seek \$350,000.00 in CDBG funds to assist the expansion of D&W Diesel Inc., by securing new equipment for use in an expanded D&W facility located in the Town of Aurelius; and

WHEREAS, the Cayuga County Department of Planning & Economic Development has worked with D & W Diesel Inc. on preliminary and final funding applications to the New York State Office of Community renewal for \$350,000.00 in economic development funds for the proposed project that requires a municipal application to the state, followed by administration of the funding award and monitoring of the funds and the job creation requirements associated with the funding award; and

WHEREAS, this will result in the minimum creation of 26 new Cayuga County jobs, spur capital investment in a local business and significantly expand the company's competitive position; and

WHEREAS, the Cayuga County Department of Planning & Economic Development has the staff and the administrative capacity to apply for, administer and monitor compliance with all statutory requirements associated with the CDBG funding if awarded on behalf of D & W Diesel, Inc.; and

WHEREAS, Cayuga County supports this Economic Development and Job Creation objective; now, therefore be it

RESOLVED, by the Cayuga County Legislature:

1. That the Chairman of the Cayuga County Legislature is hereby directed and authorized to execute and sign such documents as may be necessary to obtain and disperse these economic development funds and the Cayuga County Planning & Economic Development Department is hereby authorized to administer same;

2. That the Cayuga County Treasurer is hereby authorized to establish such accounts as may be needed to accommodate this project; and

3. That this resolution shall take effect immediately.
Signed by Petrus, Aikman, Fearon, Mahunik, Mills, Pinckney, Axton, Cuddeback and Mitchell, all in favor.

RESOLUTION NO. 140-11

3-22-11 PB HwyGRANT11

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: Hon. Ann R. Petrus, Chair, Planning & Economic Development Committee

Hon. Roger A. Mills, 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; and

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; and

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 that \$48,000.00 has been properly budgeted for by the Cayuga County Planning and Economic Development Department (FY 2011 Special Programs Account A80204 54164) to be utilized for this purpose; and

4. That four (4) Certified Copies of this Resolution be prepared and sent to the NYSDEC together with a complete application prepared and submitted by the Cayuga County Department of Planning & Economic Development; and

5. That the Clerk of the Legislature is hereby authorized to advertise for and receive sealed proposals for a hazardous waste service provider for this project; and

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; and

7. That the County Treasurer is hereby authorized to make the journal and accounting entries necessary to accomplish the same; and

8. That this resolution shall take effect immediately.

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

RESOLUTION NO. 141-11
3/22/11 PB Farmland Program
RESOLUTION URGING THE NEW YORK STATE LEGISLATURE TO
SUPPORT THE FARMLAND PROTECTION PROGRAM AND
ENVIRONMENTAL PROTECTION FUND

BY: Chairperson, Ann Petrus, Planning Committee

Chairperson, Roger Mills, Ways and Means Committee

WHEREAS, agriculture is a significant contributor to New York's economy; and,

WHEREAS, farms provide jobs, support local businesses and are part of industry sectors that have a \$31 billion economic impact annually in New York; and,

WHEREAS, comprise 7 million acres of land in New York, roughly 25% of the state's land base; and,

WHEREAS, farmers have a strong track record of pro-active environmental stewardship in New York; and,

WHEREAS, rapidly changing economic conditions threaten the future viability of New York's agricultural industry; and,

WHEREAS, more than 425,000 acres of farmland were lost to development in New York between 1982 and 2007; 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 Program to 50 counties and 64 towns to assist in the development of local agricultural and farmland protection plans; and,

WHEREAS, the Farmland Protection Program has awarded more than \$173 million to help farmers, local governments and land trusts permanently protect 74,000 acres on 303 farms; and,

WHEREAS, demand for Farmland Protection Program funding has been strong due to the program's popularity, with more than \$500 million in applications turned away since the program's inception in 1996; and,

WHEREAS, funding for the Farmland Protection Program 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, in 2010, funding for the Farmland Protection Program was cut by 51 % and EPF funding was reduced by 37%; 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; now, therefore, be it

RESOLVED, that the County of Cayuga does hereby support restoring New York's Environmental Protection Fund and Farmland Protection Program, and, be it further

RESOLVED, That the County of Cayuga does hereby urge state lawmakers to support New York's the state's agricultural economy and protection of valuable farmland by supporting \$22 million in funding for the Farmland Protection Program and \$222 million for the Environmental Protection Fund; and be it further

RESOLVED, That the Clerk of the County of Cayuga is hereby directed to forward copies of this resolution to Governor Andrew Cuomo, Senate Majority Leader Dean Skelos, Assembly Speaker Sheldon Silver, Governor Andrew M. Cuomo, of the State of

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New York; Michael Nozzolio and David Valesky , New York State Senators; and Brian Kolb, Gary Finch and Robert Oaks, New York State Assemblyman and the American Farmland Trust.

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

RESOLUTION NO. 142-11

3-22-11 PB USTAdditionalWork

AUTHORIZING A CHANGE ORDER WITH OP-TECH ENVIRONMENTAL SERVICES, INC. FOR FUEL STORAGE TANK REMOVAL PROJECT.

BY: Mr. David Axton, Chair, Public Works Committee

Mr. Roger Mills, 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 as well as gasoline and diesel piping at various county-owned sites; and

WHEREAS, during the tank removal at the Historic Post Office old fuel leakage was discovered as well as an abandoned coal bin or cistern filled with petroleum contaminated debris that necessitated immediate clean-up as a "spill" per NYS Department of Environmental Conservation regulations; and

WHEREAS, our bid documents and agreement for said work anticipated extra work might be needed to cleanup possible spills, by including line items for "extra excavation" and "extra hauling"; and

WHEREAS, OP-Tech's requested reimbursement has been negotiated down to \$10,115.00 for this extra work, by the County's Environmental Engineer; 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 the fall 2010 HiPO tank removal work for \$10,115.00; 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, Mitchell, Pinckney, Whitman, Mills, Axton, Fearon, Mahunik and Petrus, all in favor.

RESOLUTION NO. 143-11

Date: March 22, 2011 HWY chipperpurch

AUTHORIZATION TO REPLACE A 1987 MORBARK CHIPPER BY PURCHASING FROM STATE BID

BY: Dave Axton, Chairman Public Works Committee

Roger Mills, Chairman Ways and Means Committee

WHEREAS, in the 2011 Highway Department budget, funds were budgeted in the amount of \$35,000 for the purchase of a chipper from account DM51302 52000; and

WHEREAS, the Highway Department currently owns a 1987 Morbark chipper for removing debris safely and efficiently from County highways; and

WHEREAS, the County can purchase the Morbark Beaver M18R chipper from State bid award # 20839 thereby eliminating the need and cost of bidding; now therefore be it

RESOLVED, the Highway Superintendent is authorized to purchase a chipper off of the State bid utilizing the appropriated and budgeted funds in account DM51302 52000; and be it further

RESOLVED, that the cost of the Morbark chipper is not to exceed \$32,660.00; and be it further;

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

Signed by Axton, Barski, Chapman, Cuddeback, Mitchell, Pinckney, Whitman, Mills, Axton, Fearon, Mahunik and Petrus, all in favor.

RESOLUTION NO. 144-11

Date: March 22, 2011 HWY 11APPROVEBIDS

APPROVE REPORT ON BID LETTING

BY: Dave Axton, Chairman Public Works Committee

Roger Mills, Chairman Ways and Means Committee

WHEREAS, Resolution No. 600-10, adopted on December 20, 2010, authorized the Clerk of the Legislature and the County Highway superintendent to advertise for and received sealed bids for the purchase of machinery, materials, tools, equipment, fuel and equipment rentals; and

WHEREAS, in response the following items were bid in February:

1. Native Stone/Gravel
2. Limestone
3. Sign Posts
4. Guide Rail
5. Pipe/Pipe Arch
6. Sign Faces
7. Sign Blanks

Whereas, bids were received for the above products and the Committee made the following recommendations:

Native Stone/Gravel: The following company(s) submitted a bid: SuitKote, RMS Gravel, Binn's Excavation & Gravel, and Robinson Concrete. The Committee recommends that all bids be accepted and awarded as per Attachment 1.

Limestone: The following company(s) submitted a bid: Saunders, Seneca Stone, Hanson Aggregates. The Committee recommends that all bids be accepted and awarded as per Attachment 2.

Sign Posts: The following company(s) submitted a bid: Chemung Supply Corp. The Committee recommends that the bids be accepted and awarded to Chemung Supply as per Attachment 3.

Guide Rail: The following company(s) submitted a bid: Chemung Supply Corp. The Committee recommends that the bids be accepted and awarded to Chemung Supply as per Attachment 4.

Pipe/Pipe Arch: The following company(s) submitted a bid: Chemung Supply. The Committee recommends that the bids be accepted and awarded to Chemung Supply as per Attachment 5.

Sign Faces: The following company(s) submitted a bid: Vulcan Aluminum, Hall Signs, Inc., Custom Products Corp., Rocal, Inc., Osburn Associates, LLC. The Committee

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recommends that the bids be accepted and awarded to Osburn Associates as per Attachment 6.

Sign Blanks: The following company(s) submitted a bid: U.S. Standard Sign, Vulcan Aluminum, Hall Signs, Inc., Custom Products Corp., Rocal Inc. The Committee recommends that the bids be accepted and awarded to Vulcan Aluminum as per Attachment 7.

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, Mitchell, Pinckney, Whitman, Mills, Axton, Fearon, Mahunik and Petrus, all in favor.

RESOLUTION NO. 145-11

Date: March 22, 2011 hwy fillmedMEO

**AUTHORIZATION FOR SUPERINTENDENT OF HIGHWAYS TO FILL A
MEDIUM MOTOR EQUIPMENT OPERATOR POSITION WITHIN THE
HIGHWAY DEPARTMENT**

BY: David Axton, Chairman, Public Works Committee

Roger Mills, Chairman, Ways & Means Committee

WHEREAS, a current Medium M.E.O. position was vacated on February 28, 2011;
and

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

WHEREAS, this position (Position Control #2402) has been budgeted for the entire year; now therefore be it

RESOLVED, to authorize the Highway Superintendent to fill this open position by promotion; 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, Mitchell, Pinckney, Whitman, Mills, Axton, Fearon, Mahunik and Petrus, all in favor.

RESOLUTION NO. 146-11

3-22-11 COA ChircoContactExt

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY
LEGISLATURE TO SIGN AN EXTENSION AGREEMENT FOR THE
PREMISES LEASED AT 95 GENESEE ST., AUBURN**

BY: David Axton, Chair, Public Works Committee

Roger Mills, Chair, Ways & Means Committee

WHEREAS, Pursuant to an Assignment Agreement executed as part of the purchase of the Hardenburgh Building, Cayuga County became the Lessor of a certain premise located within the Hardenburgh Building leased to Norman J. Chirco, Esq.; and

WHEREAS, the lease between Cayuga County and Norman J. Chirco expires on May 31, 2011; and

WHEREAS, the lease grants to Norman J. Chirco the option to extend the term of the lease for an additional five years; and

WHEREAS, Norman J. Chirco has notified the county that he intends to exercise his option to extend said lease; now, therefore, be it

RESOLVED, that the Cayuga County Legislature authorizes Chairman Peter A. Tortorici to sign an Extension Agreement, extending the lease for a five year period beginning on June 1, 2011 and ending on May 31, 2016; and be it further

RESOLVED, that the monthly rate for the extended period shall be nine hundred twenty-six and 63/100 (\$926.63) dollars.

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

RESOLUTION NO. 147-11

3/22/10 SHR MOU American Mobile Dental

**AUTHORIZE THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE
AND THE SHERIFF OF CAYUGA COUNTY TO ENTER AN AGREEMENT
WITH AMERICAN MOBILE DENTAL TO PROVIDE DENTAL SERVICES FOR
INMATES HOUSED AT THE CAYUGA COUNTY JAIL.**

BY: MR. STEVEN CUDDEBACK, Chairman, Judicial & Public Safety Committee

MR. ROGER MILLS, Chairman, Ways & Means Committee

WHEREAS, the Registered Nurses employed at the Cayuga County Jail find it is necessary on occasion for inmates housed at the Cayuga County Jail to receive professional dental work; and

WHEREAS, American Mobile Dental operates mobile offices that provide dental care and related services to individuals in need of such treatment; and

WHEREAS, American Mobile Dental is willing to travel to the Cayuga County Public Safety Building to provide the needed dental treatment to the inmates housed at the Cayuga County Jail; and

WHEREAS, the fees for the procedures conducted by American Mobile Dental are pursuant to the Medicaid service rate schedule established by New York State; and

WHEREAS, the Cayuga County Sheriff's Office believes it would be beneficial to enter an agreement with American Mobile Dental for their services as it would eliminate the need to transport an inmate into the general public and the number of local dentists willing to provide services to inmates is scarce; now therefore be it

RESOLVED, that the Chairman of the Legislature and the Sheriff are hereby authorized to execute the necessary documents to enter a Memorandum of Agreement with American Mobile Dental effective March 1, 2011; and it is further

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

Signed by Cuddeback, Barski, Petrus, Pinckney, Sincebaugh, Whitman, Mills, Axton, Fearon, Mahunik and Mitchell, all in favor.

RESOLUTION NO. 148-11

3/22/10 SHR MOU PoliceReports.US

**AUTHORIZE THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE
AND THE SHERIFF OF CAYUGA COUNTY TO ENTER AN AGREEMENT
WITH POLICEREPORTS.US FOR ONLINE DISTRIBUTION OF ACCIDENT
AND INCIDENT REPORTS.**

BY: MR. STEVEN CUDDEBACK, Chairman, Judicial & Public Safety Committee
MR. ROGER MILLS, Chairman, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Office, Records Department, receives numerous requests from the public for copies of accident and incident reports that have been handled by the Cayuga County Sheriff's Office; and

WHEREAS, the compilation of these reports as requested by the public consumes a considerable amount of manpower for customer service, researching, copying and mailing, plus the paper and postage associated with these requests is costly; and

WHEREAS, PoliceReports.US is a company who specializes in the online distribution of accident and incident reports for Law Enforcement Agencies; and

WHEREAS, the services provided by PoliceReports.US enables the public to access and retrieve accident and incident reports twenty-four hours a day, seven days a week without the assistance of a Law Enforcement Agency; and

WHEREAS, the services provided by PoliceReports.US are provided to the public for a \$5.00 fee and at no cost to the Law Enforcement Agency; and

WHEREAS, the Cayuga County Sheriff's Office believes it would be beneficial to enter an agreement with PoliceReports.US for their services as it would significantly reduce the manpower and costs associated with providing copies of accident and incident reports to the public; now therefore be it

RESOLVED, that the Chairman of the Legislature and the Sheriff are hereby authorized to execute the necessary documents to enter a Memorandum of Agreement with PoliceReports.US.

Signed by Cuddeback, Barski, Petrus, Pinckney, Sincebaugh, Whitman, Mills, Axton, Fearon, Mahunik and Mitchell, all in favor.

RESOLUTION NO. 149-11

3/22/11 SHR SouthernCayugaSchoolAgmnt

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE
AND THE SHERIFF OF CAYUGA COUNTY TO ENTER INTO AN
AGREEMENT WITH THE SOUTHERN CAYUGA CENTRAL SCHOOL
DISTRICT FOR SECURITY SERVICES DURING SCHOOL
EVENTS AND BOARD MEETINGS.**

BY: Mr. Steven E. Cuddeback, Chair, Judicial and Public Safety Committee, and
Mr. Roger A. Mills, Chair, Ways & Means Committee

WHEREAS, pursuant to Resolution No. 237-04, the Cayuga County Legislature authorized the Cayuga County Sheriff's Office to enter into Agreements with municipalities, fire departments, school districts, organizations and other entities to provide policing by Cayuga County Sheriff's Deputies; and

WHEREAS, the Cayuga County Sheriff's Office has contracted on a yearly basis with the Southern Cayuga Central School District to provide security during school events and board meetings for the sum of \$52.00 per hour; and

WHEREAS, both parties are desirous to continue these services for the year 2011; now therefore be it

RESOLVED, that the Chairman of the Legislature and the Sheriff are hereby authorized to execute the necessary documents to enter this Agreement for the period of January 1, 2011 through December 31, 2011; and be it further

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

Signed by Cuddeback, Barski, Petrus, Pinckney, Sincebaugh, Whitman, Axton, Fearon, Mahunik and Mitchell, all in favor.

RESOLUTION NO. 150-11

3.22.11 911 mastersiteagreerev

AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO SIGN AN AGREEMENT WITH ONONDAGA COUNTY TO UTILIZE THEIR MASTER SITE FOR THE NEW EMERGENCY COMMUNICATIONS SYSTEM.

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

Mr. Roger Mills, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County has contracted with Motorola for the build out of a new Emergency Communications System; and

WHEREAS, the new Emergency Communications System will rely on a Master Site to coordinate radio conversations on the trunked land mobile radio network (TLMR); and

WHEREAS, through the availability of grant funding, Onondaga County has purchased a Master Site that has sufficient capacity to permit additional users; and

WHEREAS, the Central new York Interoperable Communications Consortium (CNYICC), was formed for the purpose of fostering a regional interoperable communications network that would serve agencies in the five counties involved; and

WHEREAS, Onondaga County has established an agreement to allow Cayuga County use of the Master Site in a fair and equitable manner; now therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to sign an agreement with Onondaga County to utilize their master site.

Signed by Cuddeback, Barski, Petrus, Whitman, Mills, Axton, Fearon, Mahunik and Mitchell, all in favor.

Motion by Cuddeback, 2nd by Mills.

RESOLUTION NO. 151-11

3/22/11 SHR Special Patrol Officer

AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO FILL ONE PART TIME SPECIAL PATROL OFFICER (COURT SECURITY) POSITION FOR THE NEW YORK STATE UNIFIED COURT SYSTEM IN CAYUGA COUNTY

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

Mr. Roger Mills, Chair, Ways & Means Committee

WHEREAS, one part time Special Patrol Officer (Court Attendant) position, No. 006646-SYS, in the Unified Court System in Cayuga County has become vacant and requires filling due to the unexpected passing of the individual holding said position; and

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WHEREAS, this position necessitates immediate filling to maintain appropriate staffing levels and to ensure the smooth and efficient functioning of the security and services provided to the Courts; and

WHEREAS, the salary for this position is 100% reimbursed by New York State and will be funded by the monies already designated in the Cayuga County Sheriff's Budget in lines A11621 51002 (Salaries – Part Time), A11621 58001 (Social Security), A11621 58002 (Retirement) and A11620 43330 (Unified Courts); now therefore be it

RESOLVED, that the Cayuga County Sheriff is authorized to fill one vacant part time Special Patrol Officer (Court Attendant) position in accordance with Civil Service Rules and Regulations and within the policies of the County of Cayuga.

Signed by Cuddeback, Barski, Chapman, Petrus, Whitman, Mills and Axton, all in favor.

Motion by Mills to go into Executive Session at 7:14PM re: Acquisition of Real property, 2nd by Axton, all in favor.

Asked to come in: Daniel Larson, Carol Zenzel, Jeff Hoffman, Diane Hutchinson, Jim Orman, Tom Squires and Fred Westphal.

Motion by Chapman to come out of Executive Session at 7:45PM, 2nd by Cuddeback, all in favor, no action taken.

Motion by Fearon, 2nd by Cuddeback.

RESOLUTION NO. 152-11

3-22-11 COL ServerAwardrev3

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO SIGN A PURCHASE AGREEMENT WITH ADVIZEX FOR THE REPLACEMENT SERVERS FOR VARIOUS COUNTY DEPARTMENTS

BY: Mr. George Fearon, Chair of the Government Operations Committee

Mr. Roger Mills, Chair of the Ways & Means Committee

WHEREAS, Cayuga County has 34 servers in service located in various County departments, many of which are outdated and increasingly expensive to repair and maintain; and

WHEREAS, the County needs to replace several servers in the very near future and purchase additional servers to run critical billing software for the Department of Mental Health, among others; and

WHEREAS, virtualization technology exists that would enable the County to consolidate all of the server hardware into 2 virtualized servers thereby reducing overall cost and gaining efficiency; and

WHEREAS, the Department of Information Technology and County Administrator has reviewed equipment and services offered by the following companies: SMP, Advizex, EMC, Compellent, CDWG, Webnet Services, ATech and ASI; and

WHEREAS, based on the criteria of hardware solution offered, cost, redundancy built into the solution and references; and

WHEREAS, the cost associated with agreement shall be paid out of Account No. A16102 52012 (NAS Replace), now; and

WHEREAS, \$167,000.00 of the project cost is presently budgeted in account number 16102 52012; now therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to sign purchase agreement with Advizex for a cost of \$267,013.29; and be it further

RESOLVED, that the sum of \$120,000 be transferred from the contingency Account No. A10164 54000, into Account No. A16102 52012 (NAS Replace), this includes approximately \$20,000 in contingency funding for unforeseen expenses in implementation; and be it further

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

Signed by Fearon, Aikman, Chapman, Mitchell, Mills, Cuddeback and Petrus, all in favor.

**RESOLUTION NO. 153-11
COUNTY OF CAYUGA, NEW YORK
March 22, 2011**

A regular meeting of the County Legislators of the County of Cayuga, New York (the "County") was held at the Legislature Chamber on the 6th floor of the Cayuga County Office Building, 160 Genesee Street, Auburn, New York on March 22, 2011, at 6:30 P.M. (Prevailing Time).

There were present: (County Legislators)

Peter Tortorici
Cynthia Aikman
David Axton
Stephen Barski
Michael Chapman
Steven Cuddeback
George Fearon
Timothy Lattimore
Patrick Mahunik
Roger Mills
Francis Mitchell
Ann Petrus
Daniel Sincebaugh
Tucker Whitman

There were Absent: (County Legislators)

Paul Pinckney

Also Present:

Tom Squires, Fred Westphal, Daniel Larson, Diane Hutchinson, Jeff Hoffman, Carol Zenzel, Jim Orman, Steve Tobin, Lloyd Hoskins, Kate O'Connell, Justin Murphy, Mary Jones and Sheila Smith.

The following resolution was offered by Mills, who moved its adoption, and second by Mitchell to wit:

Motion by Mills, 2nd by Mitchell.

RESOLUTION NO. 153-11

3.22.11 (COA purchase SEQRA)

**SEQRA RESOLUTION OF THE COUNTY OF CAYUGA, NEW YORK,
ADOPTED ON MARCH 22, 2011 RELATING TO A PROJECT CONSISTING
OF THE ACQUISITION OF A PARCEL OF LAND LOCATED AT 11 RIVER
GLEN PLAZA, FULTON, NEW YORK AND THE RENOVATION AND
RECONSTRUCTUON OF THE IMPROVMENTS THEREON**

WHEREAS, the County Legislators of the County of Cayuga, New York (the "County") have determined that it is necessary for the County to undertake a project (the "Project") consisting of the acquisition of a parcel of land located at 11 River Glen Plaza, Fulton, New York 13069 and containing in the aggregate approximately 1.432 acres and the existing improvements situated thereon consisting principally of a commercial building containing in the aggregate approximately 51,700 square feet of space, parking areas and other related improvements and the renovation and reconstruction of such facilities for use by Cayuga Community College, including all related construction, renovations, site improvements, furnishings, fixtures and equipment required for such purposes, environmental studies, architectural, legal and engineering fees, and all other necessary costs incidental to such work; and

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

WHEREAS, the County Planning Department tentatively classified the Project as an "unlisted action" as defined under the Regulations and prepared a short form Environmental Assessment Form, dated March 22, 1011 and attached hereto as Exhibit A (the "EAF"), to facilitate a review of the potential environmental impacts of the Project; and

WHEREAS, the County intends to serve as the lead agency to conduct an uncoordinated review of the Project; and

WHEREAS, the County Legislature has carefully considered the nature and scope of the proposed Project, as set forth in the EAF, and makes the following determinations. NOW, THEREFORE BE IT RESOLVED ON MARCH 22, 2011 BY THE COUNTY LEGISLATORS OF CAYUGA COUNTY, NEW YORK, AS FOLLOWS:

1. The Project is classified under SEQRA as an Unlisted Action within the meaning of the Regulations.

2. The County declares itself lead agency with respect to the environmental review of the Project.

3. Upon consideration of the action, review of the EAF, the criteria contained in Section 617.7(c) of the Regulations, and all other supporting information and recommendations supplied by the County Planning Department, the County Legislature identifies the following relevant areas of environmental concern, as set forth hereafter, and analyzes whether the Project may have a significant adverse impact on the environment.

a. The development and use of the property may result in a physical change to the project site. This is determined to be a small to moderate impact due to planned mitigation measures.

b. The proposed development and use of the property will not have a significant adverse affect on any unusual land forms found on the site.

c. The proposed development use of the property will not have an impact upon non-NYSDEC identified fresh water wetlands.

- d. The proposed development and use of the property will not adversely affect any non-protected existing or new body of water.
 - e. The proposed development and use of the property will not require a NYSDEC stormwater discharge permit.
 - f. The proposed development and use of the property will not increase impervious areas and will not create more storm water run-off.
 - g. The proposed development and use of the property will not have a significant adverse affect on air quality.
 - h. The proposed development and use of the property will not result in the removal of existing underdeveloped land which is habitat to various species of wildlife.
 - i. The proposed development and use of the property will not have a significant adverse affect upon non-threatened or non-endangered species.
 - j. The proposed development and use of the property will not have a significant adverse affect upon agricultural land resources.
 - k. The proposed development and use of the property will not have a significant adverse impact upon aesthetic resources.
 - l. The proposed development and use of the property will not occur in an area designated as sensitive for archeological sites on the New York State site inventory.
 - m. The proposed development and use of the property will not have a significant adverse affect upon exceptional or unique characteristics of a Critical Environmental Area.
 - n. The proposed development and use of the property will not result in the alterations of present patterns of movement of people and or goods.
 - o. The proposed development and use of the property will not adversely affect existing community resources of fuel or energy supply.
 - p. The proposed development and use of the property will not result in an impact on noise or odor.
 - q. The proposed development and use of the property will not adversely affect public health and safety.
 - r. The proposed development and use of the property will not have an impact upon the characteristics of the existing community.
4. The County finds and concludes that the Project will not result in any significant adverse impacts to the environment.
 5. The County hereby issues a Negative Declaration with respect to the Project.
 6. Pursuant to § 617.12(b)(2) of the Regulations, the County Attorney is hereby directed to prepare and maintain on file a copy of the Negative Declaration.
- Signed by Mills, Cuddeback, Fearon, Mahunik, Mitchell and Petrus, all in favor, except Axton voting no, Aikman abstained and Pinckney excused.

Motion by Mills, 2nd by Cuddeback.

RESOLUTION NO. 154-11
3.22.11 coa collegeCPTH11-01C
AUTHORIZATION TO CREATE CAPITAL "H" PROJECT NUMBER 11-01C
(CCC RIVER GLEN PROJECT) AND AUTHORIZATION FOR THE
CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO EXECUTE ANY
AND ALL DOCUMENTS REQUIRED TO PURCHASE THE PROPERTY AND
IMPLEMENT THE RESOLUTION. 2/3 VOTE

BY: Hon. Roger Mills, chair, Ways and Means Committee

WHEREAS, the Legislature of the County of Cayuga ("County") by Resolution No. 726-09 expressed its commitment to the Cayuga Community College's request for capital funding to proceed with the development and expansion of the Fulton campus; and

WHEREAS, Cayuga Community College has identified a parcel of property that meets its needs and hereby requests that the co-sponsor, the County of Cayuga purchase the property commonly known as 11 River Glen Plaza, Fulton, New York 13069, and tax map no. 253-01-14.01, authorize the Chairman of the Cayuga County Legislature to execute any and all documents necessary and required to effect the purchase; and

WHEREAS, the cost to purchase the parcel and to renovate same is \$11,550,000.00; 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. 11-01C (CCC RIVER GLEN PROJECT) in an amount not to exceed \$11,550,000.00 source of funding County Bonding pursuant to Resolution No. 155-11; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute any and all documents required to purchase the property and implement this resolution; and be it further

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

Signed by Mills, Cuddeback, Fearon, Mahunik, Mitchell and Petrus.

Approved by 2/3 vote, Ayes – Chapman, Whitman, Petrus, Mills, Fearon, Mitchell, Cuddeback, Barski, Mahunik, Lattimore, Sincebaugh and Tortorici. Noes – Axton, Abstained – Aikman, and excused Pinckney Vote – 701/68/50/6

RESOLUTION NO. 155-11
COUNTY OF CAYUGA, NEW YORK
March 22, 2011

A regular meeting of the County Legislators of the County of Cayuga, New York (the "County") was held at the Legislature Chamber on the 6th floor of the Cayuga County Office Building, 160 Genesee Street, Auburn, New York on March 22, 2011, at 6:30 P.M. (Prevailing Time).

There were present: (County Legislators)

Peter Tortorici
Cynthia Aikman
David Axton
Stephen Barski
Michael Chapman

Steven Cuddeback
 George Fearon
 Timothy Lattimore
 Patrick Mahunik
 Roger Mills
 Francis Mitchell
 Ann Petrus
 Daniel Sincebaugh
 Tucker Whitman

There were Absent: (County Legislators)

Paul Pinckney

Also Present:

Tom Squires, Fred Westphal, Daniel Larson, Diane Hutchinson, Jeff Hoffman, Carol Zenzel, Jim Orman, Steve Tobin, Lloyd Hoskins, Kate O'Connell, Justin Murphy, Mary Jones and Sheila Smith.

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

Motion by Mills, 2nd by Fearon.

RESOLUTION NO. 155-11

3.22.11 coa p&cpurchasebondresolutionrev

**BOND RESOLUTION OF THE COUNTY OF CAYUGA, NEW YORK,
 ADOPTED ON MARCH 22, 2011 AUTHORIZING ISSUANCE OF \$11,550,000
 BONDS OF THE COUNTY OF CAYUGA TO ACQUIRE A PARCEL OF LAND
 LOCATED AT 11 RIVER GLEN PLAZA, FULTON, NEW YORK AND
 UNDERTAKE THE RENOVATION AND RECONSTRUCTUON OF THE
 IMPROVMENTS THEREON. (2/3)**

BY: Hon. Roger Mills, Chair Ways and Means Committee

WHEREAS, Section 215 of the County Law empowers the County Legislators of Cayuga County, New York (the "County") to adopt a resolution for the acquisition by purchase of real and personal property for lawful county purposes; and

WHEREAS, the County Legislators of the County have determined that it is necessary for the County to undertake a certain project (the "Project") consisting of the acquisition of a parcel of land located at 11 River Glen Plaza, Fulton, New York 13069 and containing in the aggregate approximately 1.432 acres and the existing improvements situated thereon consisting principally of a commercial building containing in the aggregate approximately 51,700 square feet of space, parking areas and other related improvements and the renovation and reconstruction of such facilities for use by Cayuga Community College; and

WHEREAS, 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") the County is required to make a determination with respect to the environmental impact of any "action" (as defined by SEQRA) to be taken by the County and the approval of this resolution constitutes such an action; and

WHEREAS, the County as "lead agency" (as defined by SEQRA) has reviewed the Project to be financed in part with the proceeds of the bonds and notes authorized hereby and has determined that the Project is an Unlisted Action; and the County, upon review of a short Environmental Assessment Form and taking into consideration the criteria set forth in Subdivision (c) of Section 617.7 the SEQRA Regulations has determined that the Project shall not cause any adverse environmental impacts and issued a negative declaration; and NOW, THEREFORE BE IT

RESOLVED ON MARCH 22, 2011 BY THE COUNTY LEGISLATORS OF CAYUGA COUNTY, NEW YORK (by favorable vote of not less than two thirds of said Legislature), AS FOLLOWS:

Section 1. For the specific object or purpose of undertaking the Project, including all related construction, renovations, site improvements, furnishings, fixtures and equipment required for such purposes, environmental studies, architectural, legal and engineering fees, and all other necessary costs incidental to such work, in and for the County of Cayuga, New York, there are hereby authorized to be issued \$11,550,000 bonds of said County pursuant to the provisions of the Local Finance Law. Undertaking the Project, at a maximum estimated cost of \$11,550,000 is hereby approved.

Section 2. The plan for the financing of the aforesaid specific object or purpose is by the issuance of up to \$11,550,000, or such amount less than \$11,550,000 as may be necessary, of serial bonds or any bond anticipation notes in anticipation of the issuance and sale of the bonds of said County, hereby authorized to be issued pursuant to the Local Finance Law and the levy of a tax to pay interest on said obligations, and by the application of state and/or federal assistance available or to any revenues available for such purpose from any other source.

Section 3. The faith and credit of said County of Cayuga, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such years and such debt service payments may be made in substantially level or declining amounts as may be authorized by law. All the taxable real property within said County shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds.

Section 4. Pursuant to Sections 30.00, 50.00 and 56.00 to 60.00, inclusive, of the Local Finance Law, the power to authorize the issuance of and to sell the serial bonds and any bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such bonds or notes shall be of such form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 5. The County Treasurer is hereby further authorized, at his sole discretion, to execute all agreements and instruments in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of said County.

Section 6. The intent of this resolution is to give the County Treasurer sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and/or notes without resorting to further action of this County Legislature.

Section 7. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 8. Such bonds shall be in fully registered form and shall be signed in the name of Cayuga County, New York, by the manual or facsimile signature of the County Treasurer and a facsimile of its corporate seal shall be imprinted or impressed thereon and maybe attested to by the manual or facsimile signature of the County Clerk. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent.

Section 9. The County hereby covenants and agrees with the holders from time to time of the Bonds and any bond anticipation notes issued in anticipation of the sale of the Bonds, that the County will faithfully observe and comply with all provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and any proposed or final regulations issued pursuant thereto unless, in the opinion of bond counsel, such compliance is not required by the Code and regulations to maintain the exclusion from gross income of interest on said obligations for federal income tax purposes.

Section 10. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of the class of objects or purposes herein authorized and for which \$11,550,000 of said serial bonds are herein authorized to be issued within the limitations of Section 11.00 a.12(a)(1) of the Law, is twenty-five (25) years; and

(b) Current funds are not required by the Local Finance Law to be provided prior to the issuance of the bonds and any notes issued in anticipation thereof authorized by this resolution; and

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

(d) The County reasonably expects to reimburse itself for expenditures made out of the County's General Fund for the Project from the proceeds of the bonds or notes herein authorized.

(e) This resolution is a declaration of official intent to reimburse for purposes of Treasury Regulation Section 1.150-2.

(f) The bonds authorized herein are not being issued for an assessable improvement.

Section 11. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 12. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 13. This resolution, which takes effect immediately, shall be published in summary form in the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

Approved by 2/3 vote, Ayes – Chapman, Whitman, Petrus, Mills, Fearon, Mitchell, Cuddeback, Barski, Mahunik, Lattimore, Sincebaugh and Tortorici. Noes – Axton, Abstained – Aikman, and excused Pinckney Vote – 701/68/50/63

Motion by Aikman to adjourn at 7:52PM, 2nd by Chapman, all in favor, except Mahunik voting no.

**MINUTES
SPECIAL MEETING
COMMITTEE OF THE WHOLE
TUESDAY, APRIL 12, 2011, 6:30 PM
160 GENESEE ST, 6th FLOOR, CHAMBERS,
AUBURN, NY 13021**

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

ROLL CALL: Mary Jones, Clerk of the Legislature, all Legislators present, except excused Legislator's George Fearon and Timothy Lattimore

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

PRESENTATION: Emerson Park Pavilion Project Update by C & S Companies, Franco Zouaglia, Joe Delaney and Matt Gertner, handout attached to original minutes.

Chairman Peter Tortorici thanked Tony Franceschelli, Board Member of the Emerson Foundation, Dan Fessenden, Executive Director Emerson Foundation and the Pavilion Advisory Board for their commitment to this project.

Joe Delany, ribbon cutting ceremony is scheduled for May 2, 2011, with a tentative completion day of May 2012.

Questions:

Cuddeback, architectural plans?

Delaney, we will meet with the Code Enforcement Officer with the plans.

Cuddeback, I would like a copy of them.

Delaney, I will get for you.

Mitchell, what about deliveries?

Delaney, will be brought to the main kitchen area.

Mitchell, how big is the dock?

Delany, not sure I will get back to you.

Mills, I have concerns with access to the bathrooms from the beach area.

Tortorici, we are working on that, we need to get a variance from the Health Department.

Delaney, we are looking into that.

Mitchell, are the old bathrooms still there?

Delaney, yes, code issue is being addressed.

Pinckney, timing, May – June for additions?

Delaney, yes, construction for additions this summer, interior October.

Pinckney, turnarounds?

Delaney, some will be this year some next year, water and utility will be this summer hopefully.

Tuesday, April 12, 2011

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Mitchell, you show west elevation.

Delaney, actually it is the east elevation, I will correct.

Mills, cost analysis for County's cost for water & sewer?

Squires, \$500,000 committed, but we are looking at \$662,000 estimate and are working on reducing that.

Tortorici, it is a little more than we thought, but it is better to do it all at once.

Mitchell, we need to budget for what it is worth.

Squires, some will be cash.

Mitchell, I care about budget, not in-kind, get it budgeted.

Squires, 2011 budget is set.

Tortorici, funding is in Gary's budget.

Mitchell, in-kind, is not direct budget.

Squires, transfer from the Highway budget.

Mitchell, budget for what it is.

Aikman, I would like to thank the Emerson Foundation, Mitchell second it.

Cuddeback, certain utilities are not part of the plan?

Tortorici, sewer lines, water lines and bathroom location are not in there, need a variance from the Health Department, to see where we can locate the bathrooms. When people are having a wedding, do you want people from the beach going in and out of the pavilion to use the facilities. It is up to the Health Department to get the variance to relocate them.

Chapman, water, sewer, bathrooms, in-kind service?

Squires, not bathrooms, we are still working on what we need and what it is going to cost.

Pinckney, in-kind for water?

Squires, and other things, I have a list.

Pinckney, bathrooms, added expense.

Squires, yes.

Mahunik, currently on the back side of the pavilion, there are bathrooms open to the public.

Tortorici, correct.

Squires, that is about 500 feet, picnic shelter is about 700 feet.

Mahunik, if we want people up there and we going to invest in new bathrooms anyway, why not put them somewhere near the playground and the beach so we are not running people back and forth.

Tortorici, we have to run that through SHIPO.

Squires, sewer and water is there now, but not where you are talking.

Delaney, expensive on the south side.

Mahunik, if we build something in that area, still has to go through SHIPO.

Delaney, yes.

Mahunik, we are doing a disservice to the residents, putting them on the back burner and saying your event comes first. I would say as a father with little kids, I want to go to the beach and not have to drag the whole family across the park to go to the bathroom, so if there is a way to put a bathroom closer to the playground and the beach and make it a destination playground and user friendly. If it involves a little more money, let's do it now.

Tortorici, we can ask.

Axton, there is a plan in place to use the bathrooms in the pavilion during certain hours.

Mahunik, you have the satellite kitchen that is SHIPO approved, is there a way to add a bathroom to that.

Axton, small bathroom.

Petrus, we have concerns, could we have a representative or two from the Legislature meet together with you when you meet with SHIPO.

Tortorici, that can be arranged.

Aikman, is there a problem with port-a-johns during the season?

Axton, we go through the cost of this facility, don't think we want a couple of port-a-johns there.

Motion by Mills to go into executive session at 7:29PM, re: the employment history of a particular person or corporation, 2nd by Chapman, all in favor.

Motion by Aikman to come out of executive session at 7:56PM, 2nd by Axton, all in favor.

Motion by Mills, to adjourn at 7:58PM, 2nd by Sincebaugh, all in favor.

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**MINUTES
CAYUGA COUNTY LEGISLATURE
April 26, 2011 – 6:30PM**

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

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

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

DEATHS: Dr. Joseph Wasileski, Owasco, NY, President of the Owasco Watershed Lake Association passed away unexpectedly. Dr. Wasileski worked as an Oral and Maxillofacial Surgeon in Cortland for over 30 years, served as Chief of Surgery at Cortland Regional Medical Center and was named Physician of the Year in 2003. Dr. Wasileski lived on Owasco Lake and enjoyed swimming, boating, windsurfing and water-skiing.

Thelma Stayton, grandmother of Denise Stayton.

PROCLAMATIONS: Federation of New York Insurance Professionals Week 4-25-11 to 5-1-2011

New York State Association of County Clerks, National Kidney Foundation of CNY, New York Alliance for Donation, Inc., National Donate Life Month.

PRESENTATION: Brett Garruthers from NYMIR, congratulated Sheriff David Gould on the Accreditation of the Cayuga County sheriff's Department Road Patrol, a job well done.

Chairman Tortorici welcomed Leadership Cayuga members, Jessica Janssen, Kevin Swab, Terry Masterson, Christian Maher, Cyndi Sharp, Donna Lamb and Tom Squires.

PRESENTATION: John Rhodes from Moran, Stahl and Boyer – CEDA Strategic Plan, handout attached.

Tortorici, manufacture's responses.

Rhodes, you have some top manufacture's in Cayuga County, lean technology, high Union area, need to invest in equipment, training and help with taxes.

Lattimore, need to reach out to other counties, push the idea of region, get rid of political boundaries.

Rhodes, yes, share regional resources.

Tortorici, we are doing good things, getting grants, projects getting recognized, need to keep going, we're getting there.

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: 2-22-11 and Spec. Legislature meeting 3-15-11, **Motion by Chapman to approve minutes, 2nd by Pinckney, all in favor.**

For Reading: 3-22-11 and Spec. Committee of the Whole meeting 4-12-11

RESOLUTION NO. 156-11
EMERGENCY AUTHORIZATION FOR SPENDING
Dept.: Parks & Trails

Reason for emergency spending:

WHEREAS, Resolution 93-11 authorized the RFP 2011-27 for a new roof over the seating section of the Merry-Go-Round Playhouse; and

WHEREAS, two bids were received for the work Collingwood Construction Corp bid \$30,850.50 and Secor Building Solutions bid \$54,353.75; and

WHEREAS, the low bidder Collingwood Construction Corp. has withdrawn their bid; and

WHEREAS, the parks department believes the only way to permanently repair the roof is by tearing off the current roof and replacing it with a two layer roof including ice and water and shingles; now, therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized and directed to sign an agreement with Secor Building solutions accepting their bid for the roof; and be it further

RESOLVED, the project will be paid for as follows:

\$38,409.00 from the 2011 Emerson Park Building Maintenance Budget Account A71104-54012

Up to \$15,944.75 from the Capital Reserve for the MGR Parking Lot (Per Resolution 705-09)

For a total of \$54,353.75.

Signed by Axton, Aikman, Tortorici, Mills and Squires, approved 4-12-11

RESOLUTION NO. 157-11
EMERGENCY AUTHORIZATION FOR SPENDING

Reason for emergency spending:

One of the pumps for the sewer station at the County House Road campus has failed. The replacement cost is \$9757.00 for materials and labor. It is a redundant system however the other pump is in need of maintenance work as well. Costs of any work to the sewer station is shared by the Public Safety Building, Nursing Home and Hillside as determined by usage.

The County Legislature does hereby authorize the purchase of the aforementioned equipment from Gehring Pumps for \$9757.00; \$4,431.00 from the Sheriff's budget, \$2,818.80 from the Nursing Home budget and \$2,506.57 from Hillside.

Signed by Mahunik, Aikman, Tortorici, Mills and Squires, approved 4-12-11.

CCC REPORT: Dr. Daniel Larson: Attached to original minutes.

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Questions:

Pinckney, update on Fulton housing?

Larson, we are looking at that.

COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS:

Chapman, tomorrow night United States Rep. Ann Marie Buerkle will hold a town hall meeting at the American Legion in Cato.

COUNTY ADMINISTRATOR'S REPORT: Tom Squires, handout attached to original minutes.

Discussion:

Lattimore, the state is in disrepair, property tax caps, what can hurt us the most, we have some big projects out there, should we borrow today, forecasting on what the state is going to do.

Squires, they are talking about the cap again, the concern is if they cap, increasing the property tax levy at 2%. In county government there is a lot of money, but most of the money is not discretionary, in a since we don't have much say in it. The hundred and forty million dollars that we spend, most of that goes to the Health & Humans Services programs and things that we don't have a whole lot of discretion on whether we spend it. The mandated cost from the state increases a little each year, Medicaid has a 3% cap on the increase, but at 13 million dollars, 3% is a good chunk. The real concern for counties is if they cap your property tax levy at 2% and they continue to increase your costs, then that doesn't leave much room to cover our increase costs for labor, union contracts, retirement, so it could get to the point very quickly where we have real problems trying to deliver services to the taxpayers that they are paying for and doing it within the budget we're allotted for by the state. The state is trying to set what the counties total budget contains.

Lattimore, should we be borrowing now before inflation picks up?

Squires, I don't think so, the experts we talk to, consultants, the people we are bonding with are not hitting the panic button. The banks are keeping the interest rate low. We are going out for short term borrowing now for our capital projects, and probably in a year we need to make a decision on whether to roll it over for a year or go to permanent financing. At some point you need to go to permanent financing, you can roll over that one year borrowing for up to five years. At some point we need to look at all of our short term borrowing and figure out how to combine it into long term financing. Last year we borrowed 5 million for the Radio project and 6 million for the Mental Health project, we combined and made it an eighteen year payback period, so it reduced the annual debt payment significantly.

Lattimore, our credit rating went up.

Squires, we have a very good credit rating.

Tortorici, they are pushing for mandate relief, because State Government will give you an opt out of that, give each County Government, by 2/3 vote or Local Law allow you to opt out of that 2% hike, but because of mandates that are put upon the County then the County Legislature look s like the bad guy because we are opting out, because we can't raise our property tax above 2%. Hopefully we can make the right decisions to keep our taxes down.

Lattimore, with one stroke of the pen in Albany or Washington, things could change quickly.

Tortorici, could you give us an update on the Pension Fund?

Squires, yes, I will have for next month.

CHAIRMAN'S REPORT: Peter Tortorici, on the Grant, we will be reintroducing the inlet to a flood plain, move its flow and restore some wetlands and ponds to filter out some of the sediment that is going into the lake and improve the drinking water. I to thank our Planning Department, Stephen Lynch, Michele Wunderlich, Bruce Natale and Wladis Law Firm for all their help with this grant. The City of Auburn is doing a 9/11 Anniversary Commemoration event on September 9th through September 11, 2011, I appointed Sandie Gilliland as the Cayuga County Representative and she will give us a full report next meeting. Working with Andrew Fish, Chamber Director, we brought the Kyle Petty's Charity Ride to raise funds for children with health issues. They will be coming May 7th, 2011, 130 motorcycles, will be rolling into the pavilion, lunch will be at about 12:30PM, thank them for being here, exciting event, maybe they will come back next year.

APPOINTMENTS AND RE-APPOINTMENTS:

Health Insurance Consortium Board of Directors:

Francis Mitchell, 355 State Rte. 34B, King Ferry, NY 13081, term – 1-1-11 to 12-31-2011

Marla Connelly, 17 Burt Ave., Auburn, NY 13021, term – 1-1-11 to 12-31-2011

WQMA:

Robert Brower, 40 Grover St., Auburn, NY 13021, unexpired term (Corcoran) – 1-1-11 to 12-31-2011

Cayuga County Planning: (member serves until the locality they represent submits a new nomination)

Lydia Ruffini – Town of Throop, 7471 Robinson Road, Auburn, NY 13021

(previous appointee: Richard Stabinsky – resigned)

Mental Health Subcommittee:

Christine M. DeProspero, 14 Aiken Drive, Auburn, NY 13021, unexpired term 1/1/09 – 12/31/12

People With Developmental Disabilities Subcommittee:

Ryan David Morrell, 216 Woodlawn Avenue, Auburn, NY 13021, term 1/1/11 – 12/31/14

Motion by Chapman to approve all appointments, 2nd by Mills, all in favor.

COMMUNICATIONS AND ANNOUNCEMENTS:

1. Received a letter from Sheriff David Gould, thanking Chairman Tortorici and the Members of the Cayuga County Legislature for their help in the preparation and coordinating of the services for Deputy Bernard Gallow.

2. Received a letter from the Town of Fleming, re: The Zoning Board of Appeals held a meeting on Thursday, April 21, 2011 for a variance for 5918 Petre Drive.

3. Received a letter from Richard C. Mitchell, Jr., Esq. of Mitchell Law Office, re: written notice of the defect in the guide rail and the danger it creates for traffic on Old State Rd.

4. Received copy of the Cayuga County Water Quality Management Agency 2010 Annual Report, a copy of which has been given to all Cayuga County Legislators.

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5. Received a copy of Resolution No. 055, "Resolution in Opposition to the Usurpation of the Assets of the Western Off Track betting Corporation", from the Oswego County Legislature adopted on 4-18-2011.

6. Received a copy of Resolution No. 112, "Calling for Immediate Payment of Intergovernmental Transfer (IGT) Payments", from the Washington County Board of Supervisors, adopted on 4-15-11.

7. Received a letter from John and Jennifer Batruch, Auburn, NY, re: opposition to regulate second hand dealers.

Motion by Axton to waive the reading of the communications, 2nd by Cuddeback, all in favor.

Motion by Mills to go into Executive Session, re: the Proposed Acquisition of Real Property at 7:43PM, 2nd by Chapman, all in favor. Asked to come in Daniel Larson and Diane Hutchinson.

Motion by Chapman to come out of Executive Session at 8:00PM, 2nd by Pinckney, all in favor. No action taken.

RESOLUTIONS 4-26-11
RESOLUTION NO. 156-11
EMERGENCY AUTHORIZATION FOR SPENDING
Dept.: Parks & Trails

Reason for emergency spending:

WHEREAS, Resolution 93-11 authorized the RFP 2011-27 for a new roof over the seating section of the Merry-Go-Round Playhouse; and

WHEREAS, two bids were received for the work Collingwood Construction Corp bid \$30,850.50 and Secor Building Solutions bid \$54,353.75; and

WHEREAS, the low bidder Collingwood Construction Corp. has withdrawn their bid; and

WHEREAS, the parks department believes the only way to permanently repair the roof is by tearing off the current roof and replacing it with a two layer roof including ice and water and shingles; now, therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized and directed to sign an agreement with Secor Building solutions accepting their bid for the roof; and be it further

RESOLVED, the project will be paid for as follows:

\$38,409.00 from the 2011 Emerson Park Building Maintenance Budget Account A71104-54012

Up to \$15,944.75 from the Capital Reserve for the MGR Parking Lot (Per Resolution 705-09)

For a total of \$54,353.75.

Signed by Axton, Aikman, Tortorici, Mills and Squires.

RESOLUTION NO. 157-11
EMRNHPurpump
EMERGENCY AUTHORIZATION FOR SPENDING

Reason for emergency spending:

One of the pumps for the sewer station at the County House Road campus has failed. The replacement cost is \$9757.00 for materials and labor. It is a redundant system however the other pump is in need of maintenance work as well. Costs of any work to the sewer station is shared by the Public Safety Building, Nursing Home and Hillside as determined by usage.

The County Legislature does hereby authorize the purchase of the aforementioned equipment from Gehring Pumps for \$9757.00; \$4,431.00 from the Sheriff's budget, \$2,818.80 from the Nursing Home budget and \$2,506.57 from Hillside.

Signed by Mahunik, Aikman, Tortorici, Mills and Squires.

RESOLUTION NO. 158-11
4-26-11 AP Audit April 11 (A)
AUTHORIZING THE COUNTY TREASURER TO PAY
MARCH 9-23, 2011 AUDIT OF CLAIMS

BY: Hon. Roger Mills, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on April 26, 2011 audit claims against the County of Cayuga in the aggregate sum of \$805,489.81 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 13, 2010.

Signed by Mills, Axton, Cuddeback, Fearon, Mitchell and Petrus, all in favor.

RESOLUTION NO. 159-11
4-26-11 AP Audit April 11 (B)
AUTHORIZING THE COUNTY TREASURER TO PAY
MARCH 24-APRIL 6, 2011 AUDIT OF CLAIMS

BY: Hon. Roger Mills, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on April 26, 2011 audit claims against the County of Cayuga in the aggregate sum of \$1,412,556.08 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 13, 2010.

Signed by Mills, Axton, Cuddeback, Fearon, Mitchell and Petrus, all in favor.

RESOLUTION NO. 160-11
4-26-2011 RP GPSBaseCityCountyAgreementrev2
AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE
TO SIGN A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF
AUBURN TO ALLOW THE CAYUGA COUNTY OFFICE OF REAL PROPERTY
TO INSTALL AND MAINTAIN GPS EQUIPMENT ON THE ROOF OF THE
COUNTY OFFICE BUILDING.

BY: Mr. Roger A. Mills, Chair, Ways and Means Committee

WHEREAS, the Cayuga County Office of Real Property has been working toward the advancement of the GIS coordinate database within all layers of on-line mapping, in order to help other county departments and town officials access information necessary to perform their functions more efficiently; and

WHEREAS, the City of Auburn purchased a GIS coordinate database in the amount of \$16,460.11 and would like to have same installed on the roof of the Cayuga County Office building; and

WHEREAS, the installation and use of the GIS coordinate database will allow the county, the city, local towns, and local surveyors to improve the accuracy of mapping projects and field surveys; and

WHEREAS, the installation is the next step toward the county departments working together with other government entities within Cayuga County to gather critical infrastructure data and to incorporate GPS field data into a management system of said infrastructure; and

WHEREAS, the City and the County desire to enter into a Memorandum of Understanding concerning the installation, use and maintenance of the GIS coordinate database; and therefore be it

RESOLVED, by the Cayuga County Legislature authorizes and directs the Chairman of the Cayuga County Legislature to and enter into Memorandum of Understanding with the City of Auburn for the installation and maintenance of GPS equipment on the roof of the Cayuga County Office Building.

Signed by Mills, Axton, Cuddeback, Fearon, Mitchell and Petrus, all in favor.

RESOLUTION NO. 161-11
04/26/11 TRE paydogtaxmonies
DIRECTING THE COUNTY TREASURER TO PAY
DOG TAX MONIES AS APPORTIONED

BY: Mr. Roger Mills, Chairman, Ways and Means Committee

RESOLVED, in accordance with Section 111 of the Agriculture and Markets Law , the County Treasurer hereby presents for filing his annual Dog License Report, together with a Statement of Amounts Remitted and Apportioned; and be it

RESOLVED, that the attached Dog License Report received, approved and printed in the Journal of the County Legislature and the County Treasurer be authorized and directed to pay to the City of Auburn, SPCA and the Towns the amounts mentioned in the apportionment column of said Statement, totaling \$8,534.90.

Signed by Mills, Axton, Cuddeback, Fearon, Mitchell and Petrus, all in favor.

Motion by Mills to bring WM-3A, to the floor, 2nd by Fearon, all in favor.

RESOLUTION NO. 162-11
4.26.11 COA collegemasterplanrev2
APPROVING CAYUGA COUNTY COMMUNITY COLLEGE'S
2011 MASTER PLAN UPDATE

BY: Hon. George Fearon, Chairman Government Operations Committee
 Hon. Roger Mills, Chairman Ways and Means Committee

WHEREAS, County resolution No. 591-07 approved the five year (2008-2012) Capital program for the Community College's infrastructure in the amount of \$64,766,000; and

WHEREAS, the County by Resolution No. 390-97 and 198-98 Cayuga County legislature authorized CCC to create a Facilities Master Plan for the Auburn Campus and the Fulton Extension Center; and

WHEREAS, the Cayuga County Community College Board of Trustees have prepared a five year (2008-2012) Capital Program for the Community College's infrastructure in the amount of \$64,766.00; and

WHEREAS, in order for the College to proceed, and the College obtain 50% State funding for these projects, the approval of the Cayuga County Legislature, as the Local Sponsor of the College, is required before "the Plan" can be submitted to the New York State University Administration; and

WHEREAS copies of said Facilities Master Plan have been provided to all County Legislators and they have had an opportunity to review the same; now, therefore be it

RESOLVED, that the Cayuga County Legislature does hereby approve the Cayuga County Community College 2011 Master Plan Update and directs that said Master Plan be considered with regard to any Capital improvements to be undertaken at the College in the future.

Signed by Fearon, Chapman, Lattimore, Whitman, Mills, Cuddeback and Mahunik, all in favor, except Aikman abstained.

COUNTY OF CAYUGA, NEW YORK
RESOLUTION NO. 163-11
April 26, 2011

A regular meeting of the County Legislators of the County of Cayuga, New York (the "County") was held at the Legislature Chamber on the 6th floor of the Cayuga County Office Building, 160 Genesee Street, Auburn, New York on April 26, 2011, at 6:30 P.M. (Prevailing Time).

There were present: (County Legislators)

Peter Tortorici
 Cynthia Aikman
 David Axton
 Stephen Barski
 Michael Chapman
 Steven Cuddeback
 George Fearon
 Timothy Lattimore
 Patrick Mahunik
 Roger Mills

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Francis Mitchell
Ann Petrus
Paul Pinckney
Tucker Whitman

There were Absent: (County Legislators)
Daniel Sincebaugh

Also Present: Tom Squires, Frederick Westphal, Mary Jones, Sheila Smith, members of the public.

The following resolution was offered by Roger Mills, who moved its adoption, and second by Paul Pinckney to wit:

RESOLUTION NO. 163-11

4.26.11 COA ccegnseqra

**SEQRA RESOLUTION OF THE COUNTY OF CAYUGA, NEW YORK,
ADOPTED ON APRIL 26, 2011 RELATING TO A PROJECT CONSISTING OF
THE ACQUISITION OF A PARCEL OF LAND IN THE TOWN OF VOLNEY,
OSWEGO COUNTY, NEW YORK**

BY: Hon. Roger Mills, Chair Ways and Means Committee

WHEREAS, the County Legislators of the County of Cayuga, New York (the "County") have determined that it is necessary for the County to acquire a certain parcel of land consisting of approximately 45 acres and identified on the Tax Map in the Town of Volney, Oswego County, New York as tax parcel 254.00-05-09 for future use by Cayuga Community College, including all related environmental studies, architectural, legal and engineering fees, and all other necessary costs incidental to such acquisition (collectively, the "Project"); and

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

WHEREAS, the County Planning Department tentatively classified the Project as an "unlisted action" as defined under the Regulations and prepared a short form Environmental Assessment Form, dated April 26, 2011 and attached hereto as Exhibit A (the "EAF"), to facilitate a review of the potential environmental impacts of the Project; and

WHEREAS, the County intends to serve as the lead agency to conduct an uncoordinated review of the Project; and

WHEREAS, the County Legislature has considered the nature and scope of the proposed Project, as set forth in the EAF; and

WHEREAS, when analyzing the Project, the County Legislature has also considered and taken into account the environmental impacts of the acquisition by the County of an adjacent parcel of land located at 11 River Glen Plaza, Fulton, New York 13069 containing in the aggregate approximately 1.432 acres and the existing improvements situated thereon consisting principally of a commercial building containing in the aggregate approximately 51,700 square feet of space, parking areas and other related improvements and the renovation and reconstruction of such facilities for use by Cayuga Community College (collectively, the "P&C Building Project"); and

WHEREAS, in addition, the County Legislature is also aware that the Cayuga Community College Foundation is considering the proposed acquisition of an adjacent parcel of land located at 13-41 River Glen Plaza River Glen Plaza, Fulton, New York 13069 containing in the aggregate approximately 24.68 acres and the existing improvements situated thereon consisting principally of commercial buildings containing in the aggregate approximately 125,956 square feet of space, parking areas and other related improvements (collectively, the "Foundation Project"); and

WHEREAS, the County Legislature has carefully considered the nature and scope of the proposed Project, as well as the P&C Building Project and the Foundation Project, and as such the County Legislature has taken into account the environmental impacts of the proposed acquisitions and makes the following determinations. NOW, THEREFORE BE IT

RESOLVED ON APRIL 26, 2011 BY THE COUNTY LEGISLATORS OF CAYUGA COUNTY, NEW YORK, AS FOLLOWS:

1. The Project is classified under SEQRA as an Unlisted Action within the meaning of the Regulations.
2. The County declares itself lead agency with respect to the environmental review of the Project.
3. Upon consideration of the action, review of the EAF, the criteria contained in Section 617.7(c) of the Regulations, and all other supporting information and recommendations supplied by the County Planning Department, the County Legislature identifies the following relevant areas of environmental concern, as set forth hereafter, and analyzes whether the Project may have a significant adverse impact on the environment.
 - a. The acquisition of tax parcel 254.00-05-09 (the "Land") shall not result in a physical change to the project site. At present, neither the County nor Cayuga Community College have definitive development plans for the Land and any future development of the property will likely be the subject of future SEQRA review proceedings.
 - b. The acquisition of the Land will not have a significant adverse affect on any unusual land forms found on the site.
 - c. The acquisition of the Land will not have an impact upon non-NYSDEC identified fresh water wetlands.
 - d. The acquisition of the Land will not adversely affect any non-protected existing or new body of water.
 - e. The acquisition of the Land will not require a NYSDEC stormwater discharge permit.
 - f. The acquisition of the Land will not increase impervious areas and will not create more storm water run-off.
 - g. The acquisition of the Land will not have a significant adverse affect on air quality.
 - h. The acquisition of the Land will not result in the removal of existing underdeveloped land which is habitat to various species of wildlife.
 - i. The acquisition of the Land will not have a significant adverse affect upon non-threatened or non-endangered species.
 - j. The acquisition of the Land will not have a significant adverse affect upon agricultural land resources.
 - k. The acquisition of the Land will not have a significant adverse impact upon aesthetic resources.

- l. The acquisition of the Land will not occur in an area designated as sensitive for archeological sites on the New York State site inventory.
 - m. The acquisition of the Land will not have a significant adverse affect upon exceptional or unique characteristics of a Critical Environmental Area.
 - n. The acquisition of the Land will not result in the alterations of present patterns of movement of people and or goods.
 - o. The acquisition of the Land will not adversely affect existing community resources of fuel or energy supply.
 - p. The acquisition of the Land will not result in an impact on noise or odor.
 - q. The acquisition of the Land will not adversely affect public health and safety.
 - r. The acquisition of the Land will not have an impact upon the characteristics of the existing community.
4. The County finds and concludes that the Project will not result in any significant adverse impacts to the environment.
5. The County hereby issues a Negative Declaration with respect to the Project.
6. Pursuant to § 617.12(b)(2) of the Regulations, the County Attorney is hereby directed to prepare and maintain on file a copy of the Negative Declaration.

Signed by Mills, Axton, Cuddeback, Fearon and Mahunik, all in favor, except Aikman abstained and Sincebaugh excused.

WHEREFORE, the foregoing Resolution was put to a vote of the members of the County Legislators of the County on April 26, 2011, the result of which vote was as follows:

<u>COUNTY LEGISLATOR</u>	<u>VOTE</u>
Peter Tortorici	Yes
Cynthia Aikman	abstained
David Axton	Yes
Stephen Barski	Yes
Michael Chapman	Yes
Steven Cuddeback	Yes
George Fearon	Yes
Timothy Lattimore	Yes
Patrick Mahunik	Yes
Roger Mills	Yes
Francis Mitchell	Yes
Ann Petrus	Yes
Paul Pinckney	Yes
Daniel Sincebaugh	excused
Tucker Whitman	Yes

DATED: April 26, 2011

**COUNTY OF CAYUGA, NEW YORK
RESOLUTION NO. 164-11
April 26, 2011**

A regular meeting of the County Legislators of the County of Cayuga, New York (the "County") was held at the Legislature Chamber on the 6th floor of the Cayuga County Office Building, 160 Genesee Street, Auburn, New York on April 26, 2011, at 6:30 P.M. (Prevailing Time).

There were present: (County Legislators)

Peter Tortorici
Cynthia Aikman
David Axton
Stephen Barski
Michael Chapman
Steven Cuddeback
George Fearon
Timothy Lattimore
Patrick Mahunik
Roger Mills
Francis Mitchell
Ann Petrus
Paul Pinckney
Tucker Whitman

There were Absent: (County Legislators)

Daniel Sincebaugh

Also Present: Thomas Squires, Frederick Westphal, Mary Jones, Sheila Smith, members of the public.

The following resolution was offered by Roger Mills, who moved its adoption, and second by Michael Chapman to wit:

RESOLUTION NO. 164-11**4.26.11 COA cccegnvantlndbnd**

**BOND RESOLUTION OF THE COUNTY OF CAYUGA, NEW YORK,
ADOPTED ON APRIL 26, 2011 AUTHORIZING ISSUANCE OF UP TO
\$500,000.00 BONDS OF THE COUNTY OF CAYUGA TO ACQUIRE A
CERTAIN PARCEL OF LAND IN THE TOWN OF VOLNEY, OSWEGO
COUNTY, NEW YORK FOR FUTURE USE BY CAYUGA COMMUNITY
COLLEGE AND AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY
LEGISLATURE TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY
AND REQUIRED TO EFFECT SUCH PROJECT. (2/3)**

BY: Hon. Roger Mills, Chair Ways and Means Committee

WHEREAS, Section 215 of the County Law empowers the County Legislators of Cayuga County, New York (the "County") to adopt a resolution for the acquisition by purchase of real and personal property for lawful county purposes; and

WHEREAS, the County Legislators of the County have determined that it is necessary for the County to undertake a certain project (the "Project") consisting of the acquisition of a certain parcel of land consisting of approximately 45 acres and identified on the Tax Map in the Town of Volney, Oswego County, New York as tax parcel 254.00-05-09 for future use by Cayuga Community College; and

WHEREAS, 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") the County is required to make a determination with respect to

the environmental impact of any "action" (as defined by SEQRA) to be taken by the County and the approval of this resolution constitutes such an action; and

WHEREAS, the County as "lead agency" (as defined by SEQRA) has reviewed the Project to be financed in part with the proceeds of the bonds and notes authorized hereby and has determined that the Project is an Unlisted Action; and the County, upon review of a short Environmental Assessment Form and taking into consideration the criteria set forth in Subdivision (c) of Section 617.7 the SEQRA Regulations has determined that the Project shall not cause any adverse environmental impacts and issued a negative declaration; and NOW, THEREFORE BE IT

RESOLVED ON APRIL 26, 2011 BY THE COUNTY LEGISLATORS OF CAYUGA COUNTY, NEW YORK (by favorable vote of not less than two thirds of said Legislature), AS FOLLOWS:

Section 1. For the specific object or purpose of undertaking the Project, including all related environmental studies, architectural, legal and engineering fees, and all other necessary costs incidental to such acquisition, in and for the County of Cayuga, New York, there are hereby authorized to be issued \$500,000.00 bonds of said County pursuant to the provisions of the Local Finance Law. Undertaking the Project, at a maximum estimated cost of \$5000,000.00 is hereby approved.

Section 2. The plan for the financing of the aforesaid specific object or purpose is by the issuance of up to \$[par amount], or such amount less than \$[par amount] as may be necessary, of serial bonds or any bond anticipation notes in anticipation of the issuance and sale of the bonds of said County, hereby authorized to be issued pursuant to the Local Finance Law and the levy of a tax to pay interest on said obligations, and by the application of state and/or federal assistance available or to any revenues available for such purpose from any other source.

Section 3. The faith and credit of said County of Cayuga, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such years and such debt service payments may be made in substantially level or declining amounts as may be authorized by law. All the taxable real property within said County shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds.

Section 4. Pursuant to Sections 30.00, 50.00 and 56.00 to 60.00, inclusive, of the Local Finance Law, the power to authorize the issuance of and to sell the serial bonds and any bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such bonds or notes shall be of such form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 5. The County Treasurer is hereby further authorized, at his sole discretion, to execute all agreements and instruments in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of said County.

Section 6. The intent of this resolution is to give the County Treasurer sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and/or notes without resorting to further action of this County Legislature.

Section 7. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 8. Such bonds shall be in fully registered form and shall be signed in the name of Cayuga County, New York, by the manual or facsimile signature of the County Treasurer and a facsimile of its corporate seal shall be imprinted or impressed thereon and maybe attested to by the manual or facsimile signature of the County Clerk. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent.

Section 9. The County hereby covenants and agrees with the holders from time to time of the Bonds and any bond anticipation notes issued in anticipation of the sale of the Bonds, that the County will faithfully observe and comply with all provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and any proposed or final regulations issued pursuant thereto unless, in the opinion of bond counsel, such compliance is not required by the Code and regulations to maintain the exclusion from gross income of interest on said obligations for federal income tax purposes.

Section 10. The following additional matters are hereby determined and declared:

- (a) The period of probable usefulness of the class of objects or purposes herein authorized and for which \$[par amount] of said serial bonds are herein authorized to be issued within the limitations of Section 11.00 a.21 of the Law, is thirty (30) years; and
- (b) Current funds are not required by the Local Finance Law to be provided prior to the issuance of the bonds and any notes issued in anticipation thereof authorized by this resolution; and
- (c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.
- (d) The County reasonably expects to reimburse itself for expenditures made out of the County's General Fund for the Project from the proceeds of the bonds or notes herein authorized.
- (e) This resolution is a declaration of official intent to reimburse for purposes of Treasury Regulation Section 1.150-2.
- (f) The bonds authorized herein are not being issued for an assessable improvement.

Section 11. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication

of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 12. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 13. This resolution, which takes effect immediately, shall be published in summary form in the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

Signed by Mills, Axton, Cuddeback, Fearon and Mahunik, all in favor, except Aikman abstained.

Approved by 2/3 vote, all voting yes, except Aikman abstained and Sincebaugh excused.

WHEREFORE, the foregoing Resolution was put to a vote of the members of the County Legislators of the County on April 26, 2011, the result of which vote was as follows: (2/3 Vote)

<u>COUNTY LEGISLATOR</u>	<u>VOTE</u>
Timothy Lattimore	Yes
Patrick Mahunik	Yes
Tucker Whitman	Yes
Michael Chapman	Yes
David Axton	Yes
Ann Petrus	Yes
Paul Pinckney	Yes
Roger Mills	Yes
George Fearon	Yes
Francis Mitchell	Yes
Steven Cuddeback	Yes
Stephen Barski	Yes
Daniel Sincebaugh	excused
Cynthia Aikman	abstained
Peter Tortorici	Yes

DATED: APRIL 26, 2011

RESOLUTION NO. 165-11

4.26.11 COA cllgprchsvcntlndrev

AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO EXECUTE AN AGREEMENT OF PURCHASE AND SALE OF APPROXIMATELY 45 ACRES OF VACANT LAND COMMONLY KNOWN AS THE EAGAN PROPERTY, LOCATED IN THE TOWN OF VOLNEY, NEW YORK 13069, AND IDENTIFIED AS TAX MAP NO. 254.00-05-09.

BY: Hon. Roger Mills, chair, Ways and Means Committee

WHEREAS, the Legislature of the County of Cayuga ("County") by Resolution No. 726-09 expressed its commitment to the Cayuga Community College's request for capital funding to proceed with the development and expansion of the Fulton campus; and

WHEREAS, Cayuga Community College has identified a parcel of property that meets its needs ; and

WHEREAS, Cayuga Community College by Resolution No. 162-11 hereby requests that the co-sponsor, the County of Cayuga purchase the approximately 45 acres of vacant land commonly known as the Eagan Property, located in the Town of Volney, New York 13069, and identified as tax map no. 254.00-05-09; and

WHEREAS, the , Cayuga Community College informed the ways and Means Committee on 19 April 2011, that it would seek a modification of its facilities master plan from SUNY with the intent of adding the 45 acres of land to its capital projects; and

WHEREAS, the Cayuga Community College indicated that if the modification of the master plan was not approved that the Cayuga Community College would reimburse the County for the monies expended in the acquisition of the 45 acres of vacant land; and

WHEREAS, the cost to purchase the parcel is \$495,000.00; and

WHEREAS, the source of funding for the purchase of the property is in house borrowings, BANS or Bonding as set forth in the accompanying Bond Resolution No. 164-11; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute any and all documents required to purchase the approximately 45 acres of vacant land commonly known as the Eagan Property, located in the Town of Volney, New York 13069, and identified as tax map no. 254.00-05 and implement this resolution; and be it further

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

Signed by Mills, Axton, Cuddeback, Fearon and Mahunik, all in favor, except Aikman abstained and Sincebaugh excused.

RESOLUTION NO. 166-11

4-26-11 RPS-fillSuperGISposition

**AUTHORIZATION OF FILL ONE SUPERVISING GIS SPECIALIST
WITHIN THE REAL PROPERTY TAX SERVICES DEPARTMENT
DUE TO A RESIGNATION.**

BY: Mr. Roger Mills, Chairman Ways & Means Committee

WHEREAS, the position of Supervising GIS Specialist (position control #1819) within the Real Property Tax Services Department will be vacant due to the resignation of the current employee (effective April 29, 2011); and

WHEREAS, THE POSITION PERFORMS AN INTEGRAL PART OF THE Real Property Tax Office procedures and provides support to the public; and

WHEREAS, the position of Supervising GIS Specialist is necessary for the efficient operation of the Real Property office; now therefore be it

RESOLVED, that the position of supervising GIS Specialist be hereby filled in the Real Property Tax Services Department at the 2011 Grade 23 rate as indicated in the CSEA Compensation Plan in the Real Property Tax Services section; and be it further

RESOLVED, that in the absence of the Director of Real Property Tax Services II, that the County administrator be hereby authorized and directed to fill the position of Real Property Tax Services Specialist in accordance to the policies of the County of Cayuga and in accordance to the Cayuga County Civil Services Rules and Regulations.

Signed by Mills, Axton, Cuddeback, Fearon, Mitchell and Petrus, all in favor.

Tuesday, April 26, 2011

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Motion made by Mills to amend resolution to add the name of Kelly Wahl as Real Property Director, seconded by Pinckney. All in favor. Motion made by Mills to approve resolution as amended, seconded by Cuddeback. All in favor.

RESOLUTION NO. 167-11

4/26/11 RPS-ApptRealPropDir

TO APPOINT Kelly Wahl TO THE UNEXPIRED TERM OF DIRECTOR OF REAL PROPERTY TAX SERVICES FOR THE COUNTY OF CAYUGA AND SETTING THE SALARY FOR THE SAME.

BY: Mr. Roger Mills, Chairman Ways and Means Committee

WHEREAS, the current Director of Real Property Tax Services resigned effective December 31, 2010; and

WHEREAS, the selection committee interviewed qualified applicants approved by the Cayuga County Civil Service Commission and made recommendations to the Ways & Means Committee; and

WHEREAS, the Ways and Means committee interviewed selected applicant for said position and has made the following recommendation; now therefore be it

RESOLVED, that Kelly Wahl is hereby appointed Director of Real Property Tax Services for the County of Cayuga effective May 23, 2011, for the unexpired term of the current Director (expires 12/31/13), and that the appointment be made in accordance with the policies of Cayuga County, the Cayuga County Civil Service Rules and Regulations, and to Section 1530, subdivision 1, of the New York State Real Property Tax Law; and be it further

RESOLVED, that the salary of the Cayuga County Director of Real Property Tax Services be placed in Part III of the Cayuga County Compensation Plan at the below rate for the following calendar years:

2011- \$58,500

2012- \$59,670

2013- \$60,863

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

RESOLUTION NO. 168-11

(April 26, 2011) HD Accept 2010-2011 COLA Funds

AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO AMEND CONTRACTS WITH NYS DEPARTMENT OF HEALTH TO ACCEPT ADDITIONAL FUNDING (COLA)

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee

Roger Mills, 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 2010-2011; 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 Mahunik, Aikman, Axton, Barski, Lattimore, Mills, Sincebaugh, Cuddeback, Fearon, Mitchell and Petrus, all in favor.

RESOLUTION NO. 169-11

(April 26, 2011) HD Immunization Grant (IAP) 2011

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH NYS DEPARTMENT OF HEALTH TO ACCEPT FUNDING

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee
Roger Mills, Chairman of the Ways & Means Committee

WHEREAS, the New York State Department of Health has awarded a grant in the amount of \$40,718 to the Cayuga County Health Department for the continued support of our Immunization Action Plan for the year April 1, 2011 through March 31, 2012; and

WHEREAS, the County Treasurer will have to amend the Health Department's 2011 Budget to accept this funding; 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 NYS Department of Health for the period April 1, 2011 through March 31, 2012, accept funding in the amount of \$40,718, and accept any additional COLA funds relative to this program; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make all necessary journal and accounting entries to amend the Health Department's 2011 budget in the following manner:

Increase Revenue Account #A40150 43415	\$40,718
Increase Expenditure Account #40154 54059	\$40,718

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

RESOLUTION NO. 170-11

(April 26, 2011) HD Third Party Payors

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO AGREEMENTS WITH THIRD PARTY PAYORS FOR PROVISION OF AUTHORIZED SERVICES

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee
Roger Mills, Chairman of the Ways & Means Committee

WHEREAS, the CHHA, CSHCN/Early Intervention and Community Health Services often times provides authorized services to individuals covered by 3rd party insurances; and

WHEREAS, entering into agreements with 3rd party providers will allow the Department to receive revenue for the services we provide; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services be authorized to enter into agreements with these third party payors and accept reimbursement as a participating provider.

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

RESOLUTION NO. 171-11

**(April 26, 2011) HD Integrated Cancer Services Program 2011-12
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 INTEGRATED CANCER SERVICES PROGRAM AND TO ACCEPT
FUNDING FOR THE INFRASTRUCTURE PORTION OF THIS CONTRACT**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee

Roger Mills, Chairman of the Ways & Means Committee

WHEREAS, the New York State Department of Health has awarded the Health Department funds to participate in the Integrated Cancer Services Program for which the Cayuga County Health Department would screen eligible women for breast and cervical cancer, eligible women and men for colorectal cancer, and provide education regarding both colorectal and prostate cancer to all eligible individuals screened; and

WHEREAS, the funding awarded the Health Department by the State is appropriated for the "infrastructure" portion of this contract which runs from April 1, 2011 through March 31, 2012 in the amount \$123,202; 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 accept 100% State funding in the amount of \$123,202 for the period April 1, 2011 - March 31, 2012 to continue participation in the Integrated Cancer Services Program and that the Chairman of the Legislature and the Director of Health & Human Services be authorized to sign contracts with clinical providers participating in this program; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the following adjustments to the Health Department's 2011 Budget in the following manner:

Increase Revenue Account #A40160 43416	\$123,202
Increase Appropriation Account #40164 54000	\$123,202

and be it also

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the necessary journal and accounting entries in the Health Department's 2011 budget to accomplish the same.

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

RESOLUTION NO. 172-11

**(April 26, 2011) HS Bonadio Group Contract 2011
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: Patrick Mahunik, Chairman of the Health & Human Service Committee

Roger Mills, 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 5/1/11 to 4/30/12 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 Mahunik, Aikman, Axton, Barski, Lattimore, Mills, Sincebaugh, Cuddeback, Fearon, Mitchell and Petrus, all in favor.

RESOLUTION NO. 173-11

(April 26, 2011) HS Rescue Mission Contract

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A
CONTRACT WITH THE RESCUE MISSION FOR HOMELESS FAMILY AND
TRANSITIONAL HOUSING**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee

Roger Mills, Chairman of the Ways & Means Committee

WHEREAS, the Rescue Mission is proposing to lease a building from Auburn Housing Authority that consists of two one-bedroom units and two three-bedroom units; and

WHEREAS, the Rescue Mission will furnish the units, will enter into an occupancy agreement with housing participants, and will provide needed case management services necessary to move participants to permanent housing; and

WHEREAS, the maximum length of stay in these units will be for 90-days with the goal of transitioning most households to appropriate permanent housing in 30 days; and

WHEREAS, this program represents a cost effective alternative to placing families and single women in hotels with better long term outcomes; NOW, THEREFORE, BE IT

RESOLVED, that the Department pilots this transitional housing program for a period of six months (5/1/11-10/31/11) at a Department cost of \$20,000 (\$833 per unit per month for 6 mos.) with the ability to extend for an additional six months if successful (11/1/11 through 4/30/12); and be it further

RESOLVED, that the cost of this contract will be paid from account #A61094 54000 or A61404 54000 depending on eligibility.

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

RESOLUTION NO. 174-11
(April 26, 2011) HS Create/Fill PT Sr. Typist LTCAO
AUTHORIZING THE CREATION AND FILLING OF 1 PT SR. TYPIST
POSITION AT THE LONG TERM CARE ACCESS OFFICE AND LEAVING
VACANT A FT SR. TYPIST POSITION

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee
Roger Mills, Chairman of the Ways & Means Committee

WHEREAS, there is a Sr. Typist vacancy at the Long Term Care Access Office
Division of Human Services due to retirement effective April 27, 2011; and

WHEREAS, this is the only clerical position in the Long Term Care Access Office;
and

WHEREAS, the Department has been asked to attempt to cover the office with a
Part-Time Sr. Typist replacement and as a part-time position does not exist, one will
need to be created; and

WHEREAS, sufficient funding exists in the Human Services' 2011 Budget to sup-
port this position; NOW, THEREFORE, BE IT

RESOLVED, that the Cayuga County Legislature create one Part-Time Sr. Typist
position in the Long Term Care Access Office; and be it further

RESOLVED, that the Director of the Health & Human Services be authorized and
directed to fill the newly created Part-Time Sr. Typist position in accordance with Civil
Service Rules and Regulations and the policies of the County of Cayuga; and be it also

RESOLVED, that as this is the only clerical position in the unit, the Director of
Health & Human Services be authorized to provide 14 days of cross training for the
successor; and be it also

RESOLVED, that the vacated Full-Time Sr. Typist position (control #002023) be
left unfilled unless the fill is approved by the Legislature.

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

RESOLUTION NO. 175-11
(April 26, 2011) HS Create/Fill 3 PT Typists/Abolish 2 FT Typists
AUTHORIZING THE COUNTY LEGISLATURE TO CREATE 3 PT TYPIST
POSITIONS IN THE SERVICES UNIT OF HUMAN SERVICES, AND TO
ABOLISH 2 FULL TIME TYPISTS POSITIONS IN THAT UNIT

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee
Roger Mills, Chairman of the Ways & Means Committee

WHEREAS, we have had one full-time typist retire (position control #002218)
effective February 27, 2011; and now a second full-time typist (position control #002172)
is retiring effective April 15, 2011; and

WHEREAS, these positions help support the work in the Children and Family
Services section (daycare, adult protective, and children services) of Human Services and
received 75% reimbursement; and

WHEREAS, the conversions of these two full-time typist positions to three part-
time typist positions will result in direct County savings; NOW, THEREFORE, BE IT

RESOLVED, that the Cayuga County Legislature create three part-time typist po-
sitions, in the Adult, Children and Family Services Unit of Human Services and abolish
the two vacated full-time typist positions in the unit (position control #'s 002218 and
002172); and be it further

RESOLVED, that the Director of the Health & Human Services be authorized and directed to fill the three newly created typist positions in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga.

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

RESOLUTION NO. 176-11

Date of Meeting: April 26, 2011 nh boces

TO AUTHORIZE THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ENTER INTO AN AGREEMENT WITH BOARD OF COOPERATIVE EDUCATIONAL SERVICES FOR PROVISION OF EDUCATIONAL AND CLINICAL EXPERIENCES FOR PRACTICAL NURSING STUDENTS AND NURSE AIDES FOR THE 2011-2012 SCHOOL YEAR.

BY: Patrick Mahunik, Chairman, Health and Human Services Committee

WHEREAS, the Cayuga County Nursing Home has a long history of providing educational and clinical experiences for practical nursing students and nurse aides enrolled in Board of Cooperative Educational Services for the Sole Supervisory District of Cayuga-Onondaga Counties; and

WHEREAS, the Board of Cooperative Educational Services for the Sole Supervisory District of Cayuga-Onondaga Counties desires Cayuga County Nursing Home provide educational and clinical experiences for practical nursing students and nurse aides enrolled be signed for the 2011-2012 school year; Now therefore be it

RESOLVED that the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home be authorized to sign the agreement with the Board of Cooperative Educational Services for the Sole Supervisory District of Cayuga-Onondaga Counties for the 2011-2012 school year.

Signed by Mahunik, Aikman, Axton, Barski, Lattimore, Mills and Sincebaugh, all in favor.

RESOLUTION NO. 177-11

Date of Meeting: 4/26/11 nh hskpng

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: Patrick Mahunik, Chairman, Health & Human Services Committee

Roger Mills, 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, a request for proposals was made to validate pricing, and

WHEREAS, the proposal from New York State Industries is within the competitive range for this type of service, 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 three years with New York State Industries (Rochester Rehabilitation) for said services at a cost of \$255,342.89

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(Two hundred fifty-five thousand Three Hundred Forty-two dollars and eighty-nine cents) with annual consumer price index adjustments.

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

RESOLUTION NO. 178-11

Action 4/26/11 MH CDirrev4.11

**AUTHORIZE THE FILLING OF THE CLINIC DIRECTOR POSITION AT THE
COMMUNITY MENTAL HEALTH CENTER OF CAYUGA COUNTY**

BY: Hon. Patrick Mahunik, Chair Health and Human Services Committee, and
Hon. Roger Mills, Chair Ways and Means Committee.

WHEREAS, there will be a vacant Clinic Director position in the Community Mental Health Center of Cayuga County from position control number 06813; and

WHEREAS, this position provides both administrative and clinical supervision to professional and paraprofessional staff serving Cayuga County residents with severe and persistent mental illnesses; and

WHEREAS, the position is critical to the operation of the NYS Office of Mental Health certified Clinic Treatment Program; now therefore, be it

RESOLVED, that the Director of Community Mental Health Services be authorized and is hereby directed to fill the position of Clinic Director in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

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

RESOLUTION NO. 179-11

4-26-11 DMV locallyrunrev

**IN SUPPORT OF CONTINUED FINANCIAL VIABILITY OF
LOCALLY-RUN DEPARTMENTS OF MOTOR VEHICLE**

BY: MR. GEORGE FEARON, Chairperson, Government Operations Committee
MR. ROGER MILLS, Chairperson, Ways and Means Committee

WHEREAS, a significant majority of counties currently operate local departments of Motor Vehicles; and

WHEREAS, these local Motor Vehicle departments provide a significant benefit and service to the residents of New York State; and

WHEREAS, the NYS Department of Motor Vehicles is currently evaluating new methods of funding, retention and programs to be provided by both State and local offices; and

WHEREAS, these methods and programs include proposals related to *MyDMV*, increased online transactions, new retention methods and other programs to increase efficiency and ease of use for customers of DMV services statewide; and

WHEREAS, the continued financial viability of local DMV's must be maintained as it relates to any newly enacted retention or funding legislation or regulatory procedure, and any new State mandated programs to be provided by local DMV offices must be fiscally neutral to the County; now therefore be it

RESOLVED, that the NYS Association of Counties strongly oppose any legislation which shifts monies currently retained by local DMV offices to the State or would make these offices financially unsustainable and; be it further

RESOLVED, that Cayuga County Legislature will forward this resolution to New York State Governor Andrew Cuomo and the New York State Legislature and all those deemed appropriate.

Signed by Fearon, Aikman, Lattimore, Mitchell, Whitman, Axton, Cuddeback and Petrus, all in favor.

RESOLUTION NO. 180-11

04/26/2011 coa moacseafamilysickleaverev

AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN A 'MEMORANDUM OF AGREEMENT' WITH CSEA

BY: Mr. George Fearon, Chairman Government Operations

Mr. Roger Mills, Chairman Ways and Means Committee

WHEREAS, Resolution 287-10 approved the collective bargaining agreement between the Civil Service Employees Association, Inc. and the County of Cayuga for the period of January 1, 2009 through December 31, 2011; and

WHEREAS, a "Memorandum of Agreement" (attached) has been drawn up between the County of Cayuga and the Civil Service Employees Association, Inc. containing language to clarify usage of family sick days; NOW THEREFORE, BE IT

RESOLVED, that the Legislature of the County of Cayuga hereby approves the "Memorandum of Agreement" presented by CSEA; and be it further

RESOLVED, that Chairman of the Cayuga County Legislature is hereby authorized and directed to sign the aforementioned "Memorandum of Agreement between Cayuga County and CSEA.

Signed by Fearon, Aikman, Lattimore, Mitchell, Sincebaugh, Whitman, Axton, Cuddeback and Petrus, all in favor.

RESOLUTION NO. 181-11

4-26-11 COL pol&procedureupdaterev

AMENDING RESOLUTION NO. 255-10, PROCEDURE TO HAVE A RESOLUTION PLACED ON THE LEGISLATIVE AGENDA, AND AMENDING AND UPDATING EXISTING COUNTY POLICIES AND PROCEDURES, SECTION 41

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 Attorney has reviewed this policy and has confirmed that it needs to be updated; now, therefore be it

RESOLVED, that the County Legislature does hereby adopt the attached **Procedure to have a Resolution Placed on the Legislative Agenda** and; be it further

RESOLVED, that the adopted policy be available on the County's website; and be it further

RESOLVED, that this resolution will take effect immediately upon adoption.

Signed by Fearon, Aikman, Lattimore, Mitchell and Whitman, all in favor.

RESOLUTION NO. 182-11
4-26-11 ADM Deferredcompcomm
ESTABLISHING THE CAYUGA COUNTY DEFERRED
COMPENSATION PLAN COMMITTEE

By: George Fearon, Chair, Government Operations Committee

Roger Mills, Chair, Ways & Means Committee

WHEREAS, Cayuga County administers a Deferred Compensation Plan for employees of the County of Cayuga, which is a defined contribution plan exempt from income taxes under Section 457(b) of the Internal Revenue Code; and

WHEREAS, Section 5 of the New York State finance law requires each local government that sponsors a local deferred compensation plan to appoint a "committee, board, entity or an officer" to carry out the responsibilities of administering the local deferred compensation plan"; and

WHEREAS, there are those within the County who possess the expertise and experience necessary to carry out the responsibilities of administering the plan, including conducting searches for financial institutions, a plan trustee, administrative service agency, auditor and other plan services and contracting with those service providers; now therefore, be it

RESOLVED, that the Cayuga County Legislature hereby establishes the "Cayuga County Deferred Compensation Plan Committee"; and be it further

RESOLVED, that the Committee, to be selected by the Chairman of the Cayuga County Legislature, shall be comprised of : two (2) sitting Legislators, the County Administrator, the Human Resources Administrator, and the County Treasurer; and be it further

RESOLVED, that the Committee shall report to Ways & Means its recommendation for carrying out administration responsibilities; perform regular review of the annual audit process; make additional recommendations to the County Legislature in administering the plan.

Signed by Fearon, Aikman, Chapman, Lattimore, Mitchell, Sincebaugh, Whitman, Mills, Axton, Cuddeback, Fearon and Petrus, all in favor.

RESOLUTION NO. 183-11
4/26/11 COA LLffuneralpicketingrev4
FIXING DAY AND NOTICE OF A PUBLIC HEARING ON A PROPOSED
LOCAL LAW NO. ____ FOR THE YEAR 2011 AGAINST THE
DISRUPTION OF FUNERAL RELATED EVENTS.

BY: Hon. George Fearon, Chairman, Government Operations Committee

WHEREAS, there has been duly presented and introduced at a meeting of this County Legislature held on April 26, 2011, a proposed Local Law entitled:

"A LOCAL LAW NO. ____ FOR THE YEAR 2011 AGAINST
THE DISRUPTION OF FUNERAL RELATED EVENTS".

Now, therefore, be it

RESOLVED, that a public hearing shall be held concerning said Local Law before the Cayuga County Legislature on May 24, 2011 at 1:00 P.M., at the Emerson Park Pavilion, 6914 East Lake Road, 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 Fearon, Aikman, Lattimore, Mitchell and Whitman, all in favor.

RESOLUTION NO. 184-11**April 26, 2011 Et youthprgrmrev****AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE
AND THE DIRECTOR OF THE CAYUGA COUNTY EMPLOYMENT &
TRAINING DEPARTMENT TO ENTER INTO AN AGREEMENT WITH THE
CAYUGA CORTLAND WORKFORCE INVESTMENT BOARD AND OTHER
AGENCIES AS ARE NECESSARY TO OPERATE A YEAR
ROUND YOUTH PROGRAM**

BY: Ann Petrus, Chairperson, Planning and Economic Development Committee
 Roger Mills, Chairperson, Ways and Means Committee

WHEREAS, the Workforce Investment Act and the Cayuga Cortland Workforce Investment Board have made funds available to operate year round youth programs; and

WHEREAS, \$54,112 of funding was made available for youth programs and services in Cayuga County; and

WHEREAS, the Cayuga County Employment & Training Department was selected, by the Cayuga Cortland Workforce Investment Board to operate and oversee the operation of youth programs in Cayuga County; NOW THEREFORE BE IT

RESOLVED, that the Chairman of the Cayuga County Legislature and the Director of the Cayuga County Employment & Training Department, upon review of the County Attorney, be and hereby are authorized to enter into agreement with the Cayuga Cortland Workforce Investment Board and other agencies as necessary to operate a year round youth program, AND BE IT FURTHER

RESOLVED, the cost of said program will be paid from the Workforce Investment Act, which is 100% Federally Funded.

Signed by Petrus, Aikman, Fearon, Lattimore, Mills, Axton, Cuddeback and Mitchell, all in favor.

RESOLUTION NO. 185-11**April 26, 2011 PB FLOWPAGS 01****AUTHORIZING THE SIGNING OF A CONTRACT WITH THE UNITED
STATES GEOLOGIC SURVEY FOR CONTINUED OPERATION AND
MAINTENANCE OF A SATELLITE LINKED FLOW GAGING
STATION ON THE OWASCO INLET**

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, 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 (FLOWPA) grant funds; and

WHEREAS, the USGS has requested that Cayuga County execute a new Joint Funding Agreement for the annual operations and maintenance of the gage station by the USGS from October 1, 2010 to September 30, 2011 at a total of \$14,350; and

WHEREAS, the watershed protection funds to operate and maintain the gaging station is to be taken yearly from the County's annual FLOWPA grant funds; and

WHEREAS, the County of Cayuga is waiting to receive up to \$66,250.00 in FLOWPA funding for SFY08-09 with \$14,350 of that budgeted to operate and maintain the gage station; and

WHEREAS, once these funds are received, Cayuga County Planning plans to utilize these funds to pay for the annual operations and maintenance of the gaging station from October 1, 2010 to September 30, 2011; NOW, THEREFORE, BE IT

RESOLVED, that upon receipt of these FLOWPA funds, 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 hereby authorized to make the journal entries appropriate and necessary to implement this resolution.

Signed by Petrus, Aikman, Fearon, Lattimore, Mills, Mahunik, Pinckney, Axton, Cuddeback and Mitchell, all in favor.

RESOLUTION NO. 186-11

(4/26/11) PT Fireworkscontract 4 11 Rev1

**APPROVING THE CONTRACT WITH PYROTECNICO (FORMALLY AUBURN
TELSTAR DISPLAY FIREWORKS INC.) AND OTHER EXPENSES
ASSOCIATED WITH THE ANNUAL JULY THIRD EVENT AT EMERSON PARK**

BY: David Axton, Chairperson, Public Works

Roger Mills, 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 entertainment 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 entertainment at Emerson Park on July 3, 2011; and

WHEREAS, the Parks and Trails Department has funds budgeted in Account No. A71104-54074 (Department Expense), in the amounts of \$4,500.00 for the fireworks portion of this event and \$5,000.00 for the entertainment 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; 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 Pyrotecnico (formally 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 entertainment 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, Barski, Chapman, Cuddeback, Mitchell, Pinckney, Whitman, Mills, Cuddeback, Fearon and Petrus, all in favor.

RESOLUTION NO. 187-11**4/26/11 PT amend res# 45-11 atv's 4 11****AMENDMENT OF RESOLUTION 45-11 CHANGING THE DESCRIPTION OF
ATV'S ALLOWED 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 FOR THE 2011 SEASON**

BY: David Axton Chairperson, Public Works Committee

WHEREAS, Resolution 45-11 allowed the Chairperson of the Cayuga County Legislature to sign an agreement with the Oswego Valley ATV Club to allow access of ATV's 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 for the 2011 season; and

WHEREAS, said resolution includes the definition of an ATV as "the definition of an ATV is a 4 wheeled vehicle that travels on low pressure tires, with a seat that is straddled by the operator, and with handlebars for steering control. Riders are permitted but must maintain a safe position behind the driver. Vehicles such as LUV (Light Utility Vehicles) or UV (Utility Vehicles) which typically have side 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 repair of trails. ATV's must have stock, unmodified, factory installed exhaust systems with spark arresters. Motorcycles or any other 2 or 3 wheeled vehicles are not considered ATV's and therefore will not be allowed on trails. No homemade ATV will be considered an approved ATV by definition"; and

WHEREAS, some side by side units qualify for registration as ATV's in NYS and meet the other requirements of our definition of ATV; now therefore be it

RESOLVED, that definition of and ATV described in Resolution #45-11 be amended to read as follows (changes in bold capitals and underlined) "the definition of an ATV is a 4 wheeled vehicle that travels on low pressure tires, with a seat that is straddled by the operator, and with handlebars for steering control. Riders are permitted but must maintain a safe position behind the driver. Vehicles such as LUV (Light Utility Vehicles) or UV (Utility Vehicles) which typically have side by side seats and a steering wheel, are not considered ATV's UNLESS THEY MEET THE NEW YORK STATE DEPARTMENT OF MOTOR VEHICLES DEFINITION OF AN ATV AND ARE LICENSED AND REGISTERED AS AN ATV will not be allowed to use the trail except for situations in which the club would need this type of vehicle for use in maintenance or repair of trails. ATV's must have stock, unmodified, factory installed exhaust systems with spark arresters. Motorcycles or any other 2 or 3 wheeled vehicles are not considered ATV's and therefore will not be allowed on trails. No homemade ATV will be considered an approved ATV by definition".

Signed by Axton, Barski, Chapman, Cuddeback, Mitchell, Pinckney and Whitman, all in favor.

RESOLUTION NO. 188-11**4/26/2011 BLD Awarding Natural Gas Bid rev3****AWARDING THE BID FOR NATURAL GAS FOR VARIOUS
COUNTY OWNED BUILDINGS**BY: Hon. David R. Axton, Chairman, Public Works Committee, and
Hon. Roger A. Mills, Chairman, Ways & Means Committee.

WHEREAS, The Cayuga County Purchasing Policy requires any purchase in excess

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of \$9,999.99 to use New York State contract, County contract or Group Purchasing contract or to go out for Sealed Bid; and

WHEREAS, the County has in the past used the Municipal Electrical and Gas Alliance (MEGA) for their natural gas bids and this year MEGA's natural gas bid was higher than other quotes that were solicited by the Superintendent of Buildings and Grounds from other ESCO; and

WHEREAS, the County Administrator and Superintendent of Buildings and Grounds discussed the issue and decided to go out for Bids. In researching, The Natural Gas ESCO's will only hold prices for 3 days due to the market fluctuation and the best day for gas pricing is on a Wednesdays; and

WHEREAS, there are 29 ESCO approve by the New York State Public Service Commission that could possibly bid, a bid list will be attached to this resolution; and

WHEREAS, since there is only a three day window to accept the bid and so that a special Legislature meeting does not have to convene to approve the Natural Gas bid this Resolution proposes to give the authority to the Chairman of the Cayuga County Legislature to award the Natural Gas Bid to the lowest responsible bidder or to reject the bids and go out for rebids until the natural gas bid is awarded; now therefore be it

RESOLVED, that the Cayuga County Legislature to give the authority to the Chairman of the Cayuga County Legislature to award the Natural Gas Bid to the lowest responsible bidder or to reject the bids and go out for rebids until the natural gas bid is awarded; and be it further

RESOLVED, that a list of all bidder will be attached to this resolution; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature may sign any and all Natural Gas contracts, to implement the intent of this resolution; 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, Mitchell, Pinckney, Whitman, Mills, Cuddeback, Fearon and Petrus, all in favor.

RESOLUTION NO. 189-11
4-26-11 HWY11APPROVEBIDSmarchREV
APPROVE REPORT ON BID LETTING

BY: Dave Axton, Chairman Public Works Committee

Roger Mills, Chairman Ways and Means Committee

WHEREAS, Resolution No. 600-10, adopted on December 20, 2010, authorized the Clerk of the Legislature and the County Highway Superintendent to advertise for and received sealed bids for the purchase of machinery, materials, tools, equipment, fuel and equipment rentals; and

WHEREAS, in response the following items were bid in March:

1. Hot In Place Asphalt Recycling
2. Equipment Rentals
3. Base Stabilization
4. Striping
5. Gasoline
6. Bituminous Concrete
7. Liquid Bituminous Concrete

Whereas, bids were received for the above products and the Committee made the following recommendations:

HIP Asphalt Recycling: The following company(s) submitted a bid: Highway Rehab. The Committee recommends that the bid be accepted and awarded to Highway Rehab as per Attachment 1.

Equipment Rentals: The following company(s) submitted a bid: Tracey Road Equipment, Paul F. Vitale, Bothar Construction, Suit Kote, Hertz Equipment Rental. The Committee recommends that all bids be accepted and awarded as per Attachment 2.

Base Stabilization: The following company(s) submitted a bid: SuitKote, Vestal Asphalt, Midland Asphalt. The Committee recommends that the bids be accepted and awarded to Suit Kote as per Attachment 3.

Striping: The following company(s) submitted a bid: Seneca Pavement Marking. The Committee recommends that the bids be accepted and awarded to Seneca Pavement Marking as per Attachment 4.

Gasoline: The following company(s) submitted a bid: Griffith Energy, Petroleum Traders. The Committee recommends that the bids be accepted and awarded to Petroleum Traders as per Attachment 6.

Bituminous Concrete: The following company(s) submitted a bid: Suit Kote, Seneca Stone, Hanson-Skaneateles, Hanson - Lansing. The Committee recommends that the bids be accepted and awarded to all as per Attachment 7.

Liquid Bituminous Concrete: The following company(s) submitted a bid: SuitKote, Vestal Asphalt, Midland Asphalt. The Committee recommends that the bids be accepted and awarded to Suit Kote per Attachment 8.

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 sign contracts with and purchase from all successful bidders for 2011 and to pay from appropriated funds. Signed by Axton, Barski, Chapman, Cuddeback, Mitchell, Pinckney, Whitman, Mills, Cuddeback, Fearon and Petrus, all in favor.

RESOLUTION NO. 190-11

April 26, 2011 hwysignagreeNYSDOTCNG

**AUTHORIZE CHAIRMAN TO SIGN FUEL PURCHASE AGREEMENT WITH
NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO PURCHASE
COMPRESSED NATURAL GAS FUEL.**

BY: Dave Axton, Chairman Public Works Committee

Roger Mills, Chairman Ways and Means Committee

WHEREAS, the New York State Department of Transportation dispenses compressed natural gas fuel within Cayuga County at their Dunning Avenue location; and

WHEREAS, New York State Department of Transportation has offered Cayuga County the option to utilize the NYS DOT-Dunning Avenue facility and purchase compressed natural gas fuel; and

WHEREAS, the Agreement will be reviewed by the County Attorney before the Chairman of the Legislature signs; now therefore be it

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RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized to sign an Agreement with the New York State Department of Transportation to purchase compressed natural gas fuel.

Signed by Axton, Barski, Chapman, Cuddeback, Mitchell, Pinckney, Whitman, Mills, Cuddeback, Fearon and Petrus, all in favor.

RESOLUTION NO. 191-11

4-26-11 HWY2UTILTRKPURCH

**AUTHORIZATION FOR THE HIGHWAY SUPERINTENDENT TO REPLACE
TWO (2) CREW CAB UTILITY TRUCKS USING
STATE CONTRACT PRICING**

BY: David Axton Chairman, Public Works Committee

Roger Mills, Chairman, Ways and Means Committee

WHEREAS, in the 2011 Highway Department budget, funds were budgeted in account DM51302 52002 in the amount of \$57,000 for the replacement of two (2) 1-ton crew cab trucks with utility bodies; and

WHEREAS, the County can purchase these utility trucks with necessary options at \$26,602.80 each for a total cost of \$53,205.60 from State bid award/contract #20774/PC63652 thereby eliminating the need and cost of bidding; and

Whereas, these utility trucks are critical component of the Highway Department for materials and crew transportation for road maintenance, resurfacing, and reconstruction projects; now therefore be it

Resolved, the Highway Superintendent is authorized to purchase two utility trucks off of the State bid utilizing the appropriated and budgeted funds in account DM51302 52002; and be it further

Resolved, that the total cost of the two utility trucks is not to exceed \$53,205.60; and be it further;

Resolved, that upon the delivery of the (2) 1-ton crew cab utility trucks, the existing (2) 1-ton crew cab utility trucks will be delivered to and accepted by the Clerk of the Cayuga County Legislature for disposal; and further be it

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

Signed by Axton, Barski, Chapman, Cuddeback, Mitchell, Pinckney, Whitman, Mills, Cuddeback, Fearon and Petrus, all in favor.

RESOLUTION NO. 192-11

Date: April 26, 2011 HWY lightupgradeREV1

**AUTHORIZATION FOR CHAIRMAN AND HIGHWAY SUPERINTENDENT TO
APPLY FOR AND SIGN AGREEMENT FOR SMALL BUSINESS
EFFICIENCY PROGRAM GRANT**

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

Hon. Roger Mills, Chairman, Ways & Means Committee

WHEREAS, The Cayuga County Highway Department had energy assessments done on the Auburn, Venice and Ira highway facilities; and

WHEREAS, these facilities qualify for the Small Business Energy Efficiency Program grant; and

WHEREAS, this program covers approximately 70% of the cost, less prevailing wage rates, to upgrade the current light fixtures and light bulbs at each facility; and

WHEREAS, the Highway department has funds budgeted in account DM51304 54012 to cover the approximately 45% county portion of the upgrade; and

WHEREAS, the estimated cost and return on investment times are listed below:

FACILITY	TRACKING #	TOTAL COST	COUNTY COST	RETURN ON INVESTMENT
Auburn	NYSEG - 123870	\$15,602.03	\$6,918.23	43 months
Venice	NYSEG - 123822	\$5,422.93	\$2,529.61	42 months
Ira	RGE - 123893	\$4,341.99	\$1,939.90	36 months
TOTAL		\$25,366.95	\$11,387.74	

Now therefore be it

RESOLVED, that the Chairman and Highway Superintendent apply for and enter into an agreement allowing lights and fixtures at the above facilities to be upgraded at a cost not exceeding a total of \$25,366.95, and a County share not exceeding \$11,387.74. Signed by Axton, Barski, Chapman, Cuddeback, Mitchell, Pinckney, Whitman, Mills, Cuddeback, Fearon and Petrus, all in favor.

RESOLUTION NO. 193-11

Date: April 26, 2011 HWY SUMMERSEASONAL

RESOLUTION TO AUTHORIZE HIRE OF 10 SEASONAL LABORERS

BY: Hon. David Axton, Chairman Public Works Committee

Hon. Roger Mills, 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 2011 highway budget for the hiring of seasonal laborers for an 18 week period in Account. D51101 51005 – SEASONAL SALARIES; and

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, Mitchell, Pinckney, Whitman, Mills, Cuddeback, Fearon and Petrus, all in favor.

**RESOLUTION NO. 194-11 April 26,
2011PW Emer Pav SEQR DterSignificance01
DETERMINING SIGNIFICANCE UNDER THE COORDINATED NEW YORK
STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) REVIEW OF
THE EMERSON PARK PAVILION RENOVATION PROJECT, AND
AUTHORIZING COUNTY STAFF TO PREPARE, FILE AND PUBLISH SUCH
DETERMINATION IN COMPLIANCE WITH ARTICLE 8 OF THE NEW YORK
STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION LAW**

BY: Mr. David Axton, Chair, Public Works Committee

WHEREAS, Cayuga County, in partnership with the Fred L. Emerson Foundation, is undertaking the renovation of the County-owned Emerson Park Pavilion (the "Pavilion") that will include Pavilion site improvements, Pavilion repairs and renovations, Pavilion additions and improvements to the Pavilion facility systems (collectively the "Pavilion Project"); and

WHEREAS, the Cayuga County Legislature, in undertaking and funding the Pavilion Project is required to comply to the requirements of the State Environmental Quality Review Act and the regulations of Article 8 of the New York State Department of Environmental Conservation Law adopted thereunder (collectively, "SEQRA"); and

WHEREAS, on January 25, 2011 the Cayuga County Legislature, through approval and adoption of Cayuga County Legislative Resolution # 50-11 of 2011, identified the Pavilion Project as a "Type I Action", has declared its intent to act as "Lead Agency" in a "Coordinated Review" as said terms are defined under SEQRA: and

WHEREAS, the Cayuga County Legislature circulated a request for Lead Agency designation to the Involved Agencies including transmittal of a completed Part I Full Environmental Assessment Form (Full EAF) complete project documentation and detailed project plans and scope of work; and

WHEREAS, the County Legislature has received written consensus from the Involved Agencies agreeing to the County's designation as Lead Agency and providing project comments regarding the potential for environmental impacts associated with the Project; and

WHEREAS, the Cayuga County Legislature has reviewed the comments received from Involved Agencies, the Project information provided by the Full Environmental Assessment Form (the "EAF") and other supporting information to identify all relevant areas of environmental concern to determine if the action may have a significant adverse impact on the environment; and

WHEREAS, the Cayuga County Legislature has set forth its determination of significance in a written form containing a reasoned elaboration as to its determination why it believes this Project will not have a significant adverse impact on the environmental impact (attached hereto and made part of this Resolution), NOW, THEREFORE, BE IT

RESOLVED, by the Cayuga County Legislature acting as Lead Agency for the SEQRA review of the Project, as follows:

1. The Cayuga County Legislature declares that the Project will not result in any adverse environmental impacts and therefore will NOT have a significant impact on the environment;

2. The Cayuga County Legislature authorizes and directs the Chairman of the Legislature to execute any documents necessary to publish, file and circulate this determination of significance;

3. The Cayuga County Legislature authorizes and directs the staff to file the Notice of Determination of Significance with:
- a. The Town Supervisor of the Town of Owasco as the chief elected officer of the political subdivision where the Project is located;
 - b. The Cayuga County Legislature as the Lead Agency;
 - c. All Involved Agencies;
 - d. Any person who has requested a copy; and
 - e. File and publish the Notice of Determination with the NYS Environmental Notice Bulletin, 625 Broadway, Albany, NY 12233-1750
4. This Resolution shall take effect immediately upon approval.
- Signed by Axton, Barski, Chapman, Cuddeback, Mitchell and Pinckney, all in favor.

RESOLUTION NO. 195-11

4-26-11 EMO AcceptHazMatHomelandSecurityGrant

AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND THE DIRECTOR OF EMERGENCY SERVICES TO ACCEPT A NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES HAZARDOUS MATERIALS GRANT TO PURCHASE CBRNE (CHEMICAL, BIOLOGICAL, RADIOLOGICAL, NUCLEAR, & EXPLOSIVE) DETECTION EQUIPMENT.

BY: Mr. Steven Cuddeback, Chairman, Judicial & Public Safety Committee, and
Mr. Roger Mills, Chairman, Ways & Means Committee

WHEREAS, the Cayuga County Office of Emergency Services applied for and Cayuga County was granted \$125,000.00 State Homeland Security Hazardous Materials Grant to purchase CBRNE (Chemical, Biological, Radiological, Nuclear & Explosives) detection equipment, appropriate warranty and service contract, and to receive manufacturer recommended training in the use of the detection equipment for Hazardous Materials Identification in response to Chemical, Biological, Radiological, Nuclear, and Weapon of Mass Destruction Events (CBRNE/WMD); and,

WHEREAS, the Grant funds are specified by the New York State Office of Homeland Security to procure the Area-Rae Gamma detection system and appropriate warranty, service contract and manufacturers training for first responders to respond to CBRNE / WMD; therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature and the Director of Emergency Services are hereby authorized to accept said Grant and to sign any and all documents necessary for acceptance of the Grant; and be it further

RESOLVED, that the Director of Emergency Services be authorized to enter into contracts with vendors in order to accomplish the goals of this grant without further legislative action; and be it further

RESOLVED, that the Cayuga County Treasurer's Office is hereby authorized and directed to amend the Emergency Management Department's 2011 Budget by creating a revenue line Munis Account No. A36470-44313 and creating expenditure line Munis Account No. A36474-54517; and be it further

RESOLVED, that the Treasurer make the journal and accounting entries necessary to implement the intent of this Resolution.

Signed by Cuddeback, Barski, Chapman, Whitman, Mills, Axton, and Mahunik. All in favor.

RESOLUTION NO. 196-11

4-26-11 EMO EnterIntoRPA2010HazMatGrant

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE
AND THE DIRECTOR OF EMERGENCY SERVICES TO ENTER INTO A
REGIONAL PARTNERSHIP AGREEMENT (RPA) WITH THE NON-
SUBMITTING PARTNERS OF THE CENTRAL NEW YORK REGIONAL
HAZARDOUS MATERIALS RESPONSE CONSORTIUM TO EXECUTE THE
PURPOSE OF THE 2010 HAZARDOUS MATERIALS GRANT.**

BY: Mr. Steven Cuddeback, Chairman, Judicial & Public Safety Committee, and
Mr. Roger Mills, Chairman, Ways & Means Committee

WHEREAS, the Cayuga County Office of Emergency Services applied for and Cayuga County was granted \$125,000.00 State Homeland Security Hazardous Materials Grant to purchase CBRNE (Chemical, Biological, Radiological, Nuclear & Explosives) detection equipment, appropriate warranty and service contract, and to receive manufacturer recommended training in the use of the detection equipment for Hazardous Materials Identification in response to Chemical, Biological, Radiological, Nuclear, and Weapon of Mass Destruction Events (CBRNE/WMD); and,

WHEREAS, to receive the funds from this Grant the New York State Office of Homeland Security requires Cayuga County to enter into a Regional Partnership Agreement (RPA) with the non-submitting partners of the Central New York Regional Hazardous Materials Response Team Consortium; therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature and the Director of Emergency Services be authorized to sign on behalf of and enter into a Regional Partnership Agreement (RPA) with the non-submitting members of the Central New York Regional Hazardous Materials Response Team Consortium from, Schuyler County, Seneca County, and Tompkins County;

Signed by Cuddeback, Barski, Chapman, Petrus, Pinckney, Sincebaugh, Whitman, Mills, Axton, Fearon and Mitchell, all in favor.

RESOLUTION NO. 197-11

4/26/11 SHR FairHavenSecurityCarnivalrev

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE
AND THE SHERIFF OF CAYUGA COUNTY TO ENTER INTO AN
AGREEMENT WITH THE VILLAGE OF FAIR HAVEN FOR THE CAYUGA
COUNTY SHERIFF'S OFFICE TO PROVIDE SECURITY AT THE CARNIVAL
AND PARADE HELD IN JULY 2011.**

BY: Mr. Steven E. Cuddeback, Chair, Judicial and Public Safety Committee, and
Mr. Roger A. Mills, Chair, Ways & Means Committee

WHEREAS, pursuant to Resolution No. 237-04, the Cayuga County Legislature authorized the Cayuga County Sheriff's Office to enter into Agreements with municipalities, fire departments, school districts, organizations and other entities to provide policing by Cayuga County Sheriff's Deputies; and

WHEREAS, the Cayuga County Sheriff's Office has contracted on a yearly basis with the Village of Fair Haven to provide security for the Carnival and Parade that occurs in the Village in July of each year for the sum of \$52.00 per hour; and

WHEREAS, the rate of \$52.00 per hour will continue for the 2011 calendar year and will be reviewed and adjusted as appropriate for next year; and

WHEREAS, both parties are desirous to once again enter into an Agreement that permits the Cayuga County Sheriff's Office to provide security for this year's Carnival and Parade in the Village of Fair Haven; now therefore be it

RESOLVED, that the Chairman of the Legislature and the Sheriff are hereby authorized to execute the necessary documents to enter this Agreement for the period of July 1st, 2nd and 3rd, 2011; and be it further

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

Signed by Cuddeback, Barski, Chapman, Whitman, Mills Axton and Mahunik, all in favor.

RESOLUTION NO. 198-11

4/26/11 SHR Majorpalooza Securityrev

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE
AND THE SHERIFF OF CAYUGA COUNTY TO ENTER INTO AN
AGREEMENT WITH CHRISTOPHER MAJOR FOR THE CAYUGA COUNTY
SHERIFF'S OFFICE TO PROVIDE SECURITY AT THE
MAJORPALOOZA EVENT IN MAY 2011.**

BY: Mr. Steven E. Cuddeback, Chair, Judicial and Public Safety Committee, and
Mr. Roger A. Mills, Chair, Ways & Means Committee

WHEREAS, pursuant to Resolution No. 237-04, the Cayuga County Legislature authorized the Cayuga County Sheriff's Office to enter into Agreements with municipalities, fire departments, school districts, organizations and other entities to provide policing by Cayuga County Sheriff's Deputies; and

WHEREAS, the Cayuga County Sheriff's Office has contracted on a yearly basis with Christopher Major to provide security for the Majorpalooza event that occurs at Auburn Correctional Facility Recreation Center in Auburn, New York in May of each year for the sum of \$52.00 per hour; and

WHEREAS, the rate of \$52.00 per hour will continue for the 2011 calendar year and will be reviewed and adjusted as appropriate for next year; and

WHEREAS, both parties are desirous to once again enter into an Agreement that permits the Cayuga County Sheriff's Office to provide security for this year's Majorpalooza event; now therefore be it

RESOLVED, that the Chairman of the Legislature and the Sheriff are hereby authorized to execute the necessary documents to enter this Agreement for the period of May 29th – 30th, 2011; and be it further

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

Signed by Cuddeback, Barski, Chapman, Whitman, Mills Axton and Mahunik, all in favor.

RESOLUTION NO. 199-11
4/26/11 SHR Wdspt Field Days SecurityREV
AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE
AND THE SHERIFF OF CAYUGA COUNTY TO ENTER INTO AN
AGREEMENT WITH THE WEEDSPORT FIRE DEPARTMENT FOR THE
ANNUAL FIELD DAYS IN JUNE 2011.

BY: Mr. Steven E. Cuddeback, Chair, Judicial and Public Safety Committee, and
Mr. Roger A. Mills, Chair, Ways & Means Committee

WHEREAS, pursuant to Resolution No. 237-04, the Cayuga County Legislature authorized the Cayuga County Sheriff's Office to enter into Agreements with municipalities, fire departments, school districts, organizations and other entities to provide policing by Cayuga County Sheriff's Deputies; and

WHEREAS, the Cayuga County Sheriff's Office has contracted on a yearly basis with the Weedsport Fire Department to provide security for the Annual Field Days that occurs the first weekend of June each year for the sum of \$52.00 per hour; and

WHEREAS, the rate of \$52.00 per hour will continue for the 2011 calendar year and will be reviewed and adjusted as appropriate for next year; and

WHEREAS, both parties are desirous to once again enter into an Agreement that permits the Cayuga County Sheriff's Office to provide security for this year's Annual Field Days; now therefore be it

RESOLVED, that the Chairman of the Legislature and the Sheriff are hereby authorized to execute the necessary documents to enter this Agreement for the period of June 2nd, 3rd and 4th, 2011; and be it further

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

Signed by Cuddeback, Barski, Chapman, Whitman, Mills Axton and Mahunik, all in favor.

RESOLUTION NO. 200-11
4/26/11 SHR Owasco FD Summer EventREV
AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE
AND THE SHERIFF OF CAYUGA COUNTY TO ENTER INTO AN
AGREEMENT WITH THE OWASCO FIRE DEPARTMENT FOR THE CAYUGA
COUNTY SHERIFF'S OFFICE TO PROVIDE SECURITY AT THE WELCOME
IN SUMMER FUNDRAISER EVENT IN MAY 2011.

BY: Mr. Steven E. Cuddeback, Chair, Judicial and Public Safety Committee, and
Mr. Roger A. Mills, Chair, Ways & Means Committee

WHEREAS, pursuant to Resolution No. 237-04, the Cayuga County Legislature authorized the Cayuga County Sheriff's Office to enter into Agreements with municipalities, fire departments, school districts, organizations and other entities to provide policing by Cayuga County Sheriff's Deputies; and

WHEREAS, the Cayuga County Sheriff's Office has contracted on a yearly basis with the Owasco Fire Department to provide security for the Welcome in Summer Fundraiser event that occurs in May of each year for the sum of \$52.00 per hour; and

WHEREAS, the rate of \$52.00 per hour will continue for the 2011 calendar year and will be reviewed and adjusted as appropriate for next year; and

WHEREAS, both parties are desirous to once again enter into an Agreement that permits the Cayuga County Sheriff's Office to provide security for this year's Welcome in Summer Fundraiser event; now therefore be it

RESOLVED, that the Chairman of the Legislature and the Sheriff are hereby authorized to execute the necessary documents to enter this Agreement for the period of May 28th – 29th, 2011; and be it further

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

Signed by Cuddeback, Barski, Chapman, Whitman, Mills Axton and Mahunik, all in favor.

RESOLUTION NO. 201-11

4/26/11 SHR DCJSVideoTeleGrant

AUTHORIZING THE SHERIFF'S OFFICE TO APPLY FOR FUNDING THROUGH THE 2011 VIDEO TELECONFERENCING EQUIPMENT GRANT FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES OFFICE OF PROGRAM DEVELOPMENT AND FUNDING

BY: Mr. Steven Cuddeback, Chair, Judicial and Public Safety Committee, and Mr. Roger Mills, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Office wishes to apply for a \$30,000.00 Grant from the New York State Division of Criminal Justice Services that will provide funding for the Jail Video Teleconferencing System that will reduce the cost of salaries associated with the transport and securing of inmates while off the premises; and

WHEREAS, all equipment paid for through the Grant will require no match of funding by the County and will be 100% funded by the New York State Division of Criminal Justice; now therefore be it

RESOLVED, that the Cayuga County Sheriff's Office is hereby permitted to apply for these monies available through the New York State Division of Criminal Justice Services Office of Program Development & Funding.

Signed by Cuddeback, Barski, Chapman, Petrus, Pinckney, Sincebaugh, Whitman, Mills, Axton, Fearon and Mitchell, all in favor.

RESOLUTION NO. 202-11

4/26/11 SHR OperStgdnGrant

AUTHORIZING THE TREASURER'S DEPARTMENT TO AMEND THE 2011 SHERIFF'S BUDGET TO ACCEPT THE 2010 OPERATION STONEGARDEN GRANT FROM THE OFFICE OF HOMELAND SECURITY.

BY: Mr. Steven Cuddeback, Chair, Judicial and Public Safety Committee, and Mr. Roger Mills, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Office applied for and was granted \$127,950.00 from the Office of Homeland Security towards the purchase of approved equipment and reimbursement to the County for overtime and fringe benefits on overtime expended on operational details with the United States Border Patrol; and

WHEREAS, all above mentioned expenditures under this Grant have been approved and are 100% funded by the Department of Homeland Security; now therefore be it

RESOLVED, that the Chairman of the Legislature be authorized to sign the necessary documentation to accept the 2010 Operation Stonegarden Grant; and be it further

RESOLVED, that after a contract has been received, approved and signed, the 2011 Cayuga County Sheriff's Office Law Enforcement Operating Budget be amended to increase Revenue Line A31100 44325 Sheriff/HSDPP(SLETTP, STONEGARDEN) by \$127,950.00, and increase the following expenditure lines as indicated: Grant Expenditure Account A31104 54244 by \$108,750.00, Sheriff's Overtime Account A31101 51003 by \$14,685.00, Sheriff's Social Security Account A31101 58001 by \$1,123.00, and the Sheriff's Retirement Account A31101 58002 by \$3,392.00; and be it further

RESOLVED, that the Cayuga County Sheriff's Office is authorized to enter into any contracts necessary to effect this Grant and be allowed to purchase the Grant approved equipment and expend overtime and fringes; 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, Barski, Chapman, Petrus, Pinckney, Sincebaugh, Whitman, Mills, Axton, Fearon and Mitchell, all in favor.

RESOLUTION NO. 203-11

4/26/11 SHR Emp3CourtSecurity

**AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO EMPLOY 3
ADDITIONAL PART-TIME SPECIAL PATROL OFFICERS (COURT
SECURITY) TO PROVIDE SUFFICIENT SECURITY FOR THE NEW YORK
STATE UNIFIED COURT SYSTEM IN CAYUGA COUNTY.**

BY: Mr. Steven Cuddeback, Chair, Judicial and Public Safety Committee, and
Mr. Roger Mills, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Office employs part-time Special Patrol Officers (Court Security) to provide security and ensure the smooth and efficient functioning of the New York State Unified Court System in Cayuga County; and

WHEREAS, the New York State Unified Court System in Cayuga County has informed the Cayuga County Sheriff's Office that their needs warrant the employment of three additional part-time Special Patrol Officers (Court Security) by the Sheriff's Office to ensure a sufficient pool of available Special Patrol Officers (Court Security); and

WHEREAS, employing three additional part-time Special Patrol Officers (Court Security) would not be of any extra cost to Cayuga County as these positions are 100% reimbursed by New York State and will be funded by the monies already designated in the Cayuga County Sheriff's Budget in lines A11621 51002 (Salaries – Part Time), A11621 58001 (Social Security), A11621 58002 (Retirement) and A11620 43330 (Unified Courts); now therefore be it

RESOLVED, that the County of Cayuga be authorized to establish three new part-time Special Patrol Officer (Court Security) Positions and the Sheriff of Cayuga County be authorized to fill these positions in accordance with the Civil Service Rules and Regulations and the Policies of the County of Cayuga, and be it further

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

Signed by Cuddeback, Barski, Chapman, Petrus, Pinckney, Sincebaugh, Whitman, Mills, Axton, Fearon and Mitchell, all in favor.

RESOLUTION NO. 204-11
Date: 04/26/11 SHR NonBargaining Salary Increase
AUTHORIZING A CHANGE TO THE 2011 CAYUGA COUNTY
COMPENSATION PLAN TO REFLECT A SALARY INCREASE FOR THE
CAYUGA COUNTY JAIL PHYSICIAN

BY: Mr. Steven E. Cuddeback, Chair, Judicial and Public Safety Committee, and
 Mr. Roger A. Mills, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Department received a letter from Dr. Pan L. Kooi, the part-time physician employed at the Cayuga County Jail, requesting an increase in his salary; and

WHEREAS, the population of those incarcerated at the Cayuga County Jail has doubled since Dr. Kooi's hire date in 2002 and since that time, Dr. Kooi has not received an increase in pay except for the yearly non-bargaining raise; and

WHEREAS, the Cayuga County Sheriff's Office conducted a survey of other county jails in New York State to ascertain the rate of pay of the physicians employed at their facilities and it was revealed that Dr. Kooi is one the lowest paid jail physicians in the state; and

WHEREAS, after consideration of the above and discussion with Dr. Kooi, it was concluded that an increase in Dr. Kooi's salary is warranted and justified; and

WHEREAS, there is enough money in the Cayuga County Sheriff's Department Jail Budget to cover this increase, now therefore be it

RESOLVED, that the Cayuga County Sheriff Non-Bargaining Positions, Part II, of the Cayuga County Compensation Plan be amended to show that the 2011 salary of the Cayuga County Jail Physician, part time be \$35,000.00, effective May 1ST, 2011; and be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized to reduce the Sheriff's Jail Budget Line A31504-54059 Professional Services Line by \$7,919.00 and increase the following lines: Salaries – PT, Line No. A31501-51002, by \$6,473.00; Social Security, Line No. A31501-58001, by \$495.00; and Retirement, Line No. A31501-58002 by \$951.00; 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, Barski, Chapman, Petrus, Pinckney, Sincebaugh, Whitman, Mills, Axton, Fearon and Mitchell, all in favor.

RESOLUTION NO. 205-11
4/26/11 SHR AmdRes113-11purvehicles
AMENDING RESOLUTION NO. 113-11 THAT AUTHORIZED THE CAYUGA
COUNTY SHERIFF'S OFFICE TO PURCHASE FIVE BLACK DODGE
CHARGERS AND ONE BLACK DODGE DURANGO

BY: Mr. Steven E. Cuddeback, Chair, Judicial and Public Safety Committee, and
 Mr. Roger A. Mills, Chair, Ways & Means Committee

WHEREAS, Resolution No. 113-11 authorized the Cayuga County Sheriff's Office to purchase 5 new marked Dodge Chargers, Police Package, and 1 new marked Dodge Durango to replace 5 marked patrol cars and one marked SUV that have all exceeded their useful life span and have accumulated high mileage; and

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WHEREAS, Resolution No. 113-11 incorrectly stated that the aforementioned vehicles were to be purchased from 2011 Sheriff's Budget Lines A31502 52005 and A31502 52006 and that the new Dodge Durango was to be marked; and

WHEREAS, the correct budget lines are 2011 Sheriff's Budget Lines A31102 52005 (\$125,000) and A31102 52006 (\$29,000); now therefore be it

RESOLVED, that Resolution No. 113-11 is hereby amended to reflect the correct budget lines as A31102 52005 and A31102 52006; and be it further

RESOLVED, that Resolution No. 113-11 is further amended to reflect that the new Dodge Durango to be purchased will be unmarked.

Signed by Cuddeback, Barski, Chapman, Petrus, Pinckney, Sincebaugh, Whitman, Mills, Axton, Fearon and Mitchell, all in favor.

RESOLUTION NO. 206-11
4/26/10 SHR SLETPP grant

AUTHORIZING THE TREASURER'S DEPARTMENT TO AMEND THE 2011 SHERIFF'S BUDGET TO ACCEPT THE 2010 STATE LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM GRANT FROM THE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES(DHSES).

BY: Mr. Steven Cuddeback, Chair, Judicial and Public Safety Committee, and Mr. Roger Mills, Chair, Ways & Means Committee

WHEREAS, THE Cayuga County Sheriff Department applied for and was granted \$62,239.00 from the Division of Homeland Security and Emergency Services towards the purchase of approved equipment; and

WHEREAS, all above mentioned expenditures under this grant have been approved and are 100% funded by the Division of Homeland Security and Emergency Services: let it be

RESOLVED, that the Chairman of the Legislature be authorized to sign the necessary documentation to accept the 2010 State Law Enforcement Terrorism Prevention Program Grant; and be it

RESOLVED, that the 2011 Cayuga County Sheriff's Law Enforcement Operating budget be amended to increase the Revenue Line A31100 4325 Sheriff/HSDPP(SLETPP,STONEGARDEN) by \$62,239.00, and increases in the following expenditure lines: Grant Expenditure Account A31104 54244 of \$31,120.00 and A31104 54236 LETPPDOUT \$31,119.00 to be paid to the Auburn Police Department; and be it further

RESOLVED, that the Sheriff Department be allowed to purchase the grant approved equipment and to enter into any contracts necessary to effect this Grant; and 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, Barski, Chapman, Petrus, Pinckney, Sincebaugh, Whitman, Mills, Axton, Fearon and Mitchell, all in favor.

RESOLUTION NO. 207-11
4-26-11 COA pol&procedureada
UPDATING EXISTING COUNTY POLICIES AND PROCEDURES BY ADDING
POLICY NO. ___ADA GRIEVANCE PROCEDURE

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 HR Director, County Administrator, and County Attorney have reviewed this policy and has confirmed that it needs to be updated; now, therefore be it

RESOLVED, that the County Legislature does hereby adopt the attached **ADA GRIEVANCE PROCEDURE** and; be it further

RESOLVED, that the adopted policy be available on the County's website; and be it further

RESOLVED, that this resolution will take effect immediately upon adoption.

Signed by Fearon, Aikman, Chapman, Lattimore, Mitchell, Sincebaugh and Whitman, all in favor.

RESOLUTION NO. 208-11
4/26/11 COA NYGOVLANDTRUSTrev
CAYUGACOUNTY LEGISLATURE URGES ITS FEDERAL REPRESENTATIVES
TO SEND A JOINTLY-SIGNED LETTER TO PRESIDENT OBAMA AND
URGES NEW YORK'S GOVERNOR TO SEND A LETTER TO PRESIDENT
OBAMA REGARDING LAND IN TRUST AND A CARCIERI FIX

WHEREAS, the Cayuga Indian Nation has applied to the Bureau of Indian Affairs for land in Seneca and Cayuga counties to be taken into federal trust, and

WHEREAS, these counties and the State of New York have repeatedly and vehemently opposed these trust applications, because their approval would impose a sovereign Indian reservation on the counties, which would mean not only land coming off the school, town and county tax rolls, but the uncontested opening of Class II electronic bingo parlors thus bringing gambling to counties that do not want it, and the total removal of local jurisdiction over the lands placed in trust; and

WHEREAS, the Final Environmental Impact Study (FEIS) regarding these applications has been completed, and, although it is severely flawed, a Record of Decision (ROD) could be issued by the Secretary of the Interior at any time; and

WHEREAS, issuance of a ROD appears to be held up by the U.S. Supreme Court's February 2009 ruling in Carcieri v. Salazar which found, in part, that the Secretary of the Interior does not have the authority to take land in trust for Indian tribes that were not federally recognized and under federal jurisdiction in 1934 when the Indian Reorganization Act was passed; and

WHEREAS, bills have been introduced in both the House (H.R.1231) and the Senate (S.676) to allow any federally recognized Indian tribe to be granted land in trust; and

WHEREAS, the Cayuga Indian Nation of New York, if federally recognized in 1934, was certainly not under federal jurisdiction at that time; and

WHEREAS, in addition to the 110 Cayuga County acres in the Nation's current trust applications, the Cayuga's have purchased an additional 134.37 acres OF LAND IN Cayuga County; and

WHEREAS, President Obama has indicated his intention to sign into law a bill which provides a Carcieri fix; and

WHEREAS, the President may not be aware of the disruptive practical consequences of checker-boarded sovereign land pointed out by the U. S. Supreme Court in Sherrill v Oneida Indian Nation (2006), only some of which have been mentioned above; and

WHEREAS, the President may not realize that the congressional intent of the Indian Reorganization Act (IRA) of 1934 was not to establish new reservations, but to restore to Indian tribes, principally in the West, reservation land which those tribes had lost by allotting parcels to individual Indians following the Dawes Act of 1887, and

WHEREAS, the President may not realize that in its Carcieri v. Salazar decision the U. S. Supreme Court was following the congressional intent of the IRA and therefore correct in its decision denying land in trust to the Naragansett's and other tribes not federally recognized and under federal jurisdiction in 1934; and

WHEREAS, the President may well not understand the negative impact which land placed into trust for the Cayuga's would have on Seneca, Cayuga, and other New York counties, financially and otherwise; now therefore
be it

RESOLVED, the Cayuga County Legislature urges Senator Charles Schumer, Senator Kirsten Gillibrand, Congressman Richard Hanna and Congressman Bill Owens to send a jointly signed letter to President Obama and urges New York State Governor Andrew Cuomo to send a letter to President Obama explaining the serious negative implications for New York counties if a Carcieri fix becomes law and if land is taken into trust for the Cayuga Indian Nation; and be it further

RESOLVED, that the counties of Seneca, Madison and Oneida be sent copies of this resolution and urged to send similar resolutions to their federal representatives and Governor Cuomo; and be it further

RESOLVED, that copies of the letter to President Obama be sent to Secretary of the Interior Kenneth Salazar, Bureau of Indian Affairs Director Larry Echo Hawk, the chair and members of the House Natural Resources Committee, the chair and members of the Senate Indian Affairs Committee, State Senator Michael Nozzolio, Assemblyman Brian Kolb, the New York delegation, and perhaps as an attachment to a Dear Colleague letter to all members of the 112th Congress.

Signed by Tortorici, Whitman, Chapman, Axton, Petrus, Pinckney, Mills, Fearon, Mitchell, Cuddeback, Barski, Mahunik, Lattimore and Aikman, all in favor.

Motion by Chapman to adjourn at 8:17PM, 2nd by Cuddeback, all in favor.

Motion by Chapman to approve minutes of 4-26-11, 2nd by Pinckney, all in favor.

MINUTES
CAYUGA COUNTY LEGISLATURE
May 24, 2011 – 1:00PM
at (Emerson Park Pavilion)
Senior Citizen Day

CALL TO ORDER: Hon. Peter Tortorici, Chairman, at 12:56PM

ROLL CALL: Mary Jones, Clerk of the Legislature, all Legislators present, Legislator Patrick Mahunik arriving at 12:59PM.

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

National Anthem was sung by Daniel Larson, President Cayuga Community College.

DEATHS: Stefan R. Bendas, former Commissioner of Social Services for the County of Cayuga for 15 years.

PUBLIC HEARING: Opened at 1:00PM – “A Local Law No. 1 for the Year 2011 Against the Disruption of Funeral Related Events”.

PROCLAMATION'S:

National Nursing Home Week, 5-9-11 to 5-15-11

National Hospital Week, 5-9-11 to 5-15-11

Auburn/Cayuga County NAACP 4th Annual Freedom Fund Banquet “Our Youth: Going Above and Beyond” May 6th, 2011

Child Care Provider Appreciation Day in Cayuga County May 6, 2011

Small Business Week, May 18 through May 20, 2011

Senior Citizen Month in Cayuga County May 2011, **read by Chairman Peter Tortorici, and presented to Nancy Siefka Director of Office for the Aging.**

ANNOUNCEMENT OF AWARDS: Senior Citizens of the Year 2011, presented by Nancy Siefka, Director of Office for the Aging.

Florence Lansdowne, 13430 Route 90, Locke, NY
Certificate presented by Legislator Steven Cuddeback

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Ellie May, 705 Auburn Heights, Auburn, NY
Certificate presented by Legislator Stephen Barski and Daniel Sincebaugh

Arlene Ryan, 36 Orchard St., Auburn, NY
Certificate presented by Legislator Cynthia Aikman

Cyrilla Thurston, 6519 Short Rd., Cayuga, NY
Certificate presented by Legislator Paul Pinckney

Shirley Weldon, 459 N. Seward Ave., Auburn, NY
Certificate presented by Legislator Stephen Barski

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.

Lattimore, concerned about the gas tax, NYS is 2nd highest in the country.

MINUTES: For Approval: 3-22-11, **Motion to approve minutes by Chapman, 2nd by Pinckney, all in favor.**

For Reading: 4-26-11

CCC REPORT: Dr. Daniel Larson: **attached to original minutes.**

COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS: None

COUNTY ADMINISTRATOR'S REPORT: Tom Squires, **handout attached to original minutes.**

Discussion:

Squires, resolution HH-13 for Office for the Aging, bids for the meals came in higher than expected and it took awhile to know what the State and Federal reimbursement was going to be. In committee it was discussed that Office for the Aging plan to deliver meals less than 5 days a week, because of the demand increase for meals, the routes got longer, and the mileage costs went up. In an effort to stretch mileage money until the end of the year. Office for the Aging was not going to deliver a meal one day a week, instead double up the day before. The Legislature decided, in committee to deliver 5 days a week as before, that is why the money was but into their budget.

Lattimore, the city doesn't get any reimbursement.

Squires, additional cost is for all meals, whether in the city or towns. The mileage costs increased because of the longer routes in the towns.

Lattimore, it is still cheaper by keeping them in their homes.

Squires, absolutely, I don't know by how much.

Mills, in committee, Deb English answered that, \$100,000 a year for nursing home care.

Mitchell, we need to but more money aside for salary savings.

Squires, to reduce the overall salary line.

Mitchell, yes.

Mills, we need to be cautious, some of the savings is because people have left and we are filing with a lesser salary, as we fine tune this, the results will be less and less.

Mitchell, I don't disagree, but we have gone as high as 1.2 million.

CHAIRMAN'S REPORT: Peter Tortorici, Denise Stayton with help from Wladis and other departments, in a short time frame, put a grant together. We put together support letters, that are on your desk, that were sent out to 75 people, all Fire Departments, Police Departments, Sheriff, Mayors and Elected Officials, this will give us a better chance of receiving the 1.4 million dollars for the radio system. I would like to thank Legislator Michael Chapman, on May 6, 2011; National Day of Prayer was celebrated throughout the United States in more than 35,000 locations and by millions of citizens. The National Day of Prayer is a Patriotic Celebration, the freedoms we enjoy because of the sacrifices of many. Legislator Chapman was a guest speaker at the celebration held at the Meridian Baptist Church representing the North end of the County. I would like to thank the Legislators that participated in New York State Legislature Clerks Conference held in Cayuga County and thank Mary Jones for her excellent job in showcasing our community and county, this is the first time in fifty nine years that this event has been held in Cayuga County.

APPOINTMENTS AND RE-APPOINTMENTS:

Office for the Aging Advisory Committee:

	Term
Karen Stewart – 5996 South Street Road, Auburn 13021 1/1/2011 – 12/31/2017	6 years
Katherine Owens – 3390 Brick Church Rd, Aurora 13026 1/1/2011 – 12/31/2017	6 years
Dorothy Dunn – 2654 Quicksilver Drive, Auburn 13021 1/1/2011 – 12/31/2017	6 years
Carol Bryant – 11 Orchard Street, Auburn 13021 1/1/2011 – 12/31/2017	6 years

WQMA:

Barbara Harvey, Lake Como Association, 1220 Lake Como Rd, Cortland, NY 1-1-11 thru 12-31-11

DEFERRED COMPENSATION COMMITTEE:

Peter Tortorici, 19 Union St., Auburn, NY 13021, Term - Serves at the pleasure of the Chairperson

Michael Chapman, 11290 Myers Rd., Cato, NY 13033, Term - Serves at the pleasure of the Chairperson

Motion by Chapman to approve all appointments, 2nd by Sincebaugh, all in favor.

COMMUNICATIONS AND ANNOUNCEMENTS:

1. Received a letter from McMahon, Kublick & Smith, P.C., re: The Emerson Park Pavilion Project, paying prevailing wages.

Motion by Axton to waive reading of communications, 2nd by Pinckney, all in favor.

RESOLUTIONS 5-24-11

RESOLUTION NO. 209-11
5-24-11 AP AuditMay11 (A)

**AUTHORIZING THE COUNTY TREASURER TO PAY APRIL 7-20, 2011 **
AUDIT OF CLAIMS

BY: Hon. Roger Mills, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on May 24, 2011 audit claims against the County of Cayuga in the aggregate sum of \$1,866,655.08 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 13, 2010.

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

RESOLUTION NO. 210-11
5-24-11 AP AuditMay11 (B)

AUTHORIZING THE COUNTY TREASURER TO PAY
APRIL 21-May 4, 2011 AUDIT OF CLAIMS

BY: Hon. Roger Mills, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on May 24, 2011 audit claims against the County of Cayuga in the aggregate sum of \$1,127,647.69 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 13, 2010.

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

RESOLUTION NO. 211-11
5/24/11 RP signcontractfortaxsale

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO SIGN AN
AGREEMENT WITH AUCTIONS INTERNATIONAL TO AUCTION OFF
CAYUGA COUNTY TAX FORECLOSED PROPERTY.

By: Roger Mills, Chairman, Ways & Means Committee

WHEREAS, pursuant to Resolution 188-02, Auction Policies and Procedures, section 2, the same auctioneer may conduct the auction again upon authorization of the Ways & Means Committee; now, therefore, be it

RESOLVED, that the Chairman of the Legislature is authorized to sign an agreement with Auctions International to dispose of certain Cayuga County owned real property. Signed by Mills, Axton, Cuddeback, Fearon, Mahunik, and Mitchell, all in favor.

RESOLUTION NO. 212-11
(05/24/11) RP delete tax liens

RESOLUTION TO DELETE UNENFORCEABLE TAX LIENS

By: Roger Mill, Chairman, Ways & Means Committee

WHEREAS, the following liens are filed in the Cayuga County Clerk's Office against property located in the Town of Aurelius, identified as Tax Map # 105.00-1-21.-169 and assessed to Raymond Hudson on the 2004, 2005, 2006, 2007 and 2008 Tax Roll for said Town; and

2004-	\$638.10
2005-	\$219.31
2006-	\$64.45
2007-	\$53.13
2008-	\$197.36

WHEREAS, this parcel is a suffix and only pertained to the value of a building; and WHEREAS, the value of this parcel was reduced to \$1.00 on the 2009 Tax Roll, when it was determined the building itself was no longer there, making the lien unenforceable; now be it

RESOLVED, the liens for tax years 2004, 2005, 2006, 2007 & 2008, filed in the Cayuga County Clerk's Office under tax map numbers 105.00-1-21.-169 are deleted. Signed by Mills, Axton, Cuddeback, Fearon, Mahunik, and Mitchell, all in favor.

RESOLUTION NO. 213-11
5/24/11 RP mortgagetaxpymtmay

AUTHORIZE THE COUNTY TREASURER TO PAY MORTGAGE TAX

By: Roger Mills, Chairman, Ways & Means Committee

WHEREAS it appears from the final report of Sue Dwyer, as County Clerk of Cayuga County, that there has been paid to the County Treasurer the sum of \$403,056.59, the same being the net amount collected from the taxation of mortgages for the period October 1, 2010, to March 31, 2011; and

WHEREAS there is in the County Treasurer's Account No. T-58, the amount of \$403,056.59 which should be distributed among the City of Auburn and the Towns and Villages of the County; therefore be it

RESOLVED that the County Treasurer be directed and required to pay the sum of \$403,056.59 to the City of Auburn and the several Towns and Villages of the County of Cayuga in the following amounts:

City of Auburn	79,422.02	Montezuma	5,359.60
Aurelius	14,597.71	Moravia	6,667.66
Vlg Cayuga	1,147.62	Vlg Moravia	2,523.61
Brutus	14,825.83	Niles	20,226.16
Vlg Weedsport	7,633.89	Owasco	42,923.85
Cato	16,208.37	Scipio	14,435.8
Vlg Cato	580.73	Sempronius	3,732.66
Vlg Meridian	639.03	Sennett	35,348.55
Conquest	7,132.65	Springport	11,850.64
Fleming	18,139.28	Vlg Union Springs	4,198.00
Genoa	13,472.06	Sterling	10,144.87

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Ira	14,745.15	Vlg Fair Haven	7,015.32
Vlg Cato	815.13	Summerhill	1,219.97
Ledyard	8,435.74	Throop	8,944.89
Vlg Aurora	1,796.65	Venice	7,086.31
Locke	7,838.33	Victory	8,055.62
Mentz	3,630.93		
Vlg Port Byron	2,261.91		
		Grand Total	403,056.59

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

RESOLUTION NO. 214-11

5.24.11 coa awrdlglsrvcsagmntrev

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE
TO EXECUTE A LABOR RELATIONS SERVICES CONTRACT WITH BOND,
SCHOENECK, & KING, PLLC.**

By: Hon. Roger Mills, Chair Ways & Means Committee

WHEREAS, the Resolution No. 41-11, authorized the Clerk of the Cayuga County Legislature to advertise a Request for Proposals for services related to the provision of labor relations services including labor negotiations, advice, consultation, and representation in Civil Service and related legal matters; and

WHEREAS, five (5) proposals were received on the RFP for labor relations legal services. The firms, in alphabetical order are as follows:

1. Boces/Fletcher;
2. Bond, Schoeneck & King, PLLC;
3. Hancock Estabrook, LLP ;
4. Harris Beach, PLLC; and
5. Wladis Law firm.

; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute a labor relations services contract with Bond, Schoeneck, & King, PLLC

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

Motion by Mills to bring to the floor, 2nd by Pinckney, all in favor.

RESOLUTION NO. 215-11

5/24/11 COL Payemprelunch11

AUTHORIZING THE COUNTY TREASURER TO PAY BALLOONS RESTAURANT AND CATERING FOR EMPLOYEE RECOGNITION LUNCH EXPENSE.

By: Hon. Roger Mills, Chairperson, Ways & Means Committee

WHEREAS, the eighth annual Cayuga County Employee Recognition Luncheon will be held on June 16, 2011 at the Emerson Park Pavilion; and

WHEREAS, the event will honor county employees with 10, 15, 20, 25, 30, 35 and 45 years of devoted service to the taxpayers of the county; and

WHEREAS, funding for the event is provided by appropriated funds in account A10414-54074 (page 5 of 2011 budget) with the CSEA providing funding for postage,

invitations, etc; and

WHEREAS, the Balloons Restaurant will cater this luncheon event; now therefore be

RESOLVED, that the Cayuga County Treasurer be authorized and directed to issue payment to Balloons Restaurant and Catering upon submission of an itemized bill and certification from the Clerk of the Legislature that the amount is just and accurate and said amount shall be charged to account A10414-54074; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make all necessary journal and accounting entries, as prescribed by the Comptroller of the State of New York, to accomplish same.

Signed by Mills, Cuddeback, Fearon, Mahunik, Mitchell and Petrus, all in favor.

RESOLUTION NO. 216-11

(May 24, 2011) HD Drinking Water Enhancement 2011

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO AN AGREEMENT WITH THE STATE TO PARTICIPATE IN THE 100% STATE FUNDED DRINKING WATER PROGRAM ENHANCEMENT GRANT AND TO AUTHORIZE THE CAYUGA COUNTY TREASURER TO AMEND THE 2011 HEALTH DEPARTMENT BUDGET TO ACCEPT FUNDING

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee

Roger Mills, Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Health Department has received approval for a 100% funded Drinking Water Program Enhancement Grant in the amount of \$114,593 for the period April 1, 2011 to March 31, 2012; and

WHEREAS, to accomplish this purpose we must enhance our investigations, enforcement, and emergency response; assure compliance with Subpart 5 of the State Sanitary Code; utilize the State's database; provide technical advice and guidance to system operators and homeowners; and implement the Safe Drinking Water Act programs and regulations; and

WHEREAS, this Grant will help offset the salaries and fringe benefits of the Environmental staff; 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 participate in the 100% State-funded Drinking Water Program Enhancement Grant; and be it further

RESOLVED, that the County Treasurer be authorized and directed to amend the Health Department's 2011 Budget and make the necessary journal and accounting entries as follows:

Increase Appropriation Account #A40304 54000.....\$114,593

Increase Revenue Account #A40300 43430.....\$114,593

Signed by Mahunik, Aikman, Axton, Barski, Mills, Sincebaugh, Fearon and Mitchell, all in favor.

RESOLUTION NO. 217-11

Date: May 24, 2011 HD PubHealthTechVacancy

AUTHORIZATION TO CREATE AND FILL 1 PT PUBLIC HEALTH TECHNICIAN IN ENVIRONMENTAL HEALTH AND AUTHORIZATION TO FUND AND FILL 1 EXISTING PT PUBLIC HEALTH TECHNICIAN WITHIN ENVIRONMENTAL HEALTH.

BY: Patrick Mahunik, Chairman, Health & Human Services Committee
Roger Mills, Chairman, Ways & Means Committee

WHEREAS, there exists a FT Public Health Technician vacancy (PC#002046) in the Environmental Division of the Health Department due to a retirement effective 4/29/11, and

WHEREAS, the FT Public Health Technician position performs an integral part of the Environmental Health office procedures and provides support to the public; and

WHEREAS, in an effort to be more cost effective, we wish to attempt to meet these needs by filling two part-time Public Health Technician positions (one full-time equivalent); and

WHEREAS, in order to accomplish this we ask to fund and fill one existing PT Public Health Technician (PC# 004912); and create and fill a second PT Public Health Technician, while leaving the FT Public Health Technician position vacant, and

WHEREAS, sufficient funding exists in the Health Department's 2011 budget to support these positions; now therefore be it

RESOLVED, that one PT Public Health Technician position be created, and one existing PT Public Health Technician be funded, and be it further

RESOLVED, that the one newly created position and one existing PT Public Health Technician position be hereby filled within the Environmental Health Department; and be it further

RESOLVED, that the FT Public Health Technician position be unfunded and left vacant; and be it further

RESOLVED, that the Director of Health and Human Services be hereby authorized and directed to fill the two PT Public Health Technician positions in accordance to the policies of the County of Cayuga and in accordance to the Cayuga County Civil Service Rules and Regulations.

Signed by Mahunik, Aikman, Axton, Barski, Mills, Sincebaugh, Fearon and Mitchell, all in favor.

RESOLUTION NO. 218-11

(May 24, 2011) HD Curaspan Contract

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH CURASPAN HEALTH GROUP, INC.

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee
Roger Mills, Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Home Care Agency (CCHCA) is taking new patient referrals until the sale of the agency is approved by NYS; and

WHEREAS, our patient referral sources include Crouse Hospital, St. Joseph's Hospital and SUNY Upstate Medical University; and

WHEREAS, these hospitals participate in an electronic patient referral system run by the Curaspan Network; and

WHEREAS, it is more efficient for the CCHCA to receive these referrals electronically instead of through traditional methods, such as faxes and phone calls, and

WHEREAS, in order for the CCHCA to receive these electronic patient referrals, the agency must enter into an agreement with Curaspan Health Group, Inc., which operates the network through which the referrals will flow; and

WHEREAS, Lifetime Care, Inc. agrees to pay the annual subscription fee of \$4,500 on behalf of the CCHCA in order for the referrals to be received electronically; NOW, THEREFORE, BE IT

RESOLVED, that the CCHCA is authorized to enter into an agreement with Curaspan Health Group, Inc. to access the Curaspan Network; and be it further

RESOLVED, that CCHCA is authorized to enter into an agreement with Lifetime Care, Inc. stipulating that they will pay the \$4,500 annual maintenance fee.

Signed by Mahunik, Aikman, Axton, Barski, Mills, Sincebaugh, Fearon and Mitchell, all in favor.

RESOLUTION NO. 219-11

(May 24, 2011) HS Integrative Counseling 2011

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH INTEGRATIVE COUNSELING SERVICES, INC. FOR THE PROVISION OF PLAY THERAPY

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee

Roger Mills, Chairman of the Ways & Means Committee

WHEREAS, the Human Services Division of Health & Human Services desires to contract with Integrative Counseling Services to provide Play Therapy Services to a child in foster care in need of these services; and

WHEREAS, Integrative Counseling Services has a staff certified in Play Therapy; and

WHEREAS, Play Therapy is counseling intervention that allows the client additional means of expression and is primarily used with children ages 2-11; 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 Integrative Counseling Services for the contract period May 1, 2011 through April 30, 2012 at \$60 for the initial visit and \$45 for each visit thereafter; and be it further

RESOLVED, that these services be paid from Account #A60704 54184 of the Human Services Department's 2011 Budget.

Signed by Mahunik, Aikman, Axton, Barski, Mills, Sincebaugh, Fearon and Mitchell, all in favor.

RESOLUTION NO. 220-11

(May 24, 2011) HS Stormer Contract

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH AND HUMAN SERVICES TO ENTER INTO A CONTRACT WITH NANCY ROSE STORMER, P.C., TO PROVIDE SERVICES TO IDENTIFY & RECOVER MEDICAID REVENUE

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee

Roger Mills, Chairman of the Ways & Means Committee

WHEREAS, the Human Services Department has need to recover Medicaid reimbursement or repayment or credits from certain NYS agencies which would result in NYS paying Cayuga County on statutory obligations known as overburden which required NYS to be completely responsible for health care bills or to otherwise reduce the County's cost in meeting its obligation to provide for the indigent; and

WHEREAS, the Department has successfully contracted with the Law Office of Nancy Rose Stormer, PC, for similar services in the past; and

WHEREAS, the Department desires to contract once again with the Law Office of Nancy Rose Stormer to identify health care payments prior to the establishment of the Medicaid cap, which should have been treated as overburden entitling the Department to statutory reimbursement

WHEREAS, their fee is a contingency fee, 1/3 on all recoveries or offsets actually received by the County; NOW THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of the Health & Human Services Department be authorized and directed to enter into a contract with Nancy Rose Stormer, PC; and be it further

RESOLVED, that the contract will begin upon execution and will be renewed for subsequent calendar years unless terminated by sixty (60) days written notice.

Signed by Mahunik, Aikman, Axton, Barski, Mills, Sincebaugh, Fearon and Mitchell, all in favor.

RESOLUTION NO. 221-11

(May 24, 2011) HS Human Services Examiner MA

**AUTHORIZING THE DIRECTOR OF HEALTH AND HUMAN SERVICES TO
FILL A HUMAN SERVICES EXAMINER VACANCY IN THE MEDICAID UNIT
OF HUMAN SERVICES**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee
Roger Mills, Chairman of the Ways & Means Committee

WHEREAS, there exists a Human Services Examiner vacancy in the Medicaid Unit of Human Services due to resignation of the incumbent effective April 29, 2011; and

WHEREAS, the Medicaid/Food Stamp unit with administrative oversight has just completed a re-organization plan to cope with the increased caseload growth for both the Medicaid and Food Stamps programs without addition of new staff, when this resignation was given; and

WHEREAS, this position is reimbursed at 100%; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the Human Services Examiner position in the Medicaid Unit of Human Services and any fill behind 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 Mahunik, Aikman, Axton, Barski, Mills, Sincebaugh, Fearon and Mitchell, all in favor.

RESOLUTION NO. 222-11

Action: May 23, 2011 MH BudAdjMeds5.11

AMENDING THE MENTAL HEALTH 2011 BUDGET FOR MEDICATIONS

BY: Mr. Patrick Mahunik, Chairperson, Health and Human Services Committee
Mr. Roger Mills, Chairperson, Ways and Means Committee.

WHEREAS, the Cayuga County Community Mental Health Center has determined that the funds budgeted for Prescriptions and Drugs in 2011 is insufficient; and

WHEREAS, these costs are reimbursable and will be recouped by the Mental Health Department; now, therefore, be it

RESOLVED, that 2011 budget be modified as follows:

Increase line	A43100 41628 Risperdal	Revenue by	\$60,000
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Increase line	A43104 54056 Prescription and Drugs	Expense by	\$60,000;
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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 Mahunik, Aikman, Axton, Barski, Mills, Sincebaugh, Fearon and Mitchell, all in favor.

RESOLUTION NO. 223-11

Action: May 23, 2011 MH BudAdjustCCS5.11

AMENDING THE MENTAL HEALTH 2011 BUDGET TO INCREASE STATE AID FUNDING FOR CAYUGA COUNSELING SERVICES, INC.

BY: Mr. Patrick Mahunik Chairperson, Health and Human Services Committee

Mr. Roger Mills, 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, additional state aid has been allocated to Cayuga Counseling Services, Inc. as an adjustment to funding and received by the County in 2011 , and

WHEREAS, these 100% state funds were not anticipated in the 2011 budget and it is now necessary to reflect those dollars to allow the County to make payment to Cayuga Counseling Services, Inc.; now, therefore, be it

RESOLVED, that 2011 budget be modified as follows:

Increase line	A43430 43495 MH Cayuga Couns.	Revenue by	\$15,043
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Increase line	A43434 54310 CCS Family Based	Expense by	\$15,043
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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 Mahunik, Aikman, Axton, Barski, Mills, Sincebaugh, Fearon and Mitchell, all in favor.

RESOLUTION NO. 224-11

5/24/11 NH acptfdrvcbd

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ENTER INTO AN AGREEMENT WITH HEALTHCARE SERVICES GROUP, INC TO PROVIDE CONTRACT FOOD SERVICE MANAGEMENT COMPANY AT THE NURSING HOME.

BY: Patrick Mahunik, Chairman, Health & Human Services Committee

BY: Roger Mills, Chairman, Ways & Means Committee

WHEREAS, the Purchasing Agent of the Legislature sent out specification packages to local, New York State and national based firms; and,

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WHEREAS, two firms responded with proposals: Healthcare Services Group, Inc. (\$19.37/resident day); and AdvancedMeal (\$22.07/resident day and \$25.30/resident day); and

WHEREAS, Healthcare Services Group, Inc proposed to furnish contract food service management at the lowest price; and

WHEREAS, a due diligence review of the two lower bids was undertaken by Nursing Home Administrator; both vendors meet the specifications of the bid; 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 the period of three years with Healthcare Services Group, Inc for said services at a cost of \$19.73 (Nineteen dollars and Seventy-three Cents) per resident day with agreement extensions for three (3) one year terms as provided in the contract agreement. Payment to contractor shall be adjusted at the end of the first contract year and annually thereafter. These increases shall be predicated upon the Consumer Price Index – Food Away From Home published by the United States Department of Labor; and be it further

RESOLVED that the administrator of the nursing home be authorized to spend up to \$20,000 to repair, replace and reinstate equipment in the facility kitchen to return to full service.

Signed by Mahunik, Aikman, Axton, Barski, Mills, Sincebaugh, Fearon and Mitchell, all in favor.

RESOLUTION NO. 225-11

5/24/11 NH PROPERDOORRev

AUTHORIZING THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ACCEPT A PROPOSAL FOR REPLACEMENT OF AN EXTERIOR DOOR AT THE NURSING HOME

BY: Patrick Mahunik, Chairman, Health & Human Services Committee

BY: Roger Mills, Chairman, Ways & Means Committee

WHEREAS, an exterior door at the Nursing Home need replacement, and

WHEREAS, the Administrator of the Nursing Home requested quotes from regional firms; and,

WHEREAS, three (3) firms responded with quotes; and,

WHEREAS, the following proposals were received:

Kamco Commercial Door Division for \$1,935;

Mid-State Door for \$ 1,688; and,

Welch Construction for \$ 6,025; and

WHEREAS, a comparison was made of the proposals considering the quality of the products, installation and disposal; and

WHEREAS, the proposal submitted by Mid-State Door contains all of the elements anticipated in the specifications; now therefore be it,

RESOLVED, that the proposal be awarded to Mid-State Door for \$1,688.00 (One thousand six hundred eighty-eight dollars).

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

RESOLUTION NO. 226-11
DATE: 05/24/11 OFAamendbudgetMay11
AMEND THE YEAR 2011 CAYUGA COUNTY
OFFICE FOR THE AGING BUDGET.

BY: Mr. Patrick Mahunik, Chair, Health & Human Services Committee, and
 Mr. Roger Mills, Chair, Ways and Means Committee.

WHEREAS, the Office for the Aging Senior Nutrition Program began serving home delivered meals to seniors in the City of Auburn 1/4/2011 which increased both revenue and expenditures; and

WHEREAS, these changes in revenue and expenditures were not available to this Office when the year 2011 budget was prepared and Cayuga County Treasurer's Office will need to amend the year 2011 Office for the Aging budget to reflect the increased revenue and expenditures; now, therefore, be it

RESOLVED, that the County Treasurer be and he is authorized and directed to amend the Year 2011 Cayuga County Office for the Aging budget in the following manner:

Increase Revenue

A67730 41972	OFA Nutrition Donations	
	\$55,000	
A67730 43773	SNAP Supplemental Nutrition Assistance Program	3,000
A67730 44776	Congregate & Home Delivered Meals Program	17,600
A67730 44777	NSIP Nutrition Services Incentive Program	10,300
A10164 54000	Contingency Fund	35,375

Increase Contractual

A67734 54083	Travel IC	20,000
A67734 54420	Senior Meals	\$101,275

And be it further

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

Signed by Mahunik, Aikman, Axton, Barski, Mills, Sincebaugh and Fearon, all in favor.

RESOLUTION NO. 227-11
(05-24-11) DMV cashdrawerRev
AUTHORIZES CAYUGA COUNTY CLERK TO INCREASE DMV CASH BY \$60
TO BE USED FOR DAILY OPERATIONS IN THE DMV OFFICE

BY: MR. GEORGE FEARON, Chairperson, Government Operations Committee
 MR. ROGER MILLS, Chairperson, Ways and Means Committee

WHEREAS, Presently the Department of Motor Vehicles (DMV) has \$170 in a Petty Cash Fund located in the DMV office and \$300 total cash for the cashier stations; and

WHEREAS, the County DMV now has six cashier stations instead of the original five stations and each station needs a cash drawer to perform the daily duties at the Cashier Stations; now be it

RESOLVED, that the Cayuga County Legislature, approve an increase of \$60 in cash to the DMV for handling daily transactions and authorize the County Treasurer to make a \$60 payment out of the DMV Petty Cash Account #A12360 for this purpose.

Signed by Fearon, Aikman, Mitchell, Whitman, Mills, Axton, Cuddeback and Mahunik, all in favor.

RESOLUTION NO. 228-11

5.24.11 ADM fxdasstpic

RESOLUTION TO REPLACE EXISTING CAYUGA COUNTY PURCHASING POLICY REGARDING FIXED ASSETS.

By: George Fearon, Chairman Government Operations Committee

Roger Mills, Chairman Ways and Means Committee

WHEREAS, a review was made of the CAYUGA COUNTY PURCHASING POLICY REGARDING FIXED ASSETS and with the intent to clarify the Policy; and

WHEREAS, a copy of the CAYUGA COUNTY PURCHASING POLICY REGARDING FIXED ASSETS is attached to this Resolution; now therefore be it

RESOLVED, that the County Legislature does hereby adopt the attached PURCHASING POLICY REGARDING FIXED ASSETS; and be it further

RESOLVED, that the newly adopted policy be added to the Cayuga County Policy Manual.

Signed by Fearon, Aikman, Chapman, Lattimore, Mitchell, Sincebaugh, Whitman, Mills, Axton, Cuddeback and Mahunik, all in favor.

RESOLUTION NO. 229-11

5.24.11 COA LLeMrgncyprchsrev4

FIXING DAY AND NOTICE OF A PUBLIC HEARING ON A PROPOSED LOCAL LAW NO. ____ FOR THE YEAR 2011 WHICH SETS FORTH THE PROCEDURE FOR EMERGENCY PURCHASES OR CONTRACTS FOR SERVICES AND REPEALLING LOCAL LAW NO. 1 FOR THE YEAR 2003

BY: Hon. George Fearon, Chair, Government Operations Committee

Hon. Roger Mills, Chair, Ways and Means Committee

WHEREAS, there has been duly presented and introduced at a meeting of this County Legislature held on May 24, 2011, a proposed Local Law entitled:

A LOCAL LAW WHICH SETS FORTH THE PROCEDURE FOR EMERGENCY PURCHASES OR CONTRACTS FOR SERVICES AND REPEALLING LOCAL LAW NO. 1 FOR THE YEAR 2003

Now, therefore, be it

RESOLVED, that a public hearing shall be held concerning said Local Law before the Cayuga County Legislature on June 28, 2011 at 6:30 P.M., at the Cayuga 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 Fearon, Aikman, Mitchell, Whitman, Mills, Axton, Cuddeback and Mahunik, all in favor.

RESOLUTION NO. 230-11

(5/24/11) COA-GenCoderenewalcontractrev

AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO RENEW GENERAL CODE, LLC, CONTRACT FOR ONE YEAR

BY: Hon. George Fearon, Chairman, Government Operations Committee, and.

Hon. Roger Mills, Chairman, Ways & Means Committee.

WHEREAS, Resolution No. 397-07 Authorizing the Chairman of the Cayuga County Legislature to accept a Sara Grant and enter into a Contract with General Code, LLC for

the digitalization of the county proceedings, Local Laws, and Policies and amending the 2007 County Budget to accommodate the same; and

WHEREAS, the Maintenance Agreement expires on June 2011; and

WHEREAS, the County Attorney's office recommends entering into that annual agreement with General Code which shall cost \$350.00 annually shall be executed; and

WHEREAS, there are sufficient monies in Account A1420454048; now therefore be it

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

Signed by Fearon, Aikman, Mitchell, Whitman, Mills, Axton, Cuddeback and Mahunik, all in favor.

RESOLUTION NO. 231-11

5-24-11 VET PTDriver

AUTHORIZATION TO FILL THE POSITION OF DRIVER IN THE OFFICE OF VETERANS SERVICES DUE TO A RESIGNATION

Mr. George Fearon, Chairman, Government Operations

Mr. Roger Mills, Chairman, Ways and Means Committee

WHEREAS, the Office of Veterans Services is currently without a PT Driver (PC#6736) due to a resignation on 5/12/11; and

WHEREAS, it is necessary to continue to provide transportation services to the Veterans of Cayuga County to hire an employee to function in the capacity of Driver; and

WHEREAS, there is existing money budgeted in the A65101-51002 line of the 2011 Veterans budget, now therefore be it

RESOLVED, that the Director of Veterans Service Agency be hereby authorized to fill the position of PT Driver (PC#6736), and be it further

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

Signed by Fearon, Aikman, Mitchell, Whitman, Mills, Axton, Cuddeback and Mahunik, all in favor.

Chairman Tortorici, closed the Public Hearing at 2:19PM.

RESOLUTION NO. 232-11

(5/24/11) COA LLADOPTFUNERAL

TO ADOPT LOCAL LAW NO. 1 FOR THE YEAR 2011, AGAINST THE DISRUPTION OF FUNERAL RELATED EVENTS

BY: Hon. George Fearon, Chairman, Government Operations Committee

WHEREAS, Local Law No. 1 for the year 2011 was presented to the Cayuga County Legislature on the 26th day of April, 2011; 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 2011 on May 24, 2011 at 1:00 P.M.; now, therefore, be it

ENACTED, that the Cayuga County Legislature does hereby adopt Local Law No. 1

for 2011 entitled:

“A LOCAL LAW AGAINST THE DISRUPTION OF FUNERAL RELATED EVENTS”

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 adoption; and be it further

RESOLVED, that in accord with Section 5 of said Local Law, the County Treasurer is directed to separately account for and keep adequate books and records of the amount and source of all such funds and of the amount and object or purpose of all expenditures thereof.

Signed by Fearon, Aikman, Chapman, Lattimore, Mitchell, Sincebaugh and Whitman, all in favor.

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF CAYUGA AS FOLLOWS:

Local Law No. 1 for the year 2011, Against the Disruption of Funeral Related Events
SECTION 1.

This section shall be known and may be cited as the "The Law Against the Disruption of Funeral Related Events".

1. The Legislature finds that:

- a) Respecting the dead and a time of mourning is revered by the religious and non-religious alike.
- b) It is generally recognized that families have a substantial interest in organizing and attending funerals for deceased relatives.
- c) Privacy in mourning is as important as privacy in the home
- d) The interests of families in privately and peacefully mourning the loss of deceased relatives are violated when funerals are targeted for picketing and other public demonstrations.
- e) Full opportunity exists under the terms and provisions of this section for the exercise of freedom of speech and other constitutional rights at times other than within one (1) hour prior to the commencement of funeral services, during funeral services, and one (1) hour following the completion of funeral services.

2. The purposes of this section are to:

- a) Protect the privacy of grieving families within one (1) hour prior to the commencement of funeral services, during funeral services and one (1) hour following the completion of funeral services; and
- b) Reserve the peaceful character of a cemetery, mortuary, funeral home, church, mosque, synagogue and other place of worship within one (1) hour prior to the commencement of funeral services, during funeral services, and one (1) hour following the completion of funeral services.
- c) Protect the First Amendment Rights of individuals by placing only restrictions that are content neutral and contain a reasonable time and place limitation.

3. As used in this section:

- a) "Funeral" means the ceremonies, processions and memorial services held in connection with the burial or cremation of the dead; and

b) "Picketing" means protest activities engaged in by a person or persons within seven hundred and fifty (750) feet of a cemetery, mortuary, funeral home, church, mosque, synagogue and other place of worship within one (1) hour prior to the commencement of funeral services, during funeral services, and one (1) hour following the completion of funeral services.

c) It is unlawful for any person to engage in picketing within seven hundred and fifty (750) feet of any cemetery, mortuary, funeral home, church, mosque, synagogue and other place of worship within one (1) hour prior to the commencement of funeral services, during funeral services, and one (1) hour following the completion of funeral services.

d) Any person knowingly violating the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than One Thousand dollars (\$1,000.00), and/or by imprisonment of up to one (1) year.

e) Severability: If any clause, sentence, paragraph, subdivision, section or part of this local law or application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section nor part of this law or its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which order or judgment shall be rendered.

SECTION 2.

It being immediately necessary for the preservation of the public peace, health, and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

RESOLUTION NO. 233-11

5/24/2011 BLD HPO Masonry change orders (amended at PW)

AUTHORIZATION OF CHANGE ORDERS M-1, M-2, M-3, M-4, M-5, M-6, AND M-7 FOR HISTORIC POST OFFICE MASONRY PROJECT

BY: Hon. David R. Axton, Chairman, Public Works Committee, and
Hon. Roger A. Mills, Chairman, Ways & Means Committee.

WHEREAS, resolution 411-09 set up capital "H" project 09-02 for the Historic Post Office windows, roof and walls projects and resolution 493-10 designated where the funding would come from

WHEREAS, with projects there are change orders for the betterment of the project;
and

WHEREAS, the following attached change orders and credit change orders do not increase the total of the contract plus contingency amount, M-1 Credit for removing the rebuild of the west wall from the project (\$37,800.00), M-2 Credit for removing cleaning of the façade from the project (\$4,750.00), M-3 change order west elevation originally to be rebuilt will be repointed \$22,442.00, M-4 All stone veneer on west side will be repointed \$14,546.00, M-5 head joints of all water tables, cornices and dentil stones will be repointed \$7,854.00, M-6 credit for removing steel railing at the top of the concrete curb (\$1,630.00), M-7 addition of a 3'2" wall to be added to extend beyond the original elevation \$3,267.00 (replaces steel railing in M-6); and

WHEREAS, after all change orders there will be \$2,071.00 left in the contingency

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fund for the project;

Now therefore be it

RESOLVED, that the Cayuga County Chairman sign change order M-1, M-2, M-3, M-4, M-5, M-6, and M-7; 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, Cuddeback, Mitchell, Mills, Axton, Cuddeback, Fearon and Mahunik, all in favor.

RESOLUTION NO. 234-11

5/24/2011 BLD Payment of Services to C&S

**AUTHORIZATION FOR PAYMENT OF SERVICE TO C&S COMPANIES FOR
ADDITIONAL SERVICES AUTHORIZED BY RESOLUTION 250-09 FOR THE
MENTAL HEALTH CENTER 146 NORTH ST, AUBURN, NY**

BY: Hon. David R. Axton, Chairman, Public Works Committee, and
Hon. Roger A. Mills, Chairman, Ways & Means Committee.

WHEREAS, resolution 250-09 authorized additional services form C&S companies;
and

WHEREAS, resolution 250-09 only addressed the cost of part one (1) Environmental Remediation Design of the Mental Health facility and not Part two (2) Monitoring Services for asbestos abatement for the project; and

WHEREAS, the project's Construction Manager GMS did budget for Monitoring services in the project; and

WHEREAS, the cost of monitoring services for both Phases of the project is \$65,286.95; and

WHEREAS, there was no authorized cost by resolution for Part two (2); now therefore be it

RESOLVED, that the Cayuga County Legislature authorize the Treasurer to add an accounting line in Capital H 08-01 for Part two (2) for the additional services to C&S Companies in the amount not to exceed \$65,286.95; and be it further

RESOLVED, that payment be made to C&S Companies for the work performed in part two (2) of additional services in the amount of \$65,286.95; 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, Cuddeback, Mitchell, Pinckney, Whitman, Mills, Axton, Cuddeback, Fearon and Mahunik, all in favor.

RESOLUTION NO. 235-11

Date: May 24, 2011 HWY2011pavelist

AUTHORIZATION TO APPROVE 2011 PAVING LIST

By: David Axton, Chairman Public Works Committee
Roger Mills, Chairman Ways and Means Committee

WHEREAS, the County is responsible for the maintenance of 516 miles of road; and

WHEREAS, CHIPs funds were budgeted in the 2011 highway budget in account D51134 - Capital for paving and recycling of pavements; and

WHEREAS, the attached list of road work is less than the actual needed to maintain overall pavement condition at previous levels but is the best mix to try to slow the downward trend of the overall pavement condition of the county road network; now therefore be it

RESOLVED, that the attached list of roads to be worked on in the 2011 summer construction season is hereby approved; and be it further

RESOLVED, the County Highway Superintendent is authorize to make adjustments to the list to meet changing conditions and changes in the cost of materials.
Signed by Axton, Barski, Cuddeback, Mitchell, Pinckney, Whitman, Mills, Axton, Cuddeback, Fearon and Mahunik, all in favor.

RESOLUTION NO. 236-11

Date: May 24, 2011 hwy fillhwysupervisor

**AUTHORIZATION TO CREATE AND FILL ONE HIGHWAY SUPERVISOR
POSITION WITHIN THE HIGHWAY DEPARTMENT AND SET THE SALARY
FOR THE SAME.**

BY: Hon. David Axton, Public Works Committee

Hon. Roger Mills, Chairman, Ways & Means Committee

WHEREAS; the Highway Superintendent submitted the duties to be performed by an employee to the Civil Service Commission on 4/13/11 for analysis; and

WHEREAS; the Commission recommended that the position be classified as Highway Supervisor; and

WHEREAS, funding for the position exists within the 2011 budget due to a retirement effective 4/29/11(Position Control # 002396) line D51101 51001 (\$28,000), and in line D51421 51003 (\$4,000); now therefore be it

RESOLVED, that the position of Highway Supervisor be hereby created in the Highway Department, and placed in Part IV of the Cayuga County Compensation Plan in the Highway section at an annual salary of \$52,000; and be it further

RESOLVED, that the Highway Superintendant be hereby authorized and directed to fill the position of Highway Supervisor according to the policies of the County of Cayuga and in accordance to the Cayuga County Civil Service Rules and Regulations.

Discussion:

Sincebaugh, this person gets to take a vehicle home?

Squires, yes.

Sincebaugh, for what purpose?

Wethey, check road conditions.

Sincebaugh, can we share services with police and Sheriff's Department.

Squires, difficult in the winter, talked at committee, maybe a seasonal approach.

Sincebaugh, he should know before he is hired if no vehicle. I would like a report on how much vehicle is used, I don't think he should have a vehicle.

Fearon, in the winter if the person is using his own vehicle, he may need a 4 wheel drive, would be an added expense.

Lattimore, do all vehicles have logs.

Tortorici, yes.

Sincebaugh, can I get a copy of the logs for Government Operations Committee meeting?

Petrus, is this position to replace someone?

Wethey, yes, position is from retirement.

Petrus, needed position?

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Wethey, yes.

Axton, it was pulled from bargaining position, you can't just single out one position, needs to be County wide.

Cuddeback, call the question.

Signed by Axton, Barski, Cuddeback, Mitchell, Pinckney, Whitman, Mills, Axton, Cuddeback and Mahunik, all in favor.

RESOLUTION NO. 237-11

Date: May 24, 2011 HWYAPPROVEDIESELBID
AUTHORIZATION TO ACCEPT DIESEL FUEL BID

By: Dave Axton, Chairman Public Works Committee

Roger Mills, Chairman Ways and Means Committee

WHEREAS, Resolution No. 600-10, adopted on December 20, 2010, authorized the Clerk of the Legislature and the County Highway superintendent to advertise for and received sealed bids for the purchase of machinery, materials, tools, equipment, fuel and equipment rentals; and

WHEREAS, in response the following items were bid in March:

1. Diesel Fuel

WHEREAS, bids were received from Griffith Energy, NECO Transport and Petroleum Traders and after reviewing the bids it was determined that Griffith Energy provided the lowest price as per attachment 1; now therefore be it

RESOLVED, to accept the Public Works Committees recommendation to award the bid to Griffith Energy; 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 sign an agreement with and purchase Diesel Fuel from Griffith Energy and to pay from appropriated funds. Signed by Axton, Barski, Cuddeback, Mitchell, Pinckney, Whitman, Mills, Axton, Cuddeback, Fearon and Mahunik, all in favor.

RESOLUTION NO. 238-11

Date: May 24, 2011 HWYlwrsplmtPineRidge
AUTHORIZATION TO REQUEST LOWER SPEED LIMIT ON PORTION OF PINE RIDGE RD

By: Dave Axton, Chairman Public Works Committee

Roger Mills, Chairman Ways and Means Committee

WHEREAS, Pine Ridge Rd, County Route 83, is a County Highway located in the Town of Sennett; and

WHEREAS, this section of Highway is posted at 55 M.P.H.; now therefore be it

RESOLVED, under Section 1622.1 of the Vehicle and Traffic Law, the County of Cayuga requests that NYSDOT establish a lowered speed limit of 45 M.P.H. on the portion 6734 Pine Ridge Rd, CR 83 and a distance of 300 feet from the building lines in each direction; and be it further

RESOLVED, that the Cayuga County Highway Superintendent will submit a Form TE9 as well as this Resolution to NYSDOT for their approval.

Signed by Axton, Barski, Cuddeback, Mitchell, Pinckney, Whitman, Mills, Axton, Cuddeback, Fearon and Mahunik, all in favor.

RESOLUTION NO. 239-11
Date: May 24, 2011 HWYlwrspdlmtRockefeller
AUTHORIZATION TO REQUEST LOWER SPEED LIMIT ON
PORTION OF ROCKEFELLER RD

By: Dave Axton, Chairman Public Works Committee
 Roger Mills, Chairman Ways and Means Committee

WHEREAS, Rockefeller Rd, County Route 61, is a County Highway located in the Towns of Moravia, Niles, Owasco; and

WHEREAS, a portion of this Highway from State Route 38 in the Town of Owasco to the Owasco-Niles Town Line is posted at 40 M.P.H., and from the Owasco-Niles Town Line to the Village of Moravia is posted at 55 M.P.H; now therefore be it

RESOLVED, under Section 1622.1 of the Vehicle and Traffic Law, the County of Cayuga requests that NYSDOT establish a lowered speed limit of 40 M.P.H. on the portion Rockefeller Rd, CR 61, beginning at the Owasco-Niles Town Line and ending at the Village of Moravia line; and be it further

RESOLVED, that the Cayuga County Highway Superintendent will submit a Form TE9 as well as this Resolution to NYSDOT for their approval.

Signed by Axton, Barski, Cuddeback, Mitchell, Pinckney, Whitman, Mills, Axton, Cuddeback and Mahunik, all in favor.

RESOLUTION NO. 240-11
(05/24/2011) EMO authtoenterintomoaNUCOR
AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE
AND THE DIRECTOR OF EMERGENCY SERVICES TO SIGN ON BEHALF
OF CAYUGA COUNTY AND ENTER INTO A MEMORANDUM OF AGREE-
MENT (MOA) WITH NUCOR AUBURN BAR MILL, LOCATED AT 25 QUARRY
ROAD, AUBURN, FOR THE ENHANCEMENT OF THE CAYUGA COUNTY
FIRE TRAINING TOWER / TRAINING GROUNDS, LOCATED AT 14 QUARRY
ROAD, AUBURN, WITH THE ADDITION OF A HIGH ANGLE RESCUE /
CONFINED SPACE RESCUE TRAINING TOWER PROP.

BY: MR. STEVEN CUDDEBACK, Chairman, Judicial & Public Safety Committee
 MR. ROGER MILLS, 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 / high angle rescue prop will enhance the capabilities of Cayuga County First Responders and Technical Rescue Technicians, and assist in the fulfillment of the mission of the Cayuga County Fire Training Facility; and

WHEREAS, NUCOR Auburn Bar Mill is prepared to provide the permitting, site work, engineering, construction, fabrication and erection of the training prop, and provide Cayuga County with sole ownership of the completed project through a civic donation to Cayuga County and the Cayuga 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

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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 NUCOR Auburn Bar Mill.

Signed by Cuddeback, Barski, Chapman, Petrus, Pinckney, Sincebaugh, Whitman, Mills, Axton, Cuddeback, Fearon, Mahunik and Mitchell, all in favor.

RESOLUTION NO. 241-11

5/24/11 911 CSEASIGN TENTATIVE

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE
AND THE COUNTY ADMINISTRATOR TO SIGN A E911 CSEA TENTATIVE
AGREEMENT**

Mr. Steven Cuddeback, Chairman Judicial and Public Safety

Mr. Roger Mills, Chairman Ways and Means Committee

WHEREAS, Resolution 419-08 placed the E911 negotiating unit within the CSEA contract; and

WHEREAS, the E911 full time ESD and SESD along with the CSEA Labor Relations Specialist entered into negotiations with Cayuga County; and

WHEREAS, the CSEA Unit and the County of Cayuga have met, negotiated and reached agreement with respect to the ESD and SESD employees; and

WHEREAS, in order to execute the tentative agreement the agreement must be signed by the Chairman and the Administrator; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature and the County Administrator be authorized to sign the Tentative Agreement; and be it further

RESOLVED, that the negotiated changes contained in the Tentative Agreement, including retroactivity, where specified, shall become effective upon ratification of this Tentative Agreement by the constituent body of each party.

Signed by Cuddeback, Barski, Chapman, Petrus, Pinckney, Sincebaugh, Whitman, Mills, Axton, Cuddeback, Fearon, Mahunik and Mitchell, all in favor.

RESOLUTION NO. 242-11

COUNTY OF CAYUGA, NEW YORK

May 24, 2011

A regular meeting of the County Legislators of the County of Cayuga, New York (the "County") was held at Emerson Park Pavilion, 6914 East Lake Rd. Auburn, NY 13021 on May 24, 2011, at 1:00 P.M. (Prevailing Time).

There were present: (County Legislators)

Peter Tortorici, Chairman

Cynthia Aikman

David Axton

Stephen Barski

Michael Chapman

Steven Cuddeback

George Fearon

Timothy Lattimore

Patrick Mahunik

Roger Mills

Francis Mitchell

Ann Petrus
 Paul Pinckney
 Daniel Sincebaugh
 Tucker Whitman

There were Absent: (County Legislators)
 None

Also Present:
 Tom Squires, Fred Westphal, Daniel Larson, George Wethey, Michele Anthony,
 Deb English, David Gould, Mary Jones and Sheila Smith.

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

RESOLUTION NO. 242-11
May 24, 2011 COA amnd315-10bndrsltn
AMENDING BOND RESOLUTION OF THE COUNTY OF CAYUGA, NEW YORK, ADOPTED ON MAY 24, 2011 AMENDING A PRIOR BOND RESOLUTION ADOPTED ON JANUARY 25, 2011 RELATING TO THE CONSTRUCTION OF THE COUNTY'S E9-1-1 COMMUNICATIONS SYSTEM.
(2/3)

By: Hon. Steven Cuddeback, Chair, Judicial and Public Safety Committee
 Hon. Roger Mills, Chair, Ways and Means Committee

WHEREAS, by adoption of Resolution No. 315-10 on June 30, 2010, the Legislature of the County previously identified the need to proceed with an Emergency Communications Project (the "Project"); and

WHEREAS, the Project was designated as a Type 1 Action requiring a coordinated review by all involved agencies in accordance with applicable provisions of the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the County was properly established as lead agency for the Project in accordance with the requirements of SEQRA; and

WHEREAS, the County previously determined that segmentation of the design and environmental review process (the "Design Project") from the Project is appropriate and permissible; and

WHEREAS, by adoption of Resolution No. 315-10 on June 30, 2010, the County further determined that the Design Project constitutes an Unlisted Action which will not result in any significant environmental impacts and accordingly, no further SEQRA review is required; and

WHEREAS, by adoption of Bond Resolution No. 317-10 on June 30, 2010, the County (i) authorized undertaking the Design Project, (ii) authorized the issuance of \$18,000,000 in bonds of the County to finance the Project, and (iii) determined that the plan for the financing of the \$17,022,383 maximum estimated cost was (a) the issuance of \$13,398,383 bonds authorized by Bond Resolution No. 317-10 and (b) by the issuance of \$3,624,000 bonds of the County if and when any of the identified purposes related to the Project has undergone a SEQRA review and permitting process allowing that aspect of the Project to go forward, if so adopted by the County Legislature, and (c) by the

application of state and/or federal assistance available or to any revenues available for such purpose from any other source; and

WHEREAS, the County subsequently determined that the balance of the Project may include the potential for at least one significant adverse environmental impact; and, accordingly the County made a positive declaration of significance; and

WHEREAS, the County resolved that a generic environmental impact statement was appropriate to assess the Project's environmental impacts; and

WHEREAS, the County filed, published and circulated the negative declaration and the positive declaration in accordance with SEQRA; and

WHEREAS, the County prepared and circulated to potentially interested and involved agencies a draft scoping document for the Project in accordance with 6 NYCRR 617.8 and made the draft scoping document publicly available; and

WHEREAS, the County published notice of a public scoping session in The Citizen on August 6, 2010; and

WHEREAS, the County conducted a public scoping hearing on August 16, 2010, and accepted written comments on the draft scoping document from August 9 through September 7, 2010; and

WHEREAS, no public comments were received on the draft scoping document; and

WHEREAS, prior to the expiration of 60 days since the submittal of the draft scoping document, the County prepared and thoroughly reviewed a proposed final scope (the "Final Scoping Document") addressing each requirement contained in 6 NYCRR 617.8(f); and

WHEREAS, on September 28, 2010, the County adopted the proposed final scope and directed that a draft generic environmental impact statement ("DGEIS") be prepared consistent with that Final Scoping Document; and

WHEREAS, the Final Scoping Document was filed, published and circulated in accordance with SEQRA; and

WHEREAS, a proposed draft generic environmental impact statement ("DGEIS") was prepared for the Project; and

WHEREAS, the County thoroughly reviewed the proposed DGEIS, and considered the final scope and the standards contained in 6 NYCRR 617.9 to determine whether to accept the proposed draft generic environmental impact statement ("DGEIS") as adequate with respect to its scope and content for purpose of commencing public review; and

WHEREAS, based on the County's review of the proposed DGEIS, and its consideration of the final scope prepared for the Project and the standards contained in 6 NYCRR 617.9 and 617.10, the proposed DGEIS was accepted as adequate with respect to its scope and content for the purpose of commencing public review on October 26, 2010; and

WHEREAS, the County determined that, due to the county-wide scope of the Project, a public hearing on the DGEIS should be conducted; and

WHEREAS, the County properly filed, circulated, and published a Notice of Completion of the DGEIS, Notice of a Public Hearing, an ENB Notice, and the DGEIS in accordance with SEQRA; and

WHEREAS, pursuant to 6 NYCRR 617.9(a)(3), the County established a comment period of at least 30 days, commencing with the first filing and circulation of the notice of completion of the DGEIS and ending at 5 pm on Monday, November 29, 2010; and

WHEREAS, a public hearing was held on November 18, 2010 at 7 p.m. and no comments were received at this hearing and no potentially interested or involved agencies submitted comments or participated in the public hearing; and

WHEREAS, a proposed Final Generic Environmental Impact Statement ("FGEIS") was prepared which assembled the relevant and material facts which appropriately analyzed the potential significant adverse impacts, evaluated all reasonable alternatives, and which was written in clear and concise language that can be read and understood by the public; and

WHEREAS, by adoption of a SEQRA Resolution No. 575-10 on December 20, 2010, the FGEIS was accepted as complete and a Notice of Completion of the FGEIS was prepared, filed and published in accordance with 6 NYCRR 617.12, and as such, the requirements of 6 NYCRR Part 617 were satisfied; and

WHEREAS, by adoption of Bond Resolution No. 58-11 on January 25, 2011, the County authorized the issuance of \$3,000,000 of bonds of the County to finance the construction and completion of the Project; and

WHEREAS, Bond Resolution No. 58-11 misstated the plan of finance for the Project and the County now intends to correctly state the plan of finance and authorize the issuance of \$3,624,000 of bonds of the County to finance the construction and completion of the Project; and

NOW, THEREFORE BE IT RESOLVED ON MAY 24, 2011 BY THE COUNTY LEGISLATORS OF CAYUGA COUNTY, NEW YORK (by favorable vote of not less than two thirds of said Legislature), AS FOLLOWS

Section 1. For the specific object or purpose of undertaking the Project, including the development and construction of an emergency radio system for voice and data radio communications services constituting a digital trunked land mobile radio system, including all related construction, renovations, site improvements, furnishings, fixtures and equipment required for such purposes, environmental studies, architectural, legal and engineering fees, and all other necessary costs incidental to such work, in and for the County of Cayuga, New York, the County hereby restates and ratifies the authorization set forth in Bond Resolution No. 317-10 on June 30, 2010 of up to \$17,022,383 of bonds and notes of the County pursuant to the provisions of the Local Finance Law.

Section 2. The plan for the financing of the \$17,022,383 maximum estimated cost thereof shall be as follows:

(a) By the issuance of the \$13,398,383 bonds of said County as authorized by Bond Resolution No. 317-10 adopted on June 30, 2010; and

(b) By the issuance of \$3,624,000 bonds of said County authorized pursuant to this bond resolution; and

(c) By the application of state and/or federal assistance available or to any revenues available for such purpose from any other source.

Section 3. The faith and credit of said County of Cayuga, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such years and such debt service payments may be made in substantially level or declining amounts as may be authorized by law. All the taxable real property within said County shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such matter, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 5. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of Cayuga County, New York, by the manual or facsimile signature of the County Treasurer and a facsimile of its corporate seal shall be imprinted or impressed thereon and maybe attested to by the manual or facsimile signature of the County Clerk. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent.

Section 7. The County hereby covenants and agrees with the holders from time to time of the Bonds and any bond anticipation notes issued in anticipation of the sale of the Bonds, that the County will faithfully observe and comply with all provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and any proposed or final regulations issued pursuant thereto unless, in the opinion of bond counsel, such compliance is not required by the Code and regulations to maintain the exclusion from gross income of interest on said obligations for federal income tax purposes.

Section 8. The following additional matters are hereby determined and declared:

(a) Pursuant to subdivision 98 of paragraph a of Section 11.00 of the Local Finance Law, subdivision 11(a) of Section 11.00 of the Local Finance Law, and subdivision 21 of Section 11.00 of the Local Finance Law, the weighted average period of probable usefulness of the Project is 12 years; and

(b) Current funds are not required by the Local Finance Law to be provided prior to the issuance of the bonds and any notes issued in anticipation thereof authorized by this resolution; and

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

(d) The County reasonably expects to reimburse itself for expenditures made out of the County's General Fund for the Project from the proceeds of the bonds or notes herein authorized.

(e) This resolution is a declaration of official intent to reimburse for purposes of Treasury Regulation Section 1.150-2.

(f) The bonds authorized herein are not being issued for an assessable improvement.

Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 10. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 11. This resolution, which takes effect immediately, shall be published in summary form in the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law

Treasurer

James Orman, Treasurer

Co. Atty.

Frederick Westphal, County Attorney

WHEREFORE, the foregoing Resolution was put to a vote of the members of the County Legislators of the County on May 24, 2011, the result of which vote was as follows:

<u>COUNTY LEGISLATOR</u>	<u>VOTE</u>
Peter Tortorici, Chairman	yes
Cynthia Aikman	yes
David Axton	yes
Stephen Barski	yes
Michael Chapman	yes
Steven Cuddeback	yes
George Fearon	yes
Timothy Lattimore	yes
Patrick Mahunik	yes
Roger Mills	yes
Francis Mitchell	yes
Ann Petrus	yes
Paul Pinckney	yes
Daniel Sincebaugh	yes
Tucker Whitman	yes

Tuesday, May 24, 2011

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DATED: 5-25-11

CERTIFICATE

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

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Cayuga County, New York, this 5-27-11 day of May, 2011.

Susan M. Dwyer, County Clerk

[SEAL]

NOTICE OF BOND RESOLUTION

The resolution, a summary of which is published herewith, was adopted on [5-24-11]. The validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Cayuga, New York is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the constitution.

Susan M. Dwyer, County Clerk

SUMMARY OF BOND RESOLUTION

An amending Bond Resolution adopted by the County Legislators of the Cayuga County, Cayuga County, New York (the "County") on [date] restates and ratifies the authorization set forth in Bond Resolution No. 317-10 on June 30, 2010, of the issuance of \$17,022,383 bonds of said County pursuant to the provisions of the Local Finance Law for the specific object or purpose of undertaking the development and construction of an emergency radio system for voice and data radio communications services constituting a digital trunked land mobile radio system, including all related construction, renovations, site improvements, furnishings, fixtures and equipment required for such purposes, environmental studies, architectural, legal and engineering fees, and all other necessary costs incidental to such work. The plan for the financing of the \$17,022,383 maximum esti-

mated cost is (i) by the issuance of \$13,398,383 bonds of said County as authorized by Bond Resolution No. 317-10 adopted on June 30, 2010; and (ii) by the issuance of \$3,624,000 bonds of said County authorized pursuant to the subject bond resolution adopted on [date], and (iii) by the application of state and/or federal assistance available or to any revenues available for such purpose from any other source. The resolution authorizes the levy of a tax for the foregoing object or purpose in an amount not to exceed \$17,022,383, which shall be levied and collected in annual installments in such years and in such amounts as may be determined by the County Legislators and that in anticipation of the collection of such tax, bonds and notes of the County are hereby authorized to be issued at one time, or from time to time, in the principal amount not to exceed \$17,022,383 and a tax is authorized to pay the interest on said obligations when due. Under the Local Finance Law, the Project has a period of probable usefulness of 12 years. Such resolution shall be kept available for public inspection in the County Clerk's Office during regular business hours for twenty days following this publication.

RESOLUTION NO. 243-11

5/24/11 SHR-OPER STONEGARD

**AUTHORIZING THE SHERIFF'S OFFICE TO APPLY FOR THE 2011
OPERATION STONEGARDEN GRANT FROM THE NYS DIVISION OF
HOMELAND SECURITY AND EMERGENCY SERVICES.**

BY: Mr. Steven Cuddeback, Chair, Judicial and Public Safety Committee, and
Mr. Roger Mills, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Office wishes to apply for a Grant from the NYS Division of Homeland Security and Emergency Services; and

WHEREAS, this Grant would facilitate law enforcement partnerships in a joint mission to enhance security through joint patrols with the Border Patrol and State Police, those areas of the County along routes of ingress from International borders deemed under protected by the Office of Homeland Security; and

WHEREAS, the Grant proposal would 100% fund equipment, associated costs and overtime benefits; now therefore be it

RESOLVED, that the Cayuga County Sheriff's Office be allowed to apply for funding under the Operation Stonegarden Grant.

Signed by Cuddeback, Barski, Chapman, Petrus, Pinckney, Sincebaugh, Whitman, Mills, Axton, Cuddeback, Fearon, Mahunik and Mitchell, all in favor.

RESOLUTION NO. 244-11

5/24/11 SHR COPS Grant

**AUTHORIZING THE SHERIFF'S OFFICE TO APPLY FOR THE 2011 COPS
HIRING PROGRAM (CHP) GRANT.**

BY: Mr. Steven Cuddeback, Chair, Judicial and Public Safety Committee, and
Mr. Roger Mills, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Office wishes to apply for a competitive Grant from the COPS Hiring Program (CHP) funded by the U.S. Department of Justice, Office of Community Oriented Policing Services; and

WHEREAS, this Grant, if awarded, would fund one new Sheriff's Deputy Position for Road Patrol to assist in maintaining the smooth and efficient operations of the Cayuga County Sheriff's Office Law Enforcement Division; and

WHEREAS, the Grant proposal would fund one position plus benefits, starting on an entry level for 3 years with a commitment by the Cayuga County Sheriff's Office to continue the position for 12 months after the completion of the Grant; now therefore be it

RESOLVED, that the Sheriff's Department be allowed to apply for funding under the COPS Hiring Program (CHP) Grant.

Signed by Cuddeback, Barski, Chapman, Petrus, Pinckney, Sincebaugh, Whitman, Mills, Axton, Cuddeback, Fearon, Mahunik and Mitchell, all in favor.

RESOLUTION NO. 245-11

5/24/11 SHR 2011 Nav. Employment

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. Roger Mills, 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 2011 season so the Sheriff may hire qualified Police Officers and Personnel 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 rate of fifty percent; and

WHEREAS, these positions are funded in the 2011 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 for the Sheriff's Marine Unit (Seasonal Positions) are hereby set as follows: Seasonal Deputy (Marine) at the rate of \$18.00 per hour and Navigational Assistance (Seasonal) at the rate of \$12.00 per hour; and be it further

RESOLVED, that the Sheriff is authorized to hire and pay up to twenty-five Seasonal Marine Unit Personnel 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, Barski, Chapman, Petrus, Pinckney, Sincebaugh, Whitman, Mills, Axton, Cuddeback, Fearon, Mahunik and Mitchell, all in favor.

RESOLUTION NO. 246-11

5-24-11 DA Byrne,JAG Grant.11

AUTHORIZING THE DISTRICT ATTORNEY TO ACCEPT A GRANT FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO PURCHASE EQUIPMENT FOR VIDEO RECORDING OF STATEMENTS; AND AMENDING THE DISTRICT ATTORNEY'S 2011 BUDGET TO ACCEPT SAID FUNDS

By: Hon. Steven Cuddeback, Chairman, Judicial & Public Safety Committee; and Hon. Roger Mills, Chairman, Ways & Means Committee

WHEREAS, Cayuga County has been awarded a \$4,915 Byrne JAG Grant to purchase equipment for the video recording of 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 29, 2011; and

WHEREAS, the entire amount is going to the purchase video interrogation recording equipment; and

WHEREAS, the District Attorney's Office is responsible for monitoring and implementing the grant; now therefore, be it

RESOLVED, that Cayuga County accepts the \$4,915 Byrne JAG Grant Award in order to implement and administer 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 District Attorney's 2011 budget shall be amended to increase Revenue Account A11650 44326 "FEDERAL AID-DA BYRNE GRANT" in the amount of \$4,915; and be it further

RESOLVED, that the District Attorney's 2011 budget shall be amended to increase Account A11652 52000 Equipment \$4,915; 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, Barski, Chapman, Petrus, Pinckney, Sincebaugh, Whitman, Mills, Axton, Cuddeback, Fearon, Mahunik and Mitchell, all in favor.

RESOLUTION NO. 247-11

(May 24, 2011) DA ATP Grant.2011

**AUTHORIZING THE CONTINUATION OF THE DISTRICT ATTORNEY'S
ENHANCED FELONY PROSECUTION PROJECT AND THE RECEIPT AND
DISTRIBUTION OF AID TO PROSECUTION GRANT IN ORDER TO
FUND SAME**

By: Hon. Steven Cuddeback, Chairman, Judicial & Public Safety Committee; and
Hon. Roger Mills, Chairman, Ways & Means Committee

WHEREAS, the Cayuga County Legislature supports enhanced prosecution initiatives, especially for the prosecution of violent felony offenses; and

WHEREAS, New York State has awarded Cayuga County a \$29,200 2011 Aid to Prosecution Grant for the continuation of the District Attorney's Enhanced Felony Prosecution Project; and

WHEREAS, the grant contract period is 4/1/11 thru 3/31/12, and

WHEREAS, due to the current fiscal crisis New York State is experiencing, the grant award was reduced by \$2,600 from the 2010-2011 grant award amount (of \$31,800), and

WHEREAS, the District Attorney's Office has a 2011 Budget Revenue Account A11650 43029 State Aid – Aid to Prosecution; and

WHEREAS, the current ADA "Job 2" On-Call 2011 salaries will be paid through 5/18/11 under the 2010 Grant Award Contract, which has been extended through 6/30/11 in order to utilize the unexpended funds, and

WHEREAS, effective 5/19/11 the ADA "Job 2" On-Call 2011 salaries need to be reduced in Part IV of the 2011 Cayuga County Compensation Plan, now therefore, be it

RESOLVED, that Cayuga County hereby accepts the 2011 \$29,200 Aid to Prosecution Grant Award (comprised of \$22,674 – Salaries [Munis A11651 61004]; and \$6,526

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- Fringe [A11651 58001 FICA 7.65% - \$2,234 & A11651-58002 Retirement 14.7% - \$4,292])

RESOLVED, that pursuant to the Award Contract Budget of the District Attorney's Enhanced Felony Prosecution Project, the following reduced "on-call supplement" salary will be added to the 2011 base salary of:

A11651 61004 SALARY – ON-CALL (EFPP)

Position #004892-SYS (Assistant District Attorney)	\$4,947
Position #004891-SYS (Chief Assistant District Attorney)	\$4,644
Position #004896-SYS (Assistant District Attorney)	\$3,553
Position #004895-SYS (Assistant District Attorney)	\$3,553
Position #004894-SYS (Assistant District Attorney)	\$3,079
Position #005252-SYS (Assistant District Attorney)	<u>\$2,898</u>
SALARY TOTAL	\$22,674

FRINGE BENEFITS

FRINGE BENEFITS A11651 58001 FICA	\$2,234
FRINGE BENEFITS A11651 58002 RETIREMENT	<u>\$4,292</u>
FRINGE TOTAL	<u>\$6,526</u>

GRAND TOTAL \$29,200

RESOLVED, that the foregoing salary adjustments and fringe will be effective May 19, 2011; and it is further

RESOLVED, the Cayuga County Treasurer is hereby authorized and directed to make the necessary journal and accounting entries to accomplish the foregoing, and it is further

RESOLVED, that upon discontinuance of the Aid to Prosecution monies set forth in the Grant Award Agreement between the NYS Division of Criminal Justice Services and Cayuga County for the continuation of the District Attorney's Enhanced Felony Prosecution Project, the foregoing "On-Call Supplement" added to the base salaries herein, shall be eliminated.

Signed by Cuddeback, Barski, Chapman, Petrus, Sincebaugh, Whitman, Mills, Axton, Cuddeback, Fearon, Mahunik and Mitchell, all in favor.

RESOLUTION NO. 248-11

5/24/11 SHR JobSpecPatrolOffRev

AUTHORIZING THE CAYUGA COUNTY SHERIFF TO EXPAND THE MINIMUM QUALIFICATIONS OF SPECIAL PATROLMAN TO INCLUDE QUALIFIED NON-RETIREES.

Mr. Steven Cuddeback, Chairman Judicial and Public Safety

Mr. Roger Mills, Chairman Ways and Means Committee

WHEREAS, General Municipal Law, Section 209-v (1) permits a county legislature to authorize the Sheriff's Office to employ retired former members of police or sheriff's departments, or the division of state police, or retired former correction, parole or probation officers for the purpose of providing special patrolmen in publicly owned property within the county; and

WHEREAS, the Sheriff is currently authorized to employ retired persons as special patrolmen for publicly owned property; and

WHEREAS, the Cayuga County Legislature wishes expand the pool of possible candidates for the position of Special Patrol Officer to include both retired and non-

retired candidates who meet the minimum qualifications of Special Patrol Officer; now therefore be it

RESOLVED, that the Sheriff be directed to consider employment of special patrolman that meet the minimum qualification of Special Patrol Officer, whether that individual be retired or not; and be it further

RESOLVED, that the Cayuga County Civil Service Commission be made aware of the expanded minimum qualifications and revise the job specification for Special Patrol Officer to reflect this change.

Signed by Cuddeback, Barski, Chapman, Petrus, Pinckney, Sincebaugh, Whitman, Mills, Axton, Cuddeback, Fearon, Mahunik and Mitchell, all in favor.

Motion by Tortorici to bring Resolution to the floor, 2nd by Cuddeback, all in favor.

RESOLUTION NO. 249-11

5/24/11 COL ReqMandateRelief rev2

CAYUGACOUNTY LEGISLATURE URGES THE NYS SENATE AND NYS ASSEMBLY TO TAKE IMMEDIATE ACTION ON THE SUGGESTED MANDATE RELIEF TO LOCAL GOVERNMENT

WHEREAS, the task force that Governor Andrew Cuomo has established to evaluate and recommend mandate relief in New York State provided no relief through the recently passed budget; and

WHEREAS, the New York State Association of Counties (NYSAC) embraces the Governors call to reduce State mandates that dominate virtually every aspect of county government; and

WHEREAS, NYSAC has presented the Governor with a list of two hundred and eleven mandate reforms that would provide significant mandate relief while encouraging further mandate reform; and

WHEREAS, the five year average annual growth rates and expected costs in 2012, (on a statewide, aggregated basis) for the following 9 mandates consume 90 percent of the county tax levy and will increase the weight of the property tax burden significantly are as follows;

- o Medicaid, increased 2.5%, or \$54 million
- o Pensions, increased 31.0%, or \$175 million
- o TANF and Safety Net, increased 5.6%, or \$11 million
- o Child Welfare, expected growth of 2.0%, or \$5 million
- o Pre School Special Ed, 8.0%, or \$12 million
- o Early Intervention, increased 7.7%, or \$5 million
- o Indigent Defense, increased 5.5%, or \$7.2 million
- o Probation, increased 6.2%, or \$7.6 million
- o Youth Detention, increased 6.9%, or \$2.1 million; and

WHEREAS, as we are the administrative arm of State government, counties are in position to partner with the Governor to transform the public service delivery process in New York State; therefore be it

RESOLVED, that the Cayuga County Legislature requests Governor Andrew Cuomo, the NYS Senate, and the NYS Assembly to take immediate action on the suggested Mandate Relief items and work with NYSAC to reform them to bring the relief necessary; and be it further