

Tuesday, May 24, 2011

203

RESOLVED, that the Cayuga County Legislature requests that the New York State Government implement mandate relief to local governments now; and be it further

RESOLVED, that copies of this Motion be sent to Governor Andrew Cuomo, Senator Michael Nozzolio, Senator David Valesky, Assemblyman Gary Finch, Senate Majority Leader Dean Skelos, Senate Minority Leader Malcolm Smith, NYS Assembly Speaker Sheldon Silver and Assembly Minority Leader Brian M. Kolb.

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

Motion by Chapman to go into Executive Session at 2:35PM, re: Acquisition of Real Property, 2<sup>nd</sup> by Cuddeback, all in favor. Daniel Larson, President Cayuga Community College asked to come in.

Motion by Aikman to come out of Executive Session at 2:55PM, 2<sup>nd</sup> by Fearon, all in favor.

Motion by Fearon to adjourn at 2:55PM, 2<sup>nd</sup> by Sincebaugh, all in favor.

**Motion by Chapman to approve minutes of 5/24/11, 2<sup>nd</sup> by Pinckney, all in favor.**

**MINUTES**  
**CAYUGA COUNTY LEGISLATURE**  
**June 28, 2011 – (6:00PM TIME CHANGE)**

**CALL TO ORDER:** Hon. Peter Tortorici, Chairman at 6:00PM

**ROLL CALL:** Mary Jones, Clerk of the Legislature, all Legislators present, except excused Mahunik, Petrus arriving at 6:07PM and Whitman arriving at 6:20PM.

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**DEATHS:** Katie Socci, daughter of John and Tina Socci, Auburn, NY

**PUBLIC HEARING:** Opened at 6:34PM - Fixing day and notice of a Public Hearing on a proposed Local Law No. 2 for the year 2011 which sets the Procedure For Emergency Purchases Or Contracts For Services And Repealing Local Law No. 1 For The Year 2003.

**PRESENTATION:** Cayuga County Economic Development Strategic Plan, John Rhodes, handout attached to original minutes.

**Legislator Cynthia Aikman read her statement re: the Economic Development Strategic Plan, attached to original minutes.**

**Discussion:**

Rhodes, the Strategic Plan doesn't get you to the finish line.

Aikman, we need a work book.

Rhodes, need to know who you are and where you need to go, cultural change first.

Aikman, we need help to define these things, this is the same as 11 years ago.

Lattimore, tax differentials, fertile ground for manufacturing, politically we need to grow up, reach out to other counties, work together to make it happen.

Rhodes, politically it looks good, layers of things that need to happen first, look to the future, how we run things, schools, government.

Fearon, we have mandates that other states do not have, need major change.

Rhodes, yes.

Tortorici, we are doing some big projects now, need to do what is best for the whole county, there are hard working people here, make it easier for business to come to Cayuga County.

Sincebaugh, how do you recommend school districts go from 7 administrators to 1.

Rhodes, Florida County made City and County same, when supervisory people retire, don't rehire. I don't want to destroy schools, just take out the high paying administration personnel, that's a lot of overhead.

Sincebaugh, schools loose power.

Tortorici, move the meeting.

**PROCLAMATION'S:** Elder Abuse Awareness Day, June 15, 2011

Byron Lapp Memorial Trail, Montezuma Heritage Park, May 30, 2011

Tuesday, June 28, 2011

205

The National Society Daughters of the American Revolution (Rededication of the Bronze Tablet)

**Eagle Scout's**

Cayuga County Salutes Erik N. Falcicchio  
Cayuga County Salutes Clay S. Murray  
Cayuga County Salutes Robert S. Johnson  
Cayuga County Salutes Patrick D. Hall  
Cayuga County Salutes Andrew D. Schemerhorn

**PUBLIC BE HEARD:**

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

**MINUTES:** For Approval: 4-26-11, Motion by chapman to approve minutes, 2<sup>nd</sup> by Pinckney, all in favor.

For Reading: 5-24-11

**RESOLUTION NO. 250-11**

**EMERGENCY AUTHORIZATION FOR SPENDING:**

Dept: Office for the Aging

Reason for emergency spending:

WHEREAS, there is a vacancy in a part-time Food Services Helper position in the Senior Nutrition Program due to the resignation of the current employee; and

WHEREAS, the food services helper prepares and packages the meals that are delivered on the Fair Haven route; and

WHEREAS, without a Food Services Helper in Fair Haven it would be necessary to deliver cold or frozen meals two days a week instead of a hot meal five days a week until the position is filled; 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 part-time Food Services Helper position in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Mahunik, Aikman, Tortorici, Mills and Squires, Approved 5-31-11.

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

**COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS:**

Lattimore, would like to remember those that gave their lives, D-day, we used to have a ceremony, but the person that did that has passed away.

Tortorici, asked Mr. Lattimore to get in touch with someone in that group, to bring that ceremony back.

**COUNTY ADMINISTRATOR'S REPORT:** Tom Squires, handouts attached to original minutes. Thanked Wegmans that donated food to Emergency Services. The IRS

mileage rate has gone up, new rate of 55.5 will take effect on July 1<sup>st</sup>, 2011. The New Mental Health Building will have a special preview of the new facility this Thursday at 5:00PM. Fred Lewis is retiring, June 30, 2011 is his last day, we will have cake in the Chambers to honor him from 3 to 5PM. Discussed the in-kind work to be done at the pavilion, and where the money is coming from.

Lattimore, need to fast track, but not an open check book.

Squires, agrees.

Tortorici, Bids will be sent by e-mail to all Legislators, running total will be kept, will report to oversight committee and make decisions as we go.

Pinckney, do we know the amount spent on in-kind services so far?

Squires, yes, I will get you the amount.

Mills, tentatively we need \$413,000.

Squires, no,

Mills, where is the money coming from?

Squires, I don't have a resolution for that yet.

Mills, contingency account?

Squires, I have concerns on how big the number is, we might not need it all this year.

Mitchell, labor out of highway budget.

Squires, no.

Mitchell, labor, capital "H" should cover all.

Squires, we could transfer some of the budget appropriations out of the Highway Department and into the Capital "H" account. Soil and Water labor will be paid out of the Capital "H" account also.

Sincebaugh, is it worth looking to see if companies will donate stuff, can we look into that, put a plaque up.

Squires, I don't know.

Westphal, I will look into.

Fearon, we do that with trees at the park.

Aikman, need to check the naming policy, don't want a park full of memorials.

Westphal, I will check on that.

#### **Public Hearing Closed at 7:35PM**

**CHAIRMAN'S REPORT:** Peter Tortorici, thanked Legislator Timothy Lattimore for help to bring in Commissioner of Agriculture Darrel Aubertine and Deputy Commissioner Matt Morgan, we visited the Raymond Farm, the Patterson Farm, BOCES, and the Digester. They are very impressed with what we are doing in Cayuga County, with power, the environment, this is a model that could be used throughout New York State for other counties, encouraged us to keep moving forward. With the help of Mr. Whitman and the Planning Department were up in Fair Haven, visiting some of the sites and were able to get Cayuga County on to a Regional Board that is looking at the lake frontage on Lake Ontario, the problem with access to the ports and Little Sodus Bay, a study will be done and Cayuga County is included in that. Legislator Lattimore stated that we should have a White House Visitor in August, re: rural utilities

**APPOINTMENTS AND RE-APPOINTMENTS:**

**Cayuga-Cortland Workforce Investment Board:**

**\*All appointments run from 7/1/11 through 6/30/14**

Dennis R. Donahue, 1556 Levanna Rd., Union Springs, NY (replaces Betty Youman)

Ryan Dauphin, PO Box 1037, Auburn, NY (replaces Deborah Brown)

Stephen Lynch, 7 Tuxill Square, Auburn, NY (replaces Terri Bridenbecker)

**Cayuga County Soil and Water Conservation District:**

Dale Kehoe, 2841 Route 41A, Moravia, NY; term: 6/1/2011 through 12/31/2011

Raymond Lockwood, Jr., 1817 State Route 326, Auburn, NY; term: 6/1/2011 through 12/31/2013

Steven Nemecek, 3999 Carver Rd., Moravia, NY; term: 6/1/2011 through 12/31/2012

Charles Roberts, 10981 State Route 38, Cato, NY; term: 6/1/2011 through 12/31/2011

James Young, Route 34B, Union Springs, NY; term: 6/1/2011 through 12/31/2012

**Cayuga County Fire Advisory Board: All Terms 6-28-11 to 4-30-2012**

Larry Dygert, 10484 Jordan Rd., PO Box 279, Jordan, NY 13080

Tom Begley, PO Box 123 Cato, 161 Fire Lane 12 Jordan Rd., Jordan, NY 13080

William Pelc, Cayuga St., Auburn, NY 13021

David James, PO Box 749, Weedsport, NY 13166

Jim Perkins, 2762 Center Rd., Scipio, NY 13147

Michael Deyneka, 6468 E. Lake Rd., Auburn, NY 13021

Patsy DiNonno, 4 Frances St., Auburn, NY 13021

Lt. Mike Wellauer, 51 Mattie St., Auburn, NY 13021

Dr. Mary DiRubbo, PO Box 775, Skaneateles, NY 13152

David Dixon, 85 Rochester St., Port Byron, NY 13140

Christopher Morabito, 7394 Owasco Rd., Auburn, NY 13021

Craig Foster, 5759 Benham Rd., Cayuga, NY 13034

Patrick Merial, 1642 Rte 38A, Auburn, NY 13021

Jeff Dygert, 34 Madison Ave., Auburn, NY 13021

**Motion by chapman to approve all appointments, 2<sup>nd</sup> by Sincebaugh, all in favor.**

**COMMUNICATIONS AND ANNOUNCEMENTS:**

1. Received a letter from Brian M. Kolb, State Minority Leader, re: acknowledgement of receipt of resolution No. 249-11 mandate relief to local government.
2. Received a letter from Mary C. Moore, Corporate Director of Sales Auburn Holiday Inn, re: Thanking Mary Jones for allowing the Holiday Inn to host the NYS Association of Clerks of County Legislative Boards conference May 18, to May 20, 2011.
3. Received a letter from Ronald Mead, Agricultural Districts Program Manager, re: review of Agricultural District No. 5.
4. received a letter from Brad Gill, Executive Director Independent Oil & Gas Association, re: Natural Gas development in New York State.
5. Received a letter from Diane P. Hough, President/Executive Director Kyle Petty Charity Ride, Inc., re: Thanking Cayuga County for their generous donation.
6. Received a letter from United States Dept. of Commerce re: detailed instructions for finding the new Profile of General Population and Housing Characteristics, on the 2010 census.

**Motion by Axton to waive the reading of the communications, 2<sup>nd</sup> by Pinckney, all in favor.**

RESOLUTIONS 6-28-11

**RESOLUTION NO. 251-11**  
**06-28-11 AP Audit, June 11 (A)**  
**AUTHORIZING THE COUNTY TREASURER TO PAY**  
**MAY 5-JUNE 1, 2011 AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on June 28, 2011 audit claims against the County of Cayuga in the aggregate sum of \$1,032,517.18 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. 252-11**  
**06-28-11 AP Audit, June 11 (B)**  
**AUTHORIZING THE COUNTY TREASURER TO PAY JUNE 2-JUNE 15, 2011**  
**AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on June 28, 2011 audit claims against the County of Cayuga in the aggregate sum of \$1,862,177.43 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. 253-11**  
**6/28/11 HR fillpttempadmin**  
**AUTHORIZATION TO FILL THE POSITION OF TEMPORARY HUMAN**  
**RESOURCES ADMINISTRATOR PT IN THE HUMAN RESOURCES/CIVIL**  
**SERVICE DEPARTMENT DUE TO A LEAVE OF ABSENCE**

Mr. Roger Mills, Chairman Ways and Means Committee

WHEREAS, the current Human Resources Administrator (PC# 6037) will be on a leave of absence for approximately six months; and

WHEREAS, the Human Resources Administrator has become one of the top administrative positions in Cayuga County dealing with a multitude of personnel and civil service issues; and

WHEREAS, it is the intent of the Cayuga County Civil Service Commission and the Cayuga County Legislature to ensure continuity of service in the absence of the HR Administrator; and

WHEREAS, a search was conducted for a suitable replacement; and the Commission found an internal candidate with Civil Service and Human Resources background that would allow for a seamless transition, and

WHEREAS, said candidate has agreed to accept the temporary Human Resources Administrator PT position at an hourly rate of \$31.67 (17.5 hours a week) with an additional \$4,000 stipend to compensate for overtime (committee meetings/civil service exams) associated with the position, and

WHEREAS, there is existing money budgeted in the A14301-51001 line of the 2011 Human Resources and Civil Service budget, now therefore be it

RESOLVED, that the position of Human Resources Administrator (PC# 6037) be filled on a temporary part time basis effective with the commencement of the current Human Resources Administrator's LOA, and be it further;

RESOLVED, that the hourly rate be set at \$31.67 with an additional \$4,000 stipend, and it be placed in Part IV of the Cayuga County Compensation Plan until the completion of the current HR Administrator's LOA, 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 Mills, Axton, Cuddeback, Fearon, Mahunik, Mitchell and Petrus, all in favor.

**RESOLUTION NO. 254-11**

**6/28/11 AUD VerizonWirelessRev2**

**AUTHORIZING THE COUNTY LEGISLATURE TO ENTER INTO AN AGREEMENT WITH A NEW CELL PHONE VENDOR**

By: Roger Mills, Chairman, Ways and Means Committee

WHEREAS, the County Auditor reviewed the current wireless telephone plan; and

WHEREAS, switching from AT&T, our current carrier, to Verizon Wireless will give the county better coverage; and

WHEREAS, with the present carrier, the county is carrying an extra 25,000 minutes per month which are not utilized; and

WHEREAS, the County desires to enter into an agreement with Verizon Wireless to assist in telephone savings; and

WHEREAS, Verizon Wireless will be paid \$1,784.31 monthly (\$21,411.72 annually) for said services; now therefore, be

WHEREAS, changing from our current carrier AT&T with a monthly cost of \$2,300.00 monthly (\$27,600.00 annually) will bring a cost savings of \$6,188.28 to the County annually.

RESOLVED, that the Chairman of the Cayuga County Legislature does hereby authorize the County Chairman to sign an agreement with Verizon Wireless, to assist in the administration of the County's telephone cost program.

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

**RESOLUTION NO. 255-11**  
**06/28/11 TRE sellrealprop**  
**CANCELLING RESOLUTION NO. 520-10 AND AUTHORIZING THE SALE OF**  
**TAX FORECLOSED PROPERTY IN THE VILLAGE OF UNION SPRINGS**  
**COMMONLY KNOWN AS 15 BASIN STREET, UNION SPRINGS, TAX MAP**  
**NO.141.13-2-32**

By: Mr. Roger Mills, Ways and Means Committee

WHEREAS, 15 Basin Street, Union Springs, Tax Map No. 141.13-2-32, was sold at the county auction last year, but the bidder decided not to follow through; and

WHEREAS, thereafter an interested party came forward to purchase the parcel and Resolution No.520-10, authorized the sale 15 Basin Street, Union Springs, Tax Map No. 141.13-2-32 for \$30,000; and

WHEREAS, that individual failed to follow through with his offer; and

WHEREAS, an auction of real property is scheduled to be held on August 17<sup>th</sup> at Emerson Park and the Legislature would like to include this parcel for sale; now therefore, be it

RESOLVED, that Resolution No. 520-10 be cancelled and that 15 Basin Street, Union Springs, Tax Map No. 141.13-2-32 be placed in the public auction to be held on August 17<sup>th</sup> at Emerson Park.

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

**RESOLUTION NO. 256-11**  
**6/28/11 ADM DeferredCompNationwide**  
**AUTHORIZING EXTENSION OF AGREEMENTS WITH NATIONWIDE**  
**RETIREMENT SOLUTIONS, NATIONWIDE FINANCIAL SERVICES, INC.**  
**AND NATIONWIDE TRUST COMPANY FOR CONTINUATION OF CAYUGA**  
**COUNTY'S DEFERRED COMPENSATION PLAN.**

BY: Roger Mills, Chairman, Ways & Means Committee.

WHEREAS, the Cayuga County Deferred Compensation Plan has been provided administrative services by Nationwide Retirement Solutions, with Nationwide financial Services, Inc. serving as financial organization and Nationwide Trust Company serving as trustee; and

WHEREAS, agreements between Cayuga County and such entities to provide such services expired on June 4, 2011; and

WHEREAS, Cayuga County has the option of extending such agreements for an additional one (1) year period to expire on June 3, 2012; Now, therefore, be it

RESOLVED, that the Chairman of the County Legislature, upon approval by the County Attorney, is authorized to execute the contract extension for the above referenced agreements with Nationwide Retirement Solutions, Nationwide Financial Services, Inc. and Nationwide Trust Company for a one-year period, ending on June 3, 2012.

Motion by Mills to bring to the floor, 2<sup>nd</sup> by Axton, all in favor.



**RESOLUTION NO. 257-11**  
**6.28.11 coa slstxextnsn11rev**

**INCREASING THE RATE OF TAXES ON SALES AND USES OF TANGIBLE  
PERSONAL PROPERTY AND OF CERTAIN SERVICES, AND ON OCCU-  
PANCY OF HOTEL ROOMS AND AMUSEMENT CHARGES, PURSUANT TO  
ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK.**

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

Be it enacted by the County Legislature of the County of Cayuga, as follows:

SECTION 1. The first sentence of section two of resolution # 40 as enacted in nineteen hundred

sixty eight, as amended, is amended to read as follows:

SECTION 2. Imposition of sales tax.

On and after June 1, 1968, there is hereby imposed and there shall be paid a tax of three percent upon, and for the period commencing September 1, 1992, and ending November 30, 2013, there is hereby imposed and there shall be paid an additional tax of one percent upon:

SECTION 2. Subdivision (f) of section three of resolution #40 entitled "Imposition of Sales Tax" as enacted in nineteen hundred sixty-eight, as amended, is amended to read as follows:

(f) With respect to the additional tax of one percent imposed for the period commencing September 1, 1992, and ending November 30, 2013, the provisions of subdivisions (a), (b), (c), (d) and (e) of this section apply, except that for the purposes of this subdivision, all references in said subdivisions (a), (b), (c) and (d) to an effective date shall be read as referring to September 1, 1992, all references in said subdivision (a) to the date four months prior to the effective date shall be read as referring to May 1, 1992, and the reference in subdivision (b) to the date immediately preceding the effective date shall be read as referring to August 31, 1992. Nothing herein shall be deemed to exempt from tax at the rate in effect prior to September 1, 1992, any transaction which may not be subject to the additional tax imposed effective on that date.

SECTION 3. Section four of Resolution No. 40 as enacted in nineteen hundred sixty eight, as amended, is amended to read as follows:

SECTION 4. Imposition of compensating use tax.

(a) Except to the extent that property or services have already been or will be subject to the sales tax under this enactment, there is hereby imposed on every person a use tax for the use within this taxing jurisdiction on and after September 1, 1992, except as otherwise exempted under this enactment, (A) of any tangible personal property purchased at retail, (B) of any tangible personal property (other than computer software used by the author or other creator) manufactured, processed or assembled by the user, (i) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business or (ii) if items are used as such or incorporated into a structure, building or real property, by a contractor, subcontractor or repairman in erecting structures or buildings, or building on, or otherwise adding to, altering, improving, maintaining, servicing or repairing real property, property or land, as the terms real property, property or land are defined in the real property tax law, if items of the same kind are not offered for sale as such by such contractor, subcontractor or repairman or other user in the regular course of business, (C) of any of the services described in

paragraphs (1), (7) and (8) of subdivision (c) of section two, (D) of any tangible personal property, however acquired, where not acquired for purposes of resale, upon which any of the services described under paragraphs (2), (3) and (7) of subdivision (c) of section two have been performed, (E) of any telephone answering service described in subdivision (b) of section two and (F) of any computer software written or otherwise created by the user if the user offers software of a similar kind for sale as such or as a component part of other property in the regular course of business.

(b) For purposes of clause (A) of subdivision (a) of this section, for the period commencing September 1, 1992, and ending November 30, 2013, the tax shall be at the rate of four percent, and on and after December 1, 2013, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one, but excluding any credit for tangible personal property accepted in part payment and intended for resale.

(c) For purposes of subclause (i) of clause (B) of subdivision (a) of this section, for the period commencing September 1, 1992, and ending November 30, 2013, the tax shall be at the rate of four percent, and on and after December 1, 2013, the tax shall be at the rate of three percent, of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him.

(d) For purposes of subclause (ii) of clause (B) of subdivision (a) of this section, for the period commencing September 1, 1992, and ending November 30, 2013, the tax shall be at the rate of four percent, and on and after December 1, 2013, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property manufactured, processed or assembled into the tangible personal property the use of which is subject to tax, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one.

(e) Notwithstanding the foregoing provisions of this section, for purposes of clause (B) of subdivision (a) of this section, there shall be no tax on any portion of such price which represents the value added by the user to tangible personal property which he fabricates and installs to the specifications of an addition or capital improvement to real property, property or land, as the terms real property, property or land are defined in the real property tax law, over and above the prevailing normal purchase price prior to such fabrication of such tangible personal property which a manufacturer, producer or assembler would charge an unrelated contractor who similarly fabricated and installed such tangible personal property to the specifications of an addition or capital improvement to such real property, property or land.

(f) For purposes of clauses (C), (D) and (E) of subdivision (a) of this section, for the period commencing September 1, 1992, and ending November 30, 2013, the tax shall be at the rate of four percent, and on and after December 1, 2013, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the service, including the consideration for any tangible personal property transferred in conjunction with the performance of the service and also including any charges for shipping and delivery of the property so transferred and of the tangible personal property upon which the service was performed as such charges are described in paragraph three of subdivision (b) of section one.

(g) For purposes of clause (F) of subdivision (a) of this section, for the period commencing September 1, 1992, and ending November 30, 2013, the tax shall be at the rate of four percent, and on and after December 1, 2013, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes, used in conjunction with the software, or for the use of such property, and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (F) by its author or other creator shall not be deemed a taxable use by such person.

SECTION 4. Paragraph (B) of subdivision 1 of section 11 of Resolution No. 40 as enacted in nineteen hundred sixty-eight, as amended, is amended to read as follows:

(B) With respect to the additional tax of one percent imposed for the period beginning September 1, 1992, and ending November 30, 2013, in respect to the use of property used by the purchaser in this County prior to September 1, 1992.

SECTION 5. Subdivision b of section 14 of Resolution No. 40 as enacted in nineteen hundred sixty-eight, as amended, is amended to read as follows:

(b) Except as provided in subdivision (c) of this section, net collections distributed to the County by the State Comptroller attributable to the additional one percent rate of sales and compensating use taxes imposed for the period beginning September 1, 1992, and ending November 30, 2013, are set aside for County purposes and shall be available for any County purpose.

SECTION 6. This enactment shall take effect December 1, 2011.

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

**RESOLUTION NO. 258-11**

**(June 28, 2011) HD Susan G. Komen Contract 2011**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH THE CNY AFFILIATE OF THE SUSAN G. KOMEN BREAST CANCER FOUNDATION, INC. AND ACCEPT FUNDING**

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

Roger Mills, Chairman of the Ways & Means Committee

WHEREAS, the Community Health Services division of the Health Department uses this funding to reimburse providers for services to qualified participants, which include mammograms, ultrasounds, surgical consults, and assistance with biopsy costs; and

WHEREAS, the Central New York Affiliate of the Susan G. Komen Breast Cancer Foundation, Inc. wishes to contract with the Health Department to assist qualified participants in obtaining these services, with a grant in the amount of \$19,970 for the period of April 1, 2011 through March 31, 2012; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with the Central New York Affiliate of the Susan G. Komen Breast Cancer Foundation, Inc. as noted above, and to accept this funding; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the Health Department's 2011 Budget in the following manner:

Increase Appropriation Account #A40184 54000 .....	\$19,970
Increase Revenue Account #40180 43418 .....	\$19,970

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

**RESOLUTION NO. 259-11**

**June 28, 2011 HD Amend 2011 Health Dept Budget**

**AUTHORIZING THE COUNTY TREASURER TO AMEND THE 2011 CAYUGA COUNTY HEALTH DEPARTMENT BUDGET**

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

Roger Mills, Chairman of the Ways & Means Committee

WHEREAS, the 2011 County Budget was prepared with a six-month operating budget for the Home Care Agency; and

WHEREAS, a six-month budget was requested because it was anticipated that the CON for the Home Care Agency would transfer to Lifetime Care within that time period; and

WHEREAS, at this time the CON has not yet been approved for transfer to Lifetime Care by New York State; and

WHEREAS, the County will be required to continue paying for the expenses to operate the CHHA while it receives the revenue related to the services provided; NOW, THEREFORE, BE IT

RESOLVED, that the County Treasurer is authorized and directed to make the following budget adjustments in order to continue operations for the remainder of 2011:

Revenue:

Increase A40120 41601 Home Health Revenue ..... \$ 1,890,000

Appropriation Accounts:

Increase A40121 51001 Salaries – Full Time ..... \$ 68,780

Increase A40121 51002 Salaries – Part Time ..... \$ 38,397

Increase A40121 58001 Social Security ..... \$ 8,073

Increase A40121 59007 Unemployment Insurance ..... \$ 20,000

Increase A40124 54019 Computer Support ..... \$ 1,250

Increase A40124 54055 Postage ..... \$ 3,000

Increase A40124 54059 Professional Services ..... \$ 1,450,000

Increase A40124 54075 Telephone ..... \$ 3,000

Increase A40124 54111 Telephone Answering ..... \$ 1,500

Increase A40124 54219 Home Health Aides ..... \$ 296,000

and be it further

RESOLVED, that the Health Department's administrative staff will periodically report to the County Legislature on the operations and status of the transfer to Lifetime Care.

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

**RESOLUTION NO. 260-11**  
**(June 28, 2011) HD ICSP Clinical Services**  
**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE**  
**DIRECTOR OF HEALTH & HUMAN SERVICES TO ACCEPT FUNDING FOR**  
**CLINICAL SERVICES RELATIVE TO THE INTEGRATED CANCER SERVICES**  
**PROGRAM**

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; and

WHEREAS, by accepting this funding, 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 "clinical services" portion of this contract runs from April 1, 2011 through March 31, 2012 in the amount \$54,167; 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 \$54,167 for clinical services for the period April 1, 2011 - March 31, 2011 and that the Health Department be allowed to contract for clinical 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 adjustments to the Health Department's 2011 Budget in the following manner:

Increase Revenue Account #40160 43416 .....	\$54,167
Increase Appropriation Account #40164 54000 .....	\$54,167

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. 261-11**  
**(June 28, 2011) HS Child Welfare Placement Services 2011**  
**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIREC-**  
**TOR OF HEALTH & HUMAN SERVICES TO CONTRACT WITH MULTIPLE**  
**SERVICE AGENCIES (LISTED) FOR THE PROVISION OF CHILD WELFARE**  
**PLACEMENT SERVICES**

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 is required to provide appropriate "child placement services" for children placed in foster care and at times this includes placement in a residential treatment center (RTC); and

WHEREAS, Human Services has successfully contracted with the listed agencies to provide these services in the past; and

WHEREAS, the RTC per diem rate schedule is established and set by NYS Department of Social Services; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into contracts for the time of July 1, 2011 – June 30, 2012 with the following agencies *and any new providers that may come forward*:

Anderson School, Inc.	Kids' Peace
Baker Victory Services	Kinship Family & Youth Services
Berkshire Farm Center & Services	LaSalle School
Cayuga Home for Children	Liberty Resources
Charlton School	Lincoln Hall
Children's Home of Jefferson County	Northeast Parent and Child Society
Children's Home of Poughkeepsie	Oswego Opportunities, Inc.
Children's Home of Wyoming Conference	Parsons Child & Family Center
Crestwood Children's Center	St. Anne's Institute
Elmcrest Children's Center	St. Catherine's Center for Children
Gateway Logview	St. Coleman's
George Junior Replublic	St. Joseph's Villa
Glove House	Toomey Residential & Comm. Serv.
Hillside Children's Center	Vanderheyden Hall
Hopevale, Inc.	Salvation Army/Friendship House
House of Good Shepard	

and be it further

RESOLVED, that payment for these services at the current state approved rates be charged to account #A61234 54000, account #A61094 54000, and account #A61194 54000 of the 2011 Human Services Budget.

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

**RESOLUTION NO. 262-11**

**(June 28, 2011) HS Accept FAR Flex Funds OCFS**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ACCEPT 100% NYS OCFS FAR FLEX FUNDS IN THE AMOUNT OF \$8,500**

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

WHEREAS, in March 2011, following our FAR (Family Assessment & Response) Training, the Department implemented a family assessment and services approach for a subset of families that are reported to the Statewide Central Register for child maltreatment called FAR; and

WHEREAS, FAR Flexible Funds (100% State) are being made available to support the families we engage in this initiative; NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of the Health and Human Services Department be authorized to accept \$8,500 from NYS OCFS (FAR Flex Funds) and any additional FAR allocations that may be awarded; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the necessary journal and accounting entries to the Human Services 2011 Budget as follows:

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Increase Revenue Account (State Aid) #A60100 43610 ..... \$8,500  
Increase Expenditure Account (FAR) #A60104 54268 ..... \$8,500  
Signed by Mahunik, Aikman, Axton, Barski, Lattimore, Mills, Sincebaugh, Cuddeback,  
Fearon, Mitchell and Petrus, all in favor.

**RESOLUTION NO. 263-11**

**(June 28, 2011) HS Fill HS Examiner SCU**

**AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO FILL  
A FULL-TIME HUMAN SERVICES POSITION IN THE SUPPORT  
COLLECTION UNIT OF HUMAN SERVICES**

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

WHEREAS, there will be a Full-Time Human Services Examiner position vacancy  
(position control #002211) in the Support Collection Unit of Human Services due to  
resignation effective May 13, 2011; and

WHEREAS, this position assists in the recovery of child support payments and is  
reimbursed at 83% State and Federal funding; and

WHEREAS, this position is budgeted for in the 2011 Human Services' Budget;  
NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized to fill the  
Full-Time Human Services Examiner vacancy in the Support Collection Unit of Human  
Services and any fill behind that may occur, in a manner consistent with the rules and  
regulations of the County of Cayuga and the Cayuga County Civil Service Commission.  
Signed by Mahunik, Aikman, Axton, Barski, Lattimore, Mills, Sincebaugh, Cuddeback,  
Fearon, Mitchell and Petrus, all in favor.

**RESOLUTION NO. 264-11**

**June 28, 2011 HS Create&Fill Director of Services**

**AUTHORIZATION TO CREATE AND FILL ONE DIRECTOR OF SERVICES  
WITHIN THE HUMAN SERVICES DEPARTMENT**

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 submitted the duties to  
be performed by an employee to the Civil Service Commission for analysis; and

WHEREAS, the Commission recommended that the position be classified as Direc-  
tor of Services; and

WHEREAS, funding for the position exists within the 2011 budget due to a retire-  
ment effective July 8, 2011 (Position Control #002271); NOW, THEREFORE, BE IT

RESOLVED, that the position of Director of Services be created in the Human  
Services Division of Health & Human Services and placed in Part IV of the Cayuga  
County Compensation Plan at an annual salary of \$55,000; and be it further

RESOLVED, that the Director of Health & Human Services be authorized and  
directed to fill the newly created Director of Services position and any fill behinds in  
accordance with Cayuga County 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. 265-11**  
**(June 28, 2011) HS Fill LTC Administrator**  
**AUTHORIZING THE DIRECTOR OF HEALTH AND HUMAN SERVICES TO**  
**FILL THE LONG TERM CARE ADMINISTRATOR VACANCY IN HUMAN**  
**SERVICES DUE TO RETIREMENT**

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

WHEREAS, due to resignation of the incumbent, there is a Long Term Care Administrator vacancy (position control #002173) in the Human Services Department effective June 25, 2011;

WHEREAS, this position exists in the Human Services budget and is reimbursed at 100%; and

WHEREAS, The LTC Administrator is responsible for oversight of the Long Term Care Office; NOW, THEREFORE BE IT

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the Long Term Care Administrator vacancy in Human Services in accordance with Cayuga Civil Service Rules and Regulations and the policies of the County of Cayuga; and be it further

RESOLVED, that the Cayuga County Legislature set the annual salary for the Long Term Care Administrator position at \$52,000 in Part IV of the Cayuga County Compensation Plan..

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

**RESOLUTION 266-11**  
**(June 28, 2011) HS Cornell Coop Ext 2011**

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

BY: 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 is required to provide "Placement In Another Planned Permanent Living Arrangement" to children in Foster Care who have a goal of independent living; and

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

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

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Cornell Cooperative Extension of Cayuga County for the contract period of 7/1/11 to 12/31/11 in an amount not to exceed \$13,000 (100% Federally funded) for "Placement In Another Planned Permanent Living Arrangement" services; and be it further

RESOLVED, that the charges for these services be paid from account #A60104 54059 of the 2011 Human Services Budget.



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

**RESOLUTION NO. 267-11**

**Action 5/25/11 MHadjHrs5.11**

**ADJUSTING THE HOURS OF A POSITION AT THE  
COMMUNITY MENTAL HEALTH CENTER**

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

WHEREAS, the position of Community Mental Health Nurse Supervisor, number 5497, was created to supervise all nursing positions at the Community Mental Health Center, including staff assigned to work at the Cayuga county Jail; and

WHEREAS, the position was established, by resolution 442-02, to work 40 hours per week to accommodate the County Jail schedule; and

WHEREAS, the Mental Health Center no longer provides staffing to the County Jail and those supervisory responsibilities are no longer required; and all other Mental Health staff work 35 hours per week, now therefore, be it

RESOLVED, that the position number 5497 be assigned to work 35 hours per week effective June 1, 2011 and a salary adjustment be made in Part IV of the County of Cayuga Compensation Plan establishing the salary at \$54,151, to reflect this reduction in hours; and be it further

RESOLVED, that the Cayuga county Treasurer be directed and authorized to make the necessary accounting entries to accomplish the intent of this resolution.

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

**RESOLUTION NO. 268-11**

**Action 6/28/11 MHContractUpstate6.11**

**AUTHORIZING THE DIRECTOR OF COMMUNITY MENTAL HEALTH  
SERVICES AND THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE  
TO SIGN A CONTRACT WITH THE PROFESSIONAL PRACTICE  
GROUP OF THE DEPARTMENT OF PSYCHIATRY AT THE  
UPSTATE MEDICAL UNIVERSITY**

WHEREAS, there is a vacant part-time Staff Psychiatrist position (No.2133) at the Mental Health Center of Cayuga County as the result of a resignation. This position provides direct patient care to children and youth with severe and persistent mental illnesses; and

WHEREAS, an extensive search was conducted for an individual qualified for this position without success; and

WHEREAS, the Professional Practice Group of the Department of Psychiatry at the Upstate Medical University is able to provide psychiatric services for children and youth on a contractual basis; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of Community Mental Health Services be authorized to enter into an agreement with the Professional Practice Group of the Department of Psychiatry at the Upstate Medical University for the services of a licensed Psychiatrist for the provision of psychiatric services for children and youth not to exceed fourteen hours weekly at the rate of \$242 per hour; and be it further

RESOLVED, that position number 6678, Staff Psychiatrist PT, will be abolished effective October 1, 2011; and be it further

RESOLVED, that Staff Psychiatrist PT, position code 2133, become unfunded and unfilled effective October 1, 2011; and be it further

RESOLVED, that the Cayuga County Treasurer be directed and authorized to make the necessary accounting entries transferring budgeted funds in the 2011 Cayuga County Budget as follows:

From A43101-51002 Sal PT	Position 2133	\$55,613
	Position 6678	\$10,500
From A43101-58001 Soc Sec	Position 2113	\$ 2,529
	Position 6678	\$ 2,529
From A43101-58002 Retirement	Position 2133	\$ 8,176
Total		\$79,347
To: A43104-54059 Professional Services		\$79,347

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

**RESOLUTION NO. 269-11**

6/28/11 NH adjstslry

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

BY: Roger Mills, Chairman, Ways and Means Committee

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

WHEREAS, Joyce Decker has agreed to assist the Nursing Home on a temporary basis in a supervising nurse position; and

WHEREAS, Ms. Decker has served the county in other positions for over 10 years; Now be it therefore

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

RESOLVED, that Ms. Decker continue on the second step of Supervising Nurse pursuant to the Cayuga County Compensation Plan, Part II should this appointment become permanent.

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

**RESOLUTION NO. 270-11**

6/28/11 NH clctnatty

**TO AUTHORIZE THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ENTER INTO AN AGREEMENT WITH MENTER, RUDIN AND TRIVELPIECE FOR COLLECTION SERVICES AT CAYUGA COUNTY NURSING HOME.**

BY: Roger Mills, Chairman, Ways and Means Committee

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

WHEREAS, Cayuga County Nursing Home has receivable accounts that require the assistance of attorney specialists in collections, and

WHEREAS, several firms have been contacted for proposals to provide those services, and

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WHEREAS, three firms have responded with proposals including Hancock and Estabrook (\$170/hour for associate attorney); Robert Rothman (\$400 per case plus 30% of collection) and Menter, Rudin and Trivelpiece (\$160/hour for associate attorney, \$100/hour for paralegal); and

WHEREAS, Menter, Rudin and Trivelpiece has the lowest rate for associate attorney and has developed an expertise in nursing home collections; 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 Menter, Rudin, and Trivelpiece for a period of one year; and be it further

RESOLVED that the firm be paid through the Professional Services (E45154 54059) of the nursing home budget.

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

**RESOLUTION NO. 271-11**

**(06/28/11) YB agmnsprvdythsrvcsvrev**

**AUTHORIZE THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE  
AND DIRECTOR OF THE YOUTH BUREAU TO EXECUTE AGREEMENTS  
WITH VARIOUS AGENCIES TO PROVIDE YOUTH DEVELOPMENT  
SERVICES**

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

Roger Mills, Chairman, Ways and Means Committee

WHEREAS, the County of Cayuga is eligible for Youth Development Delinquency Prevention and Special Delinquency Prevention Program funds from the New York State Office of Children and Family Services, and

WHEREAS, the Cayuga County Youth Bureau has approved the program description and budget of the following agencies in the amounts not exceeding those designated therefore when proper claims have been submitted, and

WHEREAS, said monies have been included in the Cayuga County 2011 budget and are paid contingent upon the County receiving 100% of the aforesaid budgeted amounts from the New York State Office of Children and Family Services, now therefore be it

RESOLVED, that the Chairman of the County Legislature, be and he is hereby authorized to execute agreements with the agencies set forth below.

Cayuga Counseling Services: Pre-Trial Diversion Services \$20,246.00

Freedom Recreational Services: Freedom Camp \$7,237.00

Merry Go Round Playhouse: Park Playground Performances \$3,532.00

CHAD: DART Program \$15,278.00

Auburn YMCA: Y-Pals Program \$10,947.00

Booker T. Washington Center: AWESUM/SIMUKAI \$12,620.00

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

**RESOLUTION NO. 272-11**

**6/28/11 HHS-EDALYAppt2011rev**

**REAPPOINTING DIRECTOR OF CAYUGA COUNTY HEALTH & HUMAN  
SERVICES AND SETTING THE SALARY FOR THE SAME.**

Patrick Mahunik, Chairman Health & Human Services Committee

Roger Mills, Chairman Ways & Means Committee

WHEREAS, Elane Daly's current appointment as Director of Health & Human Services of the County of Cayuga expires on August 27, 2011; and

WHEREAS, in order to be in compliance with Section 30 of the Public Officers Law, and Local Law 3 of 1997, a Director of Health & Human Services for Cayuga County must be appointed to a 5 year term effective August 28, 2011; and

WHEREAS, this Legislature has determined that Elane Daly is best qualified to fill the position of Director of Health & Human Services for Cayuga County; now therefore be it

RESOLVED, that Elane Daly is hereby reappointed Director of Health & Human Services for the County of Cayuga to serve for a 5 year term effective August 28, 2011 and that the appointment be made in accordance with the policies of Cayuga County, the Cayuga County Civil Service Rules and Regulations, Section 30 of the Public Officers Law and Local Law 3 of 1997; and be it further

RESOLVED, that the salary of the Cayuga County Director of Health & Human Services be placed in Part III of the Cayuga County Compensation Plan at the rate of \$90,000 per year effective August 28, 2011.

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

**RESOLUTION NO. 273-11**

**(6/28/11) CC records/microfilmrev**

**AUTHORIZES RECORDS RETENTION DEPARTMENT TO USE \$2500 TO PURCHASE MICROFILM**

BY: MR. GEORGE FEARON, Chairperson, Government Operations Committee  
MR. ROGER MILLS, Chairperson, Ways and Means Committee

WHEREAS, presently the Records Retention Department performs document imaging and microfilm services for the Seventh Judicial District of the New York State Unified Court System (OCA); and

WHEREAS, the above mentioned services provides revenue for the Records Retention Department  
; and

WHEREAS, as a result of the accelerated demand for the services in the 2011 Cayuga County budget cycle, the microfilm supply has been exhausted; and

WHEREAS, the Records Retention Department requires an additional supply of microfilm to continue the before mentioned services; and

WHEREAS, as of this date, the revenue from OCA that is deposited for the imaging and microfilming services is \$59,344.80 and the accounts receivable through the month of May 2011 are \$18,082.37; and

WHEREAS, when OCA pays the County for the services in the 2011 calendar year, the sum of \$2500 will be returned to the Contingency Fund; now therefore be it

RESOLVED, that the Cayuga County Legislature approves the transfer of \$2500.00 to be taken from Account No. A 10164-54000, the Cayuga County Contingency Fund and added to budget line Account No. A14604-54152 Microfilm to facilitate the continuation of services and revenue; and be it further

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

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

**RESOLUTION NO. 274-11**

**6/28/11 HR DrugTestingPolicy**

**AUTHORIZATION TO ADOPT THE PRE-EMPLOYMENT DRUG TESTING  
POLICY FOR THE COUNTY OF CAYUGA**

Mr. George Fearon, Chairman, Government Operations

Mr. Roger Mills, Chairman Ways and Means Committee

WHEREAS, the County of Cayuga is currently without a consistent policy for pre-employment drug screening; and

WHEREAS, the Cayuga County Legislature wishes to adopt a consistent pre-employment drug screening policy to provide a safe a productive work environment for employees as well as the constituency of Cayuga County, now therefore be it

RESOLVED, that the Cayuga County Legislature adopt the attached pre-employment drug screening policy, and be it further;

RESOLVED, that this policy be effective August 1, 2011, and that the policy be distributed to each department, and placed in the County of Cayuga Policy Manual.

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

**RESOLUTION NO. 275-11**

**6/28/11 COALLADOPT emrgncyprchsrev4**

**TO ADOPT LOCAL LAW NO. 2 FOR THE YEAR 2011, A LOCAL LAW  
WHICH SETS FORTH THE PROCEDURE FOR EMERGENCY PURCHASES  
OR CONTRACTS FOR SERVICES AND REPEALING LOCAL  
LAW NO. 1 FOR THE YEAR 2003**

BY: Hon. George Fearon, Chairman, Government Operations Committee

Hon. Roger Mills, Chair, Ways and Means Committee

WHEREAS, Local Law No. 2 for the year 2011 was presented to the Cayuga County Legislature on the 24<sup>th</sup> day of May, 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. 2 for 2011 on June 28, 2011 at 6:30 P.M.; now, therefore, be it

ENACTED, that the Cayuga County Legislature does hereby adopt Local Law No. 2 for 2011 entitled:

“A LOCAL LAW WHICH SETS FORTH THE PROCEDURE FOR EMERGENCY PURCHASES OR CONTRACTS FOR SERVICES AND REPEALING LOCAL LAW NO. 1 FOR THE YEAR 2003”

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, Whitman, Mills, Axton, Cuddeback, Mahunik and Petrus, all in favor.

**STATE OF NEW YORK  
COUNTY OF CAYUGA  
LOCAL LAW NO. 2 FOR THE YEAR 2011**

**A LOCAL LAW WHICH SETS FORTH THE PROCEDURE FOR EMERGENCY  
PURCHASES OR CONTRACTS FOR SERVICES AND REPEALING LOCAL  
LAW NO. 1 FOR THE YEAR 2003.**

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

**Section A.**

Intent. The local law setting forth the duties and authority of the Chairman of the Legislature does not set forth the procedure for emergency purchases or emergency contracts for services other than to say that the Chairman "shall be the day to day administrative head of County government". This legislature has in the past incorporated limited emergency authority in resolutions dealing with specific issues but needs to have in place a local law setting forth an emergency procedure for purchases or contracts.

**Section B.**

Procedure. The Chairman of this County Legislature (or the Vice Chairman if he/she is not available) is hereby authorized to make emergency purchases and/or emergency contracts for services as follows:

1. The Department Head (or other suitable person in the department if he/she is not available) and the County Administrator shall jointly present the request for emergency purchases or emergency contracts for services *on an Emergency Authorization Form to be developed by the County Administrator.*

2. If the amount involved is under \$500 or the emergency is such that irreparable harm will take place if the procedure set forth in the next paragraph is followed, the Chairman of the County Legislature (or the Vice Chairman if he/she is not available) may make the decision.

3. Otherwise, the purchase or contract shall be approved by: The Chairman of this County Legislature (or the Vice Chairman if he/she is not available), the Chairman of Ways & Means, Chairman of the Oversight Committee, the Majority Leader and the Minority Leader. If a legislator is not available or if any of said legislator positions is not filled at the time, then another legislator with the most seniority on the committee or in the party shall be consulted.

4. A meeting shall not be necessary. Contact and approval by telephone or e mail is sufficient.

5. Any such emergency purchase or contract, whichever paragraph above it was done under, shall be reported to the County Legislature at its next meeting.

6. An emergency is defined as a situation which may result in harm to person or property or cause the County significant operational difficulty or significant potential expense if the matter was to wait for a meeting to be called or for the next legislature meeting.

**Section C.**

Repealer. This Local Law shall supersede Local Law 1 for the Year 2003 which is hereby repealed.

**Section D.**

Effective. This Local Law shall be subject to permissive referendum as set forth in section 24 of the Municipal Home Rule Law and shall take effect immediately upon completion of the procedural requirements for local laws subject to permissive referendum.

**RESOLUTION NO. 276-11**

**6/28/11 COA WEIGHTVOTErev3**

**ADOPT WEIGHTED VOTING PLANS FOR THE COUNTY OF  
CAYUGA THAT WILL BE EFFECTIVE JUNE 29, 2011**

By: Hon. George Fearon, Chairman, Government Operations Committee.

WHEREAS, Resolution No. 319-93 adopted weighted voting plans for the County of Cayuga that became effective January 1, 1996; and

WHEREAS, those weighted voting plans were used as the basis for the recalculation of the weighed votes after the 2000 Federal Census (Resolution No. 284-01); and

WHEREAS, the 2010 Federal Decennial Census necessitates the calculation of a new weighted voting plans; and

WHEREAS, the Government Operations Committee have rendered a recommendation submitted herewith for new weighted voting plans; and

WHEREAS, in the judgment of this Legislature, these new weighted voting plans will allow equal representation and equal opportunity to all the residents of our County; now, therefore, be it

RESOLVED, that the Cayuga County Legislature does hereby adopt the Weighted Voting Plans submitted herewith, including both the simple majority and super majority (2/3) plans, and that said plans shall be used by this Legislature commencing June 29, 2011.

Signed by Fearon, Chapman, Mitchell and Sincebaugh, all in favor, except Aikman and Lattimore voting no.

**RESOLUTION NO. 277-11**

**(June 28, 2011) ET wib**

**AUTHORIZING ONE-STOP OPERATOR AGREEMENT BETWEEN THE  
CAYUGA-CORTLAND WORKFORCE INVESTMENT BOARD AND THE  
CAYUGA-CORTLAND WORKFORCE DEVELOPMENT ONE-STOP OPERATOR  
CONSORTIUM**

BY: Ann Petrus, Chairperson, Planning & Economic Development Committee

WHEREAS, Section 121(a), (c) and (d) of the Federal Workforce Investment Act requires the Workforce Investment Board (WIB) with the Agreement of the Chief elected officials(s) for the area to develop and enter into a memorandum of understanding with one-stop partners and designate or certify one-stop operators; and,

WHEREAS, the WIB and Chief Elected Officials of Cayuga and Cortland Counties hereby certify the Cortland Works Career Center located at 99 Main Street, Cortland and the Cayuga Works Career Center located at 199 Franklin Street, Auburn to be the official One-Stop Career Centers for our two County Workforce Investment Area; and,

WHEREAS, Section 134(d) of the WIA requires such Operator can be selected in accordance with an Agreement reached between the local board and consortium of entities that, at a minimum, includes 3 or more of the One-Stop Partners; and,

WHEREAS, the Cayuga-Cortland WIA consortium consists of 4 such partners:

The Cortland County Department of Employment and Training, the Cayuga County Employment & Training Department, the New York State Department of Labor, Auburn and Cortland Offices; and the NYS Education Department of Adult Career and Continuing Education Services-Vocational Rehabilitation. (ACCES-VR); and

WHEREAS, this Agreement will be in effect upon its execution through June 30, 2014; now therefore it be;

RESOLVED, that the chairman of the Cayuga County Legislature and the Cayuga County Director of Employment and Training upon review and approval by the Cayuga County Attorney are authorized to sign the One-Stop Operator Agreement for Cayuga County which shall be in effect until June 30, 2014.

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

**RESOLUTION NO. 278-11**

**6/28/11 BLD Amending the contract with GMSrev1**

**AUTHORIZING THE CHAIRPERSON OF THE CAYUGA COUNTY LEGISLATURE, TO AMEND THE CONTRACT AGREEMENT WITH GRAY MANAGEMENT SYSTEMS FOR CONSTRUCTION MANAGEMENT SERVICES IN CONNECTION WITH THE MENTAL HEALTH BUILDING PROJECT AND TO CLOSE OUT THE PROJECT.**

BY: Hon. Mr. Axton, Chairman, Public Works Committee, and  
Hon. Mr. Mills, Chairman, Ways & Means Committee.

Whereas, Resolution No. 315-09 authorized the Chairman of the Cayuga County Legislature to enter into an agreement with Gray Management Systems for construction management services for the Mental Health building project and resolution 558-10 amended GMS's Contract; and,

Whereas, the Mental Health Building Project is nearing completion; and

Whereas, Gray Management Systems' has been diligent in keeping the project within budget and change orders at 1.67%; and

Whereas, the funding for Gray Managements contract is almost depleted and the project is in need of closeout of all the prime contractors; and

Whereas, there is ample funding in Capital "H" Project No. 08-01; now therefore be it

Resolved; that Gray Management's contract be extended to the close out of all prime contractors and contract amount for Gray Management be increased by \$12,000.00 for a contract sum not to exceed \$283,810.00; and be it further

Resolved, that the funding for this service come from Capital "H" Project No. 08-01; and be it further

Resolved, that the Chairman of the Cayuga County Legislature sign all 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, Pinckney, Whitman, Mills, Cuddeback, Fearon, Mahunik, Mitchell and Petrus, all in favor.



**RESOLUTION NO. 279-11**

**Date: June 28, 2011 HWY laundrycontract**

**AUTHORIZING THE HIGHWAY SUPERINTENDENT AND CHAIRMAN TO ENTER A CONTRACT FOR LAUNDRY SERVICES**

By: David Axton, Chairman, Public Works Committee

Roger Mills, Chairman, Ways and Means Committee

WHEREAS, laundry was budgeted in the 2011 Highway budget at a cost of \$8,000 in account DM51304 54044 and \$1,200 in account DM51314 54044; and

WHEREAS, monies are used to provide clothing for the welder and mechanics at the Highway Department and Motor Pool; and

WHEREAS, the current contract for laundry services is up for renewal and three firms were contacted to give proposals; and

WHEREAS, the following proposals were received for estimated annual usage:

AmeriPride	\$7,253.48
UniFirst	\$6,612.32
Coyne Textiles	\$6,189.04

now, therefore be it

RESOLVED, to authorize the Highway Superintendent and Chairman to enter into a contract for laundry services for three years with Coyne Textiles; and be it further

RESOLVED, that the County Attorney will check the contract before the Highway Superintendent and Chairman of the Legislature sign it.

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

**RESOLUTION NO. 280-11**

**Date: June 28, 2011 HWY nysdecemou**

**AUTHORIZING THE COUNTY HIGHWAY SUPERINTENDENT TO SIGN MEMORANDUM OF UNDERSTANDING WITH THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

By: David Axton, Chairman, Public Works Committee

Roger Mills, Chairman, Ways and Means Committee

Whereas, The Department of Environmental Conservation (DEC) of the State of New York is responsible for the protection of the water resources of certain classified waters in New York State as set forth in Title 5 of Article 15 of the Conservation Law; and

Whereas, this Memorandum of Understanding between the DEC and the County of Cayuga establishes an agreement of cooperation between the parties hereinafter mentioned for the administration of this responsibility insofar as the County is concerned; Now therefore be it

Resolved, that the Chairman of the Legislature is hereby empowered to sign the forthcoming Memorandum of Understanding on behalf of the County of Cayuga; and be it further

Resolved, that this Memorandum of Understanding shall take effect immediately upon its acceptance by the Department of Environmental Conservation.

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

**RESOLUTION NO. 281-11**  
**6.28.11 COA agmntcityct**  
**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE**  
**TO EXECUTE AN ADDENDUM TO A LEASE AGREEMENT WITH THE CITY**  
**OF AUBURN.**

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

WHEREAS, the County entered into an Agreement dated the 13<sup>th</sup> day of November, 1997, for the lease of certain space located on the first floor and an additional space in the basement of the Historic Post Office Building located at 157 Genesee Street, Auburn, New York, presently used and occupied by the Auburn City Court, which lease expired on November 2, 2002; and

WHEREAS, subsequently, an addendum to that lease was made on January 1, 2001, for an additional 500 square feet of space located in the former Office of the Cayuga County Historian, effective through the term of the underlying Agreement as set forth above; and

WHEREAS, thereafter, on February 5, 2003, Addendum No. 2 was included in said Agreement for the purpose of extending said lease for an additional five (5) years, which term ends on November 2, 2007, and, also, to incorporate a parking arrangement; and

WHEREAS, thereafter the City and the County entered into a Lease Agreement on June 26, 2008 that renewed said Agreements;

WHEREAS, the City is requesting an additional 795 square feet of space on the first floor of the Historic Post Office Building located at 157 Genesee Street, Auburn, New York; and

WHEREAS, the County feels that it is in the best interest of all of its residents to grant to the City the use and occupancy of an additional 795 square feet of space on the first floor of the Historic Post Office Building located at 157 Genesee Street, Auburn, New York; now, therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and to execute an Addendum to Lease Agreement with the City of Auburn for and additional 795 square feet in the Old Historic Post Office.

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

**Legislator Axton Pulled Resolution (PULLED)**

**(PULLED) RESOLUTION NO. 282-11**

**June 28, 2011 HWY ApproveconbidRev1**

**AUTHORIZATION TO ACCEPT TRANSIT MIX CONCRETE 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 May:

Transit Mix Concrete

Whereas, bids were received from W.F. Saunders & Sons, Vitale-Robinson and Hanson Aggregates, and after reviewing the bids it was determined that Vitale-Robinson 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 Vitale-Robinson; 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 Vitale-Robinson and to pay from appropriated funds.

**Motion by Axton to bring back PW-7, 2<sup>nd</sup> by Pinckney.**

**Discussion:**

**Lattimore, outside work needs to move forward, need to be fair to all vendors, disservice to rebid.**

**Chapman, need to do the right thing, maintain good manners in how we do business. We can get it done and do the right thing.**

**RESOLUTION NO. 283-11**

**6.28.11 HWY rejectconcretebidsreve2**

**AUTHORIZING THE REJECTION OF ALL BIDS FOR TRANSIT MIX CONCRETE AND AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE AND RECEIVE NEW BIDS WITH THE NEW SPECIFICATIONS.**

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

MR. MILLS, Chairman, Ways & Means Committee.

WHEREAS, 3 firms responded to the bid for Transit Mix Concrete which were opened on May 26, 2011; and

WHEREAS, after careful review of the bid results, the county has found it to be in its best interest to change the specifications to the mix design of the transit mix concrete; and

WHEREAS, this newly bid for mix design will also be used for the Emerson Pavilion Project; now therefore be it

RESOLVED, that the Cayuga County Legislature rejects all bids for the Transit Mix Concrete received on May 26, 2011; and be it further

RESOLVED, that the County Administrator's Office is authorized to advertise and receive sealed bids with the new specifications set forth for Transit Mix Concrete.

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

**Motion by Axton to bring to the floor, 2<sup>nd</sup> by Mills, all in favor.**

**RESOLUTION NO. 284-11**

**6.28.11 ADM bdinkndsrvc pavilionrev**

**AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE AND RECEIVE SEALED BIDS FOR THE MATERIALS AND SERVICES WHICH THE COUNTY IS RESPONSIBLE FOR IN CONNECTION WITH THE EMERSON PARK PAVILION PROJECT AND CREATING A COMMIT TO APPROVE AND AWARD SAID BIDS FOR MATERIAL AND SERVICES.**

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

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

Whereas, the Emerson Foundation approached the Cayuga County Legislature in advance of the 100<sup>th</sup> anniversary of the conveyance of Emerson Park to the residence of Cayuga County by Fred Emerson with a plan for a partnership with the Cayuga County

Legislature to undertake a project for the restoration and reconstruction of the Emerson Park Pavilion; and

Whereas, the Emerson Foundation presented to the Cayuga County Legislature a design plan for the project, which the Legislature approves; and

Whereas, the Emerson Foundation created a Emerson Park Pavilion, LLC for the purpose for completing the project; and

Whereas, plans and specification have been developed which include restoration and reconstruction of the Emerson Park Pavilion and the redesign of the north and south lawns; and

Whereas, the County agreed that as part of the partnership with the Emerson Foundation, that the County would provide in-kind services for the Emerson Park Pavilion grounds; and

Whereas, the restoration and reconstruction project is moving forward and it is time for the County to advertise and receive sealed bids in conjunction with the County's portion of the project; and

Whereas, the County desires to appoint a committee consisting of the Chairperson of the Legislature, the Chairperson to the Public Works Committee, the Minority Leader, the County Administrator, the County Highway Superintendent and the County Attorney to review the sealed bids and award same; now therefore be it

Resolved, the County Administrator is hereby authorized and directed to advertise and receive sealed bids for the materials and services which the County is responsible for in connection with the restoration and reconstruction of the Emerson Park Pavilion; and be it further

Resolved, that a review committee consisting of the Chairperson of the Legislature, the Chairperson to the Public Works Committee, the Minority Leader, the County Administrator, the County Highway Superintendent and the County Attorney to review the sealed bids and award same is hereby established; and be it further

Resolved, that said commit shall report to the entire legislature the outcome of the bidding and awarding process.

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

**RESOLUTION NO. 285-11**

**6/28/11 SHR BVP GRANT**

**AUTHORIZING THE SHERIFF'S OFFICE TO APPLY FOR THE 2011 BULLET-PROOF VEST PARTNERSHIP GRANT FROM THE BUREAU OF JUSTICE ASSISTANCE**

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 Bureau of Justice Assistance covering a two year period; and

WHEREAS, this Grant would allow up to a 50% reimbursement on allowed purchases of bulletproof vests to various agencies under the County's jurisdiction; now therefore be it

RESOLVED, that the Cayuga County Sheriff's Office is hereby permitted to apply for monies available through the Bulletproof Vest Partnership Grant.

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

**RESOLUTION NO. 286-11**  
**6/28/11 SHR Modify Capital "H" No.10-02rev**  
**AMENDING THE CAYUGA COUNTY SHERIFF'S OFFICE CAPITAL "H"**  
**PROJECT # 10-02 (CONSTRUCTION OF A POST FRAME BUILDING**  
**PROJECT) TO INCLUDE ADDITIONAL INTERIOR AND EXTERIOR WORK,**  
**AS WELL AS THE INSTALLATION OF THE ELECTRICAL HOOK-UP/BOILER**  
**FOR SAID POST FRAME BUILDING PROJECT.**

BY: HON. MR. STEVEN E. CUDDEBACK, Chairman,  
Judicial and Public Safety Committee, and  
HON. MR. ROGER MILLS, Chairman, Ways & Means Committee.

WHEREAS, Resolution No. 218-10 authorized the County Treasurer to create the Cayuga County Sheriff's Office Capital "H" Project No. 10-02 (CONSTRUCTION OF A POST FRAME BUILDING PROJECT) in an amount not to exceed \$115,200.00 and to source the funding of this project by a transfer from two separate Inmate T Accounts as follows:

\$24,000 – T Account 92 - (SCAAP) State Criminal Alien Assistant Program  
\$91,200 – T Account 77 - Inmate Phone Account; and

WHEREAS, Resolution 454-10 increased the Capital "H" Project No. 10-02 (CONSTRUCTION OF A POST FRAME BUILDING PROJECT) \$40,000 for a total of \$155,200; and

WHEREAS, the sum \$6,167.79 remains in Capital "H" Project No. 10-0; and

WHEREAS, these Resolutions did not adequately include costs for the completion of various interior and exterior work, as well as the installation of the electrical hook-up/boiler for the Post Frame Building Project; and

WHEREAS, said work will be completed by inmate labor and supervised by Cayuga County Sheriff Custody Officers through the Cayuga County Inmate Work Crew; now therefore be it

RESOLVED, that the Cayuga County Treasurer increase the Cayuga County Sheriff's Office Capital "H" Project # 10-02 (CONSTRUCTION OF A POST FRAME BUILDING PROJECT) by \$68,000.00; and it is further

RESOLVED, that in order to carry out the Project, the County Treasurer is hereby authorized to transfer the sum of \$68,000.00 from the following accounts:

\$55,000 – CM-77 (Inmate Phone Account);  
\$13,000 – CM-92 (SCAAP Account); and it is further

RESOLVED, that any funds remaining at the end of this project should be returned to the Inmate CM-77, due to the Trust nature of the funding; and let it be further

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

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

**Motion by Chapman to adjourn at 8:04PM, 2<sup>nd</sup> by Mills, all in favor.**

**Motion by Chapman to approve minutes of 6-28-11 on 8-23-11, 2<sup>nd</sup> by Pinckney, all in favor.**

**MINUTES  
CAYUGA COUNTY LEGISLATURE  
JULY 26, 2011 – (6:00PM TIME CHANGE)**

**CALL TO ORDER:** Hon. Peter Tortorici, Chairman, at 6:00PM

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

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**DEATHS:** Carmela Zambito Iaconis, W. Lake Rd. Auburn, NY

**PROCLAMATION:** Rededication Ceremony of the Burke Memorial, Nicholas LaDuca

**PUBLIC BE HEARD:**

If you wish to speak notify your Legislator, who will grant you privilege of the floor. You will be allowed to speak for 3 to 5 minutes. You must state your name and address. **Legislator Roger Mills for Terry Lattimore, 7177 Owasco Rd., Auburn, NY 13021, re: pavement of roads, ethics code and County wide Water Authority, attached to original minutes.**

**Tortorici, will discuss at committee.**

**MINUTES:**

For Approval: 5-24-11, **motion by Chapman to approve minutes, 2<sup>nd</sup> by Pinckney, all in favor.**

For Reading: 6-28-11

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

**COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS:**

**Legislator David Axton, handout attached to original minutes.**

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

**Discussion:**

Axton, could you just explain why the revenue is down.

Squires, in the jail we have local inmates waiting to be sentenced, when we have space, the Sheriff has developed a good relationship with the Federal Marshall to bring federal inmates in that need to be housed temporarily and they pay us to house those inmates. We have had an increase in local inmates, so we don't have room for the federal inmates, especially on the weekends where inmates are serving their time, so we have beds during the week, but not on the weekends.

Lattimore, how much do we owe on that facility.

Squires, \$2,148,200, which will be totaled paid off in 2012 by the tobacco money.

Mills, discussion on the draw on the fund balance for the college, some of those costs could be bonded for and included in the debt service. The project estimated cost 21 million dollars, state picks up half the cost we have to come up with the rest through fund balance or borrowing. I like the idea of borrowing with the interest rates low and maintaining the fund balance.

Squires, if the total project is 21 million, half reimbursed by the state, maybe do permanent financing while the interest rate is low for remaining debt and a ban for the other part.

Mills, \$954,000 loan to the college, is there an interest rate associated with that.

Squires, no, not a loan with interest.

Mills, we draw down our fund balance so they don't have to, seems logical that we would be compensated for that. Shame on us, accounting should be more accurate.

Squires, we did that because we anticipated borrowing for the Fulton project.

Mills, I believe there is money in the charge back account to cover this debt, \$486,000 balance that could be used, why hasn't it.

Squires, I think that will be used when we actually borrow money, when we debt that we need to pay.

Mills, there is debt that needs to be repaid, \$954,000.

Squires, that's not our debt, that's the colleges' debt to us.

Mills, we pay for it out of our accounts, should be reflected as their debt.

Squires, it is recorded as a receivable.

**CHAIRMAN'S REPORT:** Peter Tortorici, the Governor was in Rochester, Buffalo and Syracuse today, he is forming his Regional Counsels. In Syracuse he kicked off our Central New York Regional and Economic Development Counsel, he appointed Andrew Fish Executive Directive Cayuga County Chambers and Margaret Moran 4M Precision and myself. We need to work with other counties, can't do it along. The Water Authority, I am attending meetings with the City and Towns, I support having a regional concept of having one Water Authority, business friendly, and will continue to work on that.

Petrus, you will bring that information to the full Legislature?

Tortorici, yes.

**APPOINTMENTS AND RE-APPOINTMENTS:**

**Cayuga County Board of Jurors:**

Hon. Steven Cuddeback, 4663 State Rte. 38A, Skaneateles, NY 13152, serves at the pleasure of the board.

**Motion by Chapman, 2<sup>nd</sup> by Mills, all in favor.**

**COMMUNICATIONS AND ANNOUNCEMENTS:**

1. Received a letter from David Howard Chairman of the Board County of Fulton, re: enacting Truth in Taxation local law for Cayuga County.

2. Received two letters from Senator Charles Schumer, re: America's Historical and Cultural Organizations: Planning Implementation Grants Program and Museums for America Grant Program.

**Motion by Axton to waive reading of communications, 2<sup>nd</sup> by Mills, all in favor.**

**RESOLUTIONS:****RESOLUTION NO. 287-11****07-26-11 AP Audit July 11 (A)****AUTHORIZING THE COUNTY TREASURER TO PAY****JUNE 16-JUNE 29, 2011 AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on **July 26, 2011** audit claims against the County of Cayuga in the aggregate sum of \$907,004.63 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 Axton, Cuddeback, Fearon, Mahunik, Mitchell and Petrus, all in favor.

**RESOLUTION NO. 288-11****07-26-11 AP Audit July 11 (B)****AUTHORIZING THE COUNTY TREASURER TO PAY****JUNE 30-JULY 13, 2011 AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on **July 26, 2011** audit claims against the County of Cayuga in the aggregate sum of \$1,044,237.81 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 Axton, Cuddeback, Fearon, Mahunik, Mitchell and Petrus, all in favor.

**RESOLUTION NO. 289-11****7/26/11 HR Accept HAB Grant****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE HUMAN RESOURCES ADMINISTRATOR TO ENTER INTO A CONTRACT WITH THE NYS HAZARD ABATEMENT BOARD AND TO ACCEPT GRANT FUNDING FOR THE TRAINING PORTION OF THIS CONTRACT**

Mr. Roger Mills, Chairman Ways and Means Committee

WHEREAS, resolution 15-11 authorized the Chairman and the Human Resources Administrator to apply for a grant to conduct safety training for the Highway, Parks &amp; Trails and Buildings and Grounds employees; and

WHEREAS, the NYS Occupational Safety and Health Hazard Abatement Board has awarded the Human Resources and Civil Service Department funds to conduct safety training; and

WHEREAS, the funding awarded the Human Resources and Civil Service Department by the State is appropriated for the training portion of this contract which runs from August 1, 2011 through July 31, 2012 in the amount of \$13,418; now therefore be it



RESOLVED, that the Chairman of the Legislature and the Human Resources Administrator be allowed to enter into a contract with the NYS Occupational Safety and Health Hazard Abatement Board to accept 100% State funding in the amount of \$13,418 for the period of August 1, 2011 through July 31, 2012 to provide training, and be it further;

RESOLVED, that the Chairman of the Legislature and the Human Resources Administrator be authorized to sign contracts with providers to administer the training; and be it further;

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the following adjustments to the Human Resources and Civil Service's 2011 budget in the following manner:

Increase Revenue Account A14300-43320 by \$13,418

Increase Expenditures Account A14304-54244 by \$13,418

and be it further;

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the necessary journal and accounting entries in the Human Resources and Civil Service budget to accomplish the same.

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

**RESOLUTION NO. 290-11**

**7/26/11 RP deletetaxliensCato**

**RESOLUTION TO DELETE TAX LIENS ON COUNTY OWNED PARCEL**

By: Roger Mills, Chairman, Ways & Means Committee

WHEREAS, there are two liens in the Cayuga County Clerk's Office as follows, for the 2009 tax year in the amount of \$429.36, and for the 2010 tax year in the amount of \$276.50 against property located in the Town of Cato, Village of Meridian, identified as Tax Map No. 46.19-1-20 and assessed to Cayuga County on the 2010 Tax Roll for said Town; and

WHEREAS, this parcel was acquired by Cayuga County through tax foreclosure; and

WHEREAS, this parcel is a DEC Brownfield site, a former gas station that the County is currently in the process of cleaning; and

WHEREAS, this parcel was moved to the wholly exempt section of the assessment roll beginning with the 2010 assessment roll once it was recognized that it would be under county ownership for an undeterminable amount of time and is currently exempt from taxation until such a time as it can be determined clear by the DEC; and

WHEREAS, the intention is, once the site is clean, to place it in the County Tax Sale Auction lien free; therefore be it;

RESOLVED, that all previously mentioned liens filed in the Cayuga County Clerk's Office under tax map numbers 46.19-1-20 be deleted.

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

**RESOLUTION NO. 291-11**

**7/26/11 RP deletetaxliens2000**

**RESOLUTION TO DELETE AN UNENFORCEABLE TAX LIEN**

By: Roger Mills, Chairman, Ways & Means Committee

WHEREAS, there is a lien in the Cayuga County Clerk's Office for the 2000 tax year in the amount of \$1,745.93 that pertains to tax map # 102.04-1-45-15; and

WHEREAS, tax map number 102.04-1-45-15 no longer exists in the real property database; and

WHEREAS, this parcel was a suffix and only pertained to the value of an improvement; and

WHEREAS, the improvement no longer exists due to a structure fire, making the lien unenforceable; now therefore be it

RESOLVED, that the previously mentioned lien filed in the Cayuga County Clerk's Office under tax map numbers 102.04-1-45-15 be deleted.

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

**RESOLUTION NO. 292-11**  
**(July 26, 2011) RP correct2010taxroll**  
**AUTHORIZING CORRECTION OF TAX ERROR IN THE**  
**TOWN OF SUMMERHILL**

BY: Roger Mills, Chairperson, Ways & Means Committee

WHEREAS, petitions for corrections have been received by the Director of Real Property Tax, from the Town Assessor to correct clerical errors or an error in essential fact as specified below, as existed on the 2010 Tax Roll, and;

WHEREAS, The petitions for correction were received too late to make the necessary adjustments before the extension of taxes, and;

WHEREAS, the Director of Real Property Tax Services has reviewed the petitions and found them to be correct; now therefore be it

RESOLVED, that the Director of Real Property Tax Services under Real Property Tax Law 553-554 and 556A be authorized to make the change set forth hereafter; and be it further

RESOLVED, that the County Treasurer is authorized and directed to correct the 2010 County and Town Tax Roll; and be it further

RESOLVED, that a corrected tax statement shall be prepared, or a refund of any overpayment of taxes be made, as is applicable; and be it further

**Town of Summerhill: Tax Map # 254.00-1-14.** This parcel was incorrectly assessed due to inaccurate land breakdowns recorded in the database. The assessment should be changed to 47,000 for land and 71,000 for the total assessment. The 2010 County/Town tax billing should be adjusted to reflect this.

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

**RESOLUTION NO. 293-11**  
**07/26/11 TRE contractlocey&cahillrev**  
**TO SIGN CONTRACT FOR ACTUARIAL ATTESTATION CLAIMS**

By: Mr. Roger Mills, Ways and Means Committee

WHEREAS, Cayuga County is required to file Eligibility Filings to receive subsidies associated with the Medicare Part D Retiree Drug Subsidy Program by September; and.

WHEREAS, Locey and Cahill, LLC is the professional consultant chosen by the County to assist in the analysis and preparation of the 2011 Actuarial Attestation Statement for the above filing, at a fee of \$1,500.00; and

WHEREAS, the County has received \$1,112,091.10 in subsidies from 2006 – 2010;

WHEREAS, Funding is available in Account MS90624 54705; now, therefore be it

RESOLVED, that Cayuga County enter into a contract with Locey and Cahill, LLC to perform this work, effective with the resolution; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute a contract with Locey and Cahill, LLC to assist in the analysis and preparation of the 2011 Actuarial Attestation Statement; and be it further

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

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

**RESOLUTION NO. 294-11**

**7/26/11 TRE paydoglicmonies**

**DIRECTING THE COUNTY TREASURER TO PAY DOG TAX MONIES AS APPORTIONED**

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

WHEREAS, in accordance with changes within the Department of Agriculture and Markets, the City and Towns are now the receiver of Dog License Fees, and

WHEREAS, previously, a portion of the monies collected was retained by the County and deposited in Account T-17057 to cover reimbursement for certain livestock killed by dogs, therefore, be it

RESOLVED, that with the new changes, the County is no longer required to provide dog damage reimbursement and in order to close this account will distribute the remaining monies back to the City and Towns for the purpose of dog control, per the attached statement totaling \$2,844.97.

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

**Motion by Mills to amend resolution to put the money into the Contingency Account, 2<sup>nd</sup> by Lattimore, all in favor. Resolution as amended, all in favor.**

**RESOLUTION NO. 295-11**

**7.26.11 COATASCHECKRECEIVED**

**AUTHORIZING THE ACCEPTANCE OF \$142,000.00 FROM THE CAYUGA COUNTY TOBACCO ASSET SECURITIZATION CORPORATION**

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

WHEREAS, the Cayuga County Tobacco Asset Securitization Association Corporation has reviewed its finances and has determined that it is in a financial position to transfer the sum of \$142,000.00 to the Cayuga County General Fund; and

WHEREAS, the Cayuga County Legislature wishes to acknowledge receipt and acceptance of said monies; now therefore be it

RESOLVED, that the Cayuga County Legislature acknowledges and accepts a check from the Cayuga County Tobacco Asset Securitization Corporation for the amount of \$142,000.00; and be it further

RESOLVE, that said monies be deposited into the Cayuga County **Contingency Account**; 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.

**Discussion:**

**Mahunik, are we in danger of depleting our contingency account?**

**Squires, hard to say, hard to predict what will happen over the next 6 months. I**

support this, in the end comes out of the same place.

Chapman, question for Mr. Mills, we sat through the Tobacco Asset meetings and discussed how some if not all of these funds should be dedicated at some point, I'm confused why you are proposing the Contingency Fund verses the General Fund. Mills, there are projects that some of us support, and to be sure there is a continuation of funding, that is why we have the Contingency Fund. Some things that are not funded should appear in the budget so that they are funded.

Chapman, 2 items, we are going to have to replace the Veterans Van, in the past we have asked for donations for fuel and will ask again, we also received a \$20,000 grant in the past. The Tobacco money seems like a likely source for that upcoming event. Meals on Wheels, last year there was a difference in what was budgeted and what was actually needed to provide the Senior Citizens in the County meals 4-5 days a week. My suggestion is to take this money and put in into dedicated accounts so we can't touch it, it has to utilized for that type of funding. I invite anyone else that has projects or areas that they thought might need funding, identify these projects and dedicate this money going forward.

Mills, hope that would occur, discussion belongs in committee and if a resolution were to come forward to request to draw against that Contingency Account and go through that process.

Mitchell, I agree, put in contingency and set priorities.

Aikman, what is the Tobacco Asset Securitization Corp.?

Westphal, it's a corporation that was developed several years ago to bond for and receive monies from tobacco companies. There was a big lawsuit, monies came into the county, helps us pay down debt. The Corporation meets once, maybe twice a year, we don't spend every dollar that comes in on our revenue line, so there is a surplus, so the discussion was to transfer some of that surplus into the account. Aikman, do we need to dedicate some of this to prevent people from smoking or tobacco related issues.

Westphal, the more successful antismoking is the less monies, revenues come into the county.

Chapman, there is an end to the funding.

Fearon, tobacco is costing everyone in the county money.

Tortorici, good discussion for the committee.

Mills, one year left of operating expenses left in the account.

Chapman, call the question.

Vote, as amended all in favor.

**RESOLUTION NO. 296-11**

**(July 26, 2011) HD Radon Grant**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH NYS DOH TO PROVIDE SERVICES FOR THE INDOOR RADON PROGRAM 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 has the authority to regulate and provide funding for the establishment and operation of an Indoor Radon Program and desires to contract with skilled parties possessing the necessary resources to provide such services; and

WHEREAS, the Cayuga County Health Department’s Environmental Unit is able to provide such program services as needed to implement the Indoor Radon Program; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services be authorized to enter into a contract with the NYS Department of Health for the 100% funded Indoor Radon Program covering the period July 1, 2010 through June 30, 2015; further authorize them to sign a subcontract with Cornell Cooperation Extension relative to meeting obligations incurred by this grant; and to accept any additional funds that are made available; and be it also

RESOLVED, that the County Treasurer be authorized and directed to make the necessary journal and accounting entries to the 2011 Health Department Budget in the following manner:

Increase Appropriation Account A40314 54000 ..... \$47,953  
Increase Revenue Account A40310 43431 ..... \$47,953

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

**RESOLUTION NO. 297-11**

**(July 26, 2011) HD PHP Grant 2011 NYSDOH**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT AND ACCEPT FUNDING FROM NYS DEPARTMENT OF HEALTH FOR PUBLIC HEALTH PREPAREDNESS**

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

WHEREAS, the Health Department has been awarded funding for Public Health Preparedness from the NYS Department of Health in the amount of \$78,537; and

WHEREAS, this funding is for the purpose of continued development of “Public Health Preparedness” for Cayuga County; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with the NYS Department of Health to accept funding in the amount of \$78,537 for the period 8/10/11 through 8/9/12 for the purpose of continued development of public health preparedness in Cayuga County; and be it further

RESOLVED, that the Cayuga County Health Department through this 100% reimbursable grant is authorized to purchase equipment and supplies necessary to implement this grant; and be it also

RESOLVED, that the Cayuga County Treasurer is authorized and directed to make all the necessary journal and accounting entries and to amend the Health Department’s 2011 budget in the following manner:

Increase Revenue Account #A40250 43425 ..... \$78,537  
Increase Appropriation Account #A40254 54000 ..... \$78,537

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

**RESOLUTION NO. 298-11****(July 26, 2011) HS Clinical Psychologists Contracts****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO CONTRACTS WITH VARIOUS CLINICAL PSYCHOLOGISTS TO CONDUCT CLINICAL PARENTAL AND CHILD ASSESSMENTS FOR CHILD WELFARE CASES**

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

Roger Mills, Chairman of the Ways &amp; Means Committee

WHEREAS, the Human Services Department has need for the services of clinical psychologists to conduct clinical parental and child assessments for determining appropriate permanency and service plans for children and families; and

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

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

Dr. Robert Kohlbrenner @ \$125/hr.	Dr. Norman Lesswing @ \$110/hr.
Dr. Brian Thomson @ \$125/hr.	Dr. Richard Hoyt @ \$110/hr.
Dr. Santo Bentivagnia @\$100/hr.	Affiliated Psychological Consultants @ \$475/case

and

WHEREAS; these expenses are budgeted for in the 2011 Human Services budget and are reimbursed by Federal and State funds at 75%; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services be authorized and directed to enter into contracts with the clinical psychologists listed above for the period August 1, 2011 through July 31, 2012 at the scheduled rates; and be it further

RESOLVED, that these services be paid from Account #A60104 54059 of the 2011 Health Department Budget.

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

**RESOLUTION NO. 299-11****(July 26, 2011) HS Cayuga Counseling Diagnostics 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 COMMUNITY, DETENTION OR RESPITE BASED MENTAL HEALTH DIAGNOSTIC ASSESSMENTS TO CHILDREN AND TO MAKE RECOMMENDATIONS FOR TREATMENT**

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

Roger Mills, Chairman of the Ways &amp; Means Committee

WHEREAS, the Department believes that having access to community based diagnostics will offer Family Court a less expensive alternative to a 60-day residential diagnostic evaluation; and

WHEREAS, the Human Services Division of Health & Human Services desires to contract with Cayuga Counseling to provide the community based diagnostics and make recommendations for treatment; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health &

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Human Services be allowed to enter into a contract with Cayuga Counseling Services, Inc. to provide these services for the contract period August 1, 2011 through July 31, 2012 at the following costs:

<u>Services</u>	<u>Rates Per Unit of Service</u>
Clinic Rate for all face to face contacts including office visits, home visits, school observations and consultations	\$185 per hour
Meetings with other service providers who are already involved with the case, or to coordinate a service plan for the individual being assessed.	\$100 per hour
Written assessment time including review of previous evaluations.	\$ 50 per hour
Cost per person requested to make court appearances. Travel time will be factored into the hourly calculation.	\$ 75 per hour

RESOLVED, that these services be paid from Account #A60704 54184 of the 2011 Human Services Department's Budget.  
Signed by Mahunik, Aikman, Barski, Lattimore, Mills, Sincebaugh, Axton, Cuddeback, Fearon, Mitchell and Petrus, all in favor.

**RESOLUTION NO. 300-11**

**(July 26, 2011) HS Cayuga Home Preventive Respite 2011**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW THE CONTRACT WITH CAYUGA HOME FOR CHILDREN FOR THE PROVISION OF PREVENTIVE RESPITE AND CHILD WELFARE DIAGNOSTIC SERVICES**

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

WHEREAS, the Human Services Department had undertaken an initiative to look at ways that we may be able to reduce the number of days children need to be placed in detention; and

WHEREAS, it has proven successful that having access to short-term respite services as well as getting access to community based diagnostic services has had an impact in reducing our detention days; and

WHEREAS, we would like to continue these services at the following rates:

Preventive Respite ..... \$195 per diem

Diagnostic Services:

- A Psych-Social Evaluation ..... \$150
- A Home Assessment ..... \$150
- A Psychiatric Assessment ..... \$375
- A Psychological Assessment ..... \$600

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 Home for Children to provide the above services for the contract period of July 1, 2011 through June 30, 2012; and be it further

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

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

**RESOLUTION NO. 301-11**

**(July 26, 2011) HS Catholic Charities Supervised Visitations**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH CATHOLIC CHARITIES OF THE FINGER LAKES TO PROVIDE SUPERVISED VISITATION SERVICES FOR CLIENTS REFERRED TO THEM BY THE DEPARTMENT OF SOCIAL SERVICES**

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

WHEREAS, Cayuga County Department of Social Services must provide for supervised visitation services for families who have children in Foster Care; and

WHEREAS, we have seen an increase in young children coming into Foster Care and an increase in the number of court ordered supervised visits being ordered; and

WHEREAS, the Department desires to contract with Catholic Charities of the Finger Lakes to provide observation of parent and child interactions for scheduled supervised visits as assigned by the Department; and

WHEREAS, Catholic Charities would work cooperatively with the Department to arrange a schedule that is appropriate to the needs of the child, the parent, and other key participants and that accommodates the transportation needs of parties involved; and

WHEREAS, as a result of this service, Catholic Charities would provide the Department with a comprehensive, written report detailing observations including the arrival time of participants, the condition of the visitation site, the extent to which the parents interacted and engaged the child, the appropriateness of interaction between the participants and other general observations; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services enter into a contract with Catholic Charities of the Finger Lakes for the period August 1, 2011 to July 31, 2012 for the provision of supervised visitation services at the following rates:

Standard Unit of Service (60 min.).....\$31.56

Special Billing Considerations:

- o Sessions that exceed 60 min. will be calculated based on the length of time.
- o Visitations outside of Cayuga County where travel time exceeds 30 min....Catholic Charities will add an additional \$20/hr. travel time billed in quarter hour increments.
- o When routine conversations with DSS case workers regarding visits extend beyond 15 min., they will be billed as a case conference at \$20/hr. billed in quarter hour increments.

And be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the following transfers within the 2011 Human Services Budget;

Increase Account #A60104 54059 (Professional Services) ..... \$18,000

Decrease Account #A60704 54184 (Preventive Services) ..... \$18,000

And be it also



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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, Barski, Lattimore, Mills, Sincebaugh, Axton, Cuddeback, Fearon, Mitchell and Petrus, all in favor.

**RESOLUTION NO. 302-11**

**HS Create & Fill Audit Clerk**

**AUTHORIZATION TO CREATE AND FILL AN AUDIT CLERK POSITION IN HUMAN SERVICES AND ABOLISH AN ACCOUNT CLERK POSITION IN HUMAN SERVICES**

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

WHEREAS, there is an Account Clerk Vacancy, (Position Control #003055) in the Human Services Department due to a resignation effective July 15, 2011; and

WHEREAS, due to the fact that the Department is moving to an automated payment system for our Day Care Program, the Department reviewed the duties for that position and felt that the position will qualify as an Audit Clerk and submitted a "New Duties Statement" to the Civil Service Commission; and

WHEREAS, the Civil Service Commission upon review of the duties statement, classified the position as Audit Clerk, Grade 5; and

WHEREAS, this action will have no impact on the Human Services' 2011 budget as both are Grade 5 positions; NOW, THEREFORE, BE IT

RESOLVED, that the Cayuga County Legislature create one Audit Clerk position in the Accounting Division of Human Services (75% funded); and be it further

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the newly created Audit Clerk position in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga; and be it also

RESOLVED, upon the creation and filling of the Audit Clerk position, the position of Account Clerk will be abolished.

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

**RESOLUTION NO. 303-11**

**07.26.11 MH hillsideagreementt2011**

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

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

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

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

WHEREAS, the Community Mental Health Center of Cayuga County has determined the services to be beneficial, and continues to identify individuals in need of said services; and

WHEREAS, the New York State Office of Mental Health provides 100% State

dollars, identified as Service Enhancement Funds, to meet the unique needs of the intensive Case Management clients, now, therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature and Director of the Cayuga County Community Mental Health Center be authorized to renew an agreement with Hillside Children's Center for Customized Skill Building Services at a cost of \$47.12 per hour; and be it further

RESOLVED, that the payment for these services will be charged to line A43164 54074, Mental Health Intensive Case Management, Service Enhancement Funds, Department Expense in the 2011 Cayuga County Budget.

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

**RESOLUTION NO. 304-11**

**Action 7/26/11 MH Amend267-11**

**AMEND THE EFFECTIVE DATE OF RESOLUTION NO. 267-11 AND ADJUST THE 2011 BUDGET**

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

WHEREAS, the County Legislature has adopted Resolution No. 267-11 which adjusted the hours of a position at the Community Mental Health Center; and

WHEREAS, said resolution contained in inaccurate effective date; and

WHEREAS, additional funding is required for the provision of psychiatric services for children and youth in budget line A43104-54059 Professional Services; now, therefore, be it

RESOLVED, that the savings to be realized due to this reduction in hours, effective July 1, 2011, will be applied to the funding for children's psychiatric services; and be it further

RESOLVED, that the Cayuga County Treasurer be directed and authorized to make the necessary accounting entries transferring budgeted funds in the 2011 Cayuga County Budget as follows:

From A43101-51001 Sal FT	Position 5497	\$3,868
From A43101-58001 Soc Sec	Position 5497	\$ 296
Total		\$4,164
To A43104-54059 Professional Services		\$4,164

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

**RESOLUTION NO. 305-11**

**7/26/11 NH anmdcmppln**

**AMENDMENT TO THE CAYUGA COUNTY 2011 COMPENSATION PLAN TO INCLUDE ALPN SUB AT THE NURSING HOME**

BY: Patrick Mahunik, Chairman, Health and Human Services

Roger Mills, Chairman, Ways and Means

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

WHEREAS, it is necessary to designate LPN's to care for the residents; and

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

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WHEREAS, cost of using temporary agencies is greater than the 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 LPN sub; and be it further

RESOLVED, that an LPN sub is to be used as a last resort to scheduling and overtime of regular staff; and be it further

RESOLVED, that the rate of pay be set at \$15.90 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 only used as needed.

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

**RESOLUTION NO. 306-11**

**DATE: 7/26/11 OFA contract, July 11 rev**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF THE OFFICE FOR THE AGING TO SIGN A CONTRACT WITH NORTHBROOK HEIGHTS ASSISTED LIVING CENTER FOR CAREGIVER RESPITE.**

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

WHEREAS, appropriations were approved in the Cayuga County budget for the year 2011 for various subcontractors (Munis A67724 54118) for the Cayuga County Office for the Aging, in return for which these subcontractors agree to perform certain services for the benefit of Senior Citizens of Cayuga County; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of the County Office for the Aging are hereby authorized to sign on behalf of the County a contract for said services with the following subcontractor:

Title III E Caregiver Services (total to be spent not to exceed \$24,000):

Northbrook Heights Assisted Living Center Adult Care, Assisted Living Care, and Aide Services

Rates: \$17.70 per hour for Home Health Aide services, \$85.50 per day for Adult Care Facility services, and \$115.00 per day for Assisted Living Facility services. Rates to be negotiated and adjusted in accordance with approved Medicaid rates and not to exceed approved Medicaid rates for the period August 1, 2011 to December 31, 2011.

And be it further

RESOLVED, that the Office for the Aging is authorized to continue its contract with the above contractor for the period of July 1, 2011 through December 31, 2011.

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

**RESOLUTION NO. 307-11**

**7/26/11 NH createclerkrev**

**AUTHORIZATION TO CREATE AND FILL A CLERK AND ABOLISH AN ACCOUNT CLERK TYPIST AT THE CAYUGA COUNTY NURSING HOME.**

BY: Roger Mills, Chairman, Ways and Means Committee

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

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

WHEREAS, it is necessary to have adequate office staff to provide the support services for the residents; and

WHEREAS, the Civil Service Commission has approved the specifications for the position; and

WHEREAS, the job specifications of a Clerk are adequate to perform the necessary tasks; now therefore be it

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

RESOLVED, that a position of Account Clerk Typist (PC# 1714-SYS) be abolished; and be it further

RESOLVED, that the Title of Clerk be added to the Cayuga County Non-Bargaining Compensation Plan, Part II within the Nursing Home, and the salary be set as follows:

Probation	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
15.92	16.07	16.40	16.77	17.07

and be it further

RESOLVED, that the Nursing Home Administrator be hereby directed and authorized to hire a clerk 8/1/11 to provide the aforementioned services at Cayuga County Nursing Home and that the hire be in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

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

**RESOLUTION NO. 308-11**

**July 26, 2011 COL standardworkweek7-26-11**

**RE: 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: see attached; and it is further

RESOLVED, 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.

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

**RESOLUTION NO. 309-11**

**7/26/2011 COL vendingcontract2**

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

BY: George Fearon, Chairman of Government Operations Committee

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 renewal options for a period of five years; and

Whereas, the County desires to continue with the services provided by Ace Automatics and renew the term for an additional year as outlined in the original contract; now, therefore be it

Resolved, that the Chairman of the Legislature be authorized and directed to sign the renewal agreement with Ace Automatics, Seneca Falls, New York for the term of July 1, 2011 through June 30, 2012.

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

**RESOLUTION NO. 310-11**

**7.26.11 COA crtflcnfdseciirev2**

**AUTHORIZATION TO FILL THE POSITION OF CONFIDENTIAL SECRETARY IN THE COUNTY ATTORNEY'S OFFICE DUE TO A RESIGNATION.**

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

MR. ROGER MILLS, Chairperson, Ways and Means Committee

WHEREAS, the current confidential secretary to the County Attorney (PC no. 001844) submitted her resignation effective 30 September 2011; and

WHEREAS, the position of confidential secretary is essential to the operation of the County Attorney's office; and

WHEREAS, a search is presently underway to find a suitable replacement, and the County Attorney is proposing that the position of Temporary Confidential Secretary II be filled in September 2011 at the annual probationary rate of \$38,021 per the 2011 Cayuga County Compensation Plan to permit for the cross training that will allow for a seamless transition; and

WHEREAS, that effective 1 October the position of Temporary Confidential Secretary II will transition into a permanent Confidential Secretary II position (PC NO.001844); and

WHEREAS, monies exist in the A14201-51001 line of the 2011 County Attorney budget to pay for this position; now therefore be it

RESOLVED, that the position of Temporary Confidential Secretary II be filled effective 1 September to allow for cross training; and be it further;

RESOLVED, that effective 1 October 2011, that the position of Temporary Confidential Secretary be transitioned to Confidential Secretary II, and the Temporary Confidential Secretary position be abolished; 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, Lattimore, Mitchell, Sincebaugh, Whitman, Axton, Cuddeback, Mahunik and Petrus, all in favor.

**Motion by Fearon, 2<sup>nd</sup> by Aikman.**

**RESOLUTION NO. 311-1**

**7.26.11 COA Cllglbragmnt**

**AMENDING THE 2011 BUDGET**

BY: MR. GEORGE FEARON, Chairperson, Government Operations Committee  
MR. ROGER MILLS, Chairperson, Ways and Means Committee

Whereas, Resolution No. 214-11 awarded the labor relations services contract; and  
Whereas, funding of the labor relations services contract is required; now therefore  
be it

Resolved, that the sum of \$51,000 be transferred from Account No. A 1016, Contingency, into Account No. A24954-54142, Labor Contract to pay for the labor relations services; and be it further

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

Signed by Fearon, Mitchell, Sincebaugh, Whitman, Axton, Mahunik and Petrus, all in favor.

(Motion Defeated) **Motion by Mitchell to amend resolution to include an additional (\$56,830.00), 2<sup>nd</sup> by Fearon. Motion defeated by majority vote, No – Chapman, Whitman, Axton, Pinckney, Mills, Cuddeback, Barski, Mahunik, Lattimore and Tortorici. Yes – Petrus, Fearon, Mitchell and Sincebaugh. Abstained – Aikman. Vote – 604/228/51**

**RESOLUTION NO. 312-11**

**(7/26/11) COA collegebudget11rev1**

**APPROVING 2011-12 BUDGET FOR CAYUGA COMMUNITY COLLEGE.**

BY: MR. GEORGE FEARON, Chairperson, Government Operations Committee  
MR. ROGER MILLS, Chairperson, Ways and Means Committee

WHEREAS, Cayuga Community College has presented its budget for the 2011-12 academic year to the Ways & Means and Government Operations Committees of the Cayuga County Legislature; and

WHEREAS, said Cayuga Community College budget for 2011-12 academic year totals \$30,763,645.00; and

WHEREAS, the sponsor's share of Cayuga County in said budget is the amount of \$2,841,515.00; now, therefore, be it

RESOLVED, that the said 2011-2012 Budget of Cayuga Community College is hereby approved in accord with a 2010 County contribution of \$2,841,515.00.

Signed by Fearon, Lattimore, Mitchell, Sincebaugh, Whitman, Axton, Mahunik and Petrus, all in favor, except Aikman abstained.

**Discussion:**

**Mahunik, we may not be able to afford it in the future, it is my understanding you can never cut back on the commitment, so if we do a 2% increase we better be able to afford it.**

**Tortorici, this is increase of 2% and if your budget goes up that's when we lose.**

**Dr. Larson, flat dollar amount, no raise.**

**Mills, I won't support this, I don't believe the college has justified the need for this. I don't buy the concept that we are obligated to maintain our level of funding. This is another transfer of mandate from the State level down to the local level and sooner or later we have to approach our State Representatives and say we aren't going to accept it anymore. I think as time goes on it would be perhaps not advisable for the county to continue to rely on the balance of the county taxpayers to provide substance to the college. I fully support the college.**

**Fearon, it is our community college and we are the sponsor of it and I have total faith in Fran's analysis of the fund balance not being at risk.**

**Chapman, I don't support the amendment, if they could rehash this and then come back, we could discuss it.**

**Tortorici, to Dr. Larson, could you survive another year, until we get a clearer picture on where we are going.**

**Dr. Larson, will follow the direction of this body.**

**Lattimore, costs go up, health, pension, cost of living, don't like percentages.**

**Axton, I don't support this either. I am trying to be optimistic about the expansion, dorms, housing, that are someday going to show the Cayuga County taxpayers a return on their investment. We are being told that no matter what, we cannot decrease our subsidy, according to the state, that's 2.8 million. We will never be able to lower that.**

**Mitchell, payback to the community, affordable education.**

**Majority vote, defeated.**

**Motion by Mills to bring resolution to the floor, 2<sup>nd</sup> by Pinckney, approved by majority Vote, Yes – Chapman, Aikman, Whitman, Axton, Petrus, Pinckney, Mills, Mahunik, Lattimore, Sincebaugh and Tortorici. No – Fearon, Mitchell, Cuddeback and Barski. Vote 635/248**

**RESOLUTION NO. 313-11**

**7.26.11 COA wlasiaagmnt11-12rev2**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE  
TO EXECUTE AN AGREEMENT FOR CONSULTING AND GRANT WRITING  
SERVICES WITH WLADIS LAW FIRM.**

BY: Hon. George Fearon, Chairman Government Operations Committee

Hon. Roger Mills, Chairman Ways and Means Committee

Whereas, Resolution No. 343-10 authorized the Chairman of the Cayuga County Legislature to execute two agreements for consulting and grant writing services with Wladis Law Firm; and

Whereas, the agreements are due to expire and the County Legislature wishes to renew said agreements; and

Whereas, the estimated cost of the grant writing agreement is \$70,000.00, plus expenses estimated to be \$6,000.00 and the cost of the agreement for professional services for a liaison between New York State Government officials on behalf of the County \$64,000.00; and

Whereas, due to the work performed by the Wladis Firm under the terms of the 2010-2011 grant contract there is a shortfall of \$12,000.00; now therefore be it

Resolved, that the Chairman of the Cayuga County Legislature is hereby authorized to execute two professional services agreements with Wladis Law for a period of time not to exceed twelve (12) months, commencing July 1, 2011; and be it further

Resolved, that the sum of \$82,000.00 be transferred from Account No. A10164 54000, Contingency Account into Account No. A 10104-54059, Professional Services; and be it further

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

**Discussion:**

**Fearon, I won't support.**

**Petrus, continue for now and look at it next year.**

**Axton, investment produced results, if a year from now no results then I won't support.**

**Lattimore, the state is putting up a billion dollars, need to have all hands on board to chase that money.**

**Cuddeback, it is important to have some kind of program for funding. No one ever brought up our Planning Department to give them credit for any of this. This company was set up with a budget and they are over budget.**

**Squires, there was an amount included in the budget to pay for the grant writing; it's not a budgeted amount within the contract. There are two contracts, one is a \$5,000 monthly retainer for lobbying and the other is a grant writing contract that is an hourly rate. The amount that we asked them to work and been billed for exceeded what we budgeted on that contract for the first six months of the year.**

**Cuddeback, have we paid out more on that contract to date.**

**Squires, we have not paid more than we budgeted yet.**

**Lattimore, I commend the Planning Department for the hard work they have done on this. I think Wladis is an asset at this point.**

**Petrus, we need to talk about things as a committee, Planning Department doesn't have the ability, we need Wladis to do this.**

**Fearon, I commend the Planning Department also, but we may have to go to the Contingency Account to cover payment.**

**Squires, for these contracts?**

**Fearon, yes.**

**Squires, we don't anticipate that with the amount that is included in this resolution. This resolution includes going to contingency to fund the contract for the remainder of the year.**

**Cuddeback, then the answer is yes.**

**Tortorici, I also commend the Planning Department, they worked hand in hand throughout the process, they were involved with all the conference calls to put this grant together. Grant writing is a skill, it's very competitive. I think the Planning Department learned through this process from Wladis, things that would make this grant score higher, language, structure of the grants and how they are written.**

**Mills, outsourcing services to the county, get that professional expertise.**

**Chapman, to Mr. Mills and Mr. Fearon, did the \$51,000 figure arrive after auditing the services of Wladis.**

**Mills, \$52,000, we have a County Auditor, who audits our invoices.**



**Squires, I sign them all.**

**Cuddeback, in the future when we think about projects that we want to do, some are good some are fluff. The 911 project is for all the right reasons, any grant money that can be brought in for that are commendable. In the future when you think about projects, ask yourself, would I go to my constituents' and raise their taxes to pay for this in its entirety. We need think about this when these projects come up, which ones go forward, which you put your own money out there if you didn't have a grant.**

**Barski, gambling with taxpayers money, how can we go to them and say we are spending all this money when most of them don't even make what we are spending.**

**RESOLUTION NO. 314-11**

**July 26, 2011 PB glricontractor A**

**AUTHORIZING CAYUGA COUNTY DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO PURSUE FUNDS FOR AND SOLICIT CONTRACTUAL SERVICES FOR THE SOUTHERN LAKE ONTARIO AND FINGER LAKES REGION AQUATIC INVERTEBRATE ASSESSMENT AND INVASIVE SPECIES PREVENTION PROJECT**

BY: Ms. Ann Petrus, Chair, Planning and Economic Development Committee

Mr. Roger A. Mills, Chair, Ways and Means Committee

WHEREAS, Cayuga County is eligible for funding from U. S. Fish & Wildlife Service (USFWS) under the Great Lakes Restoration Initiative (GLRI) for Aquatic Nuisance Species for the Southern Lake Ontario and Finger Lakes Region Aquatic Invertebrate Assessment and Invasive Species Prevention Project; and

WHEREAS, Cayuga County may receive grant funds to provide a comprehensive overview of the Finger Lakes in the Seneca River Basin to determine which invasive invertebrates are present in each lake and work to prevent spread of these invasives into and between the Finger Lakes and to/from the southern shore of Lake Ontario; and

WHEREAS, the work funded would include basic biological assessments for invertebrates and zooplankton; hiring watercraft stewards through the Finger Lakes Institute to survey and educate boaters; a pilot citizen science program for detecting and reporting invasive species; and the design, coordination and implementation of detailed underwater Asian Clam surveys of Owasco Lake, to determine the age, size and depth of the infestation and the development of a plan to contain and mitigate the clam beds; and

WHEREAS, specialty consultants and/or contractors will need to be hired to conduct the surveys, provide trainings, assist in the Citizen Science Program and perform the detailed Asian Clam work in Owasco Lake; and

WHEREAS, grant amount is estimated to be \$245,000, with an in-kind staff match of only \$10,000; and

WHEREAS, these grant funds may be available in time for work to be conducted this summer; and

WHEREAS, the Cayuga County Department of Planning and Economic Development can expedite this work by soliciting proposals from consultants and/or contractors, so work can begin as soon as the grant is awarded to Cayuga County; now therefore be it

RESOLVED, that the Cayuga County Legislature directs the Planning and Economic Department to pursue these grant funds; and be it further

RESOLVED, that the Cayuga County Legislature directs the Planning and Economic Department to solicit proposals for consultants or contractors to conduct the work needed so work can begin as soon as the grant is awarded to Cayuga County; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute the required documents and agreements necessary to receive and administer the proposed grant funds and enter into contract with the Finger Lakes Lake Ontario Watershed Protection Alliance (FOLLOWPA); and be it further

RESOLVED, upon award of the Grant, the Cayuga County Treasurer is hereby authorized and directed to amend the WQMA Budget for the amount of the award by adding grant revenue to A87410 43994 (State Aid-FOLLOWPA Grant) and expensing grant funds through A87414 54000 (Contractual Expense); and be it further

RESOLVED, that no consultants or contractors will be hired until the grant is awarded to Cayuga County.

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

**RESOLUTION NO. 315-11**

**July 26, 2011 PB greeninnovationgrant SEQR**

**DETERMINING LEAD AGENCY STATUS UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQR) FOR THE OWASCO FLATS WETLAND RESTORATION AND RIPARIAN BUFFERS INITIATIVE PROJECT**

BY: Ms. Ann Petrus, Chair, Planning and Economic Development Committee

WHEREAS, Cayuga County was awarded and will receive grant funds for the Owasco Flats Wetland Restoration and Riparian Buffers Initiative Project, a green innovation project, through the New York State Environmental Facilities Corporation Green Innovation Grant Program (GIGP); and

WHEREAS, Cayuga County will receive \$712,500.00 in grant funds to conduct work recommended in the Owasco Flats Restoration Feasibility Report to reduce phosphorus and sediment loads to the Owasco Inlet and ultimately Owasco Lake (the Project); and

WHEREAS, the Project has been deemed a Type I Action under SEQRA due to its size and scope; and

WHEREAS, the SEQRA process requires establishment of Lead Agency and the solicitation of comments from all identified Involved Agencies; and

WHEREAS, the Cayuga County Legislature wishes to identify the Project as a Type I Action under SEQRA and declare its intent to be designated as Lead Agency for the SEQRA review; now, therefore, be it

RESOLVED, that the Cayuga County Legislature hereby resolves the following:

1. The Project is identified as a Type I Action as defined in the SEQRA regulations;
2. Cayuga County declares its intent to be Lead Agency for the SEQRA review of the Project;
3. The Cayuga County Legislature directs the Planning and Economic Department to administer the SEQRA review and prepare, file and/or publish the necessary notices and documents to establish Lead Agency, solicit comments from Involved Agencies and satisfy the SEQR process requirements; and be it further

4.

RESOLVED, that this resolution shall take effect immediately upon passage.  
Signed by Petrus, Aikman, Fearon, Lattimore, Mills, Mahunik and Pinckney, all in favor,  
except Cuddeback voting no.

**RESOLUTION NO. 316-11**

**July 26, 2011 PB greeninnovationgrant staff Avrev3**

**ESTABLISHING CAPITAL "H" PROJECT No. 11-2 (OWASCO FLATS WETLAND RESTORATION AND RIPARIAN BUFFERS INITIATIVE PROJECT), AUTHORIZING THE TRANSFER OF FUNDS, AUTHORIZING CAYUGA COUNTY DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO PROVIDE IN-KIND SERVICES, SOLICIT PROFESSIONAL SERVICES AND AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO EXECUTE DOCUMENTS.**

BY: Ms. Ann Petrus, Chair, Planning and Economic Development Committee

Mr. Roger A. Mills, Chair, Ways and Means Committee

WHEREAS, Cayuga County has been awarded and will receive grant funds for the Owasco Flats Wetland Restoration and Riparian Buffers Initiative Project, a green innovation project, through the New York State Environmental Facilities Corporation Green Innovation Grant Program (GIGP); and

WHEREAS, Cayuga County will receive \$712,500.00 in grant funds and will provide at least 10% in-kind staff work to conduct work recommended in the Owasco Flats Restoration Feasibility Report to reduce phosphorus and sediment loads to the Owasco Inlet and ultimately Owasco Lake; and

WHEREAS, work needs to be completed by the end of December 2011 to finalize the grant agreement with New York State Environmental Facilities Corporation; and

WHEREAS, the Cayuga County Department of Planning and Economic Development can do some of the necessary items; and

WHEREAS, professional services may be needed to complete other items including but not be limited to engineering services, bridge design, wetland design, wetland delineation, and archeological services, and these services will need to be solicited; and

WHEREAS, Cayuga County will either be reimbursed for these services or provide these as in-kind services once the grant agreement is signed; and

WHEREAS, a mechanism needs to be created to pay for these activities and accept reimbursements; 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 receive the grant for the Owasco Flats Wetland Restoration and Riparian Buffers Initiative Project; and be it further

RESOLVED, that the County Treasurer be and is hereby authorized and directed to create Capital "H" Project No.11-2 ( OWASCO FLATS WETLAND RESTORATION AND RIPARIAN BUFFERS INITIATIVE PROJECT) in an amount not to exceed \$712,500 with source of funding to be \$712,500 in grant funds; and be it further

RESOLVED, that the funds to implement the project are to be borrowed from the A fund, with funds returned to the A fund as reimbursement is received from the State; and be it further

RESOLVED, that the Planning and Economic Development Department is hereby authorized and directed to provide the 10% required local match through in-kind staff

services; and be it further

RESOLVED, that the Cayuga County Legislature directs the Planning and Economic Department to provide services that will be either reimbursed by the grant or provided as in-kind match for the grant; and be it further

RESOLVED, that the Cayuga County Legislature directs the Planning and Economic Department to solicit proposals for professional services for items including but not be limited to engineering services, bridge design, wetland design, wetland delineation, and archeological services; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature sign all contracts, to implement the intent of this resolution, and let it be further

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

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

**RESOLUTION NO. 317-11**

**July 26, 2011 PB BioGasTechAnalysis AwardContract v7**

**RESOLUTION AUTHORIZING EXECUTION OF PROFESSIONAL SERVICES  
CONTRACTS FOR A TECHNICAL ANALYSIS OF THE CAYUGA COUNTY  
BIOGAS ENERGY PROJECT AND ESTABLISHING A  
CAPITAL "H" PROJECT NO. 11-3**

**(CAYUGA COUNTY BIOGAS ENERGY PROJECT) TO ADMINISTER FUNDS.**

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

Roger Mills, Chair, Ways & Means Committee

WHEREAS, a Special Meeting of the Whole for the Cayuga County Legislature was held on August 31, 2010 to present a proposed Cayuga County Biogas Energy Project (the "Project") to the Legislature and the Public to inform them about the Project and the potential environmental, economic development and job creation benefits the Project could deliver to Cayuga County; and

WHEREAS, the Cayuga County Legislature approved Legislative Resolution #463-10 on September 28, 2010 thereby authorizing and directing circulation of a combined Request for Qualifications / Request for Proposals to identify qualified teams/firms and to solicit fee proposals for a well-defined scope of work to be conducted under a Technical Analysis (the "RFQ/P") and also authorized and directed the staff to identify and apply for various local, state and federal grants and funding resources to offset the County's investment in a Technical Analysis; and

WHEREAS, the RFQ/P circulated (attached hereto as Attachment A) solicited detailed technical and fee proposals from eleven (11) Lead Consultant Teams and resulted in a comprehensive review and analysis of the skills, experience and technical backgrounds of the Lead Consultant Teams by a County review team, more fully detailed in Attachment B to this resolution; and

WHEREAS, the RFQ/P and related Scope of Services identified a two-phase approach to the Technical Analysis whereby Phase I would include identification and exploration of any "fatal flaw" in the Project and position a "go/no-go analysis" to be conducted first, to be followed by Phase II which would include the full, in-depth analysis and pro-forma development outlined in the full Scope of Services, thereby providing an "off-ramp" for the County should the results of the Phase I go/no-go analysis indicate that the Project is not feasible from a supply, technical, financial or other perspective and

thereby allow the County to forego cost of Phase II; and

WHEREAS, the County Review Team has identified the engineering firm of Stearns, Conrad and Schmidt Consulting Engineers, Inc. ("SCS") of Suffern, NY as the preferred Lead Consultant for a total not-to-exceed cost of \$150,000 (\$25,000 for Phase I and \$125,000 for Phase II) and has identified the legal firm of Harris Beach, PLLC ("HB"), as the recommended Special Counsel for the Technical Analysis for a total, not-to-exceed cost of \$84,000 (\$32,000 for Phase I and \$52,000 for Phase II) for a total Technical Analysis not-to-exceed cost of \$234,000; and

WHEREAS, the County has identified and/or secured the following \$234,000 in available funding resources that will fully offset new County costs for the Technical Analysis:

- Seventy-thousand Dollars (\$70,000.00) in Grant Funding, specifically for the Technical Analysis, including \$30,000 in U.S. Environmental Protection Agency Funding through the Central New York Regional Planning & Development Board ("EPA Grant") and \$40,000 in U.S. Department of Agriculture funding through the Rural Energy for America Program ("REAP Grant");

- \$100,000 in Community Development Block Grant economic development program income/administration funds specifically authorized for allocation to the Technical Analysis;

- \$49,921.68 from the Cayuga County Infrastructure Fund; and

- \$14,078.32 as a contribution to the TA from participating Cayuga County Dairy Farms; and

WHEREAS, conducting a comprehensive Technical Analysis of the Project will allow the County Legislature to assess the technical, legal, financial, environmental and operational components of the Project as well as develop and test a Business Model for deployment of the Project should the Technical Analysis return positive results; and

WHEREAS, the Legislature created the Cayuga County Public Utility Services Agency (CCPUSA) through a public referendum and mandate to identify, secure, develop and deliver low-cost clean renewable energy in support of business expansion and economic development; and

WHEREAS, the proposed Project can result in the creation and delivery of low-cost clean, renewable energy to the County's Industrial Development Park to attract new industry and manufacturing jobs such as the potential Milk Processing Plant being pursued by the County; and

WHEREAS, the Cayuga County Legislature wishes to contract with SCS as the Lead Consultant and HB as the Special Counsel to conduct the Technical Analysis; now, therefore be it

RESOLVED, by the Cayuga County Legislature, as follows:

1. The Chairman of the Legislature is hereby authorized and directed to execute a contract and agreement with SCS Engineers of Suffern NY, for a not-to-exceed fee of \$150,000.00, for engineering services associated with the Project;

2. The Chairman of the Legislature is hereby authorized and directed to execute a contract and agreement with Harris Beach, PLLC of Pittsford, NY, for a not-to-exceed fee of \$84,000.00, for legal services associated with the Project;

3. That in order to carry out the Project, the Treasurer is hereby authorized and directed to establish a Capital "H" Project No. 11-3 to receive funds and track expenditures on the Project, and to allocate the following funds into the Capital H Project No. 11-

- a. \$30,000 in EPA Grant Funds awarded through the CNY Regional Planning & Development Board;
- b. \$40,000 in REAP Grant Funds awarded through USDA Rural Development;
- c. \$100,000 in CDBG Administration funds from Account CD 86694 54716;
- d. \$49,921.68 in Cayuga County Infrastructure Funds; and
- e. \$14,078.32 in Other Unclassified Revenue from Account HS0-42770;

4. The Department of Planning & Economic Development is hereby authorized and directed to administer and manage the Project and the work of the Lead Consultant and Special Counsel in coordination with the County Review Team; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is authorized and directed to sign all documents to implement the intent of this resolution; and let it be further

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to make the journal and accounting entries required to implement the intent of this resolution; and let it be further

RESOLVED, that this resolution shall take effect immediately.

Signed by Petrus, Aikman, Fearon, Lattimore, Mahunik, Axton, Cuddeback, Mitchell and Petrus, all in favor, except Mitchell, Whitman, Chapman and Fearon voting no.

**Discussion:**

**Fearon, won't work, cost will be more, no guarantee there will be product in the pipeline. We need to look at what is appropriate for us to do, shouldn't throw money at it to make it work.**

**Chapman, funding.**

**Lynch, \$40,000 in a USDA REAP Grant, \$30,000 in a Governmental Protection Grant, \$100,000 CDGB Administrative Funds, \$49,921.38 Cayuga County Infrastructure Funds and \$14,078.32 contribution from participating Cayuga County Dairy Farms.**

**Lynch, every since this was initially proposed I have talked to just about everyone in my area that is in agriculture, I have yet to find one person to give me any reason to hope that this will work. They wanted to know why we aren't working on getting people water and not worrying about a few farmers in the south. Water is a priority for economic development and we don't have it and that is where I think we should be putting our funding.**

**Cuddeback, the fact is the southern of the county has extensive dairy production program, has the largest dairy in the north east United States. If the gas pipe line program wasn't working as well as thought it would be, a pipeline that will hold gas will definitely hold water.**

**Tortorici, we are talking with the dairy farmers and trying to partner with them, they have a commodity that they are producing. On two occasions, the taxpayers of Cayuga County voted to have a Power Authority in Cayuga County, and what we are looking for is alternative energy that can be used to create Economic Development and bring jobs to Cayuga County. Everyone wants to put a green tag on new business. The dairy farmers could sell that commodity to gas and electric. The committee that was formed to look at these studies and interview these firms spent a lot of time in doing that. We interviewed 8 firms, 5 to 6 hours a piece, the whole goal, cost to put pipeline in, operation and maintenance, amount of gas produced. They want to sell a commodity we need to get a number and sure that**

**this commodity is something the taxpayers can afford. This plan has a plan, go or no go, or any fatal flaws in it right from the beginning. We have to understand we are doing this on behalf of the request from the taxpayers to see if this is a feasible commodity.**

**Lattimore, the city secured a \$800,000 grant to study those issues, regional water and sewer.**

**Aikman, I will support this resolution, however when we were in Albany, NYSERDA told us that calling it a pipeline project would cause us problems, need to take the word pipeline out in order to get the best hope for grant funding in the future.**

**Lynch, version 6 takes out the word pipeline.**

**Tortorici, this is version 7.**

**Westphal, the resolution mentions project, there's no mention of pipeline.**

**Aikman, call the question.**

**RESOLUTION NO. 318-11**

**Date: 7/26/11 P&T SterlingNatureCentCapHandReserve 7 11rev**

**AUTHORIZING TRANSFER OF FUNDS REMAINING IN  
CAPITAL H No. 02-2 INTO THE CAPITAL RESERVE FUND FOR THE  
STERLING NATURE CENTER BUILDING IMPROVEMENTS AND  
AUTHORIZING CLOSING CAPITAL H No. 02-2**

By: David Axton, Chairperson, Public Works

Roger Mills, Chairperson Ways and Means

Whereas, by Resolution 371-02 of the Cayuga County Legislature the County Treasurer was authorized to establish Capital H No.02-2 "Completion of trail system at the Sterling Nature Center"; and

Whereas, by Resolutions 706-09, 104-10 and 46-11 of the Cayuga County Legislature the County Treasurer was authorized to establish and fund a Capital Reserve Account for building improvements at the Sterling Nature Center in the amount of \$68,160; and

Whereas, the trail system at The Sterling Nature Center Authorized by Capital H No. 02-2 was completed below budget leaving a balance of \$32,669.61 in Capital H No. 02-2; and

Whereas, the Parks Department has requested transfer of the remaining funds in Capital H#02-2 into the Capital Reserve for The Sterling Nature Center building improvements; now therefore be it

Resolved, that the Cayuga County Treasurer is hereby directed to transfer to the funds remaining in Capital H No. 02-2 (approximately \$32,669.61) into the Capital Reserve Account for building improvements at the Sterling Nature Center increasing that account to approximately \$100,829.61; 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, Whitman, Mitchell, Pinckney, Mills, Fearon, Mahunik and Petrus, all in favor.

**RESOLUTION NO. 319-11****7/26/11 BLD Amending Agreement with NYSIDrev****AUTHORIZING THE CHAIRPERSON OF THE CAYUGA COUNTY LEGISLATURE, TO AMEND THE CLEANING SERVICES CONTRACT AGREEMENT WITH NEW YORK STATE INDUSTRIES FOR THE DISABLED.**

BY: Hon. Mr. Axton, Chairman, Public Works Committee, and  
 Hon. Mr. Mills, Chairman, Ways & Means Committee.

Whereas, Resolution No. 711-9 authorized the Superintendent of Buildings and Grounds to obtain Pricing from New York State Industries for the Disable and Resolution No. 264-10 authorized the Chairperson to enter into an agreement with New York State Industries for the Disable for cleaning services; and,

Whereas, the on May 9<sup>th</sup> 2011 the new Mental Health Building was fully occupied and there is a total of 24,000 sq ft of cleanable space; and

Whereas, on May 24<sup>th</sup> 2011 the basement of the Historic Post Office was vacated by the Mental Health Department and there is 3,000 sq ft of space that is not required to be cleaned at this time; and

Whereas, the agreement with New York Industries for the Disabled needs to reflect this change; now therefore be it

Resolved, that the yearly cleaning agreement be amended to include the added space of 15,000 square feet at a contracted cost of \$1.81 per square feet for a total addition of \$27,150.00 to Mental Health Center at 146 North St portion of the cleaning contract for a new total yearly cost to \$42,457.00 to be prorated from May 7<sup>th</sup> 2011 as requested by the Superintendent of Buildings and Grounds; and be it further

Resolved, that the yearly cleaning agreement be amended to include the reduction in space of 3,000 square feet at a contracted cost of \$1.81 per square feet for a total reduction of \$5,430.00 to Historic Post Office portion of the cleaning contract for a new yearly reduced total cost to \$85,006.00.00 to be prorated from May 24<sup>th</sup> 2011 as requested by the Superintendent of Buildings and Grounds; and be it further

Resolved, that the total yearly contract with New York State Industries for the Disabled be increased for cleaning service by \$21,720.00 for a total of \$403,877.00 and be prorated from May 7<sup>th</sup> 2007 for the Mental Health facility at North Street and May 24<sup>th</sup> at the Historic Post Office; and be it further

Resolved, that the Superintendent of Buildings and Grounds will monitor the agreement, to implement the intent of this resolution; and be it further

Resolved, that the Chairman of the Cayuga County Legislature is authorized and directed to sign all contracts, to implement the intent of this resolution; and be it further

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

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

**RESOLUTION NO. 320-11****7/26/11 PUR awardcleaningsuprev****AUTHORIZING THE COUNTY TO ACCEPT BIDS FOR CLEANING SUPPLIES FOR VARIOUS DEPARTMENTS WITHIN CAYUGA COUNTY.**

BY: David Axton, Chairman, Public Works Committee

BY: Roger Mills, Chairman, Ways & Means Committee



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

WHEREAS, six (6) firms responded with bids; and,

WHEREAS, two of the vendors submitted low bids in the various categories, see the attached "BID TAB SHEET"; and,

WHEREAS, the Bid documents provides: "Award of bid will be made to the lowest responsible bidder(s) in the best interest of the County"; and

WHEREAS, it would be in the best interest of the county to utilize these two vendors for those supplies in the categories wherein their bid was the lowest responsible bid; now therefore be it,

RESOLVED, that the bid be awarded to Johnston Paper, Auburn, NY for the categories set forth on the attached "BID TAB SHEET" and to Hill & Markes, Amsterdam, NY, for the categories set forth on the attached "BID TAB SHEET".

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

**RESOLUTION NO. 321-11**

**Date: July 26, 2011 HWY signagreeROWyorkst**

**AUTHORIZATION TO SIGN ADJUSTMENT & RELEASE AND ADVANCE  
PAYMENT AGREEMENTS WITH NYSDOT FOR YORK STREET  
RIGHT-OF-WAY**

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

WHEREAS, the County of Cayuga owns the land at 91 York Street, Auburn per attached map; and

WHEREAS, the State has appropriated the aforementioned property to Project PIN #3752.93.221; and

WHEREAS, the State is compensating Cayuga County in the amount of \$9,375.00; now therefore be it

RESOLVED, to authorize the Cayuga County Chairman and the Highway Superintendent to accept compensation and sign the Agreement of Adjustment and Release of Owner and Agreement for Advance payment with NYSDOT for the aforementioned property; and be it further

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

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

**RESOLUTION NO. 322-11**

**Date: July 26, 2011 HWY 2011surfrtlistrev**

**AUTHORIZATION TO APPROVE 2011 SURFACE TREATMENT 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, funds were budgeted in the 2011 highway budget in Account No. D51104 54095 – Surface Treatment for resurfacing of pavements; and

Whereas, the attached is a list of roads to be surface treated in the 2011 summer

construction season work; now therefore be it

Resolved, that the attached list of roads to be surface treated in the 2011 summer construction season is hereby approved; and be it further

Resolved, the County Highway Superintendent is authorized to make adjustments to the

list to meet changing conditions and changes in the cost of materials.

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

**RESOLUTION NO. 323-11**

**Date: July 26, 2011 HWY Diesellnc**

**AUTHORIZING THE AMENDMENT OF THE 2011 HIGHWAY BUDGET DUE  
TO AN INCREASE IN COST OF DIESEL FUEL**

By: Dave Axton, Chairman Public Works Committee

Roger Mills, Chairman Ways and Means Committee

WHEREAS, \$447,000.00 was budgeted in Account DM51304 54031 – Fuel Oil for the purchase of diesel fuel for 2011; and

WHEREAS, the cost of diesel fuel has substantially increased since the adoption of the 2011 budget; and

WHEREAS, the Highway sells gasoline to County agencies and other agencies; and  
WHEREAS, Appropriation Accounts DM51304 54031 is used for the expenditures of Diesel Fuel; and

WHEREAS, Revenue Account DM51300 42302 – Diesel Sales is to receive revenue from the sale of diesel fuel; now therefore be it

RESOLVED, that Revenue Account DM51300 42302 – Diesel Sales be amended and increased by \$50,000; and be it further

RESOLVED, that Appropriations account DM51304 54031 – Fuel Oil be amended and increased by \$50,000; and be it further

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

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

**RESOLUTION NO. 324-11**

**Date: July 26, 2011 HWY townsnocontadjpay10/11rev**

**AUTHORIZING FUEL INDEX PAYMENT FOR TOWN/VILLAGE SNOW  
REMOVAL CONTRACTS**

By: David Axton, Chairman Public Works Committee

Roger Mills, Chairman Ways and Means Committee

WHEREAS, Resolution No. 453-10 authorized the County to contract with the Towns and Villages for snow removal on County roads; and

WHEREAS, increased costs were incurred by the towns and villages due to a severe winter season and increased fuel costs;

And

WHEREAS, funds were budgeted in account D51424 54105 (Contract Plowing/Towns) to pay for contracted snow removal services; now therefore be it

RESOLVED, that the Cayuga County Highway Superintendent is authorized and

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directed to pay the towns and villages an additional 23.7% adjustment on the fuel portion of each contract for a total of \$41,149; and be it further

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

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

**RESOLUTION NO. 325-11**

**Date: July 26, 2011 HWY estCapHGlnHvphsIIrev**

**ESTABLISHING CAPITAL "H" PROJECT NO. 11-04 (GLEN HAVEN RD SLOPE STABILIZATION) AND AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND HIGHWAY SUPERINTENDENT TO CONTRACT WITH CONSULTANT ENGINEER FOR PHASE II.**

BY: David Axton, Chairman, Public Works Committee

Roger Mills, Chairman, Ways & Means Committee

WHEREAS, Resolution No. 49-11 authorized the Highway Superintendent to contract with a consultant engineer to evaluate the slope and retaining wall on Glen Haven Rd; and

WHEREAS, the consultant engineer has completed the evaluation and is ready to proceed to Phase II and develop specifications for the project; and

WHEREAS, the cost of the engineering portion of the project is estimated at \$40,000 and additional costs are yet to be determined; now therefore be it

RESOLVED, that the Cayuga County Legislature hereby establishes Capital "H" No. 11-04 (GLEN HAVEN RD SLOPE STABILIZATION); and be it further

RESOLVED, that the sum of \$50,000 be transferred from Account No. A 10164-54000, Contingency, to Account No. D51104 54059, Professional Services; and be it further

RESOLVED, that the Chairman and Highway Superintendent is authorized to sign a contract with Fisher Associates to develop specifications for slope stabilization on Glen Haven Road; and be it further

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

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

**RESOLUTION NO. 326-11**

**July 26, 2011 HWY11StateS&Iindexbdgtinc**

**AUTHORIZATION TO ACCEPT 10/11 NYS SNOW AND ICE REMOVAL WINTER SEVERITY INDEX PAYMENT AND INCREASE SALT, CONTRACT PLOWING, AND SURFACE TREATMENT ACCOUNTS**

By: David Axton, Chairman Public Works Committee

Roger Mills, Chairman Ways and Means Committee

WHEREAS, the County of Cayuga was under contract with the NYS DOT for Snow and Ice removal under Contract Agreement D0091816 for the 2010-11 season; and

WHEREAS, \$785,000.00 was budgeted in Revenue Account D50100 43302 for the NYS Snow & Ice removal agreement; and

WHEREAS, the Winter Severity Index payment provides for additional revenue to offset increased snow plowing costs; now therefore be it

RESOLVED, that the Chairman of the Legislature and the Highway Superintendent are hereby authorized to accept funding and that Revenue Account D50100 43302 be increased in the amount of \$437,247.37; and be it further

RESOLVED, that the accounts listed below be increased as follows:

<u>Account</u>	<u>Original Budget</u>	<u>Increase</u>	<u>Revised Budget</u>
D51424 54103 – Salt(County)	\$ 180,000	\$ 40,000.00	\$ 220,000.00
D51444 54103 – Salt(State)	\$ 145,000	\$ 30,000.00	\$ 175,000.00
D51424 54105 - Contract Plowing (county)	\$1,217,881	\$ 90,000.00	\$1,307,881.00
D51444 54105 – Contract Plowing (state)	\$ 35,000	\$ 30,000.00	\$ 65,000.00
D51104 54095 – Surface Treatment	\$ 523,000	\$247,247.37	\$ 770,247.37

and be it further

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

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

**RESOLUTION NO. 327-11**

**Date: July 26, 2011 HWY chipincbdgt**

**AUTHORIZING THE HIGHWAY SUPERINTENDENT TO AMEND THE  
HIGHWAY BUDGET DUE TO INCREASE IN CHIPS FUNDING AND  
INCREASE SURFACE TREATMENT, PROFESSIONAL SERVICES AND  
EQUIPMENT ACCOUNTS**

BY: David Axton Chairman, Public Works Committee

Roger Mills, Chairman Ways and Means Committee

WHEREAS, \$2,600,000 was budgeted in Revenue Account D50100 43505 for the Consolidated Highway Improvement Program (CHIPs) for 2011; and

WHEREAS, the State has officially notified the County was allotted \$2,847,017.93 in CHIPs funding, an increase of \$247,017.93; now therefore be it

RESOLVED, that the appropriations accounts be correspondingly increased to reflect the increase in revenues by the following amounts to allow and authorize the Highway Superintendent to fully utilize the CHIPs funds:

<u>Account</u>	<u>Original Budget</u>	<u>Increase</u>	<u>New Budget</u>
DM51300 43505 – St Aid-Hwy-Consolidated	\$ 0.00	\$ 47,017.93	\$ 47,017.93
D50100 43505- St Aid- Hwy - Consolidated	\$2,600,000.00	\$2,800,000.00	\$200,000.00
REVENUE INCREASE		\$247,017.93	
DM51302 52002 - Trucks	\$ 137,000.00	\$ 184,017.93	\$ 47,017.93
D51134 54095 – Surface Treatment	\$ 523,000.00	\$ 683,000.00	\$ 160,000.00
D51104 54059 –Professional Services	\$ 3,620.00	\$ 43,620.00	\$ 40,000.00
EXPENSE INCREASE			\$ 247,017.93

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and be it further

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

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

**RESOLUTION NO. 328-11**

**7/26/11 BLD Clean up resolution for contract with GMS**

**CLEAN UP RESOLUTION FOR AUTHORIZING THE CHAIRPERSON OF THE CAYUGA COUNTY LEGISLATURE, TO AMEND THE CONTRACT AGREEMENT WITH GRAY MANAGEMENT SYSTEMS FOR A CHANGE ORDER THAT WAS NOT ACCOUNTED FOR.**

BY: Hon. Mr. Axton, Chairman, Public Works Committee, and  
Hon. Mr. Mills, Chairman, Ways & Means Committee.

Whereas, Resolution No. 315-09 authorized the Chairman of the Cayuga County Legislature to enter into an agreement with Gray Management Systems for construction management services for the Mental Health building project and resolution 558-10 amended GMS's Contract; and,

Whereas, Resolution 278-11 further amended Gray Management Systems agreement for the closeout of the Project; and

Whereas, there was a change order in November 2010 that was approved by process established in Resolution 576-09 for \$12,000.00 to pay Gray Management for work performed in October; and

Whereas, this \$12,000.00 was not accounted for in the not to exceed amount in Gray Managements agreement; and

Whereas, there is ample funding in Capital "H" Project No. 08-01; now therefore be it

Resolved; that Gray Management's agreement be increased by \$12,000.00 for a contract sum not to exceed \$295,810.00; and be it further

Resolved, that the funding for this service come from Capital "H" Project No. 08-01; and be it further

Resolved, that the Chairman of the Cayuga County Legislature sign all 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, Whitman, Mitchell, Pinckney, Mills, Fearon, Mahunik and Petrus, all in favor.

**RESOLUTION NO. 329-11**

**Date: July 28, 2011 HWY Acceptrevconcretebid3REV**

**AUTHORIZATION TO ACCEPT REVISED PORTLAND CEMENT  
(TRANSIT MIX) CONCRETE 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 July:

1. **Portland Cement (Transit Mix) Concrete**

Whereas, bids were received from W.F. Saunders & Sons and Vitale-Robinson, and after reviewing the bids it was determined that Vitale-Robinson provided the lowest price; now therefore be it

Resolved, to accept the Public Works Committees recommendation to award the bid to Vitale-Robinson as follows:

Concrete:

Class A per cubic yard	\$93.25
4000 PSI per cubic yard	\$91.00
3000 PSI per cubic yard	\$88.00
Certification cost per project	\$ 0.00
Non Chloride Accelerant per cubic yard:	
1%	\$ 3.00
2%	\$ 6.00
Set Retardation to extend initial set per cubic yard:	
2-3 Hours	\$ 3.00
3-4 Hours	\$ 6.00
Fiber mesh reinforcement per cubic yard	\$ 6.00

; and be it further

Resolved, that upon the awarding of the above bids by the County Legislature, the County Highway Superintendent is hereby authorized to sign an agreement with Vitale-Robinson and to pay from appropriated funds.

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

**RESOLUTION NO. 330-11**

**7/26/11 PRO createfill2sr.prob.off4.**

**AUTHORIZATION TO CREATE AND FILL TWO SR. PROBATION OFFICER POSITIONS IN THE CAYUGA COUNTY PROBATION DEPARTMENT**

Mr. Steven Cuddeback, Chairman, Judicial & Public Safety Committee

Mr. Roger Mills, Chairman, Ways & Means Committee

WHEREAS, the Probation Director submitted a New Position Duty Statement for 2 additional Sr. Probation Officer positions to the Civil Service Commission on June 8, 2011; and

WHEREAS, the Civil Service Commission approved and recommended that the positions be classified as Sr. Probation Officers; and

WHEREAS, there is a current promotional Civil Service list for Sr. Probation Officer with the names of two qualified and dedicated members of the Probation Department staff, and

WHEREAS, the Probation Director would like to promote these two existing Probation Officers to these newly established Sr. Probation Officer roles to ensure the continued efficient operation of the Probation Department; and

WHEREAS, said Probation Officers have agreed to accept the position of Sr. Probation Officer at a salary of \$54,479 which is consistent with Step 3 of the Sr. Probation Officer salary in the CSEA contract, and therefore be it

RESOLVED, that the Cayuga County Treasurer increase A31401-51001 line and A33150-42615 STOP DWI budget line by \$1528, and be it further

RESOLVED, that 2 Sr. Probation Officer positions be created in the Probation Department, and that the Probation Director be authorized to fill the 2 Sr. Probation Officer positions, and be it further;

RESOLVED, that once the newly promoted Sr. Probation Officers have successfully completed probation that their existing Probation Officer positions (PC# 4875-SYS and PC# 1940-SYS) be abolished, and be it further;

RESOLVED, that the Treasurer be hereby authorized to make any adjustments necessary to the budget to effectuate this resolution, 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, Barski, Chapman, Petrus, Pinckney, Sincebaugh, Whitman, Mills, Axton, Fearon, Mahunik and Mitchell, all in favor.

**RESOLUTION NO. 331-11**  
**(July 26, 2011) DA.VictimWitnessVacancy.2011**  
**AUTHORIZING THE DISTRICT ATTORNEY TO FILL A**  
**VACANCY IN HIS OFFICE**

BY: Steven E. Cuddeback, Chairman, Judicial & Public Safety; and  
Roger A. Mills, Chairman, Ways and Means

WHEREAS, the District Attorney anticipates a vacancy in the position of the Victim/Witness Services Program Coordinator Position Control #001787-SYS in his office effective August 1, 2011; and

WHEREAS, the Victim/Witness Services Program Coordinator position is a critical position in the District Attorney's office responsible for fulfilling our legal obligations to advise victims of their rights and to keep them apprised of the status of their cases and;

WHEREAS, the Legislature is desirous about continuing this important position in the District Attorney's Office; and

WHEREAS, this is a grant-funded position and has been budgeted for the entire year; and

WHEREAS, by Resolution No. 476-09, District Attorney Jon E. Budelmann received Legislative approval on August 25, 2009 accepting a Grant from the New York State Crime Victims Board to continue the operation of the Victim/Witness Services Program for the contract period of October 1, 2009 through September 30, 2012; now therefore be it

RESOLVED, that the District Attorney be hereby authorized to canvass the eligible civil service list and fill the vacancy of Victim/Witness Services Program Coordinator Position Control #001787-SYS on a full time basis; 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 Cuddeback, Barski, Chapman, Petrus, Pinckney, Sincebaugh, Whitman, Mills, Axton, Fearon, Mahunik and Mitchell, all in favor.

**RESOLUTION NO. 332-11****7.26.11 911 leave bank****AUTHORIZING THE CREATION OF A TEMPORARY LEAVE BANK FOR A  
CAYUGA COUNTY E-911 EMPLOYEE**

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

Mr. Roger Mills, Chairperson, Ways & Means Committee

WHEREAS, an employee of the Cayuga County E-911 Department had a surgical procedure requiring an extended leave; and

WHEREAS, this employee has worked for the Cayuga County 911 Center for three years and will exhaust accruals due to illness; and

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

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

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

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

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

**RESOLUTION NO. 333-11****7.26.11 911 ftESDfillrev****AUTHORIZATION TO FILL A VACANT EMERGENCY SERVICES  
DISPATCHER POSITION**

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

Mr. Roger Mills, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County 911 Center currently has a vacant Full-Time Emergency Services Dispatcher position; and

WHEREAS, the Cayuga County E-911 Center had a resignation and it is necessary to select candidates and fill the Emergency Services Dispatcher position for continuity of services; now therefore be it

RESOLVED, that the position (#001921) be filled, and that the 911 Administrator be hereby authorized to fill the vacant Emergency Services Dispatcher position from the existing Civil Service list; and be it further

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

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



**RESOLUTION NO. 334-11**

**7.26.11 911 emndagmntctyauburnrdoprjctrev3**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE  
TO EXECUTE AN AMENDED AGREEMENT WITH THE CITY OF AUBURN  
FOR THE RADIO COMMUNICATION PROJECT.**

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

WHEREAS, the Federal Communications Commission (FCC) has required that the City of Auburn reconfigure its band for its radios used for public safety and various City departments; and

WHEREAS, Resolution No. 2-11 authorized the County and the City to entered into an agreement whereby the County will partner with the City for the purpose of participant in a re-banding communications system on a County-wide basis and will provide for enhanced communication with adjacent counties; and

WHEREAS, the City of Auburn has entered into an agreement with Nextel of New York, Inc. whereby it will receive replacement radios and payment for the reconfiguration costs (\$378,000.00) and the Nextel radios (Harris) will be incompatible with the radios (Motorola) which will be used for the re-banded County-wide system; and

WHEREAS, that the City of Auburn did authorize the County of Cayuga to purchase the required number of radios (Motorola) for use the City department once a signed agreement with Nextel is received, which will be compatible with the County's re-banded system in the amount of \$754,758.93; and

WHEREAS, the City will receive payment in the amount of approximately \$378,000.00 together with a supply of new radios (Harris) which will become the City's property and will be sold; and

WHEREAS, in order to be compatible with the County system, the City needs to purchase radios manufactured by Motorola, and it is necessary that the County order radios for the use of the City, with the cost of the radios in the amount of \$754,758.93, and the County has agreed to order the radios and accept payment from the City within six (6) months of the date that the order is placed, and the City will be required to reimburse the County for that expense within that period of time; and

WHEREAS, the City and the County wish to enter into an Amended Agreement to set forth the additional terms whereby the County orders radios (Motorola) for the use of the City, with the cost of the radios in the amount of \$754,758.93, and the County has agreed to accept payment from the City within six (6) months of the date that the order is placed, and the City will be required to reimburse the County for that expense within that period of time: now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to sign any and all documents in order to allow for the purchase by the County and reimbursement by the City for the cost of the radios.

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

**RESOLUTION NO. 335-11****7/26/11 SHR Accept Byrne JAG grant****AUTHORIZING THE TREASURER'S DEPARTMENT TO AMEND THE 2011 SHERIFF'S CUSTODY GRANT BUDGET TO ACCEPT FUNDING FROM THE 2011-2012 BYRNE/JAG AMERICAN RECOVERY AND REINVESTMENT ACT THROUGH THE DIVISION OF CRIMINAL JUSTICE SERVICES (DCJS).**

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, Custody Division, applied for and was granted \$30,000.00 from the Division of Criminal Justice Services towards the purchase of approved teleconferencing equipment to be used in the Cayuga County Jail; and

WHEREAS, the above mentioned expenditures are 100% funded up to \$30,000.00 by the Division of Criminal Justice Services; now therefore it is

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized to sign the necessary documentation to accept the 2011-2012 Byrne/Jag Grant for Video Teleconferencing Equipment; and be it further

RESOLVED, that the 2011 Cayuga County Sheriff's Custody Grants Budget be amended to add \$30,000.00 to the Revenue Line A31510 44575 and increase the following expenditure line: Grant Expenditure Account A31514 54590 of \$30,000.00; and be it further

RESOLVED, that the Sheriff's Office be allowed to purchase the Grant approved equipment and to enter into any contracts necessary 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, Petrus, Pinckney, Sincebaugh, Whitman, Mills, Axton, Fearon, Mahunik and Mitchell, all in favor.

**RESOLUTION NO. 336-11****7/26/11 SHR Deputy Contract Rate****AUTHORIZING THE CAYUGA COUNTY SHERIFF TO CHARGE A RATE OF \$52.00 AN HOUR FOR DEPUTY SHERIFFS WORKING PURSUANT TO AGREEMENTS ENTERED INTO WITH MUNICIPALITIES, FIRE DEPARTMENTS, SCHOOL DISTRICTS, ORGANIZATIONS AND OTHER ENTITIES.**

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

WHEREAS, the rate of pay for these services has been set at \$52.00 per hour; now therefore be it

RESOLVED, that the Cayuga County Sheriff shall be authorized to enter into contract agreements with municipalities, fire departments, school districts, organizations and other entities to provide police services for a charge of \$52 per hour for the 2011 year; and be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed

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to make the journal and accounting entries necessary to accomplish the terms of any said Agreement.

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

**RESOLUTION NO. 337-11**

**7/26/11 SHR Fill3Vacancies**

**AUTHORIZE THE SHERIFF TO FILL THREE VACANT SHERIFF CUSTODY OFFICER POSITIONS IN THE CUSTODY DIVISION OF THE CAYUGA COUNTY SHERIFF'S OFFICE.**

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

WHEREAS, a Sheriff Custody Officer (Position Control No. 004706-SYS) retired effective January 30, 2011 and two Sheriff Custody Officers (Positions Control Nos. 003156-SYS and 004729-SYS) resigned April 3, 2011 and April 22, 2011 respectively, leaving three vacancies in the Cayuga County Sheriff's Department Custody Division; and

WHEREAS, it is mandated by the New York State Commission of Correction that the Cayuga County Sheriff's Department Custody Division maintain a certain number of Custody Officer Positions to comply with the minimum staffing complement as the services provided by these positions are critical for maintaining the safe, smooth and efficient operation of the Sheriff's Office Custody Division and due to these vacancies, reduces the minimum staffing to three below state mandates; and

WHEREAS, it is now necessary to fill the vacant positions from the civil service eligibility list so that the recruits may attend the upcoming academy; and

WHEREAS, these positions are designated and accepted in the 2011 Cayuga County Sheriff's Law Custody Salaries Operating Budget A31501 51001; now therefore be it

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

RESOLVED, the employees hired will be placed at the appropriate step within the Sheriff's Employee Association of Cayuga County (SECC) Compensation Plan for 2007-2011; and be it further

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

Signed by Chapman, Petrus, Sincebaugh, Whitman, Axton, Fearon, Mahunik and Mitchell, all in favor.

**RESOLUTION NO. 338-11**

**Date: 7/26/11 SHR 3 ADDT POS.rev**

**AUTHORIZATION TO CREATE 3 NEW POSITIONS WITHIN THE CUSTODY DIVISION OF THE CAYUGA COUNTY SHERIFF'S OFFICE TO PROVIDE SUPERVISION FOR A WEEKEND WORK CREW PROGRAM TO REDUCE OVERNIGHT INTERMITTENT INMATES**

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

WHEREAS, the Cayuga County Sheriff's Office Custody Division wishes to create a Weekend Work Crew to reduce Intermittent Inmates, with approval and commitment

orders from the Magistrates, and free up accommodations for additional Federal Inmates to be housed for revenue; and

WHEREAS, Cayuga County Sheriff's initial contact with the Magistrates has indicated that they would be willing to participate with a Weekend Work Crew Program, which operates Saturday and Sunday for 8 hours and then the inmate is released for the evening or week; and

WHEREAS, this Program would best be facilitated by the creation of three positions averaging approximately \$60,000.00 per position for wages and benefits, depending on health and dental benefits required; and

WHEREAS, the Cayuga County Sheriff's Office Custody Division could house an approximate additional 10 Federal Inmates on an annual basis at \$100/person/day, or a possible increase in revenue of \$365,000.00 if these beds were open to house these inmates steadily; and

WHEREAS, the Cayuga County Department of Human Resources and Civil Service Commission classified these three Positions at a meeting held on May 11, 2011 as Sheriff Custody Officer with the jurisdictional allocation being competitive; now therefore be it

RESOLVED, that three new Sheriff Custody Officer Positions be created for the Cayuga County Sheriff's Office Custody Division; 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; and be it further

RESOLVED, that the County Treasurer be hereby authorized and directed to make the following accounting and journal entries to accomplish the intent of this resolution, based on three positions for approximately three months in 2011:

Increase A31500-42451 Jail Inmate Rev	\$40,701.00
Increase A31501-51001 Sheriff Sal- FT	\$31,521.00
Increase A31501-58001 Sheriff FICA (7.65%)	\$2,412.00
Increase A31501-58002 Sheriff Retire (15.8%)	\$4,980.00
Increase A31501-58003 Sheriff Health, based on Single policies	\$1,488.00
Increase A31501-58004 Sheriff Dental, based on Single policies	\$300.00

Signed by Cuddeback, Barski, Chapman, Petrus, Pinckney, Sincebaugh, Whitman, Mills, Axton, Fearon, Mahunik and Mitchell, all in favor, except Aikman voting no.

**Motion by Tortorici to bring to the floor, 2<sup>nd</sup> by Mills.**

**RESOLUTION NO. 339-11**

**7.26.11 LEG upstreamcollectiongastaxrev**

**URGING SENATOR NOZZOLIO AND ASSEMBLYMAN KOLB TO PREPARE AND INTRODUCE LEGISLATION FOR AN ALTERNATE METHOD OF UPSTREAM COLLECTION OF TAXES ON MOTOR FUEL SOLD BY INDIAN TRIBAL ENTERPRISES TO NON-INDIANS.**

Whereas, Section 284-e of the New York State Tax Code provides a means of collecting taxes on motor fuel sold to non-Indians on qualified reservations using a tax exemption coupon system for tribal members; and

Whereas, state and federal courts have authorized use of a probable demand system as an alternative to the coupon system for the collection of taxes on the sales of cigarettes to non Indians on Indian reservations; and

Whereas, New York State should anticipate legal action by Indian tribes to stop the collection of state and excise taxes on sales of gasoline to non-Indians if an alternate

means of collection, such as the probable demand system, is not in place; and

Whereas, LakeSide trading stores in both the Town of Seneca Falls in Seneca County and the Village of Union Springs in Cayuga County continue to sell gasoline to non-Indians without collecting state sales and excise taxes in violation of Section 284-e of the state tax law; and

Whereas, law-abiding, non-Indian owned filling stations which must collect these taxes continue to suffer from the unfair price advantage created when LakeSide trading stores sell gasoline without charging the taxes due from their customers; now therefore be it therefore

RESOLVED, that the Cayuga County Legislature hereby calls upon State Senator Michael Nozzolio and State Assemblyman Brian Kolb to prepare and to submit legislation in their respective houses that would establish a system of motor fuel tax collection on Native American sales to non-Indians to serve as an alternate to the tax exemption coupon system outlined in Section 284-e of the New York State Tax Code. Signed by Tortorici, Whitman, Chapman, Axton, Petrus, Pinckney, Mills, Fearon, Mitchell, Cuddeback, Barski, Mahunik, Lattimore, Sincebaugh and Aikman, all in favor.

**NEW BUSINESS:**

**Motion by Mills to bring 340-11 to 342-11 to the floor, 2<sup>nd</sup> by Chapman, all in favor.**

**RESOLUTION NO. 340-11**

**07/26/2011 RP repuchasetaxparcel2011#3**

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

By Roger Mills, Chairman, Ways & Means Committee

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

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

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

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

Tax Map #	Location of Parcel	Purchase Offer Made By
57.00-1-16.2	10597 Baker Rd.	David & Mary Lou Pier

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

**RESOLUTION NO. 341-11**

**07/26/2011 RP repuchasetaxparcels2011#39&40**

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

By Roger Mills, Chairman, Ways & Means Committee

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

proved in Resolution 382-04; and

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

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

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

Tax Map #	Location of Parcel	Purchase Offer Made By
93.00-1-24	7833 Rufus Rd.	Walter Kolczynski
93.00-1-34	7756 Rufus Rd.	Walter Kolczynski

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

**RESOLUTION NO. 342-11**

**07/26/2011 RP repuchasetaxparcel2011#43**

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

By Roger Mills, Chairman, Ways & Means Committee

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

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

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

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

Tax Map #	Location of Parcel	Purchase Offer Made By
38.00-1-45.4	Old State Rd.	Tony Mark Anthony

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

**Resolutions 340-11 to 342-11, all in favor, except Fearon voting no.**

**Motion by Mills to go into Executive Session at 8:18PM, re: Pending Litigation, 2<sup>nd</sup> by Pinckney, all in favor.**

**Motion by Aikman to come out of Executive Session at 8:30PM, 2<sup>nd</sup> by Cuddeback, all in favor. No action taken.**

**Motion by Aikman to adjourn at 8:33PM, 2<sup>nd</sup> by Cuddeback, all in favor.**

**Motion by Chapman to approve minutes of 7-26-11 on 9-27-11, 2<sup>nd</sup> by Pinckney, all in favor.**

Monday, August 1, 2011

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**RESOLUTION NO. 343-11**  
**(August 1, 2011) EMR IID Fill PT Driver**  
**EMERGENCY AUTHORIZATION FOR SPENDING**

Dept.: Health

Reason for emergency spending:

WHEREAS, there exists a part-time driver vacancy in the Early Intervention 3-5 Program of the Health Department; and

WHEREAS, this part-time driver provides transportation for preschool students with disabilities to their approved preschool programs; and

WHEREAS, without this part-time driver, we would have to request transportation from a transportation vendor at significantly higher costs to the County; and

WHEREAS, there is funding in the 2011 Health Department Budget to support this fill; NOW, THEREFORE BE IT

RESOLVED, that the Director of Health and Human Services be authorized and directed to fill the part-time driver position in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga.

**MINUTES  
CAYUGA COUNTY LEGISLATURE  
AUGUST 23, 2011 – (6:00PM TIME CHANGE)**

**CALL TO ORDER:** Hon. Peter Tortorici, Chairman, at 6:03PM.

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

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**PRESENTATIONS:** United Way, Tim Kelly Executive Director (video)  
David and Sue Gould spokespersons for this year's United Way Campaign, thanked John Walsh, Gerri Gallow, Steve Gage and Lon Fricano for their help in making the tape. United Way kick off will be held at the Springside Inn on September 15, 2011. Your money helps support a lot of programs throughout the County.

Executive Director Cayuga County Economic Development Agency Terry Masterson, Strategic Plan Update, attached to original minutes.

**Discussion:**

Sincebaugh, who are you reaching out to, small, large businesses?

Masterson, everyone we can, don't want anyone to slip away.

Sincebaugh, small businesses need to know we are here, send letter out to all.

Lattimore, revitalization loan for small business, how much does the City contribute?

Masterson, the city makes donations, no set amount.

Aikman, I pay County Taxes, how will plan be used regionally?

Masterson, the plan is almost complete, looking at what they want to hear from us, will keep you updated.

Tortorici, meetings with Regional Council they want to see what projects we are in position for. We will meet with the city/county on how to plan our projects to receive the most funding.

**PUBLIC BE HEARD:**

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

**Legislator Roger Mills for Terry Lattimore Owasco Town Councilperson, re: seaweed in Owasco Lake, the water quality and property tax, handout attached to original minutes.**

**MINUTES:** For Approval: 6-28-11, **motion by Chapman to approve minutes, 2<sup>nd</sup> by Pinckney, all in favor.**

For Reading: 7-26-11



**EMERGENCY AUTHORIZATION:**

**Department: Health**

WHEREAS, there exists a part-time driver vacancy in the Early Intervention 3-5 Program of the Health Department; and

WHEREAS, this part-time driver provides transportation for preschool students with disabilities to their approved preschool programs; and

WHEREAS, without this part-time driver, we would have to request transportation from a transportation vendor at significantly higher costs to the County; and

WHEREAS, there is funding in the 2011 Health Department Budget to support this fill; now therefore be it

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the part-time driver position in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga.

Approved and Signed by Mahunik, Aikman, Mills, Tortorici and Squires.

**CCC REPORT:** Dr. Daniel Larson: handout attached to original minutes.

**COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS:**

Sincebaugh, thanked Legislator David Axton, Sheriff David Gould and all who attended the Memorial for past Legislator Michael Lepak.

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

**CHAIRMAN'S REPORT:** Peter Tortorici, Corinne Ryan, OFA Aging Services Specialist, is being recognized by the NYS Office of Family and Children's Services for being a valued partner with the local Adult Protective Services Unit at the Adult Abuse Training Institute September 21-22 in Buffalo.

**PRESENTATION:** 911 Remembrance Committee, Terry Winslow Chairperson, members Lauri Turo, Shawn Butler and Sandie Gilliland, handout attached to original minutes. Terry Winslow presented Chairman Peter Tortorici with a 911 Remembrance Flag.

**APPOINTMENTS AND RE-APPOINTMENTS: None**

**COMMUNICATIONS AND ANNOUNCEMENTS:**

1. Received a letter from Brian Kolb State Assembly Minority Leader, re: acknowledging receipt of Resolution 339-11, alternate method of collection of taxes on motor fuel sold by Indian Tribal Enterprises to non-Indians.
2. Received from the State of New York the list of Certified 2011 State Equalization Rates.
3. Received a letter from Leslie Flynn Executive Director Evergreen Heights, thanking the Cayuga County Employees for their donations.

**Motion by Axton to waive reading of communications, 2<sup>nd</sup> by Pinckney, all in favor.**

## RESOLUTIONS:

**RESOLUTION NO. 344-11****8-23-11 AP August 11 (A)****AUTHORIZING THE COUNTY TREASURER TO PAY****JUNE 30-JULY 13, 2011 AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on **August 23, 2011** audit claims against the County of Cayuga in the aggregate sum of \$1,044,237.81 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 and Petrus, all in favor.

**RESOLUTION NO. 345-11****08-23-11 AP Audit August 11 (B)****AUTHORIZING THE COUNTY TREASURER TO PAY JULY 28-AUGUST 10,****2011 AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on **August 23, 2011** audit claims against the County of Cayuga in the aggregate sum of \$2,070,647.30 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 and Petrus, all in favor.

**RESOLUTION NO. 346-11****(8/23/2011) RP deletetaxliens.Johnson****RESOLUTION TO DELETE UNENFORCEABLE TAX LIENS**

By: Roger Mills, Chairman, Ways &amp; Means Committee

WHEREAS, there are several liens in the Cayuga County Clerk's Office as follows, for the 2008 tax year in the amount of \$3,514.22, for the 2009 tax year in the amount of \$3,209.27, and for the 2010 tax year in the amount of \$1,936.93 against property located in the Town of Springport, identified as Tax Map # 127.00-1-15.11-18 and assessed to Edward J. Johnson on the 2010 Tax Roll for said Town; and

WHEREAS, this parcel is a suffix and only pertained to the value of a cabin; and

WHEREAS, the cabin is no longer in existence, making these liens unenforceable; therefore be it

RESOLVED, that all previously mentioned liens filed in the Cayuga County Clerk's Office under tax map numbers 127.00-1-15.11-18 be deleted; and also be it

RESOLVED, that tax map number 127.00-1-15.11-18 also be deleted from the 2011 assessment roll.

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

**(PULLED) (PULLED) (PULLED)**  
**RESOLUTION NO. 347-11**  
**8/23/11 COA defqualindianresev**  
**RESOLUTION TO AMEND NEW YORK STATE LAW TO ACCURATELY**  
**DEFINE A QUALIFIED INDIAN RESERVATION**

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

WHEREAS, bills have been introduced in the New York State Senate and Assembly (S3866B and A5151A) to amend the definition of a “qualified Indian reservation,” and

WHEREAS, Subdivision 16 of Section 470 of the New York State Tax Law, as added by Section 1 of part K of chapter 61 of the laws of 2005, would be amended to read as follows: 16. “Qualified Reservation.” (a) Lands held by an Indian nation or tribe that is located within the reservation of that nation or tribe in the state, except for lands held by the Cayuga Indian Nation of New York,” and

WHEREAS, this amendment implies that lands held in fee status by the Cayuga Indian Nation of New York are on a reservation, and WHEREAS, on January 22, 2010, Andrew Cuomo as Attorney General of the State of New York submitted an amicus curiae brief in Cayuga Indian Nation of New York v. Gould, arguing that New York law does not recognize a Cayuga reservation, and

WHEREAS, the same brief pointed out that “The Supreme Court and other federal courts have held that the Oneidas’ and the Cayugas’ claims regarding ancient reservation lands in New York are barred by laches,”; and

WHEREAS, the proposed amendment would treat lands held in fee status by the Oneidas differently than lands held in fee status by the Cayugas, and

WHEREAS, the State of New York in opposing the federal trust applications of both tribes has argued that the proposed trust land is not on a reservation, and

WHEREAS, any action by the Legislature suggesting that lands held by the Cayuga Indian Nation of New York are on a reservation would be seriously detrimental to litigation in defense of Madison and Oneida counties as well as Cayuga and Seneca counties, and

WHEREAS, parts (b), (c) and (d) of Subdivision 16 of Section 470 of New York tax law adequately define what is meant by a qualified reservation, namely that it is sovereign Indian territory, be it therefore

RESOLVED, Cayuga County calls upon the Senate Committee on Investigations and Government Operations and the Ways and Means Committee of the Assembly to amend S3866B and A5151A, respectively, by deletion of part (a) of Subdivision 16 of Section 470 of the tax law and renumbering subsequent subdivisions.

**(PULLED) (PULLED) (PULLED)**  
**RESOLUTION NO. 348-11**  
**8/23/2011 COA Upstreamtaxes**  
**CAYUGA COUNTY URGES GOVERNOR CUOMO TO PREPARE AND INTRO-**  
**DUCE LEGISLATION FOR AN ALTERNATE METHOD OF UPSTREAM**  
**COLLECTION OF TAXES ON MOTOR FUEL SOLD BY INDIAN TRIBAL**  
**ENTERPRISES TO NON-INDIANS**

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

WHEREAS, Section 284-e of the New York State Tax Code provides a means of collecting taxes on motor fuel sold to Non-Indians on qualified reservations using a tax exemption coupon system for tribal members; and

WHEREAS, state and federal courts have authorized use of a probable demand system as an alternative to the coupon system for the collection of taxes on the sales of cigarettes to non-Indians on Indian reservations; and

WHEREAS, New York State should anticipate legal action by Indian tribes to stop the collection of state sales and excise taxes on sales of gasoline to non-Indians if an alternate means of collection, such as the probable demand system, is not in place; and

WHEREAS, Lake-Side Trading Stores in Cayuga and Seneca counties, Save-On gas stations in Madison and Oneida counties, and Indian enterprises elsewhere in the State continue to sell gasoline to non-Indians without collecting state sales and excise taxes in violation of Section 284-e of the state tax law; and

WHEREAS, law-abiding, non-Indian owned filling stations which must collect these taxes continue to suffer from the unfair price advantage created when Indian enterprises sell gasoline without charging the taxes due from their customers; now therefore be it

RESOLVED, Cayuga County urges Governor Cuomo to prepare and submit legislation that would establish a system of motor fuel tax collection on Indian sales to non-Indians to serve as an alternate to the tax exemption coupon system outlined in Section 284-e of the New York State tax code.

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

**RESOLUTION NO. 349-11**  
**8/23/11 COA UNSTAMPEDCIG**

**CAYUGA COUNTY URGES GOVERNOR CUOMO TO INTRODUCE  
LEGISLATION INCREASING PENALTIES FOR POSSESSION OF  
UNSTAMPED OR UNLAWFULLY STAMPED CIGARETTES**

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

WHEREAS, the State of New York is now enforcing laws requiring sales and excise taxes to be collected on cigarettes delivered to Native American stores for resale to non-Indians; and

WHEREAS, Indian tribes in the State of New York manufacture cigarettes for sale to Indian and non-Indian customers without collection of state sales and excise taxes; and

WHEREAS, New York State Tax Law Section 471-e states that "non-Indians making cigarette purchases on an Indian reservation shall not be exempt from paying the cigarette tax;" and

WHEREAS, New York State Tax Law Section 1814e considers possession of five thousand (25 cartons) or more unstamped or unlawfully stamped cigarettes presumptive evidence that they are possessed for the purpose of sale; and

WHEREAS, Section 1814e makes it a Class E felony to possess ten thousand (50 cartons) or more unstamped or unlawfully stamped cigarettes; and

WHEREAS, New York State Tax Law Section 1845e indicates that (for quantities greater than four hundred and less than ten thousand) the penalty for failure to pay the prepaid sales and excise tax on cigarettes is merely “an amount equal to the total amount of tax not paid;” and

WHEREAS, the off-reservation possession of unstamped Indian brand cigarettes by a non-Indian can be presumed to be evidence that that individual is willfully attempting to evade or defeat the tax imposed on that quantity of cigarettes under Article 20 of the New York State Tax Code; and

WHEREAS, the existing penalty for the off-reservation possession of less than ten thousand unstamped or unlawfully stamped cigarettes is insufficient to deter the purchase of such cigarettes without payment of the tax due, thereby depriving counties and the State of needed revenue; now therefore be it

RESOLVED, Cayuga County urges Governor Cuomo to introduce legislation significantly increasing the penalties assessed for violating state law governing the possession of unstamped or unlawfully stamped cigarettes.

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

**RESOLUTION NO. 350-11**

**(August 23, 2011) HD Childhood Lead Grant 2011-2012**

**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 \$48,904 from the NYS Department of Health called the “Childhood Lead Poisoning Prevention Program” grant for the period October 1, 2011 through September 30, 2012; 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, 2011 through September 30, 2012; 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 .....	\$48,904
Increase Revenue Account #A40280 43428 .....	\$48,904

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, Lattimore, Mills, Sincebaugh, Cuddeback, Fearon and Petrus, all in favor.

**RESOLUTION NO. 351-11****(August 23, 2011 HD WIC Contract 2011****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ACCEPT WIC AWARD AND CONTRACT WITH THE NYS DEPARTMENT OF HEALTH**

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

WHEREAS, the NYS Department of Health administers the federally funded WIC program for the State of New York; and

WHEREAS, funding has been made available for the Cayuga County Health Department in an amount up to \$477,063 to continue to run the WIC program for the period October 1, 2011 through September 30, 2012; and

WHEREAS, this funding has already been budgeted in the Health Department's 2011 budget in accounts #A40821 and #A40824; NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to renew the contract with the NYS Department of Health for the time period October 1, 2011 through September 30, 2012 in an amount up to \$477,063 to continue to run the federally funded WIC program and to accept any additional unallocated funds and COLA's relative to this Program.

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

**RESOLUTION NO. 352-11****(August 23, 2011) HD Amend 2011 Comp Plan****AUTHORIZATION FOR AMENDMENT TO THE CAYUGA COUNTY 2011 COMPENSATION PLAN TO INCLUDE A PART-TIME DRIVER SUB AT THE HEALTH DEPARTMENT**

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

WHEREAS, the Cayuga County Health Department is fiscally responsible to provide and pay transportation for children who are being served in an approved preschool program; and

WHEREAS, at times children surface who need a special arrangement not part of the current transportation bid, and these types of transports are provided by a part-time driver at a much lower cost than paying a per day bus charge; and

WHEREAS, regular staffing may not be sufficient due to unexpected circumstances, a part-time driver sub would fill in; NOW, THEREFORE, BE IT

RESOLVED, that the Cayuga County 2011 Compensation Plan be amended to include a Part-Time Driver Sub; and be it further

RESOLVED, that the rate of pay be set at \$13.22 per hour in the Non-Bargaining Compensation Plan, Part II, which shall be amended to include the title Part-Time Driver Sub within the Health Department; and be it also

RESOLVED, that any person in this title shall only be used as needed.

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

**RESOLUTION NO. 353-11**  
**(August 23, 2011) HS Accept OCFS Funds STSJP**  
**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ACCEPT \$40,000 FROM NYS OCFS FOR THE SUPERVISION AND TREATMENT SERVICES FOR JUVENILES PROGRAM (STSJP)**

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

WHEREAS, the NYS Office of Children and Family Services (OCFS) has reviewed and approved Cayuga County's Plan for the Supervision and Treatment Services for Juveniles Program (STSJP) and has awarded the County \$40,000 (100% funding); and

WHEREAS, these funds are being made available to support our work in providing detention and placement alternatives; and

WHEREAS, we will use these funds to enhance our MST contract with Cayuga Home for Children by \$6,000 for the remaining year beginning with July billing; and the remaining \$34,000 of these 100% funds will support a contract with Cayuga Counseling to provide a Juvenile Sex Offender Evaluation and Treatment Program including assessment, treatment and supervision for a small number of clients; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of the Health and Human Services Department be authorized to accept \$40,000 from NYS OCFS and to enhance our contract with Cayuga Home for Children and enter into a contract with Cayuga Counseling for the Juvenile Sex Offender Evaluation and Treatment Program; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the necessary journal and accounting entries to the Human Services 2011 Budget as follows:

Increase State Aid Account #A60700 43624 ..... \$40,000  
 Increase Preventive Services Account #A60704 54184 ..... \$40,000

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

**RESOLUTION NO. 354-11**  
**(August 23, 2011) HS Medicaid Managed Care Contracts**  
**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO CONTRACT WITH MEDICAID MANAGED CARE ORGANIZATIONS FOR SKILLED NURSING ASSESSMENTS**

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

WHEREAS, our Long Term Care Office nursing staff currently provide skilled nursing assessments for clients referred or receiving services in the Medicaid funded Personnel Care Aid (PCA) Program; and

WHEREAS, a small number of Medicaid clients eligible for PCA services will be transitioned to a Medicaid Managed Care Plan; and

WHEREAS, the Medicaid managed care organization will, for those clients, be responsible to assess and authorize services, not the local DSS; and

WHEREAS, since the Long Term Care Office has the nursing staff and expertise to provide such assessments within its current capacity; and

WHEREAS, this will result in additional revenue coming into the Department; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into contracts with multiple Medicaid managed care organizations.

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

**RESOLUTION NO. 355-11**

**(August 23, 2011) HS Pitney Bowes 9/1/11 – 8/31/16**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW LEASE AGREEMENTS WITH PITNEY BOWES CREDIT CORPORATION FOR MAIL EQUIPMENT LOCATED WITHIN THE DEPARTMENT OF SOCIAL SERVICES ACCOUNTING DEPARTMENT**

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

WHEREAS, the Cayuga County Department of Human Services has a lease agreement with Pitney Bowes Credit Corporation for mail equipment within their Accounting Department which will expire; and

WHEREAS, the mail equipment leased through the Pitney Bowes Credit Corporation meets the needs of the entire Human Services Department, as well as other county departments as needed; and

WHEREAS, Pitney Bowes Credit Corporation has offered free maintenance for the first year of the new lease which will be a savings of \$1,644 per year; and

WHEREAS, an analysis has been conducted to determine that it is still cost effective and the most efficient use of staff time to continue with the lease through Pitney Bowes Credit Corporation for the mail equipment; and

WHEREAS, these costs are considered to be administrative expenses that are reimbursed at 75%; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to renew the lease agreements with Pitney Bowes Credit Corporation from September 1, 2011 through August 31, 2016 at the following rates:

<u>DSS Mail Equipment (9/1/11 – 8/31/12)</u>	
A60104 54046 .....	\$5,052.00/Year
A13254 54055 .....	\$1,114.20/Year
<u>DSS Mail Equipment (9/1/12 - 8/31/16)</u>	
A60104 54046 .....	\$6,696.00/Year
A13254 54055 .....	\$1,114.20/Year

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



**RESOLUTION NO. 356-11**  
**action 8/23/11 MH FillSSW8.2011**  
**AUTHORIZE THE FILLING OF A VACANT STAFF SOCIAL WORKER (CMH)**  
**POSITION AT THE COMMUNITY MENTAL HEALTH CENTER 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 full-time Staff Social Worker (CMH) position in the Community Mental Health Center of Cayuga County as the result of a resignation from position control number 5306; and

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

WHEREAS, the position (5306) is reflected in the 2011 County Budget, line A43101-51001, as a 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 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 Petrus, all in favor.

**RESOLUTION NO. 357-11**  
**Action 8/23/11 MH SalaryPsyNursePractitionerREV**  
**ADJUSTING PART IV OF THE COUNTY OF CAYUGA COMPENSATION**  
**PLAN TO REFLECT AN ANNUAL RATE OF PAY**

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

WHEREAS, Resolution No. 193-10 created the position of Psychiatric Nurse Practitioner and placed the position in Part IV of the Cayuga County Compensation Plan at an hourly rate; and

WHEREAS, this is a full time position and should reflect an annual rate in the Compensation Plan consistent with other full time positions; now, therefore, be it

RESOLVED, that the 2011 annual salary of the Psychiatric Nurse Practitioner be reflected in the Cayuga County Compensation Plan at \$139,576 and that the hourly rate be removed.

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

**RESOLUTION NO. 358-11**  
**8/23/11 NH phrmcysrvcs**  
**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE, THE ADMINIS-**  
**TRATOR OF CAYUGA COUNTY NURSING HOME AND THE CAYUGA**  
**COUNTY SHERIFF TO ENTER INTO AN AGREEMENT WITH HEALTH**  
**DIRECT PHARMACY TO PROVIDE PHARMACY SERVICES AND CONSULT-**  
**ING PHARMACIST SERVICE TO THE NURSING HOME AND THE JAIL.**

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

BY: Steve Cuddeback, Chairman, Judicial and Public Safety

BY: Roger Mills, Chairman, Ways & Means Committee

WHEREAS, the Nursing Home and the Jail have had pharmacy service provided by Health Direct Pharmacy for the past 5 years; and,

WHEREAS, those services have been provided in a satisfactory manner; and

WHEREAS, the agreement allows for an extension of 1 year, Now therefore be it

RESOLVED that the Chairman of the Legislature, the Administrator of Cayuga County Nursing Home and the Cayuga County Sheriff be authorized to sign an agreement for an extension of one year with Health Direct Pharmacy.

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

**RESOLUTION NO. 359-11**

**8/23/11 NH cramericaagmnt**

**AUTHORIZING CHAIRMAN OF THE LEGISLATURE AND ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ENTER INTO AN AGREEMENT WITH CARE AMERICA TO PROVIDE TEMPORARY NURSING STAFFING FROM SEPTEMBER 1, 2011 UNTIL DECEMBER 31, 2012.**

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

BY: 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 occasionally needs to utilize temporary nursing staff; and,

WHEREAS, Care America provides temporary nursing staff to skilled nursing facilities throughout New York State to allow compliance with New York State Department of Health regulations; and,

WHEREAS, Care America for services to Cayuga County Nursing Home through individual corporate fee schedule, Now therefore be it:

RESOLVED that Chairman of the Legislature and Administrator of Cayuga County Nursing Home be authorized to sign an agreement with Care America to provide temporary nursing staffing at Cayuga County Nursing Home for the period September 1, 2011 through December 31, 2012.

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

**RESOLUTION NO. 360-11**

**8/23/11 NH nrsclsystem**

**AUTHORIZING THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ACCEPT A PROPOSAL FOR REPLACEMENT OF THE NURSE CALL SYSTEM AT THE NURSING HOME.**

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

BY: Roger Mills, Chairman, Ways & Means Committee

WHEREAS, the Nurse Call System at the Nursing Home need replacement, and

WHEREAS, the Purchasing Agent for Cayuga County advertised for proposals to replace the current system; and,

WHEREAS, the specifications included properties that would meet the clinical needs of the residents, disposal of old equipment and the option of a discount with prompt payment; and

WHEREAS, three (3) firms responded with proposals; and,  
WHEREAS, the following proposals were received:

CCI Systems for \$60,236.42 (eliminated due to incomplete proposal);  
O'Connell Electric for \$64,000.00 plus \$23, 169 for a total of \$87,169;  
Syracuse Time and Alarm for \$73,492.41;

WHEREAS, a comparison was made of the proposals considering the quality of the products, installation, disposal and warranties; and

WHEREAS, the proposal submitted by Syracuse Time and Alarm contains all of the elements anticipated in the specifications; now therefore be it,

RESOLVED, that the proposal be awarded to Syracuse Time and Alarm for \$ 73,492.41 (Seventy-three thousand four hundred ninety-two dollars and forty-one cents).  
Signed by Mahunik, Aikman, Axton, Barski, Lattimore, Mills, Sincebaugh, Cuddeback, Fearon and Petrus, all in favor.

**RESOLUTION NO. 361-11**

**8/23/11 NH airunit proposal**

**AUTHORIZING THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ACCEPT A PROPOSAL FOR A MAKE UP AIR UNIT AT THE NURSING HOME.**

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

BY: Roger Mills, Chairman, Ways & Means Committee

WHEREAS, a replacement make up air unit is needed to heat and ventilate the service wing of the Nursing Home , and

WHEREAS, quotes have been received from vendors who sell such equipment; and,

WHEREAS, three (3) firms responded with proposals; and,

WHEREAS, the following proposals were received:

Kozy Heating and Air Conditioning for \$11, 500;  
Hills Heating and Air Conditioning for \$8,668; and  
D'Alberto Refrigeration Service for \$8,460

WHEREAS, a comparison was made of the proposals considering the quality of the products, installation and delivery; and

WHEREAS, the proposal submitted by D'Alberto Refrigeration Service, Inc meets anticipated requirements; now therefore be it,

RESOLVED, that the proposal be awarded to D'Alberto Refrigeration Service for \$8,460.00 (Eight thousand four hundred sixty dollars)

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

**RESOLUTION NO. 362-11**

**DATE: 8/23/11 OFA contractsAug11rev**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF THE OFFICE FOR THE AGING TO SIGN CONTRACTS WITH SENECA CAYUGA ARC FOR CONSUMER DIRECTED CARE SERVICES.**

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

WHEREAS, appropriations were approved in the Cayuga County budget for the year 2011 for various subcontractors (Munis A67724 54118) for the Cayuga County

Office for the Aging, in return for which these subcontractors agree to perform certain services for the benefit of Senior Citizens of Cayuga County; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of the County Office for the Aging are hereby authorized and directed to sign on behalf of the County contracts for said services with the following subcontractor:

Seneca Cayuga ARC Consumer Directed Services

Expanded In Home Services for the Elderly (EISEP)

\*Total of EISEP services not to exceed \$24,000

Community Living Program (CLP)

\*Total of CLP services not to exceed \$24,000

Rates: \$4.26 per quarter hour for consumer directed home care services to be adjusted in accordance with approved Medicaid rates and not to exceed approved Medicaid rates and a 15% administrative fee of the non-cost share amount of each purchase of consumer directed assistive devices and durable medical equipment for the period October 1, 2011 to March 31, 2012.

RESOLVED, the contracts with the above referenced subcontractor are not to exceed the above referenced sums.

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

**RESOLUTION NO. 363-11**

**08.23.11 MH.CCC.StudentAgreement2011**

**AUTHORIZE THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE  
AND THE DIRECTOR OF THE CAYUGA COUNTY COMMUNITY MENTAL  
HEALTH CENTER TO ENTER INTO AN AGREEMENT WITH CAYUGA  
COMMUNITY COLLEGE.**

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

WHEREAS, the Cayuga County Community Mental Health Center and Cayuga Community College are mutually desirous of providing for the establishment, direction and operation of a fieldwork experience to aid in the clinical educational experiences requisite to Nursing Students of the College; now, therefore, be it

RESOLVED, that Chairman of the Cayuga County Legislature and the Director of the Cayuga County Community Mental Health Center be authorized to enter into the attached agreement with Cayuga Community College for the period of July 21, 2011 through August 2014.

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

**RESOLUTION NO. 364-11**

**08.23.11 MH.SU.StudentAgreement2011**

**AUTHORIZE THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE  
AND THE DIRECTOR OF THE CAYUGA COUNTY COMMUNITY MENTAL  
HEALTH CENTER TO ENTER INTO AN AGREEMENT WITH THE SYRACUSE  
UNIVERSITY SCHOOL OF SOCIAL WORK.**

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

WHEREAS, the Cayuga County Community Mental Health Center and the Syra-

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cuse University School of Social Work are mutually desirous of providing for the establishment, direction and operation of a fieldwork experience to aid in the clinical educational experiences requisite to social work students of the School of Social Work; now, therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature and the Director of the Cayuga County Community Mental Health Center be authorized to enter into the attached agreement with the Syracuse University School of Social Work for the period of August 1, 2011 through August 31, 2016.

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

**RESOLUTION NO. 365-11**

**8/23/11 ADM mitelphonerev**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO SIGN A  
MAINTENANCE CONTRACT WITH REL COMM, INC. FOR MAINTENANCE  
FOR THE COUNTY'S PHONE SYSTEM**

By: Hon George Fearon, Chairman of Government Operations

By: Hon. Roger Mills, Chairman of Ways & Means

WHEREAS, the maintenance on our current Mitel phone system that is currently serviced by ICS under a warranty/contract from the original purchase in 2006 is due to expire August 31, 2011; and

WHEREAS, Rel Comm., Inc, a current NYS contract vendor, which can provide maintenance for the county phone system; and

WHEREAS, the Information Technology Director has reviewed the support agreement and recommends this company to provide all maintenance for the phone system; and

WHEREAS, there is budgeted \$25,000 in the Information Technology 2011 budget for telephone maintenance account A16104 54121; now therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to sign the yearly maintenance contract with Rel Comm, Inc. for the amount of \$23,906.22, for the period of 9/1/11 – 8/31/12; 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, Chapman, Lattimore, Mitchell, Whitman, Axton, Cuddeback, Mahunik and Petrus, all in favor.

**RESOLUTION NO. 366-11**

**August 23, 2011 VET bidvetvan**

**AUTHORIZING THE CAYUGA COUNTY ADMINISTRATOR'S OFFICE TO  
RECEIVE SEALED BIDS FOR A 2012 VAN FOR THE CAYUGA COUNTY  
VETERAN'S OFFICE.**

BY: George Fearon, Chairman of the Government Operations Committee

Roger Mills, Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Veteran's Office is in need of replacing the existing van that transports veterans to and from medical appointments; NOW, THEREFORE, BE IT

RESOLVED, that the Cayuga County Administrator's Office to authorized to receive sealed bids for a 2012 van for the Cayuga County Veteran's Office.

Signed by Fearon, Aikman, Chapman, Mitchell, Whitman, Axton, Cuddeback and Petrus, all in favor.

**RESOLUTION NO. 367-11**

**August 23, 2011 PB designate CCCVB as TPA 2012rev2**

**DESIGNATING THE CAYUGA COUNTY CONVENTION AND VISITORS BUREAU ("CCCVB") AS THE CAYUGA COUNTY TOURISM PROMOTION AGENCY ("CCTPA") FOR NEW YORK STATE GRANT FUNDING FOR THE 2012 PROGRAM YEAR AND DESIGNATING THE PROGRAM PROJECT DIRECTOR**

BY: Ms. Ann Petrus, Chair, Planning and Economic Development

WHEREAS, the Cayuga County Convention and Visitors Bureau ("CCCVB") is the not-for-profit corporation designated by the Cayuga County Legislature to develop and implement a comprehensive tourism promotion and marketing program for the County; and

WHEREAS, an agency must be designated by resolution of the Cayuga County Legislature as the "Cayuga County Tourism Promotion Agency" or "CCTPA" for the specific purpose of making application to and receiving grants from most New York State grant programs; NOW THEREFORE, BE IT

RESOLVED, by the Cayuga County Legislature, that the Cayuga County Convention and Visitors Bureau is hereby designated as the Cayuga County Tourism Promotion Agency ("CCTPA") and is authorized to make application to receive grants on behalf of Cayuga County pursuant to the New York State Tourism Act for the 2012 Program Year; and be it further

RESOLVED, that Meg Vanek, Executive Director of the Cayuga County Convention and Visitors Bureau is hereby designated as the Program Project Director.  
Signed by Petrus, Aikman, Fearon, Mahunik and Pinckney, all in favor.

**RESOLUTION NO. 368-11**

**Date: August 23, 2011 HWY TV snow contract 11/12rev**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND HIGHWAY SUPERINTENDENT TO ENTER INTO A ONE YEAR AGREEMENT FOR SNOW AND ICE REMOVAL WITH TOWNS AND VILLAGES OF CAYUGA COUNTY**

BY: David Axton Chairman, Public Works Committee

Roger Mills, Chairman Ways and Means Committee

WHEREAS, the towns and villages within Cayuga County provide snow and ice removal for the county; and

WHEREAS, the current agreement was for one year and expires on June 30, 2011; and

WHEREAS, the county and towns desire to continue this operating procedure; and

WHEREAS, town and county officials met and discussed the contract, and agreed upon a 2% increase plus salt and fuel index adjustment for 2011/12, and to negotiate annually the remaining seasons; now therefore be it

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RESOLVED, to authorize the Chairman of the Legislature and the Highway Superintendent to enter into agreement with municipalities within the county to provide snow and ice removal for Cayuga County; be it further

RESOLVED, a 2% raise over the 2010-11 contract totaling \$1,251,287 plus salt and fuel index adjustment estimated at \$45,000 for a total of \$1,296,287 to be paid to the towns and villages for the 2011/2012 snow removal season; and be it further

RESOLVED, the County Attorney is to review agreements before signing.  
Signed by Axton, Barski, Cuddeback, Mitchell, Pinckney, Whitman, Fearon, Mahunik and Petrus, all in favor.

**RESOLUTION NO. 369-11**

**Date: August 23, 2011 HWY statesnowagree2011-12rev**

**AUTHORIZING THE COUNTY CHAIRMAN TO SIGN THE SNOW REMOVAL AGREEMENT WITH NYS DOT FOR THE 2011-2012 SEASON**

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

Hon. Roger Mills, Chairman, Ways & Means Committee

WHEREAS, The Public Works Committee has recommended that the County Highway Department continue to conduct snow removal operations on the State Highways; and

WHEREAS, the present agreement (agreement No. D009816) expired on June 30, 2011; and

WHEREAS, the State will compensate the County in the amount of \$685,674 for snow removal service; now therefore be it

RESOLVED, to authorize the Chairman of the Cayuga County Legislature to sign the Agreement to Extend Municipal Snow and Ice Control Agreement with the State of New York for the 2011-2012 season

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

**RESOLUTION NO. 370-11**

**(8/23/11) LEG appt.CNYRTA**

**SUBMISSION OF CANDIDATES FOR GOVERNOR'S APPOINTMENT TO THE CENTRAL NEW YORK REGIONAL TRANSPORTATION AUTHORITY**

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

WHEREAS, Section 1328 of the Public Authorities Law provides that the Governor shall appoint one member of the Central New York Regional Transportation Authority from a list of not less than two candidates submitted by the Cayuga County Legislature; and

WHEREAS, on July 31, 2009, the appointment of Darlene Lattimore DeRosa's term expired; now, therefore be it

RESOLVED, that in order to maintain the appropriate representation on the Central New York Regional Transportation Authority, the following names of candidates be submitted to the Governor's Office:

Darlene Lattimore DeRosa

Warren Albrecht

Signed by Axton, Barski, Cuddeback, Mitchell, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 371-11****Date: August 23, 2011 HWY estCapHGlnHvphsIIrevii****REPEALLING RESOLUTION 325-11, ESTABLISHING CAPITAL "H" PROJECT NO. 11-04 (GLEN HAVEN RD SLOPE STABILIZATION) AND AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND HIGHWAY SUPERINTENDENT TO CONTRACT WITH CONSULTANT ENGINEER FOR PHASE II.**

BY: David Axton, Chairman, Public Works Committee

Roger Mills, Chairman, Ways &amp; Means Committee

WHEREAS, Resolution No. 49-11 authorized the Highway Superintendent to contract with a consultant engineer to evaluate the slope and retaining wall on Glen Haven Rd; and

WHEREAS, the consultant engineer has completed the evaluation and is ready to proceed to Phase II and develop specifications for the project; and

WHEREAS, the cost of the engineering portion of the project is estimated at \$40,000 and additional costs are yet to be determined;

WHEREAS, Resolution No. 325-11 contains budgetary errors and requires correction; now therefore be it

RESOLVED, that Resolution No. 325-11 is hereby repealed; and be it further

RESOLVED, that the Cayuga County Legislature hereby establishes Capital "H" No. 11-04 (GLEN HAVEN RD SLOPE STABILIZATION) and that the source of funding for the Capital "H" project is the transfer of sum of \$40,000 from Account No. D51104 54059, Professional Services; and be it further

RESOLVED, that the Chairman and Highway Superintendent is authorized to sign a contract with Fisher Associates to develop specifications for slope stabilization on Glen Haven Road; and be it further

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

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

**RESOLUTION NO. 372-11****8/23/2011 Bldgs Cleaning agreement NYSID 2011rev2****AUTHORIZING THE CHAIRPERSON OF THE CAYUGA COUNTY LEGISLATURE TO EXTEND AN AGREEMENT WITH NEW YORK STATE INDUSTRIES FOR THE DISABLED (ROCHESTER REHABILITATION), A PREFERRED PROVIDER IN NEW YORK STATE, TO PROVIDE A CONTRACT CLEANING SERVICE FOR CAYUGA COUNTY BUILDINGS.**

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

Hon. Roger A. Mills, Chairman, Ways &amp; Means Committee

WHEREAS, Resolution 264-10 Authorized New York State Industries for the Disabled (NYSID) a preferred source in New York State, for the cleaning of County owned buildings in Auburn NY; and

WHEREAS, the Cayuga County Legislature approved this agreement for a one (1) year period commencing on September 1, 2010 or the date in the agreement after the September date once it is signed, and at the end of the initial one (1) year period, this



agreement shall be extended for successive one (1) year periods for a maximum of three (3) years; and

WHEREAS, the present agreement is to expire on September 17<sup>th</sup> 2011 and a new cost per year with the amendment to the contract with resolution 319-11 which added more space at Mental Health for a total cost of \$403,877.00; now therefore be it

RESOLVED, that the Cayuga County Attorney be authorized to execute a new agreement appropriate and necessary to implement the intent of this resolution; and be it further

RESOLVED, that the Chairperson of the Cayuga County Legislature is authorized and directed to sign any and all documents to enter in to an agreement with New York State Industries for the Disabled for the cleaning of County owned buildings for a total cost not to exceed \$403,877.00 for the year; and be it further

RESOLVED, that the Superintendent of Buildings and Grounds will be responsible for the implantation of the agreement, review all purposed staff, review all weekly and monthly reports, review all monthly invoices for payment and all necessary issues to implement the intent of the proposal; and be it further

RESOLVED, that this agreement will be for a one (1) year period commencing on September 18th, 2011 or the date in the agreement after the September date once it is signed, and at the end of the initial one (1) year period, this agreement shall be extended for successive one (1) year periods for a maximum of two (2) more years; and be it further

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

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

**RESOLUTION NO. 373-11**

**8.23.11 COA pomeroymonument**

**AUTHORIZING THE AMERICAN POMEROY HISTORIC GENEALOGICAL ASSOCIATION TO PLACE A MONUMENT TO HONOR THE CIVIC SERVICE OF THEODORE M. POMEROY ON COUNTY PROPERTY**

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

Whereas, American Pomeroy Historic Genealogical Association has requested permission to erect and place a monument to honor the civic service of Theodore M. Pomeroy; and

Whereas, Theodore M. Pomeroy, a native a Cayuga county served as the first City Clerk, later mayor; Cayuga County District Attorney; member of State Assembly and State Senate; and Congressman during the Civil War (Speaker of the House); and

Whereas, the Association will be paying for the installation of the monument which will be located to the West of the Cayuga County Office Building between the two driveways with a setback from the curb to match the nearby veteran monuments, and

Whereas, site was chosen because it was once the location of Theodore Pomeroy's home (former Knights of Columbus building); and

Whereas, the monument will be constructed a black granite to match the nearby monuments; and

Whereas, the monument will have a footprint of 5ft10in x 3ft10in and be 5ft 8in in height; now therefore be it

Resolved, that the American Pomeroy Historic Genealogical Association is authorized to place a monument to honor the civic service of Theodore M. Pomeroy on county property to the West of the Cayuga County Office Building between the two driveways with a setback from the curb to match the nearby veteran monuments.  
Signed by Axton, Barski, Chapman, Mitchell, Whitman, Mills and Fearon, all in favor.

**RESOLUTION NO. 374-11**

**8.23.11 911 Software ESRI**

**AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO RENEW A ONE YEAR CONTRACT WITH ESRI INC. TO PROVIDE MAINTENANCE ON ARC EDITOR SOFTWARE.**

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

Mr. Roger Mills, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County 911 Center utilizes ARC editor software to maintain our CAD mapping; and

WHEREAS, it is critical that the mapping is current; and

WHEREAS, the E-911 Center with help from the Cayuga County Planning department utilizes Arc Editor Software to provide the necessary services; and

WHEREAS, Arc Editor has submitted a renewal invoice for a one-year contract; and

WHEREAS, there is money in the 911 Communication System Budget Account Number A30204 54018 for this purpose; now therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to sign the contract renewal, with ESRI Inc. for the amount of \$1556.00 for the period of 10/1/11 – 9/30/12; 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, Pinckney, Sincebaugh, Whitman, Axton, Fearon, and Mahunik, all in favor.

**RESOLUTION NO. 375-11**

**Date: 8/23/11 SHR Fill CO Vacancy**

**AUTHORIZE THE SHERIFF TO FILL ONE VACANT SHERIFF CUSTODY OFFICER POSITION IN THE CUSTODY DIVISION OF THE CAYUGA COUNTY SHERIFF'S OFFICE.**

By: MR. STEVEN E. CUDDEBACK, Judicial & Public Safety Committee

MR. ROGER A. MILLS, Chairman, Ways & Means Committee

WHEREAS, a Sheriff Custody Officer (Position Control No. 001995-SYS) resigned effective August 5, 2011 leaving a vacancy in the Cayuga County Sheriff's Department Custody Division; and

WHEREAS, it is mandated by the New York State Commission of Correction that the Cayuga County Sheriff's Department Custody Division maintain a certain number of Custody Officer Positions to comply with the minimum staffing complement as the services provided by these positions are critical for maintaining the safe, smooth and efficient operation of the Sheriff's Office Custody Division and due to this vacancy, reduces the minimum staffing to one below state mandates; and

WHEREAS, it is now necessary to fill this vacant position from the civil service eligibility list so that the recruit may attend the upcoming academy; and

WHEREAS, this position is designated and accepted in the 2011 Cayuga County Sheriff's Law Custody Salaries Operating Budget A31501 51001; now therefore be it

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

RESOLVED, the employee hired will be placed at the appropriate step within the Sheriff's Employee Association of Cayuga County (SECC) Compensation Plan for 2007-2011; and be it further

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

Signed by Cuddeback, Barski, Pinckney, Sincebaugh, Whitman, Axton, Fearon, and Mahunik, all in favor.

**(PULLED) (PULLED) (PULLED)**

**RESOLUTION NO. 376-11**

**8/23/11 LEG HYDRAULIC**

**MEMORIALIZING THE GOVERNOR AND STATE LEGISLATURE TO BAN  
HYDRAULIC FRACTURING FOR THE DEVELOPMENT OF NATURAL GAS  
WELLS WITHIN THE FINGER LAKES WATERSHEDS AND LAKE  
ONTARIO WATERSHED**

WHEREAS, Finger Lakes Watersheds and Lake Ontario Watershed is the primary source of water supply for thousands of residents in Cayuga County; and

WHEREAS, the exploration for the development of natural gas wells in shale formations underlying New York State utilized the process of hydraulic fracturing, also known as hydro-fracturing, in order to extract and access natural gas; and

WHEREAS, the hydraulic fracturing process produces large quantities of hazardous chemically infiltrated water which must be disposed of at public wastewater treatment facilities which may not remove all hazardous chemicals from the hydrofractured water which may be discharged into the public water of an adjacent municipality; and

WHEREAS, it is necessary to protect Finger Lakes Watersheds and Lake Ontario Watershed from any possible contamination and a ban of hydraulic fracturing within the Finger Lakes Watersheds and Lake Ontario Watershed is required; NOW THEREFORE BE IT

RESOLVED, the Cayuga County Legislature does hereby approve this resolution requesting the Governor and New York State Legislature to enact and issue a ban on hydraulic fracturing for the development of natural gas wells within the Finger Lakes Watersheds and Lake Ontario Watershed from chemical contamination produced by this process; and BE IT FURTHER

RESOLVED that the Clerk of the Cayuga County Legislature transmit certified copies of this resolution to the Governor, the New York State Senate and Assembly.

**(PULLED) (PULLED) (PULLED)**

**Tortorici, I will bring to Planning committee next month.**

**Motion by Aikman to adjourn at 7:38PM, 2<sup>nd</sup> by Axton, all in favor.**

**Motion by Chapman to approve minutes of 8-23-11, 2<sup>nd</sup> by Tortorici, all in favor.**

**MINUTES  
CAYUGA COUNTY LEGISLATURE  
SEPTEMBER 27, 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 excused Ann Petrus.

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**Chairman Tortorici welcomed Matthew Mahunik and Sydney Merkley from Blue Print 2 Group.**

**PROCLAMATIONS:** Constitution Week, Sandie Gilliland, Daughters of the American Revolution, Owasco Chapter

United Way Day in Cayuga County, Thursday, September 15, 2011

Dorothy Wickenden Day in Cayuga County, September 17, 2011

Celebrating Bishop Willie L. Murray, September 24, 2011

“We Shall Never Forget” Tom Winslow’s name was added to proclamation.

Sheriff’s Week in Cayuga County, October 2<sup>nd</sup> to the 8<sup>th</sup>, 2011.

**PUBLIC BE HEARD:**

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

**MINUTES:** For Approval: 7-26-11, motion by Chapman to approve minutes, 2<sup>nd</sup> by Pinckney, all in favor.

For Reading: 8-23-11, motion by Chapman to waive reading of minutes, 2<sup>nd</sup> by Pinckney, all in favor.

**CCC REPORT:** Dr. Daniel Larson: report attached to original minutes.

**Discussion:**

Axton, should the discussion of charge-backs have taken place before we bought or done anything in Oswego County as for expanding that campus? What incentive does Oswego County have in coming forward and wanting to discuss those charge-backs, when they know how serious we are about wanting to put a shovel in and how quickly we need to do that.

Larson, I would think that out of a sense of fair play & equity, because of economic

impact, that campus is having on Oswego County that they will be receptive to that conservation.

Axton, but when they go back to their towns and everybody involved and tell them that we have to increase this charge-back. I think it is going to be a lot harder to do than what we think it is going to be. This discussion should have taken place a year ago when we first started talking about this and it would make this vote tonight much, much easier.

Lattimore, I am in favor of both projects. The Fulton project is going to be taxed?

Larson, yes.

Lattimore, as Dave said, some of the negotiations should have come earlier.

Mills, I have had a lot of on-going discussions with Dr. Larson related to the charge-back issue and repayment of the debt associated with the Fulton expansion. My understanding at this point in time is there is a memorandum of agreement that is being drafted and essentially covers the cost associated with that project, so that as you indicated the Cayuga County residents would be made whole and that was my primary concern from the beginning. I would like to see that document signed and have it before us this evening, but I know it takes time to negotiate the fine language that goes into it. I am prepared to forward on voting on these resolutions tonight, favorable. Just knowing that there is an understanding that has been agreed to, now it's just a matter of finalizing it. I support both projects and will be voting in favor of it.

Fearon, ultimately the Fulton campus may be greater than the one we have here, but the college without the numbers from both wouldn't be what it is. This is only the beginning of a dream related to that campus, ultimately in the long run we go to Oswego County and talk to them about the additional land and space. To have that dream they need to get on board with the capital and build up a balance like we have done here and ultimately that dream can be reached and won't cost the tax payers in Cayuga County money.

Mahunik, in your report, you said current enrollment is at 93% of what it was last fall at both campuses. Is that what we normally see at this time; is it an upward trend, downward trend?

Larson, it looks to be flat, that number will continue to evolve though mid November, but we are about where we need to be.

Mahunik, question for Fred, this agreement back in the 70's about the charge-backs, have you looked at it, is there anything in those agreements, expiration date, anything we can go to Oswego County and say here's the agreement, here's where we are now?

Westphal, there was a resolution adopted by the Oswego Board of Supervisors back in 1976 or 1978, we should meet with the officials of Oswego County and explain what are terms are to negotiate.

Mahunik, legally there is nothing we can fall back on in that resolution, no sunset clause?

Westphal, correct.

Fearon, when the original agreement was made it was a totally different concept, there was never a dream of where we would be now, it is time to address the changes that have occurred.

**COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS: None**

**COUNTY ADMINISTRATOR'S REPORT:** Tom Squires, attached to original minutes . There will be an open house/ribbon cutting ceremony on the 20<sup>th</sup> of October at the new Mental Health Facility on North St. from 5:30PM to 7:30PM.

**CHAIRMAN'S REPORT:** Peter Tortorici, we had an update today from the Board of Health meeting that as of the 30<sup>th</sup> of September 2011, we will no longer be in the Home Health Care business, the license will be turned over to Lifetime Care, 58 of the employees are working for Lifetime. We reduced the size of Government, everybody stayed working, brought private sector business into Cayuga County, the service remains in Cayuga County, but the legacy cost will probably shrink by 30 million over the next 20 years. Change is **tough**, but we need to look at these things and make the right decisions, look at other ways to provide services. We received the readings back from Deauville Island; we monitored 3 spots all summer long, we had to close the beach, by the bathrooms for one day only this season. I will go to the Public Works Committee next year and ask that we purchase more equipment to continue to monitor the beaches.

**APPOINTMENTS AND RE-APPOINTMENTS:**

**Cayuga-Cortland Workforce Investment Board:**

Elizabeth Werner, 5763 Cedar Swamp Rd., Auburn, NY term: 9/1/11 to 6/30/13 (replaces Maxwell Haines)

**Cayuga County Traffic Safety Committee:**

George Wethey, 6994 State St. Rd., Auburn, NY 13021, term – 1-1-2012 to 12-31-2014

Richard Wheeling, 11 Columbus St., Auburn, NY 13021, term – 1-1-2012 to 12-31-2014

Patrick Steger, 5921 New Hope Rd., Moravia, NY 13118, term 1-1-2012 to 12-31-2014

James O'Brien, 1551 Clark St. Rd., Auburn, NY 13021, term 1-1-2011 to 12-31-2013

Gregory D. Gilfus, 46 North St., Auburn, NY 13021, term 1-1-2011 to 12-31-2013

Judy Clark, 5230 Silver St. Rd., Auburn, NY 13021, term 1-1-2011 to 12-31-2013

**Board of Health:**

Ann Petrus, 2435 Rte. 31, Weedsport, NY 13166, term 1-1-2010 to 12-31-2013

**Motion by Chapman to approve all appointments, 2<sup>nd</sup> by Pinckney, all in favor.**

**COMMUNICATIONS AND ANNOUNCEMENTS:**

1. Received the Certificate of County Equalization Rates from the State of New York for the 2011 Assessment Rolls for Municipalities in the County of Cayuga.

2. Received Resolution No. 289 from Fulton County re: Requesting Comptroller Thomas Dinapoli to Reform the Funding Policy for the New York State Common Retirement Fund.

**Motion by Axton to waive reading of communications, 2<sup>nd</sup> by Cuddeback, all in favor.**

**RESOLUTIONS 9-27-11**

**RESOLUTION NO. 377-11**

**09-27-11 AP Audit September 11 (A)**

**AUTHORIZING THE COUNTY TREASURER TO PAY AUGUST 11-31, 2011**

**AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on September 27, 2011 audit claims against the County of Cayuga in the aggregate sum of \$842,388.73 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

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

**RESOLUTION NO. 378-11**

**09-27-11 AP Audit September 11 (B)**

**AUTHORIZING THE COUNTY TREASURER TO PAY  
SEPTEMBER 1-14, 2011 AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on **September 27, 2011** audit claims against the County of Cayuga in the aggregate sum of \$1,020,134.41 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 Axton, Cuddeback, Fearon, Mahunik and Petrus, all in favor.

**RESOLUTION NO. 379-11**

**9/27/11 RP purtaxparcel2011#17rev**

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

By Roger Mills, Chairman, Ways & Means Committee

WHEREAS, on August 17, 2011 a Tax Foreclosure Auction was held to dispose of tax delinquent property that had been deeded to Cayuga County; and

WHEREAS, parcel no. 17, known as tax map # 35.00-1-33, had no bids placed on it at auction; and

WHEREAS, this parcel is assessed at a full market value of \$100.00

WHEREAS, the Director of Real Property Services has received an offer to purchase by adjacent property owners Gene Lalone and Donna Lalone, to be considered by the Ways and Means Committee for approval by the County Legislature; and

WHEREAS, the Director of Real Property Services recommends approval of the purchase of tax map no. 35.00-1-33 by adjacent property owner for a price of \$100.00; and

WHEREAS, the purchaser's would be responsible for filing fees associated with the transfer of title; and

WHEREAS, the purchaser would be required to merge this parcel of property in with the adjacent property that the purchaser already retains ownership of; and

WHEREAS, the Cayuga County Legislature has determined that this parcel is not necessary for public use; now therefore be it,

RESOLVED, pursuant to a meeting of the Real Property Committee, the sale of TM# 35.00-1-33 to Gene Lalone and Donna Lalone is hereby approved and the Real Property Services Director and the Chairman of the County Legislature are instructed to take whatever steps are necessary to complete the transfer.

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

**RESOLUTION NO. 380-11**  
**Sept 27, 2011 RPS Esrimaintenance**  
**AUTHORIZING THE OFFICE OF REAL PROPERTY DEPARTMENT TO**  
**RENEW A MAINTENANCE AGREEMENT WITH ESRI FOR MAPPING AND**  
**GIS RELATED SOFTWARE.**

By: Roger Mills, Chairman, Ways & Means Committee

WHEREAS, the County has several software programs to facilitate online tax mapping and coordinating GIS databases; and

WHEREAS, the annual maintenance agreement allows for technical support and the latest upgrades to these software programs and the agreement term will run through October 1, 2012; and

WHEREAS, without this software the labor to accurately update tax maps and allow for online viewing, along with the labor involved in coordinating the GIS database layers would be extensive; and,

WHEREAS, the total cost for the maintenance being \$9,455.74, which is presently budgeted in Account No. A13554-54018, computer software, of the 2011 Cayuga County Budget; now therefore, be it

RESOLVED, that the Office of Real Property department is authorized to purchase the maintenance agreement through ESRI for a cost not to exceed \$9,455.74.

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

**RESOLUTION NO. 381-11**  
**9/27/11 AUD Bank of Americarev**  
**AUTHORIZING THE COUNTY LEGISLATURE TO ENTER INTO**  
**AN AGREEMENT WITH BANK OF AMERICA**

By: Roger Mills, Chairman, Ways and Means Committee

WHEREAS, the County desires to reduce its check processing costs; and

WHEREAS, the County desires to enter into an agreement with Bank of America to assist in check processing savings; and

WHEREAS, Bank of America will be paid \$1.00 per check for said services; now therefore, be

WHEREAS, entering into a contract with Bank of America would have a cost savings to the County of \$2.50-\$3.00 per check and .67 cents per electronic transaction for an annual savings to the County of \$51,672.00

RESOLVED, that the Cayuga County Legislature does hereby authorize the Chairman of the Cayuga County Legislature to sign an agreement with Bank of America, to assist in the administration of the County's check processing.

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

**RESOLUTION NO. 382-11**  
**(Sept. 27, 2011) HD Lifetime Care Contract for DPSrev**  
**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH AND HUMAN SERVICES TO ENTER INTO A CONTRACT WITH LIFETIME CARE, INC., TO SECURE A BRANCH MANAGER FOR ITS CAYUGA COUNTY OPERATION**

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

Roger Mills, Chairman of the Ways & Means Committee



WHEREAS, our Director of Patient Services position was targeted for layoff on September 30, 2011 or upon closure of the CHHA; and

WHEREAS, Lifetime Care, Inc. is interested in securing the services of an experienced Branch Manager within the County while the transition of the CHHA is completed; and

WHEREAS, Lifetime Care, Inc. has agreed to reimburse the County for the salary and 23% of the salary for fringe benefits for the continuation of the position of Director of Patient Services through August 31, 2012; and

WHEREAS, the Director of Patient Services will provide such Branch Manager services to Lifetime Care, Inc. through contract between Cayuga County and Lifetime Care, Inc.; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized and directed to enter into a purchase of service contract with Lifetime Care, Inc. to secure a Branch Manager for its Cayuga County operation. Signed by Aikman, Axton, Barski, Mills, Cuddeback, Fearon and Mitchell, all in favor.

**RESOLUTION NO. 383-11**

**(September 27, 2011) HD ATUPA 2011rev**

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

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

Roger Mills, Chairman of the Ways & Means Committee

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

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into an agreement with the State to continue to participate in the 100% State funded Youth Tobacco Enforcement and Prevention Program for the period of October 1, 2011 through March 31, 2012 in the amount of \$15,675; and be it further

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

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make all necessary journal and accounting entries to amend the Cayuga County Health Department's 2011 Budget in the following manner:

Increase Appropriation Account #A40194 54000 ..... \$15,675

Increase Revenue Account #A40190 43419 ..... \$15,675

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

**RESOLUTION NO. 384-11**

**(September 27, 2011) HD Fill EI Serv Coordinator**

**AUTHORIZING THE DIRECTOR OF HEALTH AND HUMAN SERVICES TO FILL AN EARLY INTERVENTION SERVICE COORDINATOR VACANCY**

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

Roger Mills, Chairman of the Ways & Means Committee

WHEREAS, the Health Department has the responsibility to administer the NYS Early Intervention Program serving children birth to three years old who have a documented developmental delay; and

WHEREAS, part of the administrative responsibility is to provide service coordination to children and families referred to this program; and

WHEREAS, there exists an Early Intervention Services Coordinator vacancy due to the resignation of the incumbent effective August 31, 2011; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill this Early Intervention Service Coordinator vacancy (position control #006232) 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, Lattimore, Mills, Sincebaugh and Fearon, all in favor.

**RESOLUTION NO. 385-11**

**(September 27, 2011) HS HEAP/Catholic Charities 2011**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH AND HUMAN SERVICES TO ENTER INTO A CONTRACT WITH CATHOLIC CHARITIES OF THE FINGERLAKES, INC., TO PERFORM ANY OUTREACH ACTIVITIES FOR THIS STATE MANDATED HEAP PROGRAM (100% FEDERALLY FUNDED), FOR THE PERIOD OF SEPTEMBER 1, 2011 THROUGH APRIL 30, 2012**

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

Roger Mills, Chairman of the Ways & Means Committee

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

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

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

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

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

WHEREAS, this year there is an early start-up of the program and administrative funds available to assist counties who open the program early; and

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

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services be authorized to enter into a contract (100% federally funded) with Catholic Charities of the Fingerlakes, Inc., in the amount of \$79,438; and be it further

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RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the County's Human Services 2011 Budget when the administrative allocation is received from the State; and make any necessary journal & accounting entries to reflect additional HEAP funding upon receipt of notification and documentation from the County's Human Services Department.

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

**RESOLUTION NO. 386-11**  
**(September 27, 2011) HS Reset Rate 2011 Comp Plan**  
**AUTHORIZATION TO AMEND THE CAYUGA COUNTY 2011**  
**COMPENSATION PLAN TO SET THE HOURLY RATE OF A PART-TIME**  
**HUMAN SERVICES EXAMINER POSITION**

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

WHEREAS, when the Part-Time Human Services Examiner position in Human Services was created,

the rate was set at \$17.37 per hour(probationary) and \$17.54 per hour (Step 1) prior to the finalization of the CSEA contract settlement; and

WHEREAS, the incumbent is currently being paid the hourly rate of \$17.54; and

WHEREAS, the Part-Time Human Services Examiner position is only utilized by Human Services and we wish to keep all part-time positions in Part II of the Compensation Plan equal to the Full Time hourly rates of the respective positions: and

WHEREAS, in order to be consistent with the Full Time position of Human Examiner, the hourly rate for a Part Time Human Services Examiner should be \$17.85 per hour(Probationary) , and \$18.04 per hour (Step 1); NOW, THEREFORE BE IT

RESOLVED, that the Cayuga County 2011 Compensation Plan, Part II, Non-Bargaining, be amended to set the hourly rate of pay for a Part-Time Human Services Examiner at \$17.85 per hour (probationary) and \$18.04 per hour (Step 1), effective October 2, 2011.

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

**RESOLUTION NO. 387-11**  
**(Sept. 27, 2011) HS Fill Caseworker Adult Protective**  
**AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES**  
**TO FILL A CASEWORKER VACANCY IN THE ADULT PROTECTIVE**  
**UNIT OF HUMAN SERVICES**

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

WHEREAS, there is a caseworker vacancy in the Adult Protective Unit of Human Services due to retirement of the incumbent effective September 2, 2011; and

WHEREAS, the Department is required to be the safety net and provide adult protective services to those individuals unable to protect themselves; and

WHEREAS, this position is critical to having enough staff in the unit to manage the open adult protective cases and handle incoming referrals; and

WHEREAS, sufficient funding exists in the Human Services Department's 2011 budget to support this position, and the position is reimbursed at 75% Federal and State;

NOW, THEREFORE BE IT

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the vacated Caseworker position in the Adult Protective Unit, and any fill behind that may occur, in accordance with Civil Services Rules and Regulations and the Policies of the County of Cayuga.

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

**RESOLUTION NO. 388-11**

**Action 9/27/11 MH FillSrSocWkr9.11**

**AUTHORIZE THE FILLING OF A VACANT SENIOR STAFF SOCIAL WORKER POSITION AT THE COMMUNITY MENTAL HEALTH CENTER**

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 full-time Senior Staff Social Worker position in the Cayuga County Community Mental Health Center as the result of a promotion; and

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

WHEREAS, the position (6814) is reflected in the 2011 County Budget, line A43101-51001, as a 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 Senior Staff Social Worker 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, Lattimore, Mills, Sincebaugh and Fearon, all in favor.

**RESOLUTION NO. 389-11**

**9/27/11 ADM RFPconsultantREV**

**AUTHORIZING CHAIRMAN OF THE LEGISLATURE AND ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO INITIATE A REQUEST FOR QUALIFICATIONS AND/OR REQUEST FOR PROPOSALS TO ORGANIZATIONS THAT CAN STUDY THE NEEDS FOR LONG TERM CARE SERVICES IN CAYUGA COUNTY.**

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

BY: Roger Mills, Chairman, Ways and Means Committee

WHEREAS, the Cayuga County Legislature recognizes that financial pressures out of the control of Cayuga County, including increased costs of participation in the New York State Employee Retirement System and an increasing reliance on State and Federal assistance that may not be available in the future, may make continued ownership of the Cayuga County Nursing Home unsustainable; and

WHEREAS, the Cayuga County Legislature also recognizes developing a community-wide strategy to ensure that the appropriate number and type of nursing home beds are available to service the community is beneficial to the community; and

WHEREAS, Mercy Health & Rehabilitation Center Nursing Home and the Finger Lakes Center for Living Nursing Home have agreed to share knowledge, expertise and

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financial consideration in developing a community-wide strategy to deliver these services to the community; and

WHEREAS, there has not been a study of the needs and services of long term care in the community for some time in Cayuga County; and

WHEREAS, a study designed to analyze the present and future needs of the community relative to nursing home services, review the operations of the aforementioned homes and develop other information and recommendations as may be required to develop a community-wide strategy for the provision of nursing home services is necessary to facilitate a wise and informed decision regarding the future of the Cayuga County Nursing Home; and

WHEREAS, the Cayuga County Legislature is committed to reviewing a study to provide the most efficient services for the residents of the community; Now therefore be it

RESOLVED that the Chairman of the Legislature join with other residential health care facilities to initiate a request for qualifications and/or request for proposal to examine the long term care needs of the community.

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

**RESOLUTION NO. 390-11**

**9/27/11 NH proasbestosabate**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ACCEPT A PROPOSAL FOR ASBESTOS ABATEMENT DESIGN, OBTAIN QUOTES FOR THE ABATEMENT AND ARRANGE FOR THE WORK FROM THE LOWEST CREDIBLE CONTRACTOR.**

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

BY: Roger Mills, Chairman, Ways & Means Committee

WHEREAS, an attached storage area at the Nursing Home needs to be removed and replaced due to the unsafe condition of the structure; and

WHEREAS, testing of the materials has found asbestos in the roof shingles; and,

WHEREAS, Asbestos and Environmental Consulting of East Syracuse, New York will prepare the abatement design documents for \$1500; and,

WHEREAS, this firm will also assist in the identification and necessary scope of work for contactors who will complete the abatement; and

WHEREAS, the quotes will be evaluated with the lowest cost from a credible contractor accepted; now therefore be it,

RESOLVED, that Asbestos and Environmental Consulting Corp conduct the design of the abatement, assist with the identification of a contractor to complete the abatement and the storage area be replaced; and be it further

RESOLVED, that the funding for the entire project come from the fund balance of the nursing home.

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

**RESOLUTION NO. 391-11**

**9/27/11 PUR awardcopypaper#2rev**

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

BY: George Fearon, Chairman, Government Operations Committee

BY: Roger Mills, Chairman, Ways & Means Committee

WHEREAS, Resolution No. 305-10 authorized the issuance of an invitation to bid 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 sealed proposals; and,

WHEREAS, the following bids were received based on estimated bi-annual use and the NYS contract current cost:

Vendor Name	8.5x11 est.usage 460	8.5x14 est.usage 25	11x17 est. usage 4
Hummel's	\$28.70/case	\$40.00/case	\$35.89/case
Office Max	\$30.20/case	\$47.20/case	\$36.90/case
Staples (NYS Contract)	\$35.95/case	\$49.06/case	\$37.58/case

and,

WHEREAS, Hummel's is able to provide the necessary services at the lowest cost; now therefore be it,

RESOLVED, that the bid be awarded to Hummel's at an estimated bi-annual usage cost of \$14,346.00, which is a savings of \$3,568.00, bi-annually from the current NYS contract price for copier paper.

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

**RESOLUTION NO. 392-11**

**9/27/11 PUR officesupply**

**AUTHORIZING CAYUGA COUNTY TO "PIGGYBACK" ON ONONDAGA COUNTY'S OFFICE SUPPLY CONTRACT WITH OFFICE MAX, INC.**

By: Hon. George Fearon, Government Operations Committee

By: Hon. Roger Mills, Ways & Means Committee

Whereas, Cayuga County is presently receiving office supplies through the NYS Contract Vendor Staples, Inc.; and

Whereas, Onondaga County has recently awarded a bid for office supplies to Office Max, Inc. at a substantial higher discount than we are currently receiving; and

Whereas, Onondaga County and Office Max will allow Cayuga County to piggyback on there contract that is in effect from August 1, 2011 through July 31, 2012; and

Whereas, the cost savings of 63.5% discount off of the list price of office supplies and a greater discount for commonly used office supplies; now there for be it

Resolved, that Cayuga County be allowed to "piggyback" on the contract with Office Max, Inc. to receive the same discounts that Onondaga County receives.

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

**RESOLUTION NO. 393-11**

**09/27/2011 HR ITREQFillrev2**

**AUTHORIZATION TO RE-TITLE SENIOR COMPUTER SYSTEMS TECHNICIAN POSITIONS AND CHANGE THE CAYUGA COUNTY COMPENSATION PLAN TO REFLECT THE TITLE CHANGES.**

Mr. George Fearon, Chairman Government Operations

WHEREAS, the duties of the Senior Computer Systems Technician in two different

positions, one in Data Processing(DP) and the other in Information Technology(IT), had fallen under one title; and

WHEREAS, the duties have been deemed diverse enough to warrant a Re-Titling of the job descriptions in each of the areas and the Civil Service Commission has written new job descriptions for each title separately, one as Senior Computer Systems Technician (DP), position control # 7192 and the other as Senior Computer Systems Technician (IT), position control #7144; and

WHEREAS, there will be no monetary difference in pay in either position of the Senior Computer Systems Technician titles, but the Cayuga County Compensation Plan would need to be revised to include both titles; now therefore be it

RESOLVED, that the Cayuga County Legislature re-title the positions of Senior Computer Systems Technician to Senior Computer Systems Technician (DP) and Senior Computer Systems Technician (IT), both under Part I General CSEA, both at a Grade of 30, maintaining current pay scales; and be it further

RESOLVED, that the Cayuga County Compensation Plan be amended to include the change in titles only.

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

**RESOLUTION NO. 394-11**

**9-27-11 HIS fillCoHistorian**

**AUTHORIZES CAYUGA COUNTY CLERK TO FILL THE POSITION  
OF CAYUGA COUNTY HISTORIAN-PT AND TO ADVERTISE  
TO FILL THIS POSITION**

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

MR. ROGER MILLS, Chairperson, Ways and Means Committee

WHEREAS, effective October 28 the Cayuga County Historian –Part Time (PC NO 2344) is retiring and monies exist in the A75101 budget line of the 2011 County Historian’s budget to pay for this position; and to pay for advertising this position from budget line A75104-54061; and

WHEREAS, in order to preserve Cayuga County’s history, the County Historian’s many duties include but are not limited to maintaining materials and artifacts related to the history of the County; interpreting and disseminating County history through writing, teaching and public presentations, supervising the cataloging and researching of historical materials; preserving and maintaining files and materials of current interest in the development of the County, and acting as an advocate by assisting with local societies, Town, Village and City Historians.

WHEREAS, that the Cayuga County Legislature approve filling this position, effective October 10 to allow for two weeks of cross training. Therefore be it

RESOLVED that the position of County Historian – PT be filled in accordance with the Civil Service Rules & Regulations and the policies of the County of Cayuga and approval be given to advertise for this position.

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

**RESOLUTION NO. 395-11**  
**9/27/11 VET awardbusbidrev2**  
**AUTHORIZING THE TRANSFER OF FUNDS FROM THE CONTINGENCY**  
**ACCOUNT TO THE VETERANS EQUIPMENT ACCOUNT FOR THE**  
**PURCHASE OF AN ADULT PASSENGER BUS FOR THE TRANSPORTATION**  
**OF VETERANS**

BY: George Fearon, Chairman, Government Operations Committee

BY: Roger Mills, Chairman, Ways & Means Committee

WHEREAS, the Administrator's office sent out specification packages to various vendors for the purchase of a new 2011 Adult Passenger Bus for the transportation of Veteran's; and the trade in of the 2007 Ford E450; and

WHEREAS, five (5) firms responded with sealed bids; and,

WHEREAS, the following bids were received:

<u>Vendor</u>	<u>Amount</u>	<u>Less Trade In</u>	<u>Total Amount</u>
Empire Bus Sales	\$45,624.00	-\$9,900.00	\$35,724.00
Matthew's Buses	\$56,835.00	-\$9,500.00	\$47,335.00
Gorman Enterprises	\$48,866.34	-\$9,500.00	\$39,366.34
Don Brown Bus Sales	\$46,995.00	-\$10,500.00	\$36,495.00
Shepard Brothers, Inc.	\$49,240.00	-\$11,500.00	\$38,090.00

and,

WHEREAS, Empire Bus Sales is able to provide the new Adult Passenger Bus at the lowest cost to the county; and be it

RESOLVED, that the county accept the lowest bid from Empire Bus Sales at a cost of \$45,624, less trade in of \$9,900.00 for the 2007 Ford E450 that the county currently owns; and be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized to transfer \$35,724.00 from the Contingency Account No. A10164 54000 to the Veteran's Equipment Account A65102 52000; and be it further

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

Signed by Fearon, Aikman, Chapman, Mitchell, Sincebaugh, Whitman, Axton and Cuddeback, all in favor.

**RESOLUTION NO. 396-11**  
**9.27.11 COA amndres724-09 rev1**  
**AMENDING RESOLUTION No. 724-09 EXPRESSION OF COMMITMENT TO**  
**THE CAYUGA COMMUNITY COLLEGE'S REQUEST FOR CAPITAL FUND-**  
**ING FOR A COLLEGE PERFORMANCE ARTS CENTER.**

BY: Hon. George Fearon, Chairman Government Operations Committee

Hon. Roger Mills, Chairman Ways and Means Committee

WHEREAS, Cayuga Community College has identified a need for a Performing Arts Center in the City of Auburn; and,

WHEREAS, the Performing Arts Center project is in support of College educational and community activities; and,

WHEREAS, the costs associated with the project are eligible for 50% State funding from the State University of New York (SUNY); and,



WHEREAS, in order to request said funding authorization and be eligible for SUNY matching funds, a Cayuga County Capital Project must be established; and,

WHEREAS, the Music Theatre Festival, Inc. ("MTF") represented to the Cayuga County Legislature that it will gift to the County of Cayuga (the "County") a matching sum of \$3,860,000.00 for the Performing Arts Center; and,

WHEREAS, Resolution No. 724-09 expressed the County's commitment to the Cayuga Community College's request for capital funding for a college performance arts center; and,

WHEREAS, the Board of Trustees of Cayuga Community College in December 2009 authorized the \$4.93 million project cost estimate for the appropriate next steps to acquire the theatre site, to design and construct the new performing arts center, and to outfit the facility with equipment needed for its use as a theatre space, with fifty percent of such project cost coming from local funds through the capital fundraising campaign of the Music Theatre Festival and the remaining fifty percent to be sought from New York State funds; and,

WHEREAS, the estimated cost to design and construct the new Performing Arts Center has increased by \$2.79 million as a result of the complex and challenging nature of the site itself, actual estimates of construction costs and equipment costs, and increases in design and development due to being a public project, and escalation to 2012 and,

WHEREAS, the College Board of Trustees has recommended adoption of this resolution; now therefore, be it

RESOLVED, that the Cayuga County Legislature hereby authorizes the County to accept Gifts and Donations from Music Theatre Festival, Inc. ("MTF") in the sum of \$3,860,000.00 in support of the local share of this Capital Project; and further,

RESOLVED, That the project shall not commence unless 100% of all funding from all sources is made available: the commitment of fifty (50%) percent State funding (\$3,860,000.00) from the State University of New York (SUNY) (the "SUNY Match") and receipt from the Music Theatre Festival, Inc. of its \$3,860,000.00 match (the "MTF Match"); and be it further,

RESOLVED, that the Cayuga County Legislature hereby authorizes the County to accept Gifts and Donations from (MTF) in the sum of \$3,860,000.00 in support of the local share of this project; and further,

RESOLVED, that the project is subject to, all consents and approvals of any governmental or regulatory authority that are required to be obtained prior to undertaking the project are in fact obtained, including but not limited to compliance with 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 further,

RESOLVED, that the Cayuga County Department of Finance is authorized to make all necessary budgetary and accounting entries to effect the intent of this resolution; and further,

RESOLVED, that certified copies of this resolution be sent by the Clerk of this Legislature to the County Director of Finance, Cayuga County Community College Vice President of Administration/Treasurer of Cayuga County Community College, who will forward an original to the State University Construction Fund (SUCF) along with a completed SUCF project initiation form.

Signed by Fearon, Mitchell, Sincebaugh, Whitman, Mils, Axton, Cuddeback and Mahunik, all in favor, except Aikman abstained.

**COUNTY OF CAYUGA, NEW YORK****September 27, 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 6<sup>th</sup> floor of the Cayuga County Office Building, 160 Genesee Street, Auburn, New York on September 27, 2011, at 6:30 P.M. (Prevailing Time).

**There were present:** (County Legislators)

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

**There were Absent:** (County Legislators)

Ann Petrus

Also Present: Tom Squires, Fred Westphal, David Gould, Denise Spingler, Daniel Larson, Kathleen Cuddy, Michele Anthony, Evie Goodman, Jim Orman, Larry Wilt, Deb English, Nancy Siefka, Gary Duckett, Terry Lattimore, Justin Murphy, Mary Jones and Sheila Smith.

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

**RESOLUTION NO. 397-11****9.27.11 COA amnd bndresol55-11rev**

**BOND RESOLUTION OF THE COUNTY OF CAYUGA, NEW YORK,  
ADOPTED ON SEPTEMBER 27, 2011 AUTHORIZING ISSUANCE OF  
\$16,420,000 BONDS OF THE COUNTY OF CAYUGA TO ACQUIRE A PARCEL  
OF LAND LOCATED AT 11 RIVER GLEN PLAZA, FULTON, NEW YORK AND  
UNDERTAKE THE RENNOVATION AND RECONSTRUCTUON OF THE  
IMPROVMENTS THEREON AND AUTHORIZING THE CHAIRMAN OF THE  
CAYUGA COUNTY LEGISLATURE TO EXECUTE ANY AND ALL DOCU-  
MENTS NECESSARY AND REQUIRED TO EFFECT SUCH PROJECT. (2/3)**

BY: Hon. George Fearon, Chairman Government Operations Committee  
Hon. Roger Mills, Chairman 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

WHEREAS, the estimated cost of the Project was originally \$11,550,000 and the County Legislature adopted a Bond Resolution No. 155-11 on March 22, 2011 which authorized the Project at a maximum estimated cost of \$11,550,000 and further authorized the issuance of up to \$11,550,000 of serial bonds and bond anticipation notes to finance the Project; and

WHEREAS, the estimated cost of the Project has since increased from \$11,550,000 to \$16,420,000 due to certain delays in connection with the development of the Project; and

WHEREAS, the physical description of the Project has not changed from that which was the subject of the formal SEQRA review completed in March of 2011; and

WHEREAS, the County now desires to adopt the following amending Bond Resolution to increase the maximum estimated cost of the Project from \$11,550,000 to \$16,100,000 and authorize the issuance of up to \$16,420,000 of serial bonds and bond anticipation notes to finance the Project; and

NOW, THEREFORE BE IT RESOLVED ON SEPTEMBER 27, 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 \$16,420,000 bonds of said County pursuant to the provisions of the Local Finance Law. Undertaking the Project, at a maximum estimated cost of \$16,420,000 is hereby approved.

Section 2. The plan for the financing of the aforesaid specific object or purpose is by the issuance of up to \$16,420,000, or such amount less than \$16,420,000 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 irrevocable 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 \$16,420,000 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.

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 September 27, 2011, the result of which vote was as follows:

<u>COUNTY LEGISLATOR</u>	<u>VOTE</u>
Timothy Lattimore	YES
Patrick Mahunik	YES
Tucker Whitman	YES
Michael Chapman	YES
David Axton	YES
Ann Petrus	EXCUSED
Paul Pinckney	YES
Roger Mills	YES
George Fearon	YES
Francis Mitchell	YES
Steven Cuddeback	YES
Stephen Barski	YES
Daniel Sincebaugh	YES
Cynthia Aikman	ABSTAINED
Peter Tortorici	YES

#### **CERTIFICATE**

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

That I have compared the annexed extract of the minutes of a meeting of the County Legislators of said County including the resolution contained therein, held on September 27, 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.

**IFURTHER CERTIFY** that all members of said County Legislators had due notice of said meeting.

**IFURTHER 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 September, 2011.

Susan M. Dwyer, County Clerk

[SEAL]

#### **NOTICE OF BOND RESOLUTION**

The resolution, a summary of which is published herewith, was adopted on September 27, 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 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 September 27, 2011 authorizes the issuance of bonds and other obligations to finance a 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 to pay for such project by the levy of a tax for the foregoing object or purpose in an amount not to exceed \$16,420,000, 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 \$16,420,000 and a tax is authorized to pay the interest on said obligations when due. The County also determined that the approval of bonds constituted an unlisted action and a Negative Declaration was issued. Under the Local Finance Law, the Project has a period of probable usefulness of 25 years. Such resolution shall be kept available for public inspection in the County Clerk's Office during regular business hours for twenty days following this publication.

**RESOLUTION NO. 398-11**

**9.27.11 COA amndCPH11-01C rev**

**AUTHORIZATION TO AMEND CAPITAL "H" PROJECT NUMBER 11-01C  
(CCC RIVER GLEN PROJECT) . 2/3 VOTE**

BY: Hon. George Fearon, Chairman Government Operations Committee

Hon. Roger Mills, Chairman 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, the Board of Trustees of Cayuga Community College in December 2009 authorized the \$11.23 million project estimate for the appropriate next steps to acquire, purchase, design, build out, and equip the River Glen site and its accompanying acreage with fifty percent of such project costs coming from local funds and the remaining fifty percent to be sought from New York State funds; and,

WHEREAS, Resolution No. 154-11 authorized the creation of Capital "H" Project No. 11-01C (CCC RIVER GLEN PROJECT) in an amount not to exceed \$11,550.00; and,

WHEREAS, the estimated cost to acquire, purchase, design, build out, and equip the River Glen site and its accompanying acreage has increased by \$4.87 million as a result of the length of time needed to acquire and purchase the P&C Building, testing and remediation of on-site conditions, thermal improvements to the exterior walls, expanding the second

floor from 21,000 square feet to 30,500 square feet, construction management services, and escalation to 2012; 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 and amend Capital "H" Project No. 11-01C (CCC RIVER GLEN PROJECT) in an amount not to exceed \$16,420,000.00 source of funding County Bonding pursuant to Resolution No. 397-11; 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 Fearon, Chapman, Mitchell, Sincebaugh, Whitman, Mills, Axton, Cuddeback, Mahunik and Petrus, approved by 2/3 vote, all voting aye, except Aikman abstained and Petrus excused.

**RESOLUTION NO. 399-11**

**9-27-11 ET CWEO-WIBagree**

**AUTHORIZE AGREEMENT BETWEEN THE CAYUGA-CORTLAND  
WORKFORCE INVESTMENT BOARD (WIB) AND THE CHIEF ELECTED  
OFFICIALS OF CAYUGA AND CORTLAND COUNTIES**

BY: ANN PETRUS, Chairperson, Planning & Economic Development Committee

WHEREAS, The Workforce Investment Act, hereinafter referred to as the Act (20 USC 9201 et. seq., Public Law 105-22-, Stat. 936), authorized the expenditure of federal funds to assist local governments in coordinating and implementing workforce development programs in locally determined Workforce Investment Areas (WIA's); and

WHEREAS, the Counties constitute a jurisdiction eligible for designation as a Workforce Investment Area; and

WHEREAS, the ACT requires the establishment of a Workforce Investment Board to assist in carrying out provisions of the ACT; and

WHEREAS, the ACT requires a partnership between the Workforce Investment Board (WIB) and the Chief Elected Officials of the Counties; and

WHEREAS, the ACT requires the WIB and the Chief Elected Officials of the Counties to define the scope of their partnership by means of an agreement; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Cayuga County Legislature be and is hereby authorized to execute the agreement with the Workforce Investment Board; said agreement shall be in a form approved by the County Attorney; AND BE IT FURTHER

RESOLVED, that the Chairman of the Cayuga County Legislature, be and is hereby authorized to execute such agreements with agencies of the State of New York as are necessary to conduct programs authorized under the Workforce Investment Act for the period beginning July 1, 2011 and ending June 30, 2012.

Signed by Petrus, Aikman, Fearon, Lattimore, Mahunik, Mills and Pinckney, all in favor.



**RESOLUTION NO. 400-11**  
**9/27/11 PB HHW11contractaward**  
**AUTHORIZING SIGNING OF CONTRACT FOR HOUSEHOLD HAZARDOUS**  
**WASTE CLEANUP PROJECT**

Ms. Ann Petrus, Chair, Planning & Economic Development Committee

Mr. Roger A. Mills, Chair, Ways and Means Committee

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

WHEREAS, an amount of \$48,000 has been properly budgeted for by the Cayuga County Planning and Economic Development Department (Account A 80204-54164); and

WHEREAS, the Cayuga County Planning and Economic Development Department is budgeted to receive \$24,000 in grant funds from New York State Department of Environmental Conservation (2011 Budget Revenue Account A 80200-42118) for this project, which represents 50% reimbursement for holding such events; and

WHEREAS, as authorized by Resolution #140-11 the County released a Request for Proposals to obtain the services of a hazardous waste collection contractor, which yielded the receipt of three proposals that were opened on August 11, 2011 and evaluated for responsiveness to the County's needs, resulting in the proposal from Environmental Products & Services of Vermont, Inc. located in Syracuse, NY being found to be the best; now, therefore, be it

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

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

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

**RESOLUTION NO. 401-11**  
**September 27, 2011 PB greeninnovationgrantSEQRDterSignificance**  
**DETERMINING SIGNIFICANCE UNDER THE COORDINATED NEW YORK**  
**STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) REVIEW OF**  
**THE OWASCO FLATS WETLAND RESTORATION AND RIPARIAN BUFFERS**  
**INITIATIVE PROJECT, AND AUTHORIZING COUNTY STAFF TO PREPARE,**  
**FILE AND PUBLISH SUCH DETERMINATION IN COMPLIANCE WITH**  
**ARTICLE 8 OF THE NEW YORK STATE DEPARTMENT OF ENVIRONMEN-**  
**TAL CONSERVATION LAW**

BY: Ms. Ann Petrus, Chair, Planning and Economic Development Committee

WHEREAS, Cayuga County received grant funds for the Owasco Flats Wetland Restoration and Riparian Buffers Initiative Project (collectively the "Owasco Flats Project"), a green innovation project, through the New York State Environmental Facilities Corporation Green Innovation Grant Program (GIGP); and

WHEREAS, the Cayuga County Legislature, in undertaking and funding the Owasco Flats 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 Environmental Conservation Law adopted thereunder (collectively, "SEQRA"); and

WHEREAS, on July 26, 2011 the Cayuga County Legislature, through approval and adoption of Cayuga County Legislative Resolution # 315-11, identified the Owasco Flats 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); 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 environment (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 significant adverse environmental impacts;
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 Moravia 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 Petrus, Aikman, Fearon, Lattimore, Mills, Mahunik and Pinckney, all in favor.

**RESOLUTION NO. 402-11**

**September 27, 2011 PB greeninnovationgrant archeology**

**AUTHORIZING CAYUGA COUNTY CHAIRMAN TO SIGN A PROFESSIONAL SERVICES AGREEMENT FOR ARCHEOLOGY FOR THE OWASCO FLATS WETLAND RESTORATION AND RIPARIAN BUFFERS INITIATIVE PROJECT**

BY: Ms. Ann Petrus, Chair, Planning and Economic Development Committee

Mr. Roger A. Mills, Chair, Ways and Means Committee

WHEREAS, Cayuga County will receive grant funds for the Owasco Flats Wetland Restoration and Riparian Buffers Initiative Project (GIGP #324), a green innovation project, through the New York State Environmental Facilities Corporation Green Innovation Grant Program (GIGP); and

WHEREAS, Cayuga County will receive \$712,500.00 in grant funds to conduct work recommended in the Owasco Flats Restoration Feasibility Report to reduce phosphorus and sediment loads to the Owasco Inlet and ultimately Owasco Lake; and

WHEREAS, archeology and other work needs to be completed by the end of December 2011 to finalize the grant agreement with New York State Environmental Facilities Corporation; and

WHEREAS, professional services for archeology were solicited in accordance with Resolution # 316-11, resulting in the receipt of five proposals on September 16, 2011, which were analyzed with the most responsive being from Birchwood Archeological Services from Gilbertsville, NY at a cost of \$5615.31 from Cap. H account #11-2; and

WHEREAS, Cayuga County will be reimbursed for these services once the grant agreement is signed; therefore be it

RESOLVED, the Cayuga County Legislature authorizes the County Chairman to sign the agreement to hire the most responsive firm to complete this work; and

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

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

**RESOLUTION NO. 403-11**

**9/27/11 COA BanHydraulicrev3**

**MEMORIALIZING THE GOVERNOR AND STATE LEGISLATURE TO BAN HORIZONTAL HYDRAULIC FRACTURING FOR THE DEVELOPMENT OF NATURAL GAS WELLS WITHIN THE FINGER LAKES WATERSHEDS AND LAKE ONTARIO WATERSHED**

BY: Ann Petrus, Chair, Planning Committee

WHEREAS, Finger Lakes Watersheds and Lake Ontario Watershed are the primary source of water supply for thousands of residents in Cayuga County; and

WHEREAS, the exploration for the development of natural gas wells in shale formations underlying New York State utilized the process of hydraulic fracturing of horizontally drilled wells (herein called horizontal hydro-fracturing), in order to extract and access natural gas; and

WHEREAS, the Catskills and the Skaneateles Lake watersheds which serve New York City and the residents of the County of Onondaga have been identified for protection in the draft Department of Environmental Conservation regulations from horizontal hydro-fracturing; and

WHEREAS, the horizontal hydro-fracturing process produces large quantities of hazardous chemically infiltrated water which must be disposed of at public wastewater treatment facilities; and

WHEREAS, the disposal of such chemically infiltrated water at public wastewater treatment facilities may not remove all hazardous chemicals which may then be discharged into the public water of an adjacent municipality; and

WHEREAS, the Cayuga County Legislature is concerned, and there is a lack of public confidence, that the method of natural gas extraction by the horizontal hydro-fracturing process is safe and that the draft regulations will be ineffective in protecting the environment and drinking water sources; and

WHEREAS, it is necessary to protect the Finger Lakes Watersheds and Lake Ontario Watershed from any possible contamination and a ban on horizontal hydro-fracturing within the Finger Lakes Watersheds and Lake Ontario Watershed is required; NOW THEREFORE BE IT

RESOLVED, the Cayuga County Legislature does hereby approve this resolution requesting the Governor and New York State Legislature to enact and issue a ban on horizontal hydro-fracturing for the development of natural gas wells within the Finger Lakes Watersheds and Lake Ontario Watershed to protect these drinking waters from chemical contamination produced by this process; and BE IT FURTHER

RESOLVED that the Clerk of the Cayuga County Legislature transmit certified copies of this resolution to the Governor, the New York State Senate and Assembly. Signed by Aikman, Fearon, Mills and Pinckney, all in favor.

**RESOLUTION NO. 404-11**

**9.27.11 911 nyspMOU**

**AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO SIGN A MEMORANDUM OF UNDERSTANDING WITH THE STATE OF NEW YORK DIVISION OF STATE POLICE TO PROVIDE FINANCIAL ASSISTANCE FOR THE CONNECTION TO THE ONONDAGA COUNTY 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 funding, the State of New York Division of State Police will fund the microwave connection to the Onondaga County Master System; and

WHEREAS, the microwave link installation and equipment will cost \$135, 000, to be paid by the NYSP; and the annual maintenance, currently in Cayuga County's contract is \$4,145.00; and

WHEREAS, this will provide benefits to each respective entity involved both operationally and financially; Cayuga County will pay the annual maintenance fees as they are already included in our contract with NEC while the State Police will assume ownership of the link as they are assuming the up front costs of the installation and equipment involved; all is clearly stated in the MOU; 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 all agencies in the five county regions; now therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to sign an agreement with the State of New York Division of State Police to receive funding for the microwave connection to the Onondaga County Master site.

Signed by Cuddeback, Barski, Chapman, Petrus, Sincebaugh, Whitman, Axton, Cuddeback, Fearon and Mahunik, all in favor.

**RESOLUTION NO. 405-11**

**9-27-11 911 ftESDfillSept**

**AUTHORIZATION TO FILL A VACANT EMERGENCY SERVICES DISPATCHER POSITION**

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

WHEREAS, the Cayuga County 911 Center currently will have a vacant Full-Time Emergency Services Dispatcher position on September 28, 2011; and

WHEREAS, the Cayuga County E-911 Center has received a notification of retirement and it is necessary to select candidates and fill the Emergency Services Dispatcher position for continuity of services; now therefore be it

RESOLVED, that the position (#001877) be filled, and that the 911 Administrator be hereby authorized to fill the vacant Emergency Services Dispatcher position from the existing Civil Service list; and be it further

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

Signed by Cuddeback, Barski, Chapman, Petrus, Sincebaugh, Whitman, Axton, Cuddeback, Fearon and Mahunik, all in favor.

**RESOLUTION NO. 406-11**

**(09/27/11) AC acptmoniesamndbdgtREV**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN CONTRACT WITH THE NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES AMENDING BUDGET.**

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

WHEREAS, the New York State Office of Indigent Services has been authorized to distribute \$19,203 in additional funding to Cayuga County; and

WHEREAS, these monies will be utilized for the purpose of improving the quality of legal services provided by the Assigned Counsel Office pursuant to article 18-B of the county law; now, therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature is authorized to sign a contract with the New York State Office of Indigent Services, and be it further

RESOLVED, that Account No. A11700-43072, State Aid Indigent Grant, be increased by the sum of \$19,203 and that Account No. A11704-54244, Grant Expenditures, be increased by \$19,203; 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 Cuddeback, Barski, Chapman, Petrus, Sincebaugh, Whitman, Axton, Cuddeback, Fearon and Mahunik, all in favor.

Motion by Chapman to adjourn at 7:57PM, 2<sup>nd</sup> by Pinckney, all in favor.

Motion by Axton to approve minutes of 9-27-11, 2<sup>nd</sup> by Mills.

Discussion:

Motion by Mills to table approval of minutes, change spelling of tuff to tough in Chairman's report and review tape and put in the discussion on the MOA with the college, agenda items where we were increasing the amount of funding available for the college, changing our capital "H" structure, 2<sup>nd</sup> by Pinckney, all in favor.

Corrections made on 11-23-11, spelling correct in Chairman's report and discussion added to CCC Report.

Motion by Axton to approve minutes of 9-27-11, 2<sup>nd</sup> by Lattimore, all in favor.

**MINUTES  
CAYUGA COUNTY LEGISLATURE  
OCTOBER 25, 2011 – 10:00AM  
Student Government Day**

**CALL TO ORDER:** Hon. Peter Tortorici, Chairman (Matt Tehan Student Chairman) at 10:02AM

**ROLL CALL:** Mary Jones, Clerk of the Legislature (Liam Grzasko Student Legislative Clerk), all Legislators present, Legislator Mahunik arriving at 10:13AM

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**DEATHS:** Thomas R. Kincaid, Conquest, NY, for the past 6 years he was employed with the Cayuga County Soil & Water Conservation District and was a longtime councilman for the Town of Conquest.

**STUDENTS ASSIGNED TO LEGISLATORS:**

<u>Legislator</u>	<u>Student</u>	<u>School</u>
Peter Tortorici Chair, District 10	Matt Tehan	Auburn
Tucker Whitman, District 1	Ben Lloyd	Cato
Michael Chapman, District 2	Chelcie Baldwin	Cato
David Axton, District 3	Dominic Recckio	Port Byron
Ann Petrus, District 4	Denise Dolph	Weedsport
Paul Pinckney, District 5	Ryan Adams	Union Springs
Roger Mills, District 6	Kaylee Quanbeck	Port Byron
George Fearon, District 7	Linda Townsend	Port Byron
Francis Mitchell, District 8	Joshua Bunnell	Southern Cayuga
Steven Cuddeback, District 9	Nick Marr	Moravia
Stephen Barski, District 11	Andrew Leary	Port Byron
Patrick Mahunik, District 12	Imani Williams	Auburn
Timothy Lattimore, District 13	Tyler Neagle	Cato
Daniel Sincebaugh, District 14	Ryan Sherman	Skaneateles
Cynthia Aikman, District 15	Mary Alice Spin	Auburn
Mary Jones, Clk. of Legislature	Liam Grzasko	Auburn
Fred Westphal Co. Attorney	Melissa Hankin	Jordan Elbridge
Co. Administrator Tom Squires	Mitchell Janes	Port Byron

**PROCLAMATIONS:** Zonta Day in Cayuga County, Saturday, October 15, 2011, title read by Liam Grzasko  
Student Legislative Clerk  
Sheila Tucker Day in Cayuga County, Wednesday, October 26, 2011, title read by Liam Grzasko Student Legislative Clerk

Domestic Violence Awareness Month in Cayuga County (October 2011) title read by Liam Grzasko Student Legislative Clerk  
 Fire Safety Month (October) and Fire Prevention Week (October 9-15, 2011), read in its entirety by Liam Grzasko Student Legislative Clerk and presented by Chairman Peter Tortorici to Brian Dahl  
 Cayuga County Salutes our Fire & EMS Agencies read in its entirety by Liam Grzasko Student Legislative Clerk  
 And presented by Chairman Peter Tortorici to Brian Dahl

**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: 8-23-11, **Motion by Chapman, 2<sup>nd</sup> by Tortorici, all in favor.**

For Reading: 9-27-11, **Motion by Chapman to waive reading of minutes, 2<sup>nd</sup> by**

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

**COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS:**

Chapman, the Town of Cato received an Award for Planning Excellence due to their efforts with the Town of IRA to formulate a Farmland Protection Plan this was constructed in conjunction with the town's comprehensive plan which was finished in 2008. I would also like to mention Jim Lunkenheimer and James Edelstein that were instrumental in the original application that resulted in the funding of a State Grant to fund the project, and Geoff Milz that is the project manager and he also works for the Planning Department.

**COUNTY ADMINISTRATOR'S REPORT:** Tom Squires, (Mitchell Janes Student Co. Administrator) the spread sheets have been handed out, attached to original minutes and sales tax is tracking above budget. Reminder there will be a reception tomorrow from 2 to 4, Chambers, honoring Sheila Tucker who is retiring, please stop by.

**CHAIRMAN'S REPORT:** Peter Tortorici, had the students in the audience introduce themselves and thanked all the students for being here.

**APPOINTMENTS AND RE-APPOINTMENTS:****Cayuga County Public Utility Service:**

Cal Scheckler, 10866 Bonta Bridge Road, Cato, N.Y. 13033 Term 04/01/2011 – 3/31/2014  
 William Graney, 4 Sumner Street, Auburn, New York 13021 Term 04/01/2011 – 3/31/2014

James Young, 2447 Dublin Road, Auburn, New York 13021 Term 04/01/2011 – 3/31/2014

**Motion by Chapman, 2<sup>nd</sup> by Mills to approve Public Utility Service appointments, all in favor, except Mahunik abstained.**



**Cayuga County Ag & Farm Protection Board:**

Kelly Anderson, 160 Genesee St., Auburn, NY 13021, term coterminous with position.  
Daniel McGarry, Genoa Ag Center, 2637 Sherwood Rd., Scipio Center, NY 13147, term  
– 11-1-11 to 12-31-2014

**Motion by Chapman , 2<sup>nd</sup> by Mills to approve Ag & Farm appointments, all in favor.**

**COMMUNICATIONS AND ANNOUNCEMENTS:**

1. Received Resolution No. 341 passed by the Fulton County Board of Supervisors re: Urging Passage of Senate Bill S.5889-B and Assembly Bill A.8644 that would Implement a Multi-Year State takeover of the Local Share of Medicaid.
2. Received acknowledgement of receipt of Resolution No. 403-11, re: ban horizontal hydro-fracturing from Brian Kolb, State Assembly Minority Leader.

**Motion by Axton to waive reading of announcements, 2<sup>nd</sup> by Cuddeback, all in favor.**

**RESOLUTIONS 10-25-11**

**RESOLUTION NO. 407-11**

**10-25-11 AP Audit October 11 (A)**

**AUTHORIZING THE COUNTY TREASURER TO PAY  
SEPTEMBER 15-28, 2011 AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on **October 25, 2011** audit claims against the County of Cayuga in the aggregate sum of \$1,100,474.62 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, Pinckney and Petrus, all in favor.

**RESOLUTION NO. 408-11**

**10-25-11 AP Audit October 11 (B)**

**AUTHORIZING THE COUNTY TREASURER TO PAY SEPTEMBER 29-  
OCTOBER 12, 2011 AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on **October 25, 2011** audit claims against the County of Cayuga in the aggregate sum of \$1,254,197.46 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, Pinckney and Petrus, all in favor.

**RESOLUTION NO. 409-11**  
**10-25-11 RP corrtxrollOct2011**  
**AUTHORIZING CORRECTION OF TAX ERRORS IN THE**  
**TOWN OF MORAVIA**

BY: Roger Mills, Chairperson, Ways & Means Committee

WHEREAS, petitions for corrections have been received by the Director of Real Property Tax, from the Town Assessors to correct clerical errors or an error in essential fact as specified below, as existed on the 2011 Tax Roll, and;

WHEREAS, the petitions for corrections were received too late to make the necessary adjustments before the extension of taxes, and;

WHEREAS, the Director of Real Property Tax Services has reviewed the petitions and found them to be correct; now therefore be it

RESOLVED, that the Director of Real Property Tax Services under Real Property Tax Law 553-554 and 556A be authorized to make the changes set forth hereafter; and be it further

RESOLVED, that corrected tax statements shall be prepared, or refunds of any overpayment of taxes be made, as is applicable; and be it further

RESOLVED, that the 2011/2012 School Tax Roll shall also be corrected as follows:

Town of Moravia: Tax Map # 199.00-1-39.113 This parcel was created in error and is a duplication of another tax map number. The parcel should be deleted from the 2011 Final Roll and the 2011/2012 Moravia School Tax bill should be canceled.

Town of Moravia: Tax Map # 210.14-2-71.112 This parcel is a mobile home park whose STAR exemptions were removed due to a software issue with a RPS update concerning the 2% STAR tax cap. The result being this parcels bill needs to be corrected to include the STAR exemptions it is entitled to.

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

**RESOLUTION NO. 410-11**  
**10-25-11 RP SDmainagree**  
**AUTHORIZING THE OFFICE OF REAL PROPERTY DEPARTMENT TO**  
**RENEW A MAINTENANCE AGREEMENT WITH SYSTEMS DEVELOPMENT**  
**GROUP, INC. (SDG) FOR ONLINE TAX ASSESSMENT VIEWING RELATED**  
**SOFTWARE.**

By: Roger Mills, Chairman, Ways & Means Committee

WHEREAS, the County has Image Mate Professional Desktop Software to facilitate online public viewing of tax assessment and mapping information; and

WHEREAS, the annual maintenance agreement has lapsed; and

WHEREAS, maintenance support is required to keep the software updated and operating smoothly; and

WHEREAS, a maintenance contract with Systems Development Group, Inc (SDG) that allows for technical support and software updates has been proposed to run from Sept 1, 2011 through December 31, 2011; and

WHEREAS, the total cost for the maintenance being \$500.00, which is presently budgeted in account A13554-54059, professional services, of the 2011 Cayuga County Budget; now therefore, be it

RESOLVED, that the Office of Real Property department is authorized to purchase the maintenance agreement through Systems Development Group, Inc. (SDG) for a cost not to exceed \$500.00; and also be it

RESOLVED, that the Chairman of the County Legislature is authorized to execute agreements with the Systems Development Group, Inc. (SDG).  
Signed by Mills, Axton, Cuddeback, Fearon, Mahunik, Pinckney and Petrus, all in favor.

**RESOLUTION NO. 411-11**

**10-25-11 RP Agree Systems Develop**

**AUTHORIZING THE OFFICE OF REAL PROPERTY DEPARTMENT TO ENTER INTO AN AGREEMENT WITH SYSTEMS DEVELOPMENT GROUP, INC. (SDG) FOR INTEGRATION OF IMAGE MATE ONLINE WITH GIS**

By: Roger Mills, Chairman, Ways & Means Committee

WHEREAS, the County has Image Mate Online software available on our website for the public to view tax assessment information; and

WHEREAS, the County also has several different GIS related software residing on the website that allows the public to view tax mapping layers, Aerial photos superimposed behind the maps, and many more GIS related databases imposed over top the tax maps ; and

WHEREAS, the goal is to have these separate software integrated so they are accessible from one central location online; and

WHEREAS, a contract with Systems Development Group, Inc (SDG) that allows for Cayuga County Image Mate Online Integration with GIS has been proposed; and

WHEREAS, the total cost for the integration being \$1,500.00, which is presently budgeted in account A13554-54059, professional services, of the 2011 Cayuga County Budget; now therefore, be it

RESOLVED, that the Office of Real Property department is authorized to purchase the integration agreement through SDG for a cost not to exceed \$1,500.00; and also be it

RESOLVED, that the Chairman of the County Legislature is authorized to execute agreements with the Systems Development Group, Inc. (SDG).  
Signed by Mills, Axton, Cuddeback, Fearon, Mahunik, Pinckney and Petrus, all in favor.

**RESOLUTION NO. 412-11**

**10/25/11 RP salary adj and fill position rev 2**

**AUTHORIZING A CHANGE IN GRADE AND SALARY RANGE FOR THE POSITION OF SUPERVISING GIS SPECIALIST AND PERMISSION TO FILL VACANT OF THE SAME**

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

WHEREAS, the Supervising GIS Specialist position is essential to advancing the GIS mapping goals of not only the Cayuga County Office of Real Property Tax Services and other County Departments that utilize GIS, but is instrumental in assisting the City of Auburn maximize the use of GIS as an important tool to update and maintain various records and datasets; and

WHEREAS, a separate Memorandum of Agreement is being drafted in cooperation with City of Auburn recognizing the importance of the Supervising GIS Specialist position and establishing an agreement to provide Cayuga County with annual compensation equivalent to approximately one (1) day per week for the opportunity to share services; and

WHEREAS, the intent is to receive future offsetting revenue from the proceeds of the previously referenced Memorandum of Agreement with the City of Auburn to allow for an increase in the salary of the Supervising GIS Specialist; and

WHEREAS, the position of the Supervising GIS Specialist is presently vacant; and  
WHEREAS, that additional funding for the increased salary for 2011 is already available within account A13551-51001 due to the fact that the position has been funded in the 2011 budget; now therefore be it

RESOLVED, that the salary for the position of Supervising GIS Specialist (position number 01819) be set at grade 30, or at a salary range of \$51,711 - \$57,485; and be it further

RESOLVED, that the Director for the Office of Real Property Tax Services be authorized to fill the Supervising GIS Specialist vacancy in a manner consistent with the rules and regulations of the County of Cayuga and the Cayuga County Civil Service Commission; and be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to make the necessary journal and accounting entries required to implement the intent of this resolution.  
Signed by Mills, Axton, Cuddeback, Fearon, Mahunik, Pinckney and Petrus, all in favor.

**RESOLUTION NO. 413-11**

**10/25/11 RP memofundercitycountyrev**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE  
AND THE COUNTY ADMINISTRATOR TO ENTER INTO A MEMORANDUM  
OF AGREEMENT WITH THE CITY OF AUBURN.**

WHEREAS, the Cayuga County Office of Real Property Services currently has a Supervising GIS Specialist position; and

WHEREAS, the scope of several of the job functions of this Supervising GIS Specialist position are functions that the City of Auburn would be desirous of having performed for the City of Auburn; and

WHEREAS, the County of Cayuga is agreeable to having the person in this position perform these duties for the City of Auburn, so long as the City of Auburn is agreeable to paying an amount equivalent to one work day per week of the salary for this position, not to exceed \$15,500 for the year 2012; and

WHEREAS, this will greatly help in the process of standardizing the geo-databases across municipal boundaries and save the taxpayer's money by sharing services within municipalities; and

WHEREAS, the City of Auburn and the County of Cayuga desire to enter into a Memorandum of Agreement setting forth the respective rights, duties and obligations of this arrangement (a draft of which is attached); NOW THEREFORE BE IT,

RESOLVED, that the Chairman of the Cayuga County Legislature and the County Administrator be authorized and directed to enter into a Memorandum of Agreement with the City of Auburn for a period of time to last until one of the parties terminates the agreement, but not to exceed five (5) years; and be it further

RESOLVED, that so long as the agreement shall continue the annual compensation from the City of Auburn shall be equivalent to one work day per week of the salary for this position.

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

**RESOLUTION NO. 414-11**

**10/25/11 TRE fillRPclerk**

**AUTHORIZATION TO CREATE AND FILL A PERMANENT FULL TIME REAL  
PROPERTY CLERK POSITION AND TO ABOLISH A PRINCIPAL ACCOUNT  
CLERK POSITION IN THE COUNTY TREASURER'S OFFICE**

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

WHEREAS, the position of Principal Account Clerk (position control #001814) within the County Treasurer's office will be vacant due to the retirement of a long time employee ; and

WHEREAS, the creation of a Real Property Clerk position has been approved by the Civil Service Commission, as it was determined that this classification better fits the job duties, and

WHEREAS, this position is crucial for continuity of services in the Treasurer's Office including tax collection and enforcement; and

WHEREAS, funding for this position is available in the Treasurer's 2011 Budget under position control number #001814; therefore be it

RESOLVED, that the County Treasurer is hereby authorized to create and fill a full time Real Property Clerk (Grade 10) position and abolish the position of Principal Account Clerk (Grade 14) ; and be it further

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

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

**RESOLUTION NO. 415-11**

**10.25.11 COA propertytaxcapfy2012**

**DECLARATION BY THE CAYUGA COUNTY LEGISLATURE THAT IT WILL  
NOT SUBMIT A LOCAL LAW TO OVERRIDE THE REAL PROPERTY TAX  
CAP FOR THE FISCAL YEAR 2012.**

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

Whereas, the real property tax cap legislation (Chapter 97 of the Laws of 2011) establishes a limit on the annual growth of real property taxes levied by local governments and school districts; and

Whereas, the cap is not directly applicable to property tax rates, or to the assessed value of real property; and

Whereas, the legislation does not provide for a general exclusion of "mandated costs". The tax cap allows for only a limited number of exclusions to the tax levy limit for local governments, which are (i) costs resulting from court orders or judgments against the local government arising out of tort actions that exceed five percent of the total prior year's tax levy, and (ii) pension costs associated with the annual growth in the "system average actuarial contribution rate" (for ERS and PFRS) and the "normal contribution rate" (for TRS) above two percentage points; and

Whereas, there is no statutory exclusion from the tax levy limit applicable to local governments for debt service on bonds or notes, even if the issuance of debt is voter approved. If the additional debt service expense, together with the district's other non-excludable expenses, would cause the tax levy to exceed the levy limit, the governing board of the county must pass a resolution by at least a 60% vote to override the tax cap; and

Whereas, the law (Chapter 97 of the Laws of 2011) only provides for limited

exclusions as follows:

- Pension contributions due to increases in the statewide system average actuarial contribution rate (ERS or PFRS) or normal contribution rate (TRS) over 2 percentage points for major retirement systems.

- Expenditures resulting from court orders or judgments arising out of tort actions that exceed 5 percent of the total tax levied in the prior fiscal year. ; and

Whereas, the law provides that all local governments subject to the cap must calculate the tax levy limit for the coming fiscal year in accordance with the statutory formula. If the amount of taxes to be levied in the coming fiscal year exceeds the applicable tax levy limit and the allowable exclusions, then the local government must override the tax levy limit; and

Whereas, a county must enact a local law to override the tax levy limit that is based on the combined total levy for every fund and special district that falls within the municipal levy limit; and

Whereas, the estimated tax levy limit for 2012 is 2.87% and the average tax levy increase for the prior 7 years has been 2.5%, making it clear Cayuga County is capable of managing their own financial affairs despite significant annual increases in State mandated costs; now therefore be it

Resolved, that the Cayuga County Legislature that it will not submit a local law to override the Real Property Tax Cap for the fiscal year 2012.

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

**RESOLUTION NO. 416-11**

**10.25.11 COA partiiielected2012salaryrev2**

**AUTHORIZING SALARY ADJUSTMENTS FOR PART III, ELECTED OFFICIALS OF THE COUNTY OF CAYUGA COMPENSATION PLAN FOR THE FISCAL YEAR 2012.**

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

WHEREAS, the County of Cayuga and the Deputy Sheriffs Police Association, Sheriff's Employees' Association of Cayuga County, the Unit of Cayuga Local 806, Civil Service Employees Association, Inc. Local 1000, AFSME AFL-CIO and the NYS Nurse Association Collective Bargaining Agreements expire on December 31, 2011; and

WHEREAS, the County has considered the matter of monetary compensation for Part III, ELECTED OFFICIALS ,except as otherwise stated below, for the fiscal year 2012; and

WHEREAS, it is the intent of the Legislature not to provide salary adjustments for the work performed by ELECTED OFFICIALS; now therefore be it

RESOLVED, that except as otherwise stated hereafter, the annual salaries for PART III, ELECTED OFFICIALS, for the fiscal year 2012 shall be equal to the 2011 annual salary; and be it further

RESOLVED, except as otherwise stated herein below, that the adjusted salaries as set forth in this resolution shall not apply to:

A. ANY ELECTED OFFICIALS IN PART III WHO'S SALARY HAS PREVIOUSLY BEEN SET AND ESTABLISHED BY RESOLUTION OR LOCAL LAW OR AS OTHERWISE PROVIDED BY LOCAL LAW OR STATE LAW

; and be it further

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

**Discussion:** Aikman, I will vote no, I have the Administrator to establish a salary survey for elected officials, non-bargaining and management to compare and appropriately determine if our salaries are in line and further on establish the salaries for elected officials based on raises or freezes that happen for the rest of Government. Establishing salaries this way is artificial, political and inappropriate.

Signed by Mills, Axton, Cuddeback, Fearon, Mahunik, Petrus and Pinckney, all in favor, except Sincebaugh and Aikman voting no.

**Motion by Fearon to bring to the floor WM-9 for consideration, 2<sup>nd</sup> by Chapman, title was read by student Kaylee Quanbeck.**

**RESOLUTION NO. 417-11**

**10.25.11 COA nonbargaining part ii, iii, and iv2012salaryrev3**

**AUTHORIZING SALARY ADJUSTMENTS FOR PART II, PART III and PART IV OF THE COUNTY OF CAYUGA COMPENSATION PLAN FOR NON BARGAINING EMPLOYEES FOR THE YEAR 2012.**

WHEREAS, the County of Cayuga and the Deputy Sheriffs Police Association, Sheriff's Employees' Association of Cayuga County, the Unit of Cayuga Local 806, Civil Service Employees Association, Inc. Local 1000, AFSME AFL-CIO and the NYS Nurse Association Collective Bargaining Agreements expire on December 31, 2011; and

WHEREAS, the County has considered the matter of monetary compensation for Part II, Part III and Part IV Non Bargaining employees and Appointed Officials, except as otherwise stated below, for the calendar year 2012; and

WHEREAS, it is the intent of the Legislature not to provide salary adjustments for the work performed by the non-bargaining line staff and administration; now therefore be it

RESOLVED, that except as otherwise stated hereafter, the annual salaries for PART II, Part III and PART IV, NON BARGAINING EMPLOYEES And Appointed Officials, for the fiscal year 2012 shall be equal to the 2011 annual salary; and be it further

RESOLVED, except as otherwise stated herein below, that the adjusted salaries as set forth in this resolution shall not apply to:

- A. ANY NON-BARGAINING AND APPOINTED FIXED TERM OFFICIALS IN PART II Part III AND PART IV WHOSE SALARY HAS PREVIOUSLY BEEN SET AND ESTABLISHED BY RESOLUTION OR LOCAL LAW OR AS OTHERWISE PROVIDED BY LOCAL LAW OR STATE LAW

; and be it further

RESOLVED, that, except as otherwise stated herein, that non bargaining unit employees that are part time employees and temporary employees, shall be paid in accordance with PART I, PART II and/or PART IV of the Compensation Plans as applicable for 2012, as above modified, and under no circumstances shall they be allowed to exceed Step 1 of the Compensation Plans nor shall they be paid longevity and/or increments with the exception of LPN PT in the CCNH, PHD and CMH Departments; and be it further

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

**Discussion:**

Fearon, this is consistent with other things we have been doing with other resolutions and our goals in relation to negotiations. I think it is the right thing to do.

Chapman, requests the resolution be read in its entirety, read in its entirety by Mary Jones.

Fearon, I'm not opposed to a raise being done at another meeting, if this body were to decide to apply the 3 tier prescription plan, like the college is doing, that could pay for a raise, could be source of funding for a raise and revenue neutral for the county.

Mills, I presented these resolutions in committee, primarily to assist our County Administrator in preparation of the 2012 budget. In view of the tax cap resolution that we just passed, I think it is important that we give guidance in terms of what we anticipation of what we are going to do for salary increases for next fiscal year. This is consistent with a couple of other resolution we have recently passed where we did not grant salary increases. I think it bares consideration when we sit down with our union representatives and continue union negotiations with our contracts.

Mitchell, requests a roll call vote.

Tortorici, explained the roll call vote to the students.

Resolution passed by roll call vote, all in favor, except Lattimore and Sincebaugh voting no. 787/96.

#### **RESOLUTION NO. 418-11**

##### **10.25.11 COA tasa**

#### **MEMORIALIZING THE GOVERNOR AND THE NEW YORK STATE LEGISLATURE TO MAINTAIN MEDICAID REIMBURSEMENT FOR TEEN AGE SERVICES ACT (TASA)**

By: Hon. Roger Mills, Chair Ways and Means Committee

WHEREAS, TASA provides case management services for eligible pregnant and parenting teens and/or at risk teens under the age of 21; and

WHEREAS, TASA services demonstrate success in meeting the performance measures and benchmarks that reflect healthy births to teen parents, appropriate utilization of health care, reduction of secondary pregnancies, and reduced dependence on Social Services welfare programs and foster care placements; and

WHEREAS, on average the annual Medicaid cost per teen family is approximately \$1,200 to \$1,300 demonstrating minimal expense with high success rates further preventing uncontrollable costs and far below the annualized cost of foster care and/or residential placement; and

WHEREAS, TASA program targets individuals residing in under-served and economically distressed areas, and collaborates with all Cayuga County School Districts and Cayuga-Onondaga BOCES; and

WHEREAS, TASA program serves high risk youth and families and proves successful in reducing dependency on Social Services welfare programs and foster care placements; and

WHEREAS, the loss of funding will eliminate five full-time Case Managers serving over 120 clients and families; and

WHEREAS, New York State Department of Health (NYS DOH) cited the basis of termination as "the availability of other case management services and community base programs;" and

WHEREAS, Cayuga County does not have available other case management or community based programs to fill this need; and

WHEREAS, NYS DOH has directed service providers to contact the Local Department of Social Services for funding and direction as per Section 361.0 of the NY Codes



Rules and Regulations, Title 18 Department of Social Services; and

WHEREAS, there is no new source of funding authorized to support these programs thus creating another unfunded mandate; and

WHEREAS, Cayuga County is already straining under the weight of unfunded mandates and reduced state funding; now therefore be it

RESOLVED, the Cayuga County Legislature urges the Governor and the New York State Legislature to maintain Medicaid reimbursement for the Teen Age Services Act (TASA); and be it further

RESOLVED, certified copies of this resolution shall be forwarded to Governor Andrew M. Cuomo; Executive Chamber, State Capitol, Albany, NY 12224; State Senator Michael Nozzolio, 119 Fall Street, Seneca Falls, NY 13148; Assemblyman Gary Finch, 69 South Street, Auburn, NY, 13021; Assemblyman Brian Kolb, 607 West Washington Street, Suite 2, Geneva, NY 14456; Assemblyman Robert Oaks, 10 Leach Road, Lyons, NY 14489; and Senator David Valesky, State Office Building, Suite 805, Syracuse, NY 13202.

**Discussion:**

Aikman, I am opposed to this resolution, at the beginning of the month we all signed LEG -1, "Urging Multi-Year State Takeover of Local Share of Medicaid, by passing this resolution we are sending a mixed message to the State of New York, we are asking for relieve. I also want to go on the record that I think the TASA is one of the best State Medicaid reimbursed programs we have. The State of New York has decided not to fund it, I don't want to send a mixed message to the state, we need relieve from Medicaid, I wish it wasn't from the program, but I cannot support this resolution.

Lattimore, agrees with Aikman, but supports resolution.

Mills, I will support this resolution, this is where a you have a non-governmental entity providing a tremendous service to the young people at risk in our community, presumably at a very cost effective rate of reimbursement.

Mahunik, I will support also, I agree with everything that has been said, but I believe it is important to realize that if this resolution support does not go anywhere, or the relieve is not there, or the money does not go into this program, the county will most definitely incur costs in other areas, because we will have to provide those services.

Fearon, yes we could end up taking over some of those costs, if you can help someone at a crossroad in their live, it can save the government a lot of money.

Tortorici, I will support this resolution, but during discussion in our committees, the agency providing this service is looking to other counties to find ways to provide this service. The cost of Medicaid to Cayuga County next year could be over a million dollars, so we certainly need to fight for mandate relief, but we will probably have more decisions like coming down as they cut more mandated services. We need to have our agencies look to see how they can share services, to supply these services to the residences of our community.

**Resolution passed by roll call vote, all voting aye, except Aikman voting no.**

**RESOLUTION NO. 419-11**

**10/25/11 TREpurpitneybowes**

**AUTHORIZING THE PURCHASE OF PITNEY BOWES EQUIPMENT AND SOFTWARE**

By: Mr. Roger Mills, Ways and Means Committee

WHEREAS, the County Treasurer is in need of a folder/inserting machine and

mailing software for the preparation of the Town and County, School and Village tax bills. This will replace the obsolete tabbing machine (\$17,000) and folding machine (\$5,000.00) needed to meet Post Office regulations; and

WHEREAS, the Health and Human Services Department, as well as other departments, will be using this equipment (folder/stuffer), and

WHEREAS, the Health and Human Services Dept, who can claim this expense for reimbursement, has agreed to pay \$5,000.00 towards the purchase of this equipment, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to purchase the DI380 Inserter and PB/First SmartMailer Software , and be it further

RESOLVED, that the \$5000.00 from the Human Services Dept. be made by the transfer of \$2,000 from A40104 54002 to A40102 52100 and transfer \$3,000 from A60104 54002 to A60102 52100. The balance of \$16,423.18 to be transferred from A16800 41280 to A16802 52000. The Cayuga County Treasurer is hereby authorized and directed to make the journal and accounting entries to accomplish the above. Signed by Mills, Cuddeback, Fearon, Mahunik, Petrus and Pinckney, all in favor.

**RESOLUTION NO. 420-11**

**(October 25, 2011) HD HRI Integrate Cancer Serv 2011**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW THE CONTRACT WITH HRI TO CONTINUE THE 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 again been offered federal funding for this program through Health Research, Inc.; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Health Research, Inc. to accept federal funding for participation in the Integrated Cancer Services Program in the amount of \$29,672 for the period of June 30, 2011 through June 29, 2012; and be it further

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

RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the Health Department's 2011 Budget in the following manner:

Increase Appropriation Account #40234 54000 .....	\$29,672
Increase Revenue Account #40230 43423 .....	\$29,672

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

**RESOLUTION NO. 421-11  
(October 25, 2011) HD CSHCN 2011-12  
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW THEIR CONTRACT WITH THE STATE AND ACCEPT THESE 100% FUNDS**

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

WHEREAS, the State Health Department has awarded funding to the Health Department for the period October 1, 2011 – September 30 2014 in the amount \$59,196 to continue our work in supporting, through information and referral, families who have children with special health care needs. We will receive \$19,732 per year for the next three years; and

WHEREAS, it is the Department’s desire to continue on with this initiative; NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to renew the Children with Special Health Care Needs Contract with the State, and accept funding in the amount of \$19,732 per year for the next three years for the period of October 1, 2011 through September 30, 2014; and be it further

RESOLVED, that upon notification from the Department, the County Treasurer be authorized and directed to make the necessary journal and accounting entries in each of the 2011, 2012 and 2013 Health Department Budgets as follows, and to accept any additional COLA funds relative to this program:

Increase Appropriation Account A40264 54000 .....	\$19,732
Increase Revenue Account A40260 43426 .....	\$19,732

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

**RESOLUTION NO. 422-11  
(October 25, 2011) HS Leave Bank JP  
AUTHORIZING THE CREATION OF A TEMPORARY LEAVE BANK FOR A CAYUGA COUNTY HUMAN SERVICES EMPLOYEE**

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

WHEREAS, an employee of the Cayuga County Human Services Department has a serious illness requiring treatment that will necessitate at this time a medical leave of indefinite duration; and

WHEREAS, this employee has worked for Health and Human Services Department since June 11, 2007, and will exhaust accruals due to this illness; and

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

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

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

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

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

**RESOLUTION NO. 423-11**

**(October 25, 2011) HS Abolish Caseworker Create/Fill HSE  
ABOLISHING A CASEWORKER POSITION IN THE DAY CARE UNIT OF  
HUMAN SERVICES; AUTHORIZING THE COUNTY LEGISLATURE TO  
CREATE A HUMAN SERVICES EXAMINER POSITION; AND AUTHORIZING  
THE DIRECTOR OF HEALTH & HUMAN SERVICES TO FILL THE NEWLY  
CREATED HUMAN SERVICES EXAMINER 100% FUNDED**

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

WHEREAS, Caseworker (Position Control #002209 - Grade 17) will be vacated in the Day Care Unit of Human Services due to the retirement of the incumbent effective October 29, 2011; and

WHEREAS, the caseworker's primary function is to provide assistance in securing and subsidizing child care to eligible families transitioning off Temporary Assistance, to eligible full-time students who are parents through graduation from high school, to income eligible working families and to working foster parents for children in their care; and

WHEREAS, upon reviewing the functions of this position, it was determined by the Civil Service Commission that these job duties could be executed by a Human Services Examiner, Grade 10; NOW, THEREFORE, BE IT

RESOLVED, that the Cayuga County Legislature create one Human Services Examiner position, Grade 10, in the Day Care Unit of Human Services, and abolish one Caseworker position, Grade 17, in that unit; and be it further

RESOLVED, that the Director of the Health & Human Services be authorized and directed to fill the newly created Human Services Examiner position (100% federally funded) and any fill behind in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga.

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

**RESOLUTION NO. 424-11**

**(October 25, 2011) HS Fill HSE  
AUTHORIZATION FOR THE DIRECTOR OF HEALTH & HUMAN SERVICES  
TO FILL A 100% FUNDED HUMAN SERVICES EXAMINER VACANCY  
AND ABOLISH THE BACK FILL ONCE THE INCUMBENT REACHES  
PERMANENT STATUS**

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

WHEREAS, the Department is requesting to fill an existing budgeted Human Services Examiner vacancy from a promotional list; and

WHEREAS, the Human Services Examiner can be of greater value in determining eligibility for the various benefit programs such as HEAP and Public Assistance where we are seeing caseload growth; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health and Human Services be authorized and directed to fill the existing budgeted Human Services Examiner vacancy (position control #002149) from a promotional list in a manner consistent with the rules and regulations of the Cayuga County Civil Service Commission and the policies of the County of Cayuga; and be it further

RESOLVED, that the back fill position remain vacant until the incumbent reaches permanent status as Human Services Examiner; and be it further

RESOLVED, that when the Human Services Examiner becomes permanent, the vacated back fill position be abolished.

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

**RESOLUTION NO. 425-11**

**10/25/11 NHcrtswdir REV**

**AUTHORIZATION TO CREATE AND HIRE A SOCIAL WORK  
DIRECTOR AND ABOLISH A SOCIAL WORKER POSITION AT THE  
CAYUGA COUNTY NURSING HOME.**

BY: Roger Mills, Chairman, Ways and Means Committee

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

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

WHEREAS, it is necessary to provide the social work function at the nursing home which includes social work, admissions and interviews for the Minimum Data Set (requirement for Medicare and Medicaid reimbursement); and

WHEREAS, the Civil Service Commission has approved the specifications for the position; and

WHEREAS, the Commission has established a wage structure that is consistent with similar titles at other skilled nursing facilities; now therefore be it

RESOLVED, that the position of Director of Social Work be hereby created in the Nursing Home; and be it further

RESOLVED, that the full time position of Social Worker be abolished; and be it further

RESOLVED, that the rate of pay be set in accordance to the appropriate Bargaining Compensation Plan, Part I which shall be amended to include the title within the Nursing Home; and be it further

RESOLVED, that the Nursing Home Administrator be hereby directed and authorized to hire a Social Work Director effective 12/1/11 to provide the aforementioned services at Cayuga County Nursing Home and that the hire be in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

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

**RESOLUTION NO. 426-11**  
**10/25/11 NH crtsupnrse rev**

**AUTHORIZATION TO CREATE AND HIRE AN ADDITIONAL SUPERVISING NURSE POSITION AND ABOLISH THE ASSISTANT DIRECTOR OF NURSING POSITION AT THE CAYUGA COUNTY NURSING HOME.**

BY: Roger Mills, Chairman, Ways and Means Committee

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

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

WHEREAS, it is necessary to designate a professional nurse to supervise the clinical practice of the nursing division at the Nursing Home; and

WHEREAS, the position already exists within the Compensation Plan for the County; and

WHEREAS, the Commission has established a wage structure that is consistent with similar titles at other skilled nursing facilities; now therefore be it

RESOLVED, that an additional supervising nurse be hired at the Nursing Home; and be it further

RESOLVED, that the position of Assistant Director of Nursing be abolished; and be it further resolved

RESOLVED, that the rate of pay be set at \$55,592.00 in accordance to the appropriate Non-Bargaining Compensation Plan, Part II which is a title within the Nursing Home; and be it further

RESOLVED, that the Nursing Home Administrator be hereby directed and authorized to hire a Supervising Nurse 11/1/11 to provide the aforementioned services at Cayuga County Nursing Home and that the hire be in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga. Signed by Mahunik, Aikman, Axton, Lattimore, Mills, Axton, Cuddeback, Fearon, Pinckney and Petrus, all in favor.

**RESOLUTION NO. 427-11**  
**10/25/11 NH srvcdrs**

**AUTHORIZING THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ACCEPT A PROPOSAL FOR REPLACEMENT OF SERVICE AREA DOORS AT THE NURSING HOME.**

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

BY: Roger Mills, Chairman, Ways & Means Committee

WHEREAS, the service area doors at the Nursing Home need replacement, and

WHEREAS, the Administrator of the Nursing Home sent out proposals to regional firms; and,

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

WHEREAS, the following proposals were received:

CNY Commercial Door Systems for \$1,975;

Mid-State Door for \$ 3,459; and,

WHEREAS, a comparison was made of the proposals considering the quality of the products, installation and disposal; and

WHEREAS, the proposal submitted by CNY Commercial Door Systems contains all of the elements anticipated in the specifications; now therefore be it,

RESOLVED, that the proposal be awarded to CNY Commercial Door systems for

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\$ 1,975 (One thousand nine hundred seventy-five dollars).

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

**RESOLUTION NO. 428-11**

**10/25/11 COL studentgovtsunset11**

**AUTHORIZING THE COUNTY TREASURER TO PAY THE SUNSET RESTAURANT FOR STUDENT GOVERNMENT DAY LUNCHESES.**

By: George Fearon, Chairperson Government Operations

WHEREAS, The Cayuga County Legislature will hold the annual Student Government Day on Tuesday October 25, 2011; and

WHEREAS, selected students attending Cayuga County High Schools will attend and observe the County Legislature and County Departments in operation; and

WHEREAS, funds have been appropriated in the adopted 2011 County Budget to pay for the lunches of the students and the School Chaperones attending Student Government Day; and

WHEREAS, the Sunset Restaurant requires payment at the conclusion of the luncheon on Student Government Day; and

WHEREAS, the members of the Legislature, Department Heads and other members of the public attending the Student Government Day Luncheon will pay for their own luncheon and said funds collected will be deposited in the Cayuga County Treasurer's Office; now therefore be it

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to pay the Sunset Restaurant for the Student Government Day Luncheon upon submission of an invoice certified by the Clerk of the Legislature and the Chairman of the Legislature out of account A10104-54071; and be it further

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

Signed by Fearon, Mitchell, Chapman, Sincebaugh, Aikman and Whitman, all in favor.

**RESOLUTION NO. 429-11**

**10.25.11 COA fillbldfredrev**

**AUTHORIZING THE CAYUGA COUNTY ATTORNEY TO FILL THE POSITION OF BUILDING INSPECTOR AND CODE ENFORCEMENT OFFICER.**

By: Hon. George Fearon, Chairman Government Operations Committee

Hon. Roger Mills, Chairman Ways and Means Committee

Whereas, the Building Inspector and Code Enforcement Officer gave his 30 days notice; effective November 4, 2011; and

Whereas, it is critical to the operation of the county that the position of Building Inspector and Code enforcement Officer be filled; now therefore be it

Resolved, that the County Attorney to fill the position of Building Inspector and Code enforcement Officer (position control number ); and be it further

Resolved, the appointment be made in a manner consistent with the rules and regulations of the County of Cayuga and the Cayuga County Civil Service Commission Signed by Fearon, Chapman, Mitchell, Whitman, Axton, Cuddeback, Mahunik, Petrus and Pinckney, all in favor.

**RESOLUTION NO. 430-11**  
**10-25-11 CC co.clkslary11-15**  
**ESTABLISHING THE SALARY FOR THE CAYUGA COUNTY CLERK**  
**FOR THE YEARS 2012-2015**

BY: George Fearon, Chair, Government Operations

Roger Mills, Chair, Ways & Means Committee

Whereas, it is the duty and obligation of the Cayuga County Legislature to establish compensation for officers, pursuant to Section 201 of the County Law; and

Whereas, it is necessary to establish the salary for the Cayuga County Clerk, commencing January 1, 2012 through December 31, 2015; now, therefore be it

Resolved, that compensation in the form of an annual salary for the Cayuga County Clerk is hereby established as follows:

January 1, 2012 – December 31, 2012 \$66,738.00

January 1, 2013 – December 31, 2013 \$66,738.00

January 1, 2014 – December 31, 2014 \$66,738.00

January 1, 2015 – December 31, 2015 \$66,738.00

And be it further

Resolved, that the Cayuga County Treasurer is hereby directed to make the necessary accounting and journal entries.

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

**RESOLUTION NO. 431-11**  
**10-25-11 PB greeninnovationgrantsurveyingrev2**  
**AUTHORIZING CAYUGA COUNTY CHAIRMAN TO SIGN A PROFESSIONAL**  
**SERVICES AGREEMENT FOR SURVEYING FOR THE OWASCO FLATS**  
**WETLAND RESTORATION AND RIPARIAN BUFFERS INITIATIVE PROJECT**

BY: Ms. Ann Petrus, Chair, Planning and Economic Development Committee

Mr. Roger A. Mills, Chair, Ways and Means Committee

WHEREAS, Cayuga County will receive grant funds for the Owasco Flats Wetland Restoration and Riparian Buffers Initiative Project (GIGP No. 324), a green innovation project, through the New York State Environmental Facilities Corporation Green Innovation Grant Program (GIGP); and

WHEREAS, Cayuga County will receive \$712,500.00 in grant funds to conduct work recommended in the Owasco Flats Restoration Feasibility Report to reduce phosphorus and sediment loads to the Owasco Inlet and ultimately Owasco Lake; and

WHEREAS, archeology and other work needs to be completed by the end of December 2011 to finalize the grant agreement with New York State Environmental Facilities Corporation, including surveying to create elevation controls for final design and construction, floodplain limits and the western project limits; and

WHEREAS, professional services for surveying were solicited in accordance with Resolution No. 316-11, resulting in the receipt of four proposals on October 11, 2011, which were analyzed with the most responsive for Phase 1 services being from Tectonic Engineering & Surveying Consultants P.C. from Mountainville, NY at a cost of \$16,795 from Capital "H" Account No.11-2; and

WHEREAS, Cayuga County will be reimbursed for these services once the grant agreement is signed; and



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RESOLVED, the Cayuga County Legislature authorizes the County Chairman to sign the agreement to hire the most responsive firm to complete the Phase 1 survey; and

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

Signed by Petrus, Fearon, Mahunik, Mills, Cuddeback and Pinckney, all in favor

**RESOLUTION NO. 432-11**

**10/25/2011 BLD fill PT Account Clerk Typist rev3**

**AUTHORIZING THE SUPERINTENDENT OF BUILDINGS AND GROUNDS  
TO FILL A PART TIME ACCOUNT CLERK TYPIST POSITION IN THE  
BUILDINGS AND GROUNDS DEPARTMENT**

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

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

WHEREAS, Resolution Number 700-06 authorized the Superintendent of Buildings & Grounds Department to hire a Part-Time (19 hour per week) position of Account Clerk Typist in the Buildings and Grounds Department; and

WHEREAS, the incumbent, who has held this position since its conception, will be retiring as of November 18<sup>th</sup> 2011; and

WHEREAS, this position is necessary for the clerical support of the Buildings and Grounds Department to process the day-to-day paperwork in the department; and

WHEREAS, A cross training period is requested not to exceed 38 hours; and

WHEREAS, funding has also been provided in the 2011 and 2012 budget, now therefore let it be

RESOLVED, that the Superintendent of Buildings and Grounds be hereby authorized to fill the positions of Account Clerk Typist, Part-Time, position number 006355 in accordance with the Civil Service Rules and Regulations and the policies of the County of Cayuga, and be it further

RESOLVED, that a cross training period not to exceed 38 hours for training of the new person; and be it further

RESOLVED, that the Superintendent of Buildings and Grounds and Civil Service implement the intent of this resolution.

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

**RESOLUTION NO. 433-11**

**Date: October 25, 2011 HWY fillGaragemgrrev2**

**AUTHORIZATION FOR SUPERINTENDENT OF HIGHWAYS TO FILL A  
GARAGE MANAGER POSITION WITHIN THE HIGHWAY DEPARTMENT**

BY: David Axton, Public Works Committee

Roger Mills, Chairman, Ways & Means Committee

WHEREAS, a Garage Manager position will be vacated on or before 11/30/11 due to retirement; and

WHEREAS, this Garage Manager position is critical to the operation of the highway department's facility operations; and

WHEREAS, this position (Position Control #002370) 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, Mitchell, Whitman, Cuddeback, Fearon and Petrus, all in favor.

**RESOLUTION NO. 434-11**

**Date: October 25, 2011 HWY wintertemp2011**

**AUTHORIZATION TO HIRE PART TIME SEASONAL LABORERS**

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

WHEREAS, during the past several winter seasons individuals have been hired to cover the phones and radios during weekends and holidays; and

WHEREAS, it is more cost effective to staff the weekends and holidays with temporary personnel as compared to paying permanent personnel overtime; and

WHEREAS, seasonal laborers required from mid-November to the middle to end of April for weekends and holidays; now therefore be it

RESOLVED, that the County Highway Superintendent be authorized to hire seasonal Laborer employees for the mid-November to the end of April time frame, and be it further

RESOLVED, that these personnel be paid at an hourly rate of \$10.00 for 1<sup>st</sup>&2<sup>nd</sup> shift and not to exceed \$10.50 per hour for 3<sup>rd</sup> shift, without benefits; from Accounts D51421 51005 & D51441 51005 (Seasonal Salaries); 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, Cuddeback, Fearon, Mahunik and Petrus, all in favor.

**RESOLUTION NO. 435-11**

**October 25, 2011 HWY salarytrans2**

**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	2011 CURRENT BUDGET	INCREASE/ (DECREASE)	2011 REVISED BUDGET
D51101	51005	\$93,500.00	-\$35,800.00	\$57,700.00
D51134	51005	\$0.00	\$2,500.00	\$2,500.00
D51421	51005	\$0.00	\$22,110.00	\$22,110.00
D51441	51005	\$0.00	\$10,890.00	\$10,890.00
D51481	51005	\$0.00	\$300.00	\$300.00

And be it further

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RESOLVED, that the Cayuga County Treasurer be and is hereby authorized and directed to make the necessary journal and accounting entries to accomplish the same. Signed by Axton, Barski, Chapman, Cuddeback, Mitchell, Pinckney, Whitman, Cuddeback, Fearon, Mahunik and Petrus, all in favor.

**RESOLUTION NO. 436-11**

**Date: October 25, 2011 HWY NicholsbrdgLAFAPrev**

**AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF NICHOLS RD OVER STERLING CREEK BRIDGE REPLACEMENT FEDERAL-AID PROJECT**

By: Dave Axton, Chairman Public Works Committee

Roger Mills, Chairman Ways and Means Committee

WHEREAS, the Nichols Road bridge, BIN 3311750, P.I.N. 3755.49, (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Cayuga desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Design and Construction Phases I-IV; and

WHEREAS, a Capital "H" project will be established once the project is initiated and an accurate estimate of the cost of the project is available; Now Therefore be it

RESOLVED, that the County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED, that the County Legislature hereby authorizes the County of Cayuga to pay in the first instance 100% of the federal and non-federal share of the cost of Design work for the Project or portions thereof; and it is further

RESOLVED, that the Chairman of the County Legislature of the County of Cayuga be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the County of Cayuga with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching any necessary Agreement in connection with the Project. And it is further

RESOLVED, this resolution shall take effect immediately.

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

**RESOLUTION NO. 437-11****10-25-11 ADM transfundcap”H”ac’s****AUTHORIZING TRANSFER OF FUNDS REMAINING IN VARIOUS CAPITAL  
“H” ACCCOUNTS AND THE CAPITAL RESERVE ACCOUNT INTO CAPITAL  
“H” No. 08-2 EMERSON PARK PAVILION REPAIRS AND MAINTENANCE**

By: David Axton, Chairperson, Public Works

Roger Mills, Chairperson Ways and Means

Whereas, by Resolution 289-08 of the Cayuga County Legislature authorizes the County Treasurer was authorized to establish Capital “H” No.08-2 “Emerson Park Pavilion Repairs & Maintenance”; and

Whereas, the Cayuga County Legislature has licensed the Emerson Park Pavilion for purposes of renovating the facility and has agreed to provide certain in-kind site work services related to utilities, parking lot improvements and other infrastructure in support of the Pavilion; and

Whereas, the estimated cost to provide certain in kind site work services is \$528,800.00 exclusive of labor and equipment to be provided by the Cayuga County Highway Department, to complete the site work; and

Whereas, the Capital “H” No. 08-2 has an available balance of \$192,482.00; and

Whereas, other Capital “H” accounts related to projects that have been completed have remaining balances, and there exists a Capital Reserve account dedicated to capital improvements with available funding for the project; now therefore be it

Resolved, that the Cayuga County Treasurer is hereby authorized and directed to transfer to Capital “H” No. 08-2 funds from the following accounts:

\$8054.84 from 10-04 Ira Salt Shed

\$28,277.97 from 04-04 Enhanced 911

\$317.00 from Rt 90 Scenic Highway

And be it further

Resolved, the Cayuga County Treasurer is hereby authorized and directed to transfer that the sum of \$299,668.19 from the Capital Reserve account Capital “H” No. 08-2; 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, Mitchell, Pinckney, Whitman, Cuddeback, Fearon, Mahunik and Petrus, all in favor.

**RESOLUTION NO. 438-11****10/25/11 SHR Modify Capital “H” #10-02rev2****AMENDING THE CAYUGA COUNTY SHERIFF’S OFFICE CAPITAL “H”  
PROJECT NO. 10-02 (CONSTRUCTION OF A POST FRAME BUILDING  
PROJECT) TO PROVIDE FINANCIALLY FOR ADDITIONAL INTERIOR AND  
EXTERIOR WORK FOR THE COMPLETION OF SAID POST FRAME  
BUILDING PROJECT.**

BY: HON. MR. STEVEN E. CUDDEBACK, Chairman, Public Safety Committee, and  
HON. MR. ROGER MILLS, Chairman, Ways & Means Committee.

WHEREAS, Resolution #JP 218-10 authorized the County Treasurer to create the Cayuga County Sheriff’s Office Capital “H” Project# 10-02 (CONSTRUCTION OF A POST FRAME BUILDING PROJECT) in an amount not to exceed \$115,200.00 and to source the funding of this project by a transfer from two separate Inmate T Accounts as

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follows:

\$24,000 – T Account 92 - (SCAAP) State Criminal Alien Assistant Program

\$91,200 – T Account 77 - Inmate Phone Account; and

WHEREAS, this Resolution did not adequately include costs for the completion of various interior and exterior work for the Post Frame Building Project; and

WHEREAS, said work will be completed by inmate labor and supervised by Cayuga County Sheriff Custody Officers through the Cayuga County Inmate Work Crew; now therefore be it

RESOLVED, that Capital "H" Project No. 10-02 (CONSTRUCTION OF A POST FRAME BUILDING PROJECT) is increased from \$115,200.00 to an amount not to exceed \$155,200.00; and be it further

RESOLVED, that in order to carry out the Project, the Cayuga County Treasurer is hereby authorized to transfer up to \$40,000.00 from the CM-77 (Inmate Phone Account) to the Cayuga County Sheriff's Office Capital "H" Project No. 10-02 (CONSTRUCTION OF A POST FRAME BUILDING PROJECT); and it is further

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

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

**RESOLUTION NO. 439-11**

**Action Date 10/25/11 911 ptESDfill**

**AUTHORIZATION TO RECLASSIFY A PART – TIME EMERGENCY SERVICES DISPATCHER SUB POSITION TO PART-TIME EMERGENCY SERVICES DISPATCHER**

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

Mr. Roger Mills, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County 911 Center would like to reclassify an Emergency Services Dispatcher Part-Time sub position to Part Time Emergency Services Dispatcher ; and

WHEREAS, there is no fiscal impact to the budget as both positions have common salaries; and

WHEREAS, it is necessary to select a candidate and fill the Part-Time Emergency Services Dispatcher position from the current civil service list, for continuity of services; now therefore be it

RESOLVED, that the 911 Administrator be hereby authorized to reclassify the Emergency Services Dispatcher PT sub position #1892 to Part Time Emergency Services Dispatcher; and be it further

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

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

**RESOLUTION NO. 440-11**  
**10.25.11 911 fillftesdispatcher**  
**AUTHORIZATION TO FILL A VACANT EMERGENCY**  
**SERVICES DISPATCHER POSITION**

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

WHEREAS, the Cayuga County 911 Center currently has a vacant Full-Time Emergency Services Dispatcher position; and

WHEREAS, the Cayuga County E-911 Center has received a notification of resignation and it is necessary to select candidates and fill the Emergency Services Dispatcher position for continuity of services; now therefore be it

RESOLVED, that the position (#001921) be filled, and that the 911 Administrator be hereby authorized to fill the vacant Emergency Services Dispatcher position from the existing Civil Service list; and be it further

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

Signed by Cuddeback, Barski, Petrus, Sincebaugh, Whitman, Axton, Fearon, and Mahunik, all in favor.

**RESOLUTION NO. 441-11**  
**10-4-11 LEG Medicaidtakeoverrev3**  
**URGING MULTI-YEAR STATE TAKEOVER OF LOCAL SHARE OF MEDICAID**

WHEREAS, county officials across the state are presently introducing their 2012 budgets; and

WHEREAS, these budget decisions are being made under the constraints of the State's new property tax cap; and

WHEREAS, when State lawmakers enacted a property tax cap, they pledged to provide mandate relief that would enable and empower local leaders to implement that tax cap locally; and

WHEREAS that mandate relief has not materialized; and

WHEREAS, by far, at a local statewide cost of \$7.3 billion, and growing by 3 percent each year, Medicaid is the number one mandate facing counties; and

WHEREAS, State Legislation (S.5889-B) will require state policymakers to take full fiscal responsibility for New York's largest in the nation Medicaid program, by implementing an eight (8) year gradual State takeover of county Medicaid costs; and

WHEREAS, removing county taxpayers from the financing of Medicaid is the single most important thing the State Legislature can do to lower property taxes for New Yorkers; and

WHEREAS, the State takeover of county Medicaid costs will lead to lower property taxes and enhance New York's economic competitiveness and improve economic opportunities for all New Yorkers; and

WHEREAS, state lawmakers can fund the takeover with a combination of Medicaid program reforms, state-derived savings and other spending controls, including, applying MRT (Medicaid Redesign Team) reform savings to mandate relief and pursuing a federal Medicaid waiver to leverage state cost containment initiatives that can be applied to property tax relief and applying future revenues to lowering property taxes and by allowing federal health care reforms to cover New Yorkers; now, therefore, be it

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RESOLVED that the Cayuga County Legislature calls on State lawmakers to keep their promise, and sign on to legislation (S5889-B) designed to provide mandate relief for counties, in the form of an eight-year State takeover of county Medicaid costs.

Signed by Tortorici, Whitman, Chapman, Axton, Petrus, Pinckney, Mills, Fearon, Mitchell, Cuddeback, Barski, Mahunik, Lattimore, Sincebaugh, Aikman, all in favor.

**Motion by Chapman to adjourn at 11:12AM, 2<sup>nd</sup> by Pinckney, all in favor.**

**Motion by Chapman to approve minutes of 10-25-11, 2<sup>nd</sup> by Pinckney, all in favor.**

**MINUTES  
CAYUGA COUNTY LEGISLATURE  
TUESDAY, NOVEMBER 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 excused Michael Chapman, Ann Petrus and Francis Mitchell.

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**DEATHS:** Carolyn Wethey, mother of George Wethey, Registered Nurse at Auburn Memorial Hospital, Port Byron Central School nurse for 26 years, and was very active in the community.

Roger W. Coleman, 34 year veteran of the Highway Department.

**PROCLAMATIONS:** Harlem Superstars Day in Cayuga County, November 2, 2011

**PRESENTATION:** Bonadio & Co., Inc. Randall Sheppard, re: Financials, handout attached to original Minutes.

**Discussion:**

**Tortorici, economic assistance, what does that include?**

**Sheppard, home programs, public assistance, things like that.**

**Lattimore, consortium, 14 million that's in there now, our money their money, do they pay into it, we don't have that included in our fund balance.**

**Sheppard, it is in your fund balance.**

**Lattimore, so that is ours to take?**

**Sheppard, it is ear-marked for the consortium, it's not available for the county's use, just for the consortium.**

**Westphal, that is correct.**

**Squires, it is included in the financial statements, it's not accounted for in the county's general fund.**

**Fearon, the best way to describe it is one is a gross number and one is net.**

**Mills, seems to me we appropriated 4.9 million in calendar year 2010, we didn't use all that, is that a fair statement?**

**Squires, in 2011 we appropriated 4.9 million towards 2011, if you back up a year we appropriated end of 2009 some of fund balance into to 2010**

**Mills, if we didn't use all of that can you give me an explanation why?**

**Sheppard, Public Health is under budget, about 3 million for the current year.**

**Mills, because of less services provided or reimbursement from State & Federal sources.**

**Sheppard, I don't know offhand, I will get back to you.**



**Lattimore, we have improved our credit rating over the past few years, if the fund balance is depleted, at what point does it affect our credit rating.**

**Sheppard, they look at more than just the fund balance, don't want to be below 10% of your revenue, you're at about 16%.**

**Mills, it is November 22, 2011, and were getting this information presented to us and it was available to us a couple weeks, it seems like it's not as timely as it should be. Is there a reason why we didn't receive it earlier?**

**Sheppard, there was some procedurally things going on between us and our finance office, we did it as quickly as we could, we wanted to get complete and accurate information.**

**Mills, next year September.**

**Sheppard, yes.**

**Mills, as we go through our budget process it's always helpful to have some relative current information.**

**Lattimore, we are going out to bond for the radio, how much is that going to cost?**

**Squires, 17 million and some change**

**Lattimore, what impact will that have on our credit rating.**

**Squires, shouldn't have any impact.**

**Motion by Mills to accept Audit Report, 2<sup>nd</sup> by Pinckney, all in favor.**

**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.

**Pinckney, has a constituent that would like me to present her feelings on a letter I have; Sullivan County, Legislator's in favor of supporting the surcharge on high income tax payers (millionaire's tax). She is asking that we do a support letter from Cayuga County to support this.**

**Tortorici, there is also a letter from the Cayuga County Council of Senior Citizens; requesting a letter be sent to Governor Cuomo, related to the surcharge on high income taxpayers which is scheduled to end by December 31, 2011. She would like us to send this letter to the Governor to urging them to continue the millionaire's tax and oppose expiration date.**

**Cuddeback, send it through committee.**

**Tortorici, we need to get to the Governor by December 22, 2011.**

**Aikman, we meet on December 8, 2011, can we consider it then?**

**Tortorici, Government Operations meets December 1, 2011.**

**Fearon, please add to Government Operations agenda.**

**MINUTES:** For Approval: 9-27-11, Motion by Axton, 2<sup>nd</sup> by Mills.

Discussion:

Mills the discussion on the MOA with the college, agenda items where we were increasing the amount of funding available for the college, changing our Capital "H" structure, the discussion is missing. I thought there was an understanding where the funding would come from to support that cost, also spelling error in Chairman's report.

**Motion by Mills to table approval of minutes of 9-27-11, 2<sup>nd</sup> by Pinckney, all in favor.**

For Reading: 10-25-11

**CCC REPORT:** Dr. Daniel Larson: report attached to original minutes.

**Discussion:**

Mills, status of MOA, it has been a couple of months since it was presented, I know at the time we left it in the hands of the attorney's to work out the fine details.

Larson, I had a brief conversation with Fred Westphal before this meeting we have heard back from the SUNY legal counsel, their concern is that by mentioning the word "operating funds" in that memorandum we are contrary to New York State law. We need to figure a way by which we can delete reference to "operating Funds".

Mills, you mentioned in your report that there has been bids awarded, money is being spent on demolition costs and so on, funding for that, is that something the college is providing? At what point does the county have to get involved?

Larson, that project, as you will recall, was approved by the county some months ago and we have moved forward with it. State Funding is in place for it and as you know it has a local sponsor for the college, the County Trust, those Capital Funds and then they are reimbursed by New York State at that 50% range. The other 50% is college foundation it's capital fund raising, there will also be charge back revenue, which the county holds close to \$500,000 in funding credit for the college.

Mills, Legislator Axton asked if we could be in touch with Oswego County about adjusting the charge back.

Larson, we need to do that.

Mills, has anyone reached out to them?

Tortorici, the only discussion that I heard was going on was the co-sponsorship, we are currently not in any conference with Oswego County.

Mills, is it anticipated?

Larson, it needs to happen.

Mills, is the college going to initiate that.

Larson, we need to get that done.

Mills, before these bills become due.

Tortorici, we will make some phone calls.

Lattimore, is there some concept on having a regional concept verses the system that we have now?

Larson, there has been some discussion on that and it is moving forward.

Lattimore, can you give us an update on the downtown theater project.

Larson, it is still in the final phases of design, there has been an enormous amount of work by all parties to insure that project is designed as efficiently and effectively as possible. We are going to have a meeting with all the parties that have been associated with this and believe that a package will be ready to go out to bid and be ready to break ground next spring.

Pinckney, any update on student housing.

Larson, that project is moving forward.

Lattimore, the people on prospect St. would love to have a conversation with the college.

Larson, we would love to do that, but we don't have anything ready to share with them at this time.

Tortorici, we put in the applications for approval for the rest of the bonding for the college project and for the increase in costs, any time frame on this?

Larson, the Finance Committee of the SUNY Board of Trustees met about 3 weeks ago, both applications were responded to with a positive recommendation. The SUNY Board

of Trustees met yesterday and today and I don't have a report on any action taken on that yet.

**Tortorici**, I would like to recognize Kate O'Connell, she will be leaving us tomorrow. I would like to say on behalf of the Legislature, to thank you for all your hard work you have done here, in our community and getting us through the construction on the new Mental Health Facility. We are going to miss you, thank you again for everything you have done for the residents of our county.

O'Connell, it has been a privilege to work with the Legislature, everything I brought before you, you supported. I couldn't have done it without your support. Mental Health has a traffic team, you have good employees.

**COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS:**

Fearon, a court decision came down, that ultimately affects sales tax in the State of New York on tobacco in a positive way.

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

**Discussion:**

Squires, there will be a Public Hearing on the Tentative Budget as amended on December 8, 2011 at 6:00PM and there will be a meeting to consider the budget as amended on December 13, 2011 at 6:00PM. ....

Mills, on the salary savings, \$615,000 for 10 months and I know you budgeted some additional savings for the 2012 budget.

Squires, \$300,000, the same 4 departments increased their amounts slightly.

Mills, a lot higher than I would have envisioned it.

Cuddeback, that's on open positions

Squires, yes, salaries as well as fringes, when positions become open and there are vacancies that are carried, that salary and fringe is unspent so what we have done is swept in into the contingency account.

Fearon, in the future it will be harder and harder to this.

Squires, yes, because of fewer positions.

**CHAIRMAN'S REPORT:** Peter Tortorici, today at the Board of Health Meeting the State put out the Environmental Impact Statement on fracking. I asked Legislator Mahunik to give Eileen O'Conner an update on that for Health & Human Services this month on that.

**APPOINTMENTS AND RE-APPOINTMENTS: None**

**COMMUNICATIONS AND ANNOUNCEMENTS:**

1. Received acknowledgement of Resolutions numbers 418-11 (Urging the Governor of NYS to maintain Medicaid reimbursement for Teen Age Services Act (TASA) and Resolution number 441-11 (calling NY Lawmakers to sign into Senate Bill S5889-B, designed to provide mandate relief for counties for Medicaid costs, from Brian Kolb, State Assembly Minority Leader.

**Motion by Axton to waive reading of communications, 2<sup>nd</sup> by Pinckney, all in favor.**

**RESOLUTIONS 11-22-11****RESOLUTION NO. 442-11****11-22-11 AP Audit November 11 (A)****AUTHORIZING THE COUNTY TREASURER TO PAY OCTOBER 13-OCTOBER 26, 2011 AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on November 22, 2011 audit claims against the County of Cayuga in the aggregate sum of \$891,066.77 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, Petrus and Pinckney, all in favor.

**RESOLUTION NO. 443-11****11-22-11 AP Audit November 11 (B)****AUTHORIZING THE COUNTY TREASURER TO PAY OCTOBER 27-November 9, 2011 AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on November 22, 2011 audit claims against the County of Cayuga in the aggregate sum of \$1,978,930.05 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, Petrus and Pinckney, all in favor.

**RESOLUTION NO. 444-11****11/22/11 COL annexfinalmeet11rev****DESIGNATING DECEMBER 20, 2011, AS THE DATE OF THE FINAL MEETING OF THE CAYUGA COUNTY LEGISLATURE FOR THE FISCAL YEAR 2011.**

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

WHEREAS, at the November 22, 2011 meeting of the Cayuga County Legislature, it was agreed that the final meeting of the year be held on, December 20, 2011; now, therefore, be it

RESOLVED, that it is hereby confirmed that this December 20, 2011 meeting is hereby designated to be the final meeting of the Cayuga County Legislature for the fiscal year 2011, subject to the right of the Chairman to call a special meeting if necessary.

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

**RESOLUTION NO. 445-1**

**11-22-11 RP transferfunds2011rev1**

**TRANSFERRING FUNDS TO THE EQUIPMENT LINE FOR THE PURCHASE OF COMPUTERS FOR THE OFFICE OF REAL PROPERTY TAX SERVICES**

BY: Roger Mills, Chairman, Ways & Means Committee

WHEREAS, the Office of Real Property Tax Services is in need of new computer equipment; and

WHEREAS, there are insufficient funds available in the department of Real Property Tax Services equipment budget line (A13552-52000) for this purchase; and

WHEREAS, it is necessary to transfer funds from various contractual accounts (A13554) to purchase computer equipment; now therefore be it

RESOLVED, that the Cayuga County Treasurer transfer funds in the amount of \$4,482.19 from the following Contractual Accounts into the Equipment Account (A13552-52000) as follows:

- \$ 2,300.00 – Office Supplies (A13554-54049);
- \$ 120.00 – Professional Dues (A13544-54058); and
- \$ 1,079.00 – Professional Services (A13554-54059); and
- \$ 40.69 – Legal Notices (A13554-54060); and
- \$ 285.00 – Seminars & Conference Fees (A13554-54067); and
- \$ 7.50 – Stationary & Forms (A13554-54070); and
- \$ 200.00 – Department Expense (A13554-54074); and
- \$ 250.00 – Travel Out of County (A13554-54084); and
- \$ 200.00 – Mileage Reimbursement (A13554-54112) be it further

RESOLVED, that the Office of Real Property Tax Services is hereby authorized to purchase computer equipment with the approval and guidance of the Cayuga County IT department, and 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 Mills, Axton, Fearon and Mahunik, all in favor.**

**RESOLUTION NO. 446-11**

**(11/22/2011) RP CCCapportioncost**

**AUTHORIZE DIRECTOR OF REAL PROPERTY SERVICES TO APPORTION COMMUNITY COLLEGE COSTS FOR TAX PURPOSES**

By: Roger Mills, Chairman, Ways & Means Committee

WHEREAS, The Cayuga County Treasure’s has provided figures to be levied back against several municipalities; now therefore be it

RESOLVED, that the Office of Real Property Services is hereby authorized to charge the several municipalities, on the 2012 tax bills, the costs as certified by the County Treasurer for Community College purposes as follows:

City of Auburn .....	111,745.07
Town of Moravia .....	59,490.27
Town of Aurelius .....	19,247.91
Town of Niles .....	11,941.59
Town of Brutus .....	40,178.36
Town of Owasco .....	29,440.52
Town of Cato .....	25,891.76

Town of Scipio .....	17,794.70
Town of Conquest .....	7,651.01
Town of Sempronius .....	19,186.47
Town of Fleming .....	17,303.63
Town of Sennett .....	18,604.37
Town of Genoa .....	36,844.47
Town of Springport .....	31,153.95
Town of Ira .....	20,705.76
Town of Sterling .....	21,800.43
Town of Ledyard .....	11,381.74
Town of Summerhill .....	40,265.83
Town of Locke .....	54,457.65
Town of Throop .....	17,100.03
Town of Mentz .....	16,902.10
Town of Venice .....	5,330.67
Town of Montezuma .....	8,258.90
Town of Victory .....	10,305.21
<b>Total .....</b>	<b>652,982.40</b>

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

**RESOLUTION NO. 447-11**  
**11/22/11 RP adoptequalrates**  
**TO ADOPT EQUALIZATION RATES FOR THE APPORTIONMENT**  
**OF THE 2012 COUNTY TAX LEVY**

By: Roger Mills, Chairman, Ways & Means Committee

Whereas, it is recommended that the following equalization rates, which have been set by the NYS Board of Real Property Services for the City of Auburn and the several Towns, be adopted for the 2012 Cayuga County tax levy.

City of Auburn .....	100.00
Town of Moravia .....	100.00
Town of Aurelius .....	100.00
Town of Niles .....	100.00
Town of Brutus .....	95.00
Town of Owasco .....	90.00
Town of Cato .....	100.00
Town of Scipio .....	95.00
Town of Conquest .....	79.00
Town of Sempronius .....	100.00
Town of Fleming .....	38.36
Town of Sennett .....	100.00
Town of Genoa .....	100.00
Town of Springport .....	85.00
Town of Ira .....	100.00
Town of Sterling .....	100.00
Town of Ledyard .....	100.00
Town of Summerhill .....	100.00
Town of Locke .....	100.00
Town of Throop .....	100.00

Town of Mentz .....	75.00
Town of Venice .....	100.00
Town of Montezuma .....	95.00
Town of Victory .....	100.00

Now, therefore, be it

RESOLVED, that the above equalization rates be fixed, determined, approved and adopted as the percentages on which the assessed value of the real property in the several tax districts of Cayuga County bear to the full value thereof, and that the equalization of the real property for the purpose of appropriating the amount to be levied and raised by taxes for County purposes for the year 2012 be obtained and made on the basis of such percentages.

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

**RESOLUTION NO. 448-11**  
**(11/22/2011) RP 2500orlesscorroferor**

**AUTHORIZING THE CAYUGA COUNTY TREASURER TO MAKE REFUNDS  
OR CORRECTIONS OF REAL PROPERTY TAXES IN THE AMOUNT OF  
\$2,500 OR LESS**

BY: Roger Mills, Chairman, Ways & Means Committee

WHEREAS New York State Real Property Tax Law allows the County Legislature to delegate to the County Treasurer responsibility for making corrections and refunds of Real Property Taxes where the amount of the correction does not exceed \$2,500; and

WHEREAS delegating that responsibility creates greater efficiency, saves taxpayer dollars by streamlining the process which takes less time of County personnel and ensures faster service to the effected property owners; now, therefore be it

RESOLVED that pursuant to Sections 554 and 556 of the New York State Real Property Tax Law, the Cayuga County Legislature hereby authorizes the County Treasurer for the County of Cayuga to perform the duties of issuing refunds or corrections of taxes due as provided in said Real Property Tax Law Sections, where the recommended refund or correction is \$2,500 or less; and be it further

RESOLVED that action by the County Treasurer is to be based on a sworn affidavit by the local assessing authority (Town Assessor) and the written report and recommendation of the Cayuga County Director of Real Property Tax Services; and be it further

RESOLVED that the Director of Real Property Services will submit a monthly report for the precluding month to the Legislative Ways and Means Committee containing: the township; parcel; ownership information; the reason for the correction; and the dollar amount of the correction or refund; and be it further

RESOLVED that this resolution shall take effect immediately and is effective through the 2012 calendar year.

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

**RESOLUTION NO. 449-11**  
**11/22/11 RP proratecostsrvrev**

**PRORATE COSTS OF SERVICE PROVIDED TO TOWNS**

By: Roger Mills, Chairman, Ways & Means Committee

WHEREAS, the County Legislature did by adoption of Local Law No. 1 of 1968, as amended by Local Law No. 3 of the year 1991, initiate a program of Tax Installment Collection; and

WHEREAS, the County of Cayuga does prepare the necessary forms to institute this installment collection service, as well as the machine preparation of new assessment rolls and extension of taxes on a yearly basis, and to cover computer expenses; and

WHEREAS, tabulating expenses in preparing Town and School Assessment Rolls is a Town charge; now therefore be it

RESOLVED that the Office of Real Property Services is hereby authorized to prorate the cost back to the Towns on services performed by the County in the amount of \$63,641.51 (\$38,974.35 to the Office of Real Property Services, and \$24,667.16 to the Treasurer's office.) This total is computed on one-third **salary and benefits** of the Supervising RPTS Specialist (\$ 53,965.08), the Sr. GIS/Tax Map Technician (\$62,959.15), and the Sr. Computer Systems Technician (\$74,002.21). This cost is then prorated back to the towns by the number of parcels per town; and it is

RESOLVED that the Office of Real Property Services is hereby authorized to charge the cost back to the Towns for the annual licensing fee for users of the New York State Real Property System, in the amount of \$21,850. This licensing fee has been established in accordance with Section 190-5.4(B) of the Rules for Real Property Tax Administration.

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

**RESOLUTION NO. 450-11**  
**(11/22/2011) RP novmortgagetax**

**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 **\$436,162.01**, the same being the net amount collected from the taxation of mortgages for the period April 1, 2011, to September 30, 2011; and

WHEREAS, there is in the County Treasurer's Account No. T-58, the amount of **\$436,162.01** 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 **\$436,162.01** to the City of Auburn and the several Towns and Villages of the County of Cayuga in the following amounts:

City of Auburn .....	\$125,007.20
Montezuma .....	\$2,480.98
Aurelius .....	\$19,939.16
Moravia .....	\$7,970.97
Cayuga Vlg .....	\$1,516.53
Moravia Vlg .....	\$3,022.29
Brutus .....	\$8,447.02
Niles .....	\$22,537.48
Weedsport Vlg .....	\$4,337.46
Owasco .....	\$47,521.47
Cato .....	\$14,477.26
Scipio .....	\$9,589.99
Cato Vlg .....	\$516.44
Sempronius .....	\$3,953.64
Meridian Vlg .....	\$569.84



Sennett .....	\$33,995.54
Conquest .....	\$10,400.37
Springport .....	\$9,622.13
Fleming .....	\$14,599.46
Union Springs Vlg .....	\$3,398.95
Genoa .....	\$10,661.19
Sterling .....	\$11,997.89
Ira \$10,559.32 .....	
Fair Haven Vlg .....	\$7,892.81
Cato Vlg .....	\$588.10
Summerhill .....	\$4,688.57
Ledyard .....	\$7,445.52
Throop .....	\$11,799.91
Aurora Vlg .....	\$1,545.07
Venice .....	\$4,731.89
Locke .....	\$5,450.05
Victory .....	\$5,247.92
Mentz .....	\$5,998.17
Port Byron Vlg .....	\$3,651.43
Grand Total .....	\$436,162.01

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

**RESOLUTION NO. 451-11**  
**11-22-11 COL UNDTAKCO.OFF 2012**  
**ANNUAL RESOLUTION APPROVING AND FIXING UNDERTAKING FOR**  
**COUNTY OFFICIALS PURSUANT TO STATUTE.**

BY: Roger Mills, Chairman, Ways & Means Committee

WHEREAS, the Public Officers Law, the County Law, the Social Services Law and other statutes of the State of NY provide that certain officials and employees of the County shall have an official undertaking which shall be to the effect that he/she will faithfully discharge the duties of his/her office and promptly account for and pay over all moneys or property received by him/her as such officer or in default thereof, that the party executing such undertaking will pay all damages, cost and expenses resulting from such default (hereafter "the undertaking"); and

WHEREAS, subsection 2 of section 11 of the Public Officers law provides that a blanket undertaking may be used in place of a person specific undertaking and the County has historically availed itself of that option; and

WHEREAS, the County regularly maintains Public Employee Dishonesty Coverage (including faithful performance of duty) with a \$500,000 limit per employee and a \$1,000 deductible; Now, therefore, be it

RESOLVED, that this County Legislature confirms that its Public Employee Dishonesty Coverage which covers all county employees and officers (including, but not limited to, those required by law to have an undertaking) written by its current insurance Company (or similar renewal thereof) in the amount of \$500,000 coverage (\$1,000 deductible) is hereby fixed and approved as sufficient and proper undertaking to satisfy the requirements of all of said statutes above referred to; and be it further

RESOLVED, that said undertaking, which covers each and every existing employee and officer and will cover each and every employee and officer to take office or employ-

ment during the term of the undertaking shall be deemed to be so fixed and approved as sufficient and proper undertaking statutorily for said existing employees and officers as well as future employees and officers commencing their duties hereafter unless the amount of the coverage is changed (thus requiring a new resolution approving it) or this resolution is superseded by a future resolution of this body; and be it further

RESOLVED, that this resolution shall be considered adequate approval of the subject matter for the entire year of 2012 and until a future resolution concerning the subject matter is adopted; and be it further

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

**RESOLUTION NO. 452-11**

**1/22/11 COL Set Public Hearing to Adopt Budget12**

**SETTING DATE FOR PUBLIC HEARING ON TENTATIVE COUNTY BUDGET.**

BY: Roger Mills, Chairman, Ways & Means Committee

WHEREAS, a tentative County Budget for the year 2012 has been prepared and is hereby presented by the Budget Officer of the County of Cayuga; now, therefore, be it

RESOLVED, that the tentative budget as amended or revised by Resolution No. 453-11, reflecting appropriations, revenues and resultant effects for the year 2012, shall be submitted to a public hearing as required by Section 359 of the County Law and that the Clerk of the Legislature is hereby authorized to prepare 100 copies of the budget pursuant to law; and be it further

RESOLVED, that the salaries for the Legislators shall be as follows:

Chairman .....	\$30,000
Vice Chairman .....	11,600
Majority and Minority Leaders .....	10,850
Legislators .....	10,100
Additional for Chairs of standing Committees .....	2,000

And be it further

RESOLVED, that a public hearing on the budget for the year 2012 is set for December 8, 2011 at 6:00 PM, at the County Legislative Chambers and that the Legislature Clerk is hereby instructed to advertise same pursuant to law.

*Official Elected or Appointed Positions – 2012*

Assessment & Taxation:

Director of Real Property tax Services ..... \$59,754

Civil Services Commission:

Commissioner, Chairperson, part time ..... 11,255

Commissioner, part time (2) ..... 9,478

Clerk – Legislative Board: ..... 49,500

Coroner: ..... 15,606

County Attorney: ..... 105,000

County Auditor: ..... 55,000

County Clerk: ..... 66,738

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County Highway Superintendent: .....	68,012
County Treasurer: .....	8,980
District Attorney: .....	22,700
Elections, Commissioner (2): .....	9,478
Indigent Defendant:	
Administrator .....	13,193
Deputy Administrator .....	6,928
Sheriff: .....	76,990
Health & Human Services:	
Director .....	90,000
County Administrator:	97,500

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

**RESOLUTION NO. 453-11**  
**11/22/11 COA Budget Recommendations 12.W&M**  
**WAYS AND MEANS RECOMMENDATION ON 2012 BUDGET OFFICER'S**  
**TENTATIVE BUDGET.**

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

WHEREAS, the Ways and Means Committee has reviewed the 2012 County Tentative Budget that was filed with the Clerk of the Cayuga County Legislature; and

WHEREAS, the Ways and Means Committee has proposed certain changes, alterations or revisions in the tentative budget by identifying specific account lines that could be amended, added, or deleted; now, therefore be it

RESOLVED, that the Ways & Means Committee hereby submits the attached, as its proposed changes, alterations or revisions to the Budget Officer's 2012 Tentative Budget, to the County Legislature for its consideration.

**LEGISLATIVE CHANGES  
PASSED BY WAYS & MEANS COMMITTEE  
TO AMEND THE 2012 TENTATIVE BUDGET**

	PAGE	REVENUE	EXPENSE	NEW TOTAL
<b>LEGISLATIVE - CONTRACTUAL</b>				
Decrease A10104-54059 Professional Services	2		(80,000.00)	80,000.00
Reduce Fund Balance usage by \$80,000		(80,000.00)		4,822,000.00
Decrease A10144-54505 CCPUSA	3		(35,000.00)	0.00
Increase A101644- Contingent CCPUSA	4		35,000.00	35,000.00
<b>DSS Equipment</b>				
Decrease A60102-52000 Equipment	107		(32,500.00)	5,000.00
Increase A60102-52100 Equipment - Trackable	107		32,500.00	32,500.00
<b>Planning</b>				
Decrease A80204-54112 Mileage	136		(20,000.00)	2,000.00
Increase A87404-54059 Professional Services	139		20,000.00	25,000.00
<b>Probation</b>				
Reduce Fund Balance usage by \$7,000		(7,000.00)		4,815,000.00

Increase A31400-41517 Pobation DWI	72	7,000.00		17,000.00
<b>Clerk of Legislature</b>				
Reduce Fund Balance usage by \$500		(500.00)		4,814,500.00
Decrease A10404-54067 Conf Fees	11		500.00	2,000.00
<b>County Clerk</b>				
Reduce Fund Balance usage by \$1,500		(1,500.00)		4,813,000.00
Decrease A14104-54067 Conf Fees	40		1,500.00	900.00
<b>TOTAL</b>		(82,000.00)	(78,000.00)	
<b>FUND BALANCE CHANGE</b>		(89,000.00)		4,813,000.00
<b>TAXLEVY CHANGE</b>		0.00		35,064,161.00

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

Tortorici, just a note, on December 8<sup>th</sup> and the 13<sup>th</sup> there will still be an opportunity to offer changes by the full Legislature to the tentative budget.

Lattimore, Real Property Assessment said they received a letter from the city re: legal fees and expert testimony, do we have a policy on those types of cases.

Westphal, we don't have a policy, that was a topic of discussion in executive session last week, and I have reached out to Mr. Fusco. You can adopt a policy, maybe a matter for committee, but would you envision working with the Towns and Villages as well as the city.

Lattimore, for legal fees?

Westphal yes, this would be a good discussion for Government Operations.

Lattimore, can we put that on there?

Westphal, can we put an item on the agenda for Government Operations to discuss establishing a policy for cooperating with municipalities on tax assessment in regards to legal fees.

Fearon, yes.

**RESOLUTION NO. 454-11**

**11/22/11 HD EI/4410 Contracts**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO CONTRACT WITH MULTIPLE SERVICE AGENCIES AND INDIVIDUALS FOR THE PROVISION OF SERVICES FOR CHILDREN ELIGIBLE FOR EI AND 3-5 SERVICES**

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

Roger Mills, Chairman of the Ways & Means Committee

WHEREAS, the Health Services Division of Health & Human Services assumes administrative oversight and fiscal responsibility for the provision of services to eligible children (EI and 3-5); and

WHEREAS, the Health Services Division is required to insure that appropriate services are available for provision of services for those eligible children; and

WHEREAS, the rate schedule is established and set by NYS Department of Health for Early Intervention services and by State Education for 4410 providers operating preschool programs and for agencies approved by SED as pre-school program evaluators; and

WHEREAS, the Department has the responsibility to set the related service rates for the itinerant service providers serving children in the 3-5 programs as follows:

Itinerant Related Services ½ Hour Rates

Office-Based.....\$40	Maximum Group RS Session.....\$60
Auburn.....\$52	Group of 2 Children...\$30 per Child
County (Beyond 10 mi. Radius of Auburn).....\$53	Group of 3 Children...\$20 per Child
County (Beyond 25 mi. Radius of Auburn).....\$63	

and

WHEREAS, the Health Department has successfully contracted with State Education approved agencies and individuals to provide these services; NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health &

Human Services be authorized to enter into service contracts for the period January 1, 2012 through December 31, 2016 (with the option of extending the agreement for a term of one year via an amendment) with State approved evaluators and service providers for EI and 3-5 clients at the approved State rates and for authorized 3-5 itinerant providers at the Department set rates listed above; and be it also

RESOLVED, that payment for these services be charged to account #A4044A 54307 and account #A4045A 54307 of the Health Department's Budget.

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

**RESOLUTION NO. 455-11  
(11/22/11) HD Additional State & Federal Funding ICS Program  
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE  
DIRECTOR OF HEALTH & HUMAN SERVICES TO ACCEPT ADDITIONAL  
STATE & FEDERAL FUNDING 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 State Funding through NYS DOH; and

WHEREAS, we have been offered additional funding for this program through Health Research, Inc. in the amount of \$16,851 for clinical services; and additional funding from NYS DOH for clinical services in the amount of \$6,188; 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 \$16,851 to be used for clinical services rendered between the period June 30, 2011 – June 29, 2012; and be it further

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services accept additional State funding for our Integrated Cancer Services Program in the amount of \$6,188 to be used for clinical services rendered between the period April 1, 2011 – March 31, 2012; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the necessary journal and accounting entries to the Health Department's Budget to accept the additional funding as follows:

Federal Funding:	Increase Appropriation Account #A40234 54000 .....	\$16,851
	Increase Revenue Account #A40230 43423 .....	\$16,851
State Funding	Increase Appropriation Account #A40164 54000 .....	\$ 6,188
	Increase Revenue Account #A40160 43416 .....	\$ 6,188

and be it also

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 further

Signed by Mahunik, Aikman, Axton, Barski, Mills, Sincebaugh, Fearon, Mahunik, Pinckney and Petrus, all in favor.

**RESOLUTION NO. 456-11**  
**(November 22, 2011) HD Wheel Sport/Pedestrian Safety 2011**  
**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE**  
**DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A**  
**CONTRACT WITH THE STATE FOR WHEEL SPORT AND PEDESTRIAN**  
**SAFETY PROGRAM**

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

WHEREAS, the State has offered the Cayuga County Health Department a Grant of \$13,700 for the period October 1, 2011 through September 30, 2012 for the "Wheel Sport and Pedestrian Safety Program," and

WHEREAS, the purpose of this project is to raise community awareness of wheelsport and pedestrian safety through a number of education activities, as well as distribute bicycle helmets to children of needy families in Cayuga County in hopes to decrease the incidence of motor vehicle accidents involving these groups; and

WHEREAS, it is our desire to participate in this project; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with New York State and accept funding in the amount of \$13,700 for the "Wheel Sport and Pedestrian Safety Program;" and be it further

RESOLVED, that the Director of Health & Human Services be authorized to enter into a subcontract with the Cayuga County Council on Physical Fitness in order to accomplish the goals of this grant; and be it also

RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the Health Department's 2011 Budget in the following manner:

Increase Revenue Account #A40270 43427 ..... \$13,700

Increase Appropriation Account #A40274 54000 ..... \$13,700

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

**RESOLUTION NO. 457-11**  
**(November 22, 2011) HS FSNEP Cornell Coop 2011**  
**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE**  
**DIRECTOR OF HEALTH & HUMAN SERVICES TO ACCEPT FUNDING FOR**  
**THE FOOD STAMP NUTRITION EDUCATION PROGRAM (FSNEP) AND**  
**CONTRACT WITH CORNELL COOPERATIVE EXTENSION FOR SERVICES**  
**RELATED TO FSNEP**

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

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

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

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



100% Federal reimbursement; and

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

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to accept 100% federal funding for the Food Stamp Nutrition Education Program for the period October 1, 2011 through September 30, 2012 in the amount of \$62,365, and enter into a contract for the above services with Cornell Cooperative Extension; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the Human Services 2010 budget in the following manner:

Increase Expenditure	
Account A60704 54227 Education Services to Recipients .....	\$62,365
Increase Revenue	
Account A60700 44670 Education Services to Recipients .....	\$62,365

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

**RESOLUTION NO. 458-11**  
**(November 22, 2011) HS FFFS Funding 2011**  
**AMENDING THE HUMAN SERVICES 2011 BUDGET TO ACCEPT**  
**100% FEDERAL FUNDING FROM THE FLEXIBLE FUND FOR FAMILY**  
**SERVICES (FFFS)**

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 has received 100% Federal FFFS funding (Flexible Fund for Family Services) and of this funding \$309,000 will be used to support employment related services and supportive services for TANF eligible applicants and recipients in order to assist them to stay off of public assistance or enable them to reduce the amount of assistance they are receiving; and

WHEREAS, it is necessary to amend the 2011 Human Services Budget in order to accept this funding; NOW, THEREFORE BE IT

RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the Human Services Department's 2011 Budget in the following manner, and make the necessary journal and accounting entries to accept the new FFFS funds:

Increase Acct. #A60602 52000 .....	\$ 5,000
Increase Acct. #A60604 54000 .....	\$304,000
Increase Acct. #A60600 44615 .....	\$309,000

and be it further

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

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

**RESOLUTION NO. 459-11**  
**(Nov. 22, 2011) HS Transitional Jobs 2 Program 2011-12**  
**AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO**  
**ACCEPT FUNDING FROM NYS OTDA 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 October 19, 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 \$11,929; 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, the Director of Health & Human Services will accept these 100% funds to administer the Transitional Jobs Program October 1, 2011 through June 30, 2012; 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 .....	\$11,929
Increase Account #A60104 54266 .....	\$11,929

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, Sincebaugh, Cuddeback, Fearon, Mahunik, Pinckney and Petrus, all in favor.

**RESOLUTION NO. 460-11**  
**(Nov. 22, 2011) HS Fill Temp HS Examiner PA 2011**  
**AUTHORIZING THE DIRECTOR OF HEALTH AND HUMAN SERVICES TO**  
**FILL A HUMAN SERVICES EXAMINER POSITION IN THE PUBLIC**  
**ASSISTANCE UNIT OF HUMAN SERVICES ON A TEMPORARY BASIS**  
**BEHIND A 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 Human Services Examiner vacancy (position control #002215) in the Public Assistance Unit of Human Services to be filled on a temporary basis behind a leave of absence effective on November 28, 2011 for a minimum period of approximately 6-8 weeks; and

WHEREAS, the Human Services Examiner in Public Assistance determines eligibility for public assistance and manages a caseload of recipients receiving public assistance, food stamps and Medicaid; and

WHEREAS, there exists funds in the 2011 budget to support this temporary fill; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the Human Services Examiner position on a temporary basis behind a leave of absence for a period of approximately 6-8 weeks effective November 28, 2011 ,

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or until the incumbent returns to work, 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, Cuddeback, Fearon, Mahunik, Pinckney and Petrus, all in favor.

**RESOLUTION NO. 461-11**

**(November 22, 2011) HS Cemetery Contract Fort Hill**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE  
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CON-  
TRACT WITH THE FORT HILL CEMETERY TO PROVIDE FOR INDIGENT  
BURIALS**

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

Roger Mills, Chairman of the Ways & Means Committee

WHEREAS, the County has the obligation to provide burials to indigent persons without available resources; and

WHEREAS, Fort Hill Cemetery has agreed to provide burial plots for indigent persons at a cost of \$700 per burial; 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 Fort Hill Cemetery for the purchase of burial plots for indigent persons at a cost of \$700 per burial; and be it further

RESOLVED, that these expenses be paid from account #61404 54000 (Safety Net) of the 2011 Human Services Budget.

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

**RESOLUTION NO. 462-11**

**11/22/11 MH agency contract Nov 2011**

**AUTHORIZING THE DIRECTOR OF COMMUNITY MENTAL HEALTH  
SERVICES AND THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE  
TO SIGN CONTRACTS WITH VARIOUS HUMAN SERVICE AGENCIES FOR  
SERVICES TO INDIVIDUALS WITH DISABILITIES.**

BY: Mr. Patrick Mahunik, Chair, Health and Human Services Committee

Mr. Roger Mills, Chair, Ways and Means Committee

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

WHEREAS, appropriations are included in the Cayuga County Community Mental Health Center budget for the year 2012 for various programs; and now, therefore, be it

RESOLVED, that the Director of Community Mental Health Services and the Chairman of the Cayuga County Legislature be authorized to sign on behalf of the Local Governmental Unit various contracts for services to individuals with disabilities with the following agencies:

AGENCY	DISABILITY	PROGRAM	AMOUNT	LINE ITEM
Seneca Cayuga ARC	OPWDD	All Services	\$243,458	43514.54340
Cayuga Counseling	MH	CHILD RESP	\$39,344	43434.54302
	MH	CCS C&F	\$101,857	43434.54401
	MH	PP	\$15,600	43434.54312
	MH	CCSI	\$35,020	43434.54314
Contact	MH	All Services	\$30,034	43484.54000
CHAD	OASAS	All Services	\$316,724	43504.54315
Unity House	OASAS	Halfway House	\$268,359	43504.54316
	MH	CSS	\$40,528	43464.54313
	MH	INTEG	\$172,936	43464.54317
	MH	S HOUS	\$23,020	43464.54320
	MH	HOUS	\$30,700	43464.54321
	MH	RESPITE	\$23,676	43464.54322

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

**RESOLUTION NO. 463-11**

**November 22, 2011 MH BudAdjustUH11.11**

**AMENDING THE MENTAL HEALTH 2011 BUDGET TO INCREASE STATE AID FUNDING FOR UNITY HOUSE, 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 Unity House, 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 Unity House, Inc.; now, therefore, be it

RESOLVED, that 2011 budget be modified as follows:

Increase line A43460-43497 MH Unity Revenue by ..... \$7,420

Increase line A43464-54321 Unity House Expense by ..... \$7,420

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, Lattimore, Mills, Sincebaugh, Cuddeback, Fearon, Mahunik, Pinckney and Petrus, all in favor.

**RESOLUTION NO. 464-11**

**DATE: 11/22/11 OFA Fill Food Services Helper Nov 11**

**AUTHORIZING THE DIRECTOR OF THE OFFICE FOR THE AGING TO FILL A VACANT PART-TIME FOOD SERVICES HELPER POSITION 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 is a vacancy in a part-time Food Services Helper position in the

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Senior Nutrition Program due to resignation of an employee; and

WHEREAS, this is a shared part-time position at a congregate site where the employee who shares this position has been able to cover temporarily; 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 part-time Food Services Helper position 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, Mahunik, Pinckney and Petrus, all in favor.

**RESOLUTION NO. 465-11**

**11/22/11 NH crtswdirrev3**

**AUTHORIZATION TO AMEND RESOLUTION 425-11 TO CREATE AND HIRE  
A SOCIAL WORK DIRECTOR AND ABOLISH A SOCIAL WORKER  
POSITION AT THE CAYUGA COUNTY NURSING HOME.**

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

BY: Roger Mills, Chairman, Ways and Means Committee

WHEREAS, Resolution 425-11 authorized the creation and hiring of a Social Work Director and abolished a Social Worker position at the Cayuga County Nursing Home; and

WHEREAS, the Cayuga County Civil Service Commission reviewed the duties for a new position entitled Social Work Director and the resolution did not create a position with this title; and

WHEREAS, the resolution did not establish the salary of the Social Work Director; and

WHEREAS, the Social Worker is retiring from the Cayuga County Nursing Home on 12/30/11; now therefore be it

RESOLVED, that the position of Social Work Director be hereby created in the Nursing Home; and be it further

RESOLVED, that the rate of pay be set at Grade 25, or at a salary range of \$45,790 to \$51,496, in accordance to the appropriate Bargaining Compensation Plan, Part I which shall be amended to include the title within the Nursing Home; and be it further

RESOLVED, that the full time position of Social Worker be abolished effective 12/31/11; and be it further

RESOLVED, that the Nursing Home Administrator be hereby directed and authorized to hire a Social Work Director effective 12/1/11 to provide the aforementioned services at Cayuga County Nursing Home and that the hire be in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga; and be it further

RESOLVED, that Resolution No. 425-11 is amended by this resolution..

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

**RESOLUTION NO. 466-11**

**(11/22/11) HS Abolish 3PTTypists 1PTSr.Typist Fill 2FT Sr.Typists  
AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO  
ABOLISH 3 PT TYPISTS AND 1 PT SR. TYPIST; CREATE AND FILL 1 FT SR.  
TYPIST IN SERVICES; AND FILL 1 FT SR. TYPIST IN LTC  
(EFFECTIVE JANUARY 2012)**

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

WHEREAS, effective January 2012, the Human Services Department requests to abolish three Part-Time Typists in its Children & Family Services Division (Position Control #'s: 007186, 007187, 007188) and one Part-Time Sr. Typist in its Long Term Care Division (Position Control #007185); and create and fill one Full-Time Sr. Typist in Children and Family Services and fill one Full-Time Sr. Typist (Position Control #002023) in Long Term Care; and

WHEREAS, these positions have been budgeted in the 2012 proposed Human Services Budget; and

WHEREAS, these positions support the work in Children and Family Services and in the Long Term Care Office; NOW, THEREFORE, BE IT

RESOLVED, that effective in January 2012, three Part-Time Typists in Children & Family Services Division and one Part-Time Sr. Typist in Long Term Care be abolished; create and fill one Full-Time Sr. Typist position in Children and Family Services; and fill one Full-Time Sr. Typist position in Long Term Care in a manner consistent with the rules and regulations of the County of Cayuga and the Cayuga County Civil Service Commission; and be it further

RESOLVED, that as the Full-Time Sr. Typist is the only clerical position in the Long Term Care Office, the Sr. Typist be given 14 days of cross-training by the current Part-Time Sr. Typist.

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

**RESOLUTION NO. 467-11**

November 22, 2011 HD Abolish 2 PT PH Techs Fill 1 FT PH Tech

**AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO  
ABOLISH 2 PT PUBLIC HEALTH TECHNICIAN POSITIONS AND FILL 1 FT  
PUBLIC HEALTH TECHNICIAN POSITION IN THE ENVIRONMENTAL  
HEALTH DIVISION OF THE HEALTH DEPARTMENT  
(EFFECTIVE JANUARY 2012)**

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

WHEREAS, effective January 2012, the Health Department requests to abolish two Part-Time Public Health Technicians and to fill one Full-Time Public Health Technician in Environmental Health; and

WHEREAS, the Full-Time Public Health Technician position is budgeted for in the 2012 proposed budget; and

WHEREAS, the Full-Time Public Health Technician is needed to support work in our restaurant program, water program, and children's camps; and

WHEREAS, the Health Department as a full-service County receives an initial \$550,000 base Article 6 State Aid Grant and then expenses after that are reimbursed at

36%; NOW, THEREFORE, BE IT

RESOLVED, that effective January 2012, the Director of Health and Human Services be hereby authorized and directed to abolish two Part-Time Public Health Technicians in Environmental Health (Position Control #s 007205 and 004912); and to fill one Full-Time Public Health Technician (Position Control #002046) 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, Mahunik, Pinckney and Petrus, all in favor.

**RESOLUTION NO. 468-11**

**(November 22, 2011) Amendbudgmedicaidaudit**

**AUTHORIZING THE AMENDMENT OF THE 2011 BUDGET AND PAYMENT TO MEDICAID OF THE ADJUSTED LOWER CONFIDENCE LIMIT.**

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

WHEREAS, the State of New York Office Of The Medicaid Inspector General did a review and audit for outpatient mental health services paid by Medicaid from January 1, 2006 thru December 31, 2007; and

WHEREAS, a final closing letter was issued on October 24, 2011 indicating that the statistical sampling methodology employed allowed for extrapolation of the sample findings to the universe of cases and the lower adjusted confidence limit of the amount overpaid is \$285,981.00; and

WHEREAS, the County has agreed to settle this audit at the adjusted lower confidence limit; and

WHEREAS, the monies need to be moved from the Contingency account to the Casualty and Liability account;

RESOLVED, that the sum of \$285,981.00 be transferred from Contingency account #A10164-54000 and be transferred to Casualty and Liability account #MS19304-54702

RESOLVED, that the County Treasurer be and he hereby is authorized and directed to pay the lower adjusted confidence limit in the amount of \$285,981.00 and charge the amount to the Casualty and Liability account per the amended 2011 Budget.

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

**MOTION NO. 469-11 11-22-11**

**Motion by Mahunik to appoint Karen Killips as Interim Director of Mental Health, 2<sup>nd</sup> by Cuddeback, all in favor.**

**RESOLUTION NO. 470-11**

**11-22-11 VET trnsfndsrev1**

**TRANSFERRING FUNDS TO THE EQUIPMENT LINE FOR THE CAYUGA COUNTY VETERAN'S OFFICE FOR THE PURCHASE OF COMPUTERS.**

BY: HON. MR. GEORGE FEARON, Chairman, Government Operations Committee,  
and

HON. MR. ROGER MILLS, Chairman, Ways & Means Committee.

WHEREAS, the Veteran's Office is in need of new computers;

WHEREAS, there are insufficient funds in their equipment line (A65102-52000);  
and

WHEREAS, it is necessary to transfer funds from various contractual accounts (A65104) in order to purchase said computers; now therefore be it

RESOLVED, that the Cayuga County Treasurer transfer the funds from the following Contractual Accounts into the Equipment Account (A65102-52000) as follows:

\$1,100.00 –Postage (A65104-54055);

\$ 685.00 - Machine Maintenance (A65104-54045); and

\$ 400.00 – Computer Software (A65104-54018); and it is further

RESOLVED, that the Veterans Office is authorized to purchase computers; and it is further

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

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

**RESOLUTION NO. 471-11**  
**11/2211 COL dogquarantine**  
**DECLARING A 24 HOUR DOG QUARANTINE DURING**  
**THE WINTER SEASON.**

BY: Hon. George Fearon, Chairman, Government Operations.

WHEREAS, the deer population in Cayuga County is suffering depredation due to dogs pursuing and killing deer, therefore be it

RESOLVED, that this Cayuga County Legislature hereby orders that all dogs in the County of Cayuga be securely confined for a period of twenty four hours per day, effective immediately and until April 30, 2012, pursuant to Article 7, Section 122 and 123 of the New York Agriculture Markets Law, and be it further,

RESOLVED, that the Clerk of the Legislature shall file a certified copy of this resolution with the New York State Commissioner of Agriculture and Markets and with the City Clerk of the City of Auburn and with the twenty three town clerks in Cayuga County. The Clerk of the Legislature shall also publish a copy of this resolution once in the officially designated newspapers in the county.

Signed by Fearon, Aikman, Chapman, Mitchell, Sincebaugh and Whitman, all in favor.

**RESOLUTION NO. 472-11**  
**11/2211 COL NightQuarantineDogs**  
**AUTHORIZING THE CONTINUATION OF THE NIGHT QUARANTINE ON**  
**DOGS IN CAYUGA COUNTY.**

BY: Hon. George Fearon, Chair, Government Operations Committee.

WHEREAS, the present night quarantine on dogs will soon expire, and

WHEREAS, it is the desire of this committee and the Cayuga County Legislature to have the night

quarantine on dogs continued; therefore be it

RESOLVED, that this Legislature hereby orders that the night quarantine on dogs be continued until December 31, 2012 in accordance with Section 123 of the New York State Agriculture and Markets Law which defines “night” as between sunset and one hour after sunrise; and be it further

RESOLVED, that a certified copy of this resolution be forwarded to the New York State Commissioner of Agriculture and Markets, the Town Clerks of the twenty three



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Towns of the county and the City Clerk of the City of Auburn; and be it further,  
RESOLVED, that the Clerk of the Legislature shall publish a copy of this resolution  
in our officially designated newspapers.  
Signed by Fearon, Aikman, Chapman, Mitchell, Sincebaugh and Whitman, all in favor.

**RESOLUTION NO. 473-11**

**11-22-11 ADM fundbalplcyNov11**

**RESOLUTION TO ADOPT FUND BALANCE POLICY.**

By: George Fearon, Chairman Government Operations Committee  
Roger Mills, Chairman Ways and Means Committee

WHEREAS, the Cayuga County Legislature desires to adopt a policy relating to the  
Fund Balance; and

WHEREAS, a copy of the CAYUGA COUNTY FUND BALANCE POLICY is  
attached to this Resolution; now therefore be it .....

RESOLVED, that the County Legislature does hereby adopt the attached FUND  
BALANCE POLICY; and be it further

RESOLVED, that the newly adopted policy be added to the Cayuga County Policy  
Manual.

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

**RESOLUTION NO. 474-11**

**(11.22.11) COA Fuelhandlingpol**

**ADOPTING THE CAYUGA COUNTY FUELING AND SAFE FUEL HANDLING  
POLICY FOR COUNTY EMPLOYEES.**

BY: Hon. George Fearon, Chairman Government Operations

WHEREAS, the County Legislature has adopted numerous policies and procedures  
for conducting County business and others which are mandated by Federal and State  
governments; and

WHEREAS, the County wishes to adopt a Fueling and Safe Fuel Handling Policy;  
therefore be it

RESOLVED, the County Legislature does hereby adopt the attached Fueling and  
Safe Fuel Handling Policy; and, be, it further

RESOLVED, that said Policy be numbered Section 63 in the County Policy Manual  
and distributed by the Clerk of the Legislature to all County Department Heads; and it is  
further

RESOLVED, that this resolution will take effect immediately upon adoption.

Signed by Fearon, Mitchell, Chapman, Whitman, Sincebaugh and Aikman, all in favor.

**RESOLUTION NO. 475-11**

**(11.22.11) COA Heavyequippol**

**ADOPTING THE CAYUGA COUNTY HEAVY EQUIPMENT/MOBILE EQUIP-  
MENT POLICY FOR COUNTY EMPLOYEES.**

BY: Hon. George Fearon, Chairman Government Operations

WHEREAS, the County Legislature has adopted numerous policies and procedures  
for conducting County business and others which are mandated by Federal and State  
governments; and

WHEREAS, the County wishes to adopt a Heavy Equipment/Mobile Equipment

Policy; now, therefore be it

RESOLVED, the County Legislature does hereby adopt the attached Heavy Equipment/Mobile Equipment Policy; and, be, it further

RESOLVED, that said Policy be numbered Section 66 in the County Policy Manual and distributed by the Clerk of the Legislature to all County Department Heads; and it is further

RESOLVED, that this resolution will take effect immediately upon adoption.

Signed by Fearon, Mitchell, Chapman, Whitman, Sincebaugh and Aikman, all in favor.

**RESOLUTION NO. 476-11**

**(11.22.11) COA fallProtectionPol**

**ADOPTING THE CAYUGA COUNTY FALL PROTECTION POLICY FOR COUNTY EMPLOYEES.**

BY: Hon. George Fearon, Chairman Government Operations

WHEREAS, the County Legislature has adopted numerous policies and procedures for conducting County business and others which are mandated by Federal and State governments; and

WHEREAS, the County wishes to adopt a Fall Protection Policy; now, therefore be it

RESOLVED, the County Legislature does hereby adopt the attached Fall Protection Policy; and, be, it further

RESOLVED, that said Policy be numbered Section 61 in the County Policy Manual and distributed by the Clerk of the Legislature to all County Department Heads; and it is further

RESOLVED, that this resolution will take effect immediately upon adoption.

Signed by Fearon, Mitchell, Chapman, Whitman, Sincebaugh and Aikman, all in favor.

**RESOLUTION NO. 477-11**

**11-22-11 COA Cllglbragmntrev2**

**AMENDING THE 2011 BUDGET**

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

MR. ROGER MILLS, Chairperson, Ways and Means Committee

Whereas, Resolution No. 214-11 awarded the labor relations services contract; and

Whereas, additional funding of the labor relations services contract is required; now therefore be it

Resolved, that the following transfers be made:

Depart Org.	Obj.		2011 Budget Expense	2011 Budget Addition	
A13254	54142	All Other Charged to Treas	Expense	\$20,898	increase
A40104	54142	Public Health	Expense	\$2,816	increase
A40824	54142	Public Health WIC	Expense	\$475	increase
A40124	54142	CCHA	Expense	\$37	increase
A43104	54142	MH Admin	Expense	\$1,892	increase
A43134	54142	MH ICMGT	Expense	\$546	increase
A60104	54142	Human Services	Expense	\$9,368	increase
A43114	54142	MH CSS	Expense	(\$5)	decrease
A24954	54142	College	Expense	(\$7,750)	decrease

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A10164	54000	Contingency	Expense	(\$28,277)	decrease
				0	
D50104	54142	HW Admin	Expense	\$340	one-sided entry
D51104	54142	HW Admin	Expense	\$3,052	one-sided entry
				\$3,392	
DM51304	54142	DM	Expense	\$611	one-sided entry
DM51314	54142	Central Garage	Expense	\$136	one-sided entry
				\$747	
E45154	54142	Nursing Home	Expense	\$4,616	one-sided entry
CD63704	54142	E & T	Expense	\$611	increase
CD63700	44791	E & T WIA	Revenue	(\$611)	increase
				\$0	

; and be it further

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

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

**RESOLUTION NO. 478-11**

**11/22/11 HR DRUG TEST contract awardrev**

**AUTHORIZING SIGNING OF CONTRACT FOR DRUG TESTING IN ACCORDANCE WITH THE PRE-EMPLOYMENT DRUG TEST POLICY ESTABLISHED BY CAYUGA COUNTY**

Mr. George Fearon, Chair, Government Ops Committee

Mr. Roger A. Mills, Chair, Ways and Means Committee

WHEREAS, the County of Cayuga has adopted a policy to test for drugs, pre-employment, effective August 1, 2011; and

Whereas, after the initial application of this policy, the County has decided to seek an outside source to provide drug testing services; and

WHEREAS, two quotes have been submitted from known providers of these services, both having collection facilities in Auburn and both satisfying the chain of custody:

<u>LabCorp(Laboratory Corporation of America)</u>		<u>Quest Diagnostic</u>	
Drug Test	\$20.00	Drug Test	\$22.00
Collection of the sample	\$10.00	Collection of the sample	\$14.00
Medical Review Officer	\$ 5.00	Medical Review Officer	\$10.00
			(Positive only)
Total per person	\$35.00	Total per person	\$36.00 OR \$46.00
Set-up fee	None	Set-up fee	\$75.00

WHEREAS, LabCorp, provided the best quote with no additional set-up; and

WHEREAS, the cost of this testing has been included in the respective departments budgets for 2012; now therefore, be it

RESOLVED, that the Chairman of the County Legislature is hereby authorized to sign a contract with LabCorp., to provide the drug testing under the Pre-Employment Drug Test Policy; and be it further

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

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

**RESOLUTION NO. 479-11**  
**November 22, 2011 PB ICLEIUSAMEMBER**  
**AUTHORIZING CAYUGA COUNTY TO BECOME A MEMBER OF THE**  
**INTERNATIONAL COUNCIL FOR LOCAL ENVIRONMENTAL INITIATIVES**  
**(ICLEI-USA)**

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

WHEREAS, pollutants such as greenhouse gases released into our atmosphere have negative long-term effects on local and regional human and natural systems, including but not limited to, economic vitality, environmental integrity and human health; and

WHEREAS, the County of Cayuga believes that these pollutants pose a real and increasing threat to our local and global environments which is primarily due to the burning of fossil fuels; and

WHEREAS, the effects of climate change may endanger our infrastructure, economy and livelihoods; harm our farms, orchards, ecological communities, including native fish and wildlife populations; spread invasive species and exotic diseases; reduce drinking water supplies and recreational opportunities; and pose health threats to our citizens; and

WHEREAS, we believe that our response to these challenges provides us with an opportunity to save money, and to build livable, energy-independent and secure communities, vibrant innovation economies, healthy and safe schools, and resilient infrastructures; and

WHEREAS, we believe the scale of greenhouse gas (GHG) emissions reductions required for climate stabilization will require sustained and substantial efforts; and

WHEREAS, we believe that even if emissions were dramatically reduced today, communities would still be required to adapt to the effects of climate change for decades to come; and

WHEREAS, the County of Cayuga desires to manage local environmental resources including air, water, land and biological resources and has a vested interest in protecting and enhancing the environment, the economy, and quality of life through reducing energy consumption and helping the community become more sustainable in the use of resources; now, therefore

BE IT RESOLVED that Cayuga County, in order to reduce greenhouse gas emissions and adapt to a changing climate will:

1. Conduct a Sustainability Assessment;
2. Adopt Sustainability Goals;
3. Develop a Sustainability Plan with both existing and future actions which, when implemented, will meet the sustainability goals;
4. Implement the policies measured in the Sustainability Plan; and
5. Monitor and verify progress, and

BE IT FURTHER RESOLVED that the County of Cayuga will join the International Council for Local Environmental Initiatives (ICLEI) -USA as a Full Member which will entitle The County of Cayuga to all membership benefits and assistance as it progresses through the above listed sustainability initiatives.

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

**RESOLUTION NO. 480-11**  
**11-22-11 PB FLOWPAGS02rev**  
**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, 2011 to September 30, 2012 at a total of \$14,780; 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 received \$45,000.00 in FLOWPA funding for SFY08-09 with \$14,780 of that budgeted, in hand and available to operate and maintain the gage station; and

WHEREAS, Cayuga County Planning plans to utilize these funds to pay for the annual operations and maintenance of the gaging station from October 1, 2011 to September 30, 2012; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature is hereby authorized and directed to execute any and all contract documents needed to complete the operations contract for the USGS gaging station for federal FY2011-2012; 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, Mills, Mitchell, Axton, Cuddeback, Mahunik and Pinckney, all in favor.

**RESOLUTION NO. 481-11**  
**11/22/2011 BLD HPO Court System ACrev**  
**AUTHORIZING THE TRANSFER OF FUNDS IN THE BUDGETS OF THE BUILDINGS AND GROUNDS DEPARTMENT FOR THE INSTALLATION OF NEW AC UNITS IN THE HISTORIC POST OFFICE**

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

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

WHEREAS, the Unified Court System has requested the 4 AC units on the 2<sup>nd</sup> floor of the Historic Post Office to be up graded; and

WHEREAS, one of these units has failed and these unit are over 15 years old and are very noisy making it difficult for people to hear what is being said in the court room; and

WHEREAS, the Court System will reimburse the County 25% of the cost, up to

\$5,000.00 for the new units; and

WHEREAS, there are not adequate funds to cover the \$20,500.00 expense in the Historic Post Office Budget line A16234 54001 (air-conditioning) for the 4 new split systems; now therefore let it be

RESOLVED, that the following funds from budgets A16214 (Courthouse) and A16234 (HPO) on the attached list be transferred into account A16234 54001 for the installation of the new AC units in the Historic Post office:

Account Number	Amount
A16214 54022 .....	\$1,000.00
A16214 54026 .....	\$5,000.00
A16214 54108 .....	\$ 500.00
A16214 54109 .....	\$ 400.00
A16214 54117 .....	\$ 300.00
A16214 54178 .....	\$6,880.00
A16234 54022 .....	\$ 500.00
A16234 54043 .....	\$ 269.00
A16234 54108 .....	\$ 500.00
A16234 54109 .....	\$ 47.00
A16234 54116 .....	\$1,300.00
A16234 54117 .....	\$ 500.00
A16234 54178 .....	<u>\$1,880.00</u>
Total .....	\$19,076.00

, and be it further

RESOLVED, that the Cayuga County Treasure 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, Fearon, Mahunik and Petrus, all in favor.

**RESOLUTION NO. 482-11**

**Date: November 22, 2011 hwyfillautomechanic**

**AUTHORIZATION FOR SUPERINTENDENT OF HIGHWAYS TO FILL A AUTO MECHANIC DIESEL POSITION WITHIN THE HIGHWAY DEPARTMENT**

BY: David Axton, Public Works Committee

Roger Mills, Chairman, Ways & Means Committee

WHEREAS, a Auto Mechanic Diesel position will be vacated on 12/31/11 due to retirement; and

WHEREAS, this Auto Mechanic Diesel position is critical to the operation of the highway department's equipment maintenance division; and

WHEREAS, this position (Position Control #003073) has been budgeted for the entire year of 2012; 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, Mitchell, Pinckney, Whitman, Mills, Fearon, Mahunik and Petrus, all in favor.

**RESOLUTION NO. 483-11**

**Date: November 22, 2011 HWY signtrkpurchrev**

**AUTHORIZATION FOR THE HIGHWAY SUPERINTENDENT TO REPLACE ONE SIGN UTILITY TRUCK 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 \$60,000 for the replacement of one (1) 2001 Ford cab truck with utility body; and

Whereas, the County can purchase this sign utility truck with necessary options for a total cost of \$60,000 from State bid award/contract #20774/PC63652 thereby eliminating the need and cost of bidding; and

Whereas, this utility truck is a necessary and critical component of the Highway Department for installation, repair and removal of county highway signage; now therefore be it

Resolved, the Highway Superintendent is authorized to purchase one utility truck 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 utility truck is not to exceed \$60,000; 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; and be it further

Resolved, that the 2001 Ford cab truck be turned over to the Clerk of the Legislature for auction once the new replacement truck is received.

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

**RESOLUTION NO. 484-11**

**November 22, 2011 HWY amendbdgdsfuel**

**AUTHORIZATION TO AMEND THE 2011 CAYUGA COUNTY HIGHWAY BUDGET FOR DIESEL FUEL**

BY: David Axton Chairman, Public Works Committee

Roger Mills Chairman, Ways and Means Committee

WHEREAS, in the 2011 Highway budget, a total of \$497,000 was budgeted for diesel fuel; and

WHEREAS, it is necessary to amend the 2011 Highway Budget to more accurately reflect the increase in fuel pricing and usage; now, therefore, be it

RESOLVED, that the County Treasurer be and is hereby authorized and directed to provide for transfer of funds in the following manner:

<u>Appropriation Accounts</u>	<u>Old Amount</u>	<u>New Amount</u>	<u>Increase</u>	<u>Decrease</u>
DM51304 54024 Gas Service	\$ 35,000	\$ 20,000		\$15,000
DM51304 54021 Auto Parts	\$216,408	\$191,408		\$25,000
DM51304 54031 Fuel Oil	\$497,000	\$ 537,000	\$40,000	

AND BE IT FURTHER

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

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

**RESOLUTION NO. 485-11**  
**November 22, 2011 hwyamndbdgpav**  
**AUTHORIZATION TO AMEND THE 2011 CAYUGA COUNTY HIGHWAY**  
**BUDGET FOR PAVING**

BY: Dave Axton, Chairman, Public Works Committee

Roger Mills, Chairman, Ways and Means Committee

WHEREAS, in the 2011 Highway Budget a total of \$1,250,000 was budgeted in the paving account; and

WHEREAS, it is necessary to amend the 2011 Highway Budget due to an increase in the cost of materials associated with these accounts; now, therefore, be it

RESOLVED, that the County Treasurer be and is hereby authorized and directed to provide for transfer of funds in the following manner:

<u>Appropriation Accounts</u>	<u>Original Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised</u>
<u>Budget</u>				
D51134 54099 – Paving	\$1,250,000	\$159,000		\$1,409,000
D51134 54107 – Bridge	\$ 252,800		\$159,000	\$ 93,800

AND BE IT FURTHER

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

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

**RESOLUTION NO. 486-11**  
**November 22, 2011 COA executeleasetncatofxhearingrev3**  
**AUTHORIZING AND DIRECTING THE CHAIRMAN OF THE CAYUGA**  
**COUNTY LEGISLATURE TO EXECUTE A LEASE AGREEMENT FOR PART OF**  
**THE PREMISES IN THE TOWN OF CATO, NEW YORK, COMMONLY**  
**KNOWN AS TAX MAP NO. 52.00-1-38.1, TO EXECUTE ANY AND ALL OTHER**  
**DOCUMENTS REQUIRED AND FIXING AND SETTING THE DATE, TIME**  
**AND PLACE FOR A LOCAL LAW TO APPROVE THE LEASE AGREEMENT.**

BY: Hon. Steven Cuddeback, Chair Judicial and Public Safety Committee

Hon. Roger Mills, Chair, Ways and Means Committee

Whereas, as part of the radio communication project various sites for the location of radio communication equipment must be located, and

Whereas, one such tower site has been located in the Town of Cato, New York, part of the premises commonly known as tax map no. 52.00-1-38.1; and

Whereas, approval of the lease agreement (copy attached) has been submitted to the Judicial and Public Safety Committee and the Ways and Means Committee and reviewed and approved; and

Whereas, approval of the lease agreement is hereby submitted to the Cayuga County Legislature for consideration and action; and

Whereas, the lease if for a period of 99 years is subject to the passage of a local law; and

Whereas, the title of the Local Law is "A local law authorizing the County of Cayuga



Tuesday, November 22, 2011

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to lease part of the premises commonly known as Tax Map No. 52.00-1-38.1 Route 38, Cato, New York, from John Daly for a term of 99 years”, now therefore be it

Resolved, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to the Lease Agreement to lease part of the premises in the Town of Cato, New York, commonly known as tax map no. 52.00-1-38.1 and to execute any and all other documents required, only if the local law is passed; and be it further

Resolved, that a public hearing shall be held concerning the proposed local law before the Cayuga County Legislature on the 20th day of December, 2011 at 6:00 pm 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 dual legal notice of said public hearing as provided by statute.

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

**RESOLUTION NO. 487-11**

**November 22, 2011 COA radiotowertownoflockerev**

**AUTHORIZING AND DIRECTING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO EXECUTE AN OFFER TO PURCHASE THE SUBDIVIDED ONE (1) ACRE OF LAND AS PART OF THE PREMISES COMMONLY KNOWN AS PARCELS 220-1-3.1 AND 3.4, TOWN OF LOCKE, STATE OF NEW YORK, KNOWN AS THE GARY AND SHARON NAPIERACZ PROPERTY AND TO EXECUTE ANY AND ALL OTHER DOCUMENTS REQUIRED TO EFFECT THE TRANSFER OF THE PROPERTY.**

BY: Hon. Steven Cuddeback, Chair Judicial and Public Safety Committee

Hon. Roger Mills, Chair, Ways and Means Committee

Whereas, as part of the radio communication project various sites for the location of radio communication equipment must be located, and

Whereas, a one (1) acre parcel of land for such tower site has been located as part of the premises commonly known as tax map parcels nos. 220-1-3.1 and 3.4, Town of Locke, State of New York, known as the Gary & Sharon Napieracz Property (Property); and

Whereas, the County of Cayuga agrees to sub-divide the Property to determine a suitable 1 acre location for the radio communication equipment to include any necessary access easements/right of way to a public road; and

Whereas, the County of Cayuga agrees to pay the sum of \$12,000.00 for said Property; and

Whereas, the Offer To Purchase (copy attached) has been submitted to the Judicial and Public Safety Committee and the Ways and Means Committee and reviewed and approved; and

Whereas the Offer to Purchase is hereby submitted to the Cayuga County Legislature for consideration and action; now therefore be it

Resolved, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute an Offer To Purchase the subdivided one (1) acre of land as part of the premises commonly known as parcels 220-1-3.1 and 3.4, Town of Locke, State of New York, known as the Gary and Sharon Napieracz property and to execute any and all other documents required to effect the transfer of the property..

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

**RESOLUTION NO. 488-11**

**10-25-11 911 estpolicyreviewcommrev**

**AUTHORIZING THE CAYUGA COUNTY LEGISLATORS TO ESTABLISH A POLICY REVIEW AND OVERSIGHT COMMITTEE (PROC) FOR CAYUGA COUNTY E-911 AND THE NEW EMERGENCY COMMUNICATIONS SYTEM**

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

WHEREAS, Cayuga County citizens, visitors and first responders deserve a reliable, interoperable communications network that will ensure a prompt response to any incident; and

WHEREAS, Cayuga County is implementing a new Emergency Communications System; and

WHEREAS, updated Policies and Protocols are necessary in order to ensure the safe, secure, and timely handling of any radio transmissions; and

WHEREAS, this Committee will consist of a representative from the following agencies / departments: Cayuga County 911, Emergency Management, Fire Advisory Board, City of Auburn Fire / Police, Cayuga County Sheriff's Office, the Village Police Departments, & New York State Police; and

WHEREAS, the terms shall be for four years with the initial appointments for a staggered terms as indicated below:

- New York State Police ..... January 1, 2012 - December 31, 2012
- Cayuga County Sheriff's Office ..... January 1, 2012 - December 31, 2012
- Village Police Departments ..... January 1, 2012- December 31, 2013
- City of Auburn Fire / Police (2 members) ..... January 1, 2012 - December 31, 2014
- Fire Advisory Board ..... January 1, 2012 - December 31, 2014
- Cayuga County 911 ..... January 1, 2012 - December 31, 2015
- Emergency Management ..... January 1, 2012 - December 31, 2015

RESOLVED, the Cayuga County Legislature will create a Policy Review and Oversight Committee to assist and advise the 911 Administrator in maintaining these policies and procedures in order to maintain control of the new emergency communications system; and be it further

RESOLVED, that the Administrator will submit the names yearly of those members who should be appointed by the County Legislature to the Policy Review and Oversight Committee.

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

**RESOLUTION NO. 489-11**

**11.22.11 SHR SimplexGrinnMaintAgmnt**

**AUTHORIZATION TO ENTER A MAINTENANCE AGREEMENT WITH  
SIMPLEX GRINNELL FOR PREVENTATIVE MAINTENANCE, TESTING AND  
SERVICE TO THE CONTROL SYSTEM AT THE CAYUGA COUNTY JAIL**

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

Mr. Roger Mills, Chairperson, Ways & Means Committee

WHEREAS, the control system at the Cayuga County Jail is currently maintained by SimplexGrinnell; and

WHEREAS, the present Maintenance Agreement between the Cayuga County Sheriff's Office and SimplexGrinnell will be expiring December 31, 2011; and

WHEREAS, it is critical that the control system at the Cayuga County Jail operate at the highest level of efficiency possible to preserve safety and order in the Jail and SimplexGrinnell is capable of providing the necessary services to maintain said control system; and

WHEREAS, SimplexGrinnell has submitted a Maintenance Agreement to extend services for an additional year; and

WHEREAS, sufficient money to cover the cost of said Maintenance Agreement will be budgeted in the Sheriff's 2012 Custody Computer Support Budget Line (A31504 54019); now therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to sign the Maintenance Agreement with SimplexGrinnell for the amount of \$26,375 covering the period of 1/1/12 to 12/31/12; 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, Sincebaugh, Whitman, Mills, Axton, Fearon, Mahunik, Petrus and Pinckney, all in favor.

**RESOLUTION NO. 490-11**

**11.22.11 911 Computerpurchrev**

**AUTHORIZING THE PURCHASE OF NEW COMPUTERS FOR THE CAYUGA  
COUNTY E-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 CAD workstations function 24 hours a day, seven (7) days a week; and the PC's are due for replacement; and

WHEREAS, software upgrades require upgrades to the E911 CAD workstations to Windows 7 platforms; and the cost of the equipment is \$11,365.07; and

WHEREAS, it has been recommended by the Information Technology Department and the County Administrator to fulfill this purchase during fiscal year 2011; and therefore be it

RESOLVED, that money be transferred from contingency account number A10164 54000 to E911 Equipment line A30202-52009; and be it further

RESOLVED, that the Chairman of the Legislature is hereby authorized to allow for the purchase of 7 new E911 PC's, 19 new monitors, related hardware and operating software on New York State Contract from Account Number A 30200 42415 not to exceed the amount of \$11,365.07; 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, Sincebaugh, Whitman, Mills, Axton, Fearon, Mahunik, Petrus and Pinckney, all in favor.

**Legislator Patrick Mahunik thanked Karen Killips for all her hard work.**

**Motion by Tortorici to go into Executive Session at 7:34PM, re: personnel issue, 2<sup>nd</sup> by Pinckney, all in favor.**

**Motion by Axton to Come out of Executive Session at 7:54PM, 2<sup>nd</sup> by Cuddeback, all in favor.**

**Motion by Axton to adjourn at 7:54PM, 2<sup>nd</sup> by Cuddeback, all in favor.**

**Motion by Axton to approve minutes of 11-22-11, 2<sup>nd</sup> by Lattimore, all in favor.**

**MINUTES  
SPECIAL LEGISLATURE MEETING  
THURSDAY, DECEMBER 8, 2011, 6:00 PM  
160 GENESEE ST, 6<sup>TH</sup> FLOOR, CHAMBERS, AUBURN, NY  
13021**

**CALL TO ORDER:** Hon. Peter Tortorici, Chairman, at 6:00PM.

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

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**TOPIC:** Public Hearing on the County Budget opened at 6:02PM

**Speakers on the Public Hearing:**

**Eileen McHugh Auburn, NY, Executive Director of the Cayuga Museum, I am here because of the 50% cut in funding this year with a proposed additional 50% cut next year. Last year the museum received \$11,700 from the County, which was a 10% cut from last year. The Cayuga museum is a quality of life and economic issue in Cayuga County. It will impact our exhibits, programs and our ability to bring people to Cayuga County.**

**Lee Brew Montezuma, NY, I support the libraries, I am a Trustee of the Port Byron Library. A 50% cut is very hard. I was on the commission that studied libraries back in 1999; we thoroughly studied the funding structures of all the libraries in Cayuga County. We came up with CayugaConnect, which linked all nine libraries in Cayuga County, so that all residents of Cayuga County have access to books. I hope you restore the money to the libraries.**

**Kim Iraci Finger Lakes Library System, opposes library cuts, handout attached to original minutes.**

**Sally Otis Director of Hazard Library, opposes library cuts, handout attached to original minutes.**

**Ryan Kirkpatrick Weedsport NY, opposes library cuts, handout attached to original minutes.**

**Leah Lesch opposes library cuts, handout attached to original minutes.**

**Greg Guy Executive Director of Options for Independence, I know the budget cuts that you are contemplating may be necessary to balance the budget. I also understand the concept of return on investment. Options for Independence are advocates for the disabled. Our primary focus is helping individuals with disabilities in Cayuga County, maintain their independence, gain their independence, and**

remain in their homes. I am baffled as to why we were slated for a 100% cut. Options doesn't use any of this money for our own infrastructure, our own use, this is all pass through money, it goes for home modifications, for individuals that live in the county in an effort to help them remain independent and remain in their homes. It may go for a ramp, kitchen modification, so they can remain in their home and not have to go into an institution. The State estimates the cost for keeping people out of nursing homes, which the county has to pay for or the state has to pay for at about \$78,000.00. It costs less than \$5,000 to provide an individual or two individuals with modifications to their home to allow them to stay in their home. I ask you to consider restoring the funding for this program, as an investment in keeping people in their homes, this will save the county money. I ask you to restore funding for 2012 and double for 2013.

Barbara Deacon, opposes cutting the funding for the position of Coordinator of Services in the Office for the Aging, handout attached to original minutes.

Heather Whitten, opposes cuts to Cornell Co-op 4H program, this will impact a lot of children and families in Cayuga County. This is a great program that stands for head, heart, hands and health. They have youth fair; they do science projects, and help children with development. If you need a return on your investment this is it, please restore the funding.

Doug Ververs, CCE Cayuga Executive Director, opposes cuts to the CCE Cayuga, handout attached to original minutes.

Dan Thurston, Auburn, NY, opposes cuts to Cornell Co-op, this is a great program, great for kids, teaches them hard work, responsibility, dedication and gives them opportunities they wouldn't have without this program. I ask you to reconsider cutting the fund for this program.

Judy Wright, Auburn, NY, I moved here because of Cornell Co-op Extension, I worked for them for about 20 years, I utilize the services and the facility. For you to consider a reduction in the funding will have a tremendous impact not only on the people they serve, but on the work that goes on in and outside of the community.

Alecia Butts Auburn, NY, I am here to represent Cornell Co-op. I am the book-keeper for the agency and I am working on the budget, which is extremely difficult to do when there is a possibility that 4 to 5 of my staff workers would receive a significant cut in pay and the possible of one those positions being eliminated. Cornell Co-op Extension does a lot of work in this community, we have a nutrition program, agricultural department, environmental department, 4H department. In September we had to eliminate one person and cut someone else from full time to part-time. We have 12 people on our staff if we have to cut 4 to 5 people we won't be able to do the service we do now, please reinstate our full funding.

Tortorici, the budget vote will be Tuesday, December 13, 2011 at 6:00PM.

**Lattimore, the plan is to preserve the quality of services for all Cayuga County residents. The issues of the libraries, Options, ext. The reason these cuts have been put in is because of the mandates that Washington and the State of New York have imposed on this county. We have not had any mandate relief from Albany and that is what is putting pressure on our budget, the last thing we want to do is cut anybody.**

**Mitchell, the vast majority of our appropriations are mandated expenses, so we have no chance of reducing anything in those areas and that means an unequal burden falls on those areas where we do have a possibility of reduction. Our representatives need to be contacted and told it's lovely to have a tax cap, but that's not on New York State, that's on us, the school district, the towns and the libraries. They maintain mandates on us they we have to spend for, we don't have the options for granting more money, because we haven't got it.**

**Mills, it should be recognized that we are drawing down on our fund balance to the tune of 4.9 million this year and envision that we will do it again next year, but there isn't any fund balance available for the third year. We can restore these cuts this evening or next week, but unfortunately the day of reckoning is coming. We only have a couple of years before it hits us; we need to be prepared for it. We are fortunate that we do have a couple of years of fund balance so we can minimize some of these changes in the short term, but in the long term it is going to be difficult. We hope that the economy turns around, but it might not and we need to be prepared. We need to recognize that these cuts need to be made.**

**Aikman, how many filled positions are being cut in this budget?**

**Squires, 5.**

**Aikman, unfilled?**

**Squires, 8.**

**Aikman, 13 fewer positions in this budget.**

**Squires, yes.**

**Aikman, I am a card carry member of the Seymour Library and love getting books, but I also pay a special assessment on my property taxes to support our library, am I wrong in thinking that all the other libraries can enter into a special assessment situation and also support the libraries through a special tax assessment.**

**Iraci, Finger Lakes Library System, each of our 9 libraries have different funding mechanisms, are allowed to go on the ballot, are held to the 2% cap. If they were to be a special Legislative District like Auburn is, that would takes special legislation from the state. We also have several libraries that cross over into the same school district so there are issues there too.**

Aikman, there is an alternate way for libraries to get funding, to use the public so that the other state dollars would not be cut.

Iraci, it takes time and effort.

Aikman, let's get it started now we under a tax cap now and we have to live with it. We are cutting positions out of budget too.

Otis, Rural libraries, Seymour is separate in its funding, I think the patrons think if they pay into the county with their property taxes, they want to see services come back to everyone within the county. We are county money that helps us, as we serve anyone that wants anything from a public library, so that is way we feel that funding should also come from the county. There should be several streams of funding, shouldn't have to just rely on our school district.

Aikman, my answer is as a city resident that has a special assessment on my property tax I am paying twice, through my county contribution and my special property assessment.

Fearon, anybody in a school district in the county is also paying twice. I represent 3 townships, Scipio, Ledyard and Springport, many of the areas that I represent don't have the ability of high speed internet. I have 7 grandchildren, they come to my house when they need to get on the computer, they need it for school, some assignments they need to log in. If they don't know someone with high speed internet, they need the libraries in order to do their assignments. Libraries in tough economic time, the need becomes greater, if you're looking for a job a lot of applications need to be done online.

Lattimore, in regards to high speed internet, there is a problem in the county, areas without internet service, where you do need the libraries.

Robin Driscoll, Aurora, NY, President of the Board of the Aurora Free Library, last year was first budget, over the past couple of years we have seen funding cuts not only from the county, but from the village, State. When we went to put our budget together we found that we had been living off the savings, we were \$5,000.00 in the red. We decided to cut our book buying budget, we had no choice, there isn't any fat in our budget. Our library is in a beautiful historic building, it is very expensive to insure, half our budget covers our part-time librarian and her assistant, oil and insurance. We added more fund raisers; it is the only way we can provide the services that people in our rural community require. The library has high speed internet and the students need access to that. The library is vital for the members of the Ledyard community. We can't make up the \$4,000.00 cut, please reconsider.

Otis, Hazard Library on route 34B, we are the only library in Cayuga County where there isn't any high speed internet available. We are able to offer our community high speed internet, thanks to an agreement with Southern Cayuga Schools through BOCES.



Sincebaugh, I am for the libraries to put some of the money back, but I would like to see some kind of a commitment from the libraries to look at maybe a consolidation, or consolidation with a school. I think you need to look outside the box, branch out.

Mahunik, We heard a lot about CayugaConnects, are the school districts part of that.

Iraci, no.

Mahunik, is there any opportunity for them to be a part of that.

Iraci, I will have to check into that.

Fearon, schools do have access within their own facility, they have separate connect.

Mahunik, so they can't participate?

Fearon, can't do both, Union Springs they get access to both, but have separate portals. I'm not saying it can't be done.

Ellen Baker-Wikstrom, Aurora, NY, they are two very different constituencies and how you would build a collection of resources, materials, data bases in terms of addresses needs for those different groups. A public library serves a much broader spectrum of citizenries than a school library does. A school library is to support the curriculum of the New York State Education Department, which is not necessarily the mandate for public libraries. Are we double dipping, in the sense that we get funding from the county as well as our local school district tax base, funding from the county levels the playing field, very different funding levels.

Mahunik, I'm not suggesting consolidating public and school libraries, what I was suggesting was looking at the inner library loan program. It would seem foolish to look for a book at Seymour Library and it's not available and have to go to Tompkins to find it, when that same book may be sitting on a shelf at Auburn High School. I don't know if there is an inner-loan system. If the school districts are involved, then you would increase you book collection by a lot.

Baker-Wikstrom, there is some overlap, it's not a direct library loan. The likely hood of someone walking into Seymour Library and wanting a book that maybe on a shelf at a local high school is very remote.

Mahunik, Cayuga County College not part of the system.

Baker-Wikstrom, not on a completely integrated level, we can borrow.

Mahunik, we have a tremendous amount of resources in the county and it seems like there are three different paths to get to those resources.

**Baker-Wikstrom, the schools do inner library loans between the schools.**

**Mahunik, it would seem that if we brought the public libraries, school libraries and the college together and have a universal collection/**

**Baker-Wikstrom, we will come back and ask for more money, that is what your money pays for, that inner library loan.**

**Mahunik, to expand that program that is currently in place, it wouldn't be another huge investment on our part.**

**Baker-Wikstrom, your adding stops for the driver, more bags, resorting, requiring more work, which requires more people, more money.**

**Mahunik, we'd be able to decrease the amount of books we buy in this county.**

**Baker-Wikstrom, you're working on the assumption that the book buying is the largest part of the budget and it's not.**

**Lattimore, libraries, themselves carry a pretty good surplus, if we reduce their funding it's not going to put any library out of business?**

**Squires, I don't think so, the cuts I proposed in the budget is a very small percentage of the overall revenue and a very tiny percent of the overall net assets of the libraries in the county.**

**Lattimore, do the libraries have a healthy surplus?**

**Squires, some of them have a very healthy surplus, some have very large cash balances, some of them have greater net assets than the county's fund balance.**

**Lattimore, can we pick and choose where our funding goes to help those that are needier?**

**Squires, sure, the Legislature can fund any agency in any amount.**

**Mills, it seems that it is benefiting those that aren't as frugal as others and penalizing those that are. Those libraries that have accumulated a fund balance isn't a negative thing anymore than the county accumulating a fund balance. I don't think we should penalize the rich libraries to benefit the poor libraries. We don't know which ones are more deserving and which ones aren't, so if you have active group that does a lot of fund raising, that's something we should support not penalize.**

**Fearon, sometimes there is a reason there is a fund balance, because there is something they need to take care of. In Union Springs you have a library that isn't fully handicap accessible. Are they liquid assets?**

**Squires, in some case it would include a building, liquid assets, cash, other temporary cash investments, public securities, total assets less liabilities.**

**Robin Driscoll, Aurora Library, we have a beautiful historic building it is very expensive to operate. I think you were looking at our balances for the last couple of years, there wasn't significant funds in there, because we did away with the roof campaign and we had to reroof, put in new steps and because it is an historic building nothing is cheap. The roof was \$120,000.00, the funds raised for a particular purpose and by law cannot be used to heat the building.**

**Otis, on behalf of the Moravia Library, they have restrictions on the money in their fund balance, can't use it to buy for fuel, there are restrictions, so it may look like that have a lot of money but they can't use it for there on going yearly expenses. The Hazard Library is probably the smallest in the county and we have a 500 square foot library, we have money that we have been saving in hopes that some day we would be able to expand.**

**Aikman, thank you all for coming and educated about the library system.**

**Chairman Tortorici's Report, re: "Best Plan Award" The Central NY Regional ED Plan received \$103.7 million dollars in funding awards for 74 key projects throughout the 5- county region. Cayuga County was particularly strong in the funding awards gaining the highest ratio of funding per capita in the region with \$11,843,295 in funding awards to projects in Auburn & Cayuga County. Thanked Steve Lynch Director of Planning and Economic Development, the City Planning Department and the Chamber of Commerce for everyone working together, that's how we are going to move this county forward. Original report attached to minutes.**

**Chairman Tortorici moved that the Public Hearing be closed at 7:29PM**

**MOTION NO. 491-11**

**12-8-11**

**Motion by Cuddeback, page 179 to take \$7,500 from the Youth Bureau Contract Account No. A73104 54073 and change to \$0 and move money to Cornell Co-op, Account No. A29804 54000 and earmark it to be used for 4-H fair/picnic, 2<sup>nd</sup> by Mitchell.**

**Discussion:**

Lattimore, when we pass our budget, if we need to move money to sustain ourselves or quality of life, we can always make changes?

Squires, yes.

Mahunik, can we guarantee that the \$7,500.00 goes for what it was original earmarked for. Squires, was it for the county fair, how does it break down?

Hoskins, 1/2 was for the Agricultural Society and 1/2 was for Cornell Co-op Extension, 4H. It was original in the Youth Bureau budget, because we received reimbursement from the State of New York. We kept the money in their because there is some oversight with that money in terms of how it is spent. You can leave it in there and designate it for the 4H or put it in the Co-op Extension, but I think you lose a little of the control on how the money is spent.

Tortorici, would the event for Cornell cost \$7,500 for the picnic?

Ververs, wouldn't get an Ag & Market money match on that.

Aikman, that money needs to be dedicated to you.

Ververs, yes.

Tortorici, Mr. Cuddeback, is that what you wanted the money to be used for a specific event?

Cuddeback, my intent was to move \$7,500.00 out of one budget into your budget to be used exclusively for the 4H picnic, this summer at the Ag Museum.

**Approved by Majority vote, all present voting yes, except Barski abstaining and Petrus excused.**

**MOTION NO. 492-11  
12-8-11 DEFEATED**

**Motion by Axton to reduce budget line A87304 54000 (Soil & Water) by \$40,000 and move to budget line A29804 54000 (Cornell Co-op), we would then have \$47,500 that would be appropriated, so they would be down \$2,500, 2<sup>nd</sup> by Lattimore**

**Discussion:**

Axton, our Soil & Water budget, which is in most cases, is 4 times what other small counties our size is. There are very few departments that can raise revenue for themselves that is one of them. A lot of counties raise more revenue than we do, I think we rely on our subsidies a little too much. We need to look at the rent revenue to see if Soil & Water should be collecting that rent.

Mahunik, I won't support because, Soil & Water, we are looking at our watershed and I think they play a role in that and I would hate to put them at a disadvantage. I think the issue with Soil & Water is a management issue and I think for us to cut their budget by \$40,000.00, will end up cutting a laborer and the management issue will continue. I think we need to look at the management issue and address that.

Axton, I agree, but there were two different townships that were turned down by Soil & Water that would have raised quite a bit of revenue for them. The water quality issue is not just our towns issue, but that is all the towns and villages issue and they are dealing with it quite well. It came out in the paper that our lake hasn't gotten better in 6 years, I don't see how reducing the \$40,000.00 is going to harm any of that, it may make them go after some more work that they have been declining for the past few years.

Mills, I agree with Pat, I can't support an additional cut. I do believe there needs to be reorganization out there. I think sometimes we think if we use Soil & Water to do some of our projects that it is cheaper. The reason they can do things cheaper is they don't allocate any money to replace their equipment. They need to put money aside for the replacement of equipment, there needs to be a complete evaluation of that operation.

Cuddeback, I have been sitting on that board since 2002, there are some things there that are troubling, but surely it is not the work that the staff does there. They have brought in over 4 million dollars of grant money for various projects and they do a wonderful job. The \$40,000.00 cut is not going to anything to alleviate us from the problem at hand. With the digester coming online shortly, I won't support that motion.

Lattimore, I'm in favor of Soil & Water, I don't want to cut it, I think it can make money. Axton, I didn't think this would happen here, but if has done nothing else, it has brought awareness to this Legislature, so these things don't get out of hand. I polled 30 counties in the state all small counties like ours, with the rental subsidy our Soil & Water is basically getting from us almost \$821,554.00 a year. If this does nothing else, hopefully

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it will open our eyes and make some drastic changes.

Pinckney, I agree with Pat and Roger, I was appointed to that board this spring and I agree with the comments that Dave made on reorganizing some of the management, but the \$40,000.00 additional cut would be detrimental with their cash flow problems and the digester ready to start up.

**Defeated by voice vote, Axton voting yes, Barski abstained and all others voting no.**

**MOTION NO. 493-11  
12-8-11 DEFEATED**

**Motion by Mahunik to increase the Sales Tax Revenue line A10154 54000 by \$42,500.00 and increase Line A29804 54000 Cornell Co-op Ext. by \$42,500, 2<sup>nd</sup> by Cuddeback.**

Lynn Marinelli , you need to amend that motion to just increase the Sales Tax Revenue by \$85,000, A10100 41110, increase Distribution of Sales Tax A10154 54000, \$42,500 and increase Cornell Co-op line A29804 54000, \$42,500.

Motion corrected:

**Motion by Mahunik to increase the Sales Tax Revenue by \$85,000, A10100 41110, increase Distribution of Sales Tax A10154 54000, \$42,500 and increase Cornell Co-op line A29804 54000, \$42,500.**

**Motion by Tortorici, to table motion by Mahunik, and look at how we can move that \$42,500 to restore some funding to libraries, Options, Cayuga Museum, which are very important here, 2<sup>nd</sup> by Chapman.**

Discussion:

Cuddeback, what happens if this was next Tuesday and we were supposed to vote on the budget, instead of voting on the 20<sup>th</sup>, which would give us another week to make sure everything is done correctly. I willing to bring forward to request that we vote on the budget on the 20<sup>th</sup>, to give us more than ample time to make sure we have done everything right.

Tortorici, I think that doing it on the 13<sup>th</sup>, with an instance like this, a table does come up to gather more information, you get another bite at the apple on the 20<sup>th</sup> , if we cannot pass the budget on the 13<sup>th</sup>. If we limit it to just the 20<sup>th</sup> , we stay here until we pass it.

Cuddeback, make sure we have covered everything, I can't see rushing it, unless I'm missing something.

Aikman, call the question.

**Motion to Table Defeated by voice vote, all voting no, except Chapman and Tortorici voting yes and Petrus excused.**

Discussion on original motion:

Fearon, in regards to trying to county coming up with more revenue, I would like you to look to the future, in 2014 you have in the current budget under Nursing Home about \$1,750,000.00, you are using about 4.8 million in fund balance, those numbers are not going to be available. You are going to have a huge liability in the future by using this "smoke and mirrors" to say we have more money it's not the way to go at this time.

Mitchell, I agree, it's time we lay it on the line with the tax levy, where we do have room

to move instead of guessing what we are going to get in revenue. Lay it on the line, that way we get to a yes or no proposition. I think the people are aware that if they ask for more, there are going to be more taxes.

Tortorici, unless what we talked about, other ways to fund all the groups that need funding.

**Vote on original Motion by Mahunik as correct by Lynn Marinelli, Majority vote, No, Chapman, Whitman, Axton, Pinckney, Mills, Fearon, Mitchell, Cuddeback and Tortorici. Yes, Aikman, Mahunik, Lattimore and Sincebaugh, Excused Petrus, Abstained Barski. 586/194/51/52**

**MOTION NO. 494-11**

**Motion by Mitchell to restore half of the funding to the libraries, which includes for 2 years, \$1,000 each for the 8 rural libraries, \$16,000, Seymour Library 2 years, \$2,400, \$1,200 each year, and the Finger Lakes Library System \$550.00 a year, which would be \$1,100.00 for a total of \$19,500, as a debit to the Tax Levy in that amount and as a credit to A74104 54000, libraries, 2<sup>nd</sup> by Fearon.**

Discussion:

Aikman, 8 libraries being restored, Mr. Squires, could you remind us of the gap we have in the current levy and the tax cap is \$35,000.

Squires, no, current levy is going to increase 1.89%, our 2% tax cap is actually 4.03%, so we have \$700,000 or so, cushion between where we are now with the levy and what are cap number would be.

**Approved by voice vote, all in favor, except Whitman voting no, and Petrus excused.**

**MOTION NO. 495-11**

**Motion by Pinckney to take \$10,000 from CCPUSA line A10164 54505, page 4 and put into line A29804 54000 Cornell Co-op, 2<sup>nd</sup> by Lattimore.**

Approved by voice vote, all present voting yes.

**MOTION NO. 496-11**

**Motion by Mahunik to increase budget line A29804 54000 Cornell Co-op by \$32,500, placing that amount against the tax levy.**

**Approved by voice vote, all present voting yes, except Barski abstaining.**

**MOTION NO. 497-11**

**DEFEATED**

**Motion by Chapman to reduce Professional Services, page 75, line A34114 54059, emergency Services by \$1,000 bringing it back to the \$500.00 it was previously, and putting the money back into the General Fund, reducing the draw on the fund balance, 2<sup>nd</sup> by Sincebaugh.**

Discussion:

Chapman, this money was put into the budget to monitor activity at the fire training tower by outside entities; we have agreements with those entities. I can't expect the taxpayers of Cayuga County to pay for monitoring of those services, I think the MOA's should reflect a charge for any outside entity that comes in.

Tortorici, Mr. Dahl could you explain how that is going to effect the train tower?

Dahl, it would not allow anyone to be up there to monitor the other private agencies

coming in to use the facility.

Chapman, the MOA's need to be revamped and discussed.

Cuddeback, regardless of the language, I'm sure it is important to have someone there in case there is an accident, or if damage occurs, so at least we have someone there to the organization that is using it.

Axton, it's a \$1,000 to open ourselves up to liability, I won't support.

Mahunik, do we bring in \$1,000 in revenue.

Dahl, yes.

**Defeated by voice vote, all present voting no, except Chapman and Sincebaugh voting yes.**

**MOTION NO. 498-11**

**Motion by Mills to restore \$5,000 to line A10144 54136 Options for Independence, and take from the tax levy, 2<sup>nd</sup> by Sincebaugh.**

**Tortorici offers an amendment to the motion to restore half of the funding \$2,500.00, 2<sup>nd</sup> by Mitchell.**

Discussion:

Mills, can you tell us how much it would cost for a ramp, how much does \$5,000 buy? Greg Guy Executive Director Options for Independence, we received \$4,500 from you last year and were able to do one ramp project.

Mills, and what is the demand for those projects?

Guy, we have a waiting list now of 16 individuals, outside the City of Auburn, waiting for projects that would keep them in their homes. The City of Auburn provides significant funds for those within the city, it's the rest of the county that will suffer.

Lattimore, I would like to see Options work with homesite, they received money for home repairs.

Guy, different process entirely, we do work with them, but there are certain things we can and cannot do legally under our budget constraints.

Mahunik, do towns and villages make any contribution to Options?

Guy, no, the city of Auburn does through the CDGB program .

Cuddeback, are you able to take grant funds.

Guy, absolutely.

Cuddeback, do you have anybody doing any grant work for you right now?

Guy, we apply for grants all the time, we have written 6 grants this year for home modifications.

Tortorici, you write them on your own on behalf of Options locally?

Guy. Yes.

Tortorici, I mentioned regional concept, have you talked to any of the other Option throughout the region on coming up with a plan on how you can bring all them together.

Guy, that is on the table regularly, we meet as an association, as a group of independent living centers.

Tortorici, have you ever applied for a grant as a region?

Guy, as a consolidated effort, no.

Tortorici, this regional concept, there will be more funding, more opportunities, and I think we had to put a five year plan together, I think you would be more successful that way then on your own.

Pinckney called the question.

**Vote on amendment Defeated by voice vote, all voting no, except Mitchell, Cuddeback and Tortorici voting yes.**

**Original Motion approved by voice vote, all voting yes, except Mitchell voting no.**

**Motion by Sincebaugh to put tow ten wheeler trucks back into the Highway Budget at a cost of \$370,000.00 to be taken out of the fund balance.  
No 2<sup>nd</sup>, motion dead.**

**Motion by Mills to adjourn at 8:27PM, 2<sup>nd</sup> by Mitchell, all in favor.**

**Motion by Axton to approve minutes of 12-8-11, 2<sup>nd</sup> by Lattimore, all in favor.**



**MINUTES  
SPECIAL LEGISLATURE MEETING  
TUESDAY, DECEMBER 13, 2011, 6:00 PM  
160 GENESEE ST, 6<sup>TH</sup> FLOOR, CHAMBERS, AUBURN, NY  
13021**

**Welcome to tonight's Special Cayuga County Legislature Meeting, Tuesday, December 13, 2011, CCOB, 6<sup>th</sup> Floor.**

**CALL TO ORDER:** Hon. Peter Tortorici, Chairman at 6:00PM.

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

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**TOPIC:** Vote on County Budget

**PRIVILEGE OF THE FLOOR:**

Eileen McHugh, Director of Cayuga Museum, re: restoring funding for the museum, handout attached to original minutes.

Steve Kline, member of the Cayuga Museum, re: restoring funding for the museum, handout attached to original minutes.

Ellen Dello Stritto, serves on the board of the Cayuga Museum and Seymour Library, re: restoring funding for the museum, handout attached to original minutes.

Ron Podolak Executive Director of Cayuga County Soil & Water Conservation District, a \$50,000 cut to my budget represents a loss in staff and any time you take away staff person, you are going to take away some amount of services. We will be starting up the Community Digester sometime this month, we brought in with Chairman Tortorici's help, 6.2 million dollars to this county when she was on her knees economically. We have always strived to spend the same dollar three different ways if we could. I mention two weeks ago that we return \$3.00 for every dollar you give us, between State and Federal grants. It is hard to manage the program and provide the same services at the same level, without at least the same funding. I ask that we could have at least half of the \$50,000 cut reinstated.

**MOTION NO. 499-11**

**Motion by Aikman, page 7, restore Cayuga Museum Account No. A74504 54000 by \$2,500.00 and increase tax levy by that amount, 2<sup>nd</sup> by Mills.**

Discussion:

Lattimore, we handled a lot of the non-profits with a 50% cut and I would like to continue with that.

**Motion by Lattimore to amend amount to \$2,925.00, 2<sup>nd</sup> by Pinckney, all members voting yes, except Mitchell and Fearon voting no.**

Discussion:

Mitchell, I would like to point out some historical information, in 2007 the museum had 1.5 million in investments, in 2008 they had 1.2 million a loss of about \$300,000. The restrictions that they talked about are basically temporary restrictions, that the board can rescind anytime they want to and has done in the past. They have managed to double their expenditures from \$75,000 to \$150,000, while they cut their collection conservation. Overall the expenses of their functional expenses have gone from \$308,000 to \$376,000, an increase of 20%. These people are spending a lot of money, I will not support any restoration of any sort to their funding.

Lattimore, difficult times, we are try to restore the tourism issue, I think it is dollars well spent.

Mitchell, this is the only museum that I am aware of in Cayuga County that gets county funding, the museum down south doesn't get a penny. Tourism does have a valid place in terms of the museum and the museum funding, however we have set our tourism in one basket and I think that in the future we need to do more than one basket. I think that other museums in the county deserve some consideration besides the Cayuga Museum.

Mills, this action that we have taken is kind of following something we established several years ago, the individuals involved in these organizations need to recognize this is the direction we are going to be taking. I think it is wise to anticipate similar cuts for next year, that is kind of way things are going. I understand people are going to be upset about that, but at the same token, we are under a 2% mandated tax cap that the State Legislator's have imposed on us, significant increases to our health insurance costs.

Fearon, some people may have received something in the mail saying that Albany did mandate relief, the reality is that didn't happen. The mandates are why we are where we are now, and it will get worse.

Tortorici, I really hope that these groups reach out to the new Regional Economic Development Council, Andrew Fish would be a good one to reach out to and start putting plans together for the future.

**Motion as amended, all members voting yes, except Mitchell and Fearon voting no.**

**Motion approved**

#### **MOTION NO. 500-11**

**Motion by Mitchell to increase Highway Budget Account No. DM51302 52002, page 117 by \$50,000.00 and increase the tax levy in that amount, 2<sup>nd</sup> by Sincebaugh.**

Discussion:

Lattimore, in review of the Highway equipment, I know most of the towns have vehicle replacement program, might go 5 years then while the unit still has value, put it on the market. Hopefully we can look at some of the towns to see if they have something they could transfer or move to our Highway Department, maybe two for \$50,000.

Fearon, we can get bite now or get bite bigger later, a lot of equipment that is going to need to be replaced.

**Motion approved by voice vote, all present voting yes.**

**Sincebaugh, Tom can you explain about the janitor position that is being cut out of the budget, and you said the state is not paying for 75% through the court**

system.

Squires, the State Court System cut the reimbursement to the county for cleaning and maintenance in the court space. It was the court funding that paid for that position, so when they said they were cutting the funding, the decision was made to eliminate that position, which was a direct result of the loss of funding. We are using existing staff to maintain all of the buildings downtown. We are doing anymore or any less for any of the county buildings. When you're talking about staff, you're talking about cutting services. There are 8 positions that are unfunded that are vacant that otherwise we would like to fill, 5 filled positions, which a couple we are outsourcing and couple that we are eliminating, so there will be an impact on all of us. We can't afford what we used to be able to afford, here we are trying to stave off a massive layoff. The little bit we cut each year adds up, trim a little at a time.

Cuddeback, if we had mandate relief how hard would this budget have been?

Squires, the increase in Medicaid and Retirement was about the equivalent of a 6% increase in the levy. If we had meaningful mandate relief where the mandates didn't go up, I won't tell you it would have been easy, but it would be a heck of a lot easier. It would be easier to fund all the agency's, libraries, we wouldn't be cutting positions, would be able to keep our tax levy pretty close to flat and reduce the use of fund balance. The story of this budget is not the property tax cap, but is pure and simple, how do we take the additional cost forced on us by New York State, how do we pay for those costs, that's where we are.

Fearon, the budget we are looking at right now projects zero change and that's not something we are going to be able to sustain year after year, eventually we will have to pay people more.

Tortorici, we have to understand that every \$340,000 is a 1% increase in property tax. In 2013 Medicaid will probably go up 3%, (1 million plus), Pension will go up, and we don't know what will happen with the Nursing Home, so already for 2013 we are higher than 6%. The funding is going to go away little by little unless our state gives us mandate relief.

Lattimore, can we invite our elected State Officials to come when we have the next round of cuts?

Squires, we could, I wouldn't put the blame on our State Elected, I would put it on the Albany machine, Governor, the weight of the vote downstate.

Lattimore, the millionaires tax, they feel they are going to raise 4 billion or 6 billion in taxes.

Squires, I don't know.

Tortorici, it's good for Albany to say we gave you a 2% property tax cap, because they don't have property tax, they don't collect it. They put a bigger burden on the counties throughout New York State.

**Motion by Mills to adopt the County budget, 2<sup>nd</sup> by Cuddeback and Mitchell.**

Discussion:

Axton, can we get a final number on the levy?

Squires, it raises the levy to \$35,174,086.00 an increase of 2.213%.

Tortorici, thanked everyone involved with the budget.

Mitchell, includes actions from tonight?

Squires, yes.

**RESOLUTION NO. 501-11**  
**12/13/11 COL ADOPTBUDGET2012**  
**TO ADOPT THE COUNTY BUDGET FOR 2012**

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

WHEREAS, the Budget officer of the County of Cayuga in compliance with County Law, Section 354, has prepared and filed with the Clerk of the Cayuga County Legislature a tentative budget; and

WHEREAS, pursuant to County Law, Section 357, the Ways & Means Committee of this County Legislature, being the committee designated to review the tentative budget, has examined the budget and recommended changes; and

WHEREAS, the provisions of County Law, Section 358, have been complied with by the Cayuga County Legislature and pursuant to County Law, Section 359, a public hearing was held on **December 8, 2011** after advertisement as required by law; now, therefore, be it

RESOLVED, that the tentative budget, as heretofore amended, be and hereby is adopted by this Legislature as the budget for the year 2012.

**LEGISLATIVE CHANGES**  
**TO AMEND THE 2012 PRELIMINARY BUDGET**

	PAGE	REVENUE	EXPENSE	NEW TOTAL
<b>#1 Cornell Cooperative Extension</b>				
Increase A29804-54000	5		32,500.00	260,528.00
<b>Tax Levy</b>			32,500.00	35,096,661.00
<b>#2 Cornell Cooperative Extension</b>				
Increase A29804-54000	5		10,000.00	270,528.00
<b>CCPUSA Contingent Account</b>				
Decrease A10164 54505	4		(10,000.00)	25,000.00
<b>#3 Cornell Cooperative Extension</b>				
Increase A29804-54000	5		7,500.00	278,028.00
<b>Youth Bureau - Contractual Agreements</b>				
Decrease A73104 54073	179		(7,500.00)	0.00
<b>#4 Options for Independence</b>				
Increase A29804-54000	3		5,000.00	5,000.00
<b>Tax Levy</b>			5,000.00	35,101,661.00
<b>#5 Libraries</b>				
Increase A741044-54000	7		19,500.00	58,500.00
<b>Tax Levy</b>			19,500.00	35,121,161.00

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**Signed by Mills, Axton, Cuddeback, Fearon, Mahunik and Pinckney.**

**Approved by Majority vote, all present voting yes, except for Sincebaugh voting no.**

**Motion by Mills to adjourn at 6:36PM, 2<sup>nd</sup> by Chapman, all in favor.**

**Motion by Axton to approve minutes of 12-13-11, 2<sup>nd</sup> by Lattimore, all in favor.**

**MINUTES  
CAYUGA COUNTY LEGISLATURE  
TUESDAY, DECEMBER 20, 2011 – 6:00PM**

**CALL TO ORDER:** Hon. Peter Tortorici, Chairman, at 6:10PM.

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

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**DEATHS:** Maria Carmen Bizzari, mother of Raymond Bizzari

Wilbur L. Townsend, World War II Army Veteran, 1943-1946, Beacon Milling Co. President and Director 1949-1985

**PUBLIC HEARING: Opened at 6:12PM** To Adopt Local Law No. 3 Authorizing the County of Cayuga to Lease Part of the Premises Commonly Known as Tax Map No. 52.00-1-38.1, Route 34 Cato, NY from John Daly for a Term of 99 Years.

**PRESENTATION: Emerson Foundation, update on the Emerson Park Pavilion, Anthony Franceschelli, handout attached to original minutes.**

**Discussion:**

**Mills, the ticket booth attendant is a deterrent somewhat to vandalism.**

**Franceschelli, not much of a deterrent and with the both you have a backup of traffic onto Owasco Rd and you do have security personnel there.**

**Fearon, maybe we could put in cameras, record time and get license plate numbers.**

**Axton, a lot of questions, I think it should go through committee.**

**Mitchell, what else is the ticket booth used for?**

**Duckett, center for the security, it is the hub for major events, I will give the pros and cons and you can make the decision.**

**Tortorici, thanked the Emerson Foundation, big changes for the park and I think the parking fee should be waived and the ticket booth removed.**

**Franceschelli, thanked the Legislature and Tom Squires, it has been a great partnership, things worked out well and I think when it is done we will have a great venue.**

**PUBLIC BE HEARD:**

If you wish to speak notify your Legislator, who will grant you privilege of the floor. You will be allowed to speak for 3 to 5 minutes. You must state your name and address. Legislator Lattimore for Tim Donovan, Cayuga County Representative for Community Service Board, re: the Mental Health Facility, handout attached to original minutes.

**PROCLAMATIONS: Admiral West Day in Cayuga County, December 9, 2011**

**Andy Cooney Day in Cayuga County December 9, 2011**

**Local Community Leaders and Non-For-Profit Agencies for their success in the preservation of Camp Rotary**

**for the Youth of Cayuga County.** Chairman Tortorici read in full and presented to Dr. Joseph Karpinski and thanking Sr., Charles Bouley, Jon Budelmann, Evelyn Chapin, Gary Chapin, Rev. James Enright, David Gould, Don Grillo, Paul Haberlau, Jeff LaDuca, Jack Hai, Sharon Hayden, William Jacobs, John Yurco, William Jennings, Walter Lowe, Paul Ruzicka, Tyson Turner, Shirley Vella, Cayuga County Council #366, Owasco Camp Association, Kiwanis Club., Knights of Columbus #207, Rotary Club of Auburn, Hiscock & Barclay Law Firm, Michael Oropallo and Angela Winfield of counsel, Michaels & Smolak Law Firm, YMCA-Weiui and the Fred L. Emerson Foundation.

**MINUTES:** For Approval: 10-25-11, motion to approve minutes by Chapman, 2<sup>nd</sup> by Pinckney, all in favor.  
For Reading: (9-27-11 revised) 11-15-11, 12-8-11 and 12-13-11, motion by Chapman to waive reading of minutes, 2<sup>nd</sup> by Pinckney, all in favor.

**CCC REPORT:** Dr. Daniel Larson: report attached to original minutes

**Sheriff David Gould presented to Chairman Tortorici the United Way of Cayuga County Gold Award and thanked all Cayuga County employees for their donations, it was a very successful campaign.**

**Legislator Michael Chapman on behalf of the Legislature, presented Legislator Roger Mills with a plaque for his years of service.**

**COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS:**

**Legislator David Axton, the Cayuga/Seneca Indian Land Claim, had the Land-in-Trust denied, thanked everyone for their support.**

**Fearon, wish it was over, but the reality is they were told they can re-apply, certain things were left out. They are under new leadership and we don't know which direction they will go. We need Dave and Paul to continue to work on this.**

**Tortorici, asks Fred Westphal what is take on this is.**

**Westphal, we don't know the reason why it was denied or what leadership impact will be.**

**Tortorici, Land-in-Trust, is that all the land?**

**Westphal, yes.**

**Tortorici, we need to continue our efforts so the land does not go into trust.**

**COUNTY ADMINISTRATOR'S REPORT:** Tom Squires, hand out attached. In kind work at the pavilion totals \$696,000 so far; we are working on the final bills and will

present them to Public Works Committee in January. Thanked the Highway Department, Water & Sewer and Soil & Water.

**CHAIRMAN'S REPORT:** Peter Tortorici, thanked all the employees, especially the Department Heads and the 6<sup>th</sup> floor, you have raised a tremendous amount of money for different causes throughout the year, a total of \$25,875.00. I will miss working with all of you, we have done a lot of great things in the past 3 years.

**Chairman Tortorici closed the Public Hearing at 7:12PM.**

**APPOINTMENTS AND RE-APPOINTMENTS:**

**Community Service Board:**

Barbara Bowen, 33 Wilbur Ave., Auburn, NY 13021, Term – 1-1-12 to 12-31-15

Kimberly Campagnola, 6341 Canoga Rd., Auburn, NY 13021, Term – 1-1-12 to 12-31-15

**Mental Health Subcommittee:**

Rebekah Gagne, 7286 Sherman Rd, Auburn, NY 13021, Term – 1-1-12 to 12-31-2015

Joan Rusinko, 200 Manitau Rd., Cayuga, NY 13034, Term – 1-1-12 to 12-31-15

Barbara Bowen, 33 Wilbur Ave., Auburn, NY 13021, Term – 1-1-12 to 12-31-15

**People with Development Disabilities Subcommittee:**

Kimberly Campagnola, 6341 Canoga Rd., Auburn, NY 13021, Term 1-1-12 to 12-31-15

**Alcohol and Substance Abuse Subcommittee:**

Peter Petrosino, 410 N. Seward Ave., Auburn, NY 13021, Term 1-1-12 to 12-31-15

**Motion by Chapman to approve appointments for CSB, Mental Health Subcommittee, People with Developmental Disabilities and Alcohol and Substance Abuse, 2<sup>nd</sup> by Pinckney, all in favor.**

**CCIDA:**

Herb Marshall, 8016 Powell Road, Port Byron, NY: term: 1/1/12 – 12/31/13 (**not appointed**)

Gina Speno, PO Box 445, Weedsport, NY 13166: term: 1/1/12 -12/31/13

**Motion by Tortorici to remove Herb Marshall from the appointment, 2<sup>nd</sup> by Cuddeback, all in favor except**

**Chapman, Fearon, Axton and Mitchell voting no. Motion carried.**

**Cayuga-Cortland Workforce Investment Board:**

Juanita Perez-Williams, Esq., Regional Rep. for the Commissioner NYS Dept. of Labor: term 1/1/12 -12/31/14

**Motion by Aikman, 2<sup>nd</sup> by Mills, all in favor.**

**Cayuga County Soil & Water Conservation District:**

Dale Kehoe, 2841 Route 41A, Moravia, NY: term: 1/1/12 -12/31/13

Charles Roberts, 10981 State Route 38, Port Byron, NY: term: 1/1/12-12/31/13

**Motion by Mills to amend term to end on 12-31-14 per their by-laws, 2<sup>nd</sup> by Cuddeback, all in favor.**

**Motion as amended by Chapman, 2<sup>nd</sup> by Cuddeback, all in favor.**

**Cayuga County Water Quality Management Agency (WQMA)**

All Cayuga County Environmental Advisors are coterminous with position. All Non-County, Local Officials and Waterbody Associations serve until the member resigns, is replace by a new representative or is terminated for non-compliance with Article IV section 3 of the WQMA by-laws. Effective January 1, 2012



**Environmental Advisors:**

Stephen Lynch, Director of Planning and Economic Development  
Eileen O'Connor, Director of Cayuga County Environmental Health  
Gary Duckett, Director of Cayuga County Parks and Trails  
Ron Podolak, Director of Cayuga County Soil and Water Conservation District  
Bruce Natale, Cayuga County Solid Waste Management Program Advisor  
Doug Ververs, Cayuga County Cooperative Extension Director

**Non-County, Local Officials:**

Ed Wagner, Town of Owasco, 57 Willowbrook Drive, Auburn, NY 13021, (designated by Town Board)  
Douglas A. Selby, City of Auburn, Memorial City Hall, 24 South St., Auburn, NY  
Harry Hinman, Cayuga County Assoc. of Villages, PO Box 13, Weedsport, NY 13166 (designated by their chief elected officer)  
Keith Batman, 3649 Keese Road, Moravia, NY 13118 (designated by their chief elected officer)

**Waterbody Associations:**

Dale Powell, Duke lake Association, 192 East Lake Rd., Port Byron, NY 13140 (designated by president of the association)  
Barbara Harvey, Lake Cuomo Association, 1220 Lake Como road, Cortland, NY 13045 (designated by president of the association)  
Bob Brower, Owasco Watershed Lake Assoc., 40 Grover Street, Auburn NY 13021 (designated by president of the association)  
Vacant, Tri-County Skaneateles Lake Pure Waters Association (designated by president of the association)  
Jim Young, Cayuga Lake Watershed Network, 4549 State Rte 34B, Union Springs, NY 13160 (designated by president of the association)

**Motion by Chapman to approve appointments for WQMA, 2<sup>nd</sup> by Pinckney, all in favor.**

**Cayuga County Water and Sewer Authority: Board of Directors**

Robert J. Bower, 1396 Great Gully Rd., Union Springs, NY, 13160, Term 1/1/12 to 12/31/14

**(replaced by Mark Farrell) George Fearon, 5641 State Rte. 90N, Cayuga, NY 13034, Term, 1/1/12 to 12/31/14**

Douglas Selby, City of Auburn, 26 South St., Auburn, NY 13021, Term 1/1/12 to 12/31/14

**Motion by Axton, 2<sup>nd</sup> by Cuddeback**

Discussion:

**Motion by Aikman to amend remove George Fearon and replace with Mark Farrell, 2<sup>nd</sup> by Sincebaugh, approved by Majority vote, Ayes – Aikman, Oinckney, Mills, Barski, Mahunik, Lattimore, Sincebaugh and Tortorici. Noes – Chapman, Whitman, Axton, Mitchell, Cuddeback. Excused Petrus and Abstained Fearon. Vote – 443/321/51/68**

**Motion by Tortorici to remove Robert Bower's name from the list and have them submit another name, no 2<sup>nd</sup>.**

**Motion by Cuddeback to table amendment, 2<sup>nd</sup> by Axton, approved by Majority vote. Ayes – Chapman, Aikman, Whitman, Pinckney, Cuddeback, Barski, Mahunik, Lattimore, Sincebaugh. Noes – Axton, Mills, Fearon, Mitchell, and Tortorici.**

**Excused Petrus. Vote – 503/329/51**

**Motion by Axton to table all Water & Sewer appointments, 2<sup>nd</sup> by Pinckney, Defeated by Majority vote. Noes – Chapman, Aikman, Whitman, Mills, Barski, Mahunik, Lattimore, Sincebaugh and Tortorici. Ayes – Axton, Pinckney, Fearon, Mitchell, Cuddeback. Excused Petrus. Vote – 509/323/51.**

**Motion by Tortorici to separate appointments and do individually, 2<sup>nd</sup> by Lattimore, all in favor.**

**Motion as amended, approved by voice vote, all in favor, except Mitchell, Chapman, Cuddeback and Axton voting no.**

**Robert Bower, approved by Majority vote, all present voting aye, except Tortorici voting no.**

**Mark Farrell, approved by Majority vote, Ayes – chapman, Aikman, Pinckney, Mills, Barski, Mahunik, Lattimore, Sincebaugh and Tortorici. Noes – Whitman, Axton, Fearon, Mitchell and Cuddeback. Excused Petrus. Vote – 518/314/51**

**Douglas Selby, approved by Majority vote, all present voting aye.**

**COMMUNICATIONS AND ANNOUNCEMENTS:**

1. Received a letter from Jon Budelmann District Attorney, designating the order in which the appointed Assistant District Attorney shall exercise the powers and duties of the Office of District Attorney of Cayuga County.

2. Received notice of a Public Hearing in the Town of Sennett; A Local Law “Moratorium on and Prohibition of Gas and Petroleum Exploration and Extraction Activities Underground Storage of Natural Gas, and Disposal of Natural Gas or Petroleum Extraction, Exploration, and Production Wastes., on Tuesday, **12-27-11** at 7:00PM Sennett Town Hall, 6931 Cherry St. Rd., Auburn, NY 13021

**3. Received a letter from John Morrissey complimenting George Wethey and his staff on a job well done, culver pipe, Rockerfeller Rd. at Koenig Point.**

**4. The Port Byron School District will again this year participate in the wreaths Across America Project, Saturday, December 10, 2011 at 12:00PM at St. Peter & John Church, 169 Genesee St.**

Legislator Mills asked communication number 3 be read in its entirety and waive the reading of the other communications, 2<sup>nd</sup> by Lattimore. Clerk of the Legislature Mary Jones read the letter

## RESOLUTIONS 12-20-11

**RESOLUTION NO. 502-11****12-20-11 APAudit December 11 (A)****AUTHORIZING THE COUNTY TREASURER TO PAY NOVEMBER 10-NOVEMBER 30, 2011 AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on December 20, 2011 audit claims against the County of Cayuga in the aggregate sum of \$1,049,507.69 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

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made therefore in the County Budget finalized on December 13, 2010.  
Signed by Mills, Axton, Cuddeback, Fearon, Mahunik and Pinckney, all in favor.

**RESOLUTION NO. 503**  
**11 12-20-11 AP Audit December 11 (B)**  
**AUTHORIZING THE COUNTY TREASURER TO PAY DECEMBER 1-DECEMBER 14, 2011 AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on December 20, 2011 audit claims against the County of Cayuga in the aggregate sum of \$838,230.18 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, 2<sup>nd</sup> by Cuddeback, all in favor.

**RESOLUTION NO. 504-11**  
**12/20/11 TRE updateinvestpolicy12rev**  
**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 1<sup>st</sup>, 2012.

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

**RESOLUTION NO. 505-11**  
**12/20/11 COL yearend.W&M11**  
**AUTHORIZING ACCOUNTS PAYABLE YEAR END ADJUSTMENTS 2011 OPERATING BUDGET**

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

WHEREAS, provisions of the Federal Single Audit Act and regulations of the State Comptroller require Cayuga County to utilize modified accrual as the basis for governmental fund accounting; and

WHEREAS, modified accrual accounting principles require that the County accrue accounts payable so expenditures are generally reflected in the period for which goods or services are received; and

WHEREAS, application of this principle may result in the over-expenditure of certain individual line item expenditures and revenues particularly in areas where spending is mandated by State and Federal laws and requirements; now, therefore be it

RESOLVED, that the Cayuga County Legislature hereby authorizes and directs the County Treasurer to make adjusting entries to provide sufficient appropriations to avoid individual line item deficits upon the accrual of year-end accounts payable, provided that

said entries do not result in an increase in total appropriations approved by the County Legislature, for 2011; and, be it further

RESOLVED, that said adjusting entries shall be subject to approval of the Chairman of the Legislature, Chairman of Ways and Means Committee and County Administrator who shall upon completion of the year-end closing, report the same to the County Legislature.

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

**RESOLUTION NO. 506-11**

**12/20/11 COL signtaxwarrants11**

**APPROVE THE TAXES AS EXTENDED AND AUTHORIZE THE CHAIRMAN AND THE CLERK OF THE LEGISLATURE TO SIGN TAX WARRANTS**

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

RESOLVED, that the several taxes extended upon the tax rolls of the County be approved by the County Legislature, and be it further

RESOLVED, that the Chairman and the Clerk of the Legislature be and are hereby authorized and directed to sign the tax warrants attached to said tax rolls as provided by the Tax Law of the State of New York, and then cause the tax rolls and warrants to be delivered to the respective Tax Collectors.

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

**RESOLUTION NO. 507-11**

**12/20/11 COL AnnexTaxWarrant11**

**DESIGNATING DECEMBER 20, 2011, AS THE DATE TO ANNEX THE TAX WARRANT.**

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

WHEREAS, pursuant to section 904 of the Real Property Tax Law of the State of New York the county Legislative body shall annex to or, in the case of assessment rolls prepared in accordance with the provisions of article fifteen-C now, therefore, be it

RESOLVED, that December 20th, 2011 is the date when, pursuant to Section 904 of the Real Property Tax Law of the State of New York, this Legislature hereby orders that there shall be annexed to the Tax Rolls of the constituent towns and city of this County, the warrant described in Section 904 of the Real Property Tax Law, under the Seal of this Legislature signed by the Chairman of the Legislature and the Clerk of the Legislature, authorizing and directing the collecting officers of the city and towns to collect from the several persons, corporations and other entities named in said Tax Roll, the amounts listed opposite their respective names, together with any interest or penalties thereon prescribed by law, ON or BEFORE the first day of February, 2012.

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

**RESOLUTION NO. 508-11**

**(12/20/2011) RP CCCapportioncostrev2**

**AUTHORIZE DIRECTOR OF REAL PROPERTY SERVICES TO APPORTION COMMUNITY COLLEGE COSTS FOR TAX PURPOSES AND REPEALLING RESOLUTION NO. 446-11**

By: Roger Mills, Chairman, Ways & Means Committee

WHEREAS, The Cayuga County Treasure's has provided figures to be levied back against several municipalities; and

WHEREAS, Resolution No. 446-11, Authorized the Director of Real Property Services to Apportion Community College Costs for Tax Purposes; and

WHEREAS Resolution No. 446-11 must be revised to account for prior year billing adjustments deemed necessary by the County Treasurer's Office to ensure that Cayuga County is fully reimbursed for this expense; now therefore be it

RESOLVED, that the Office of Real Property Services is hereby authorized to charge the several municipalities, on the 2012 tax bills, the costs as certified by the County Treasurer for Community College purposes as follows:

City of Auburn	111,745.07	Town of Moravia	59,490.27
Town of Aurelius	19,247.91	Town of Niles	11,941.59
Town of Brutus	40,234.26	Town of Owasco	29,335.85
Town of Cato	25,891.76	Town of Scipio	17,794.70
Town of Conquest	7,651.01	Town of Sempronius	19,186.47
Town of Fleming	17,303.63	Town of Sennett	19,817.97
Town of Genoa	36,844.47	Town of Springport	31,153.95
Town of Ira	20,705.76	Town of Sterling	21,800.43
Town of Ledyard	11,381.74	Town of Summerhill	40,265.83
Town of Locke	55,163.55	Town of Throop	17,100.03
Town of Mentz	16,902.10	Town of Venice	5,330.67
Town of Montezuma	8,258.90	Town of Victory	10,305.21
<b>Total</b>			<b>654,853.13</b>

And be it further,

RESOLVED, that Resolution No. 446-11 is repealed and superseded by this resolution.

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

**RESOLUTION NO. 509-11**

**(12/20/11) RP extendlevy2012rev**

**AUTHORIZING THE DIRECTOR OF REAL PROPERTY TAX SERVICES TO EXTEND THE LEVY OF TAXES, ESTABLISH RATES FOR THE SAME AND RELEVY UNPAID ITEMS**

By: Roger Mills, Chairman, Ways & Means Committee

WHEREAS, the Director of Real Property Tax Services has received from various municipal subdivisions of Cayuga County a report of delinquencies in the payment of village and school taxes, unpaid water and sewer services as provided by the various municipal subdivisions including the CCSWA; and

WHEREAS, the Director of Real Property Tax Services has received adopted budgets for each of the Towns of Cayuga County including special districts establishing a real property tax levy for each; and now, therefore be it

RESOLVED, that the Director of Real Property Tax Services is hereby authorized as follows:

To relevy on the appropriate properties any delinquencies in the aforementioned categories and additionally to relevy the appropriate amounts submitted by resolution of the towns and/or villages.

To set the rates for town purposes, including special districts, and for County tax purposes, said amounts being based on **Resolution No. 501-11**, adopting the County budget for 2012, passed by the Cayuga County Legislature on **December 13, 2012**, and resolu-

tions passed by the other 32 municipal subdivisions of the County, adopting their respective budgets for 2012; and be it further

RESOLVED, that the Director of Real Property Tax Services shall furnish, in a timely manner, to the County Legislature and various town supervisors a list of the tax rates for town, county and special districts.

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

**RESOLUTION NO. 510-11**  
**(12/20/11) RP CayCoWater&SewerDisticts**  
**AUTHORIZING THE LEVY OF TAXES FOR THE CCSWA IN**  
**COUNTY WATER DISTRICTS 1, 2 & 3; AND SEWER DISTRICT 2 FOR**  
**SEVERAL TOWNS**

BY: Roger Mills, Chairman, Ways & Means Committee

WHEREAS, New York State Finance Law requires the legislative body to annually approve the rates and/ or ad valorem or unit based taxes in water and sewer districts; and

WHEREAS, the Director of Operations of the Cayuga County Water and Sewer Authority presented rates and ad valorem taxes in Water Districts 1, 2 & 3 and Unit based taxes in Sewer District 2; and now therefore be it

RESOLVED, that the following amounts in the respective towns, representing the capital cost outlay and operation and maintenance for the Cayuga County Water and Sewer Authority Water Districts 1, 2, and 3, and Sewer District 2 be collected for the 2012 tax roll, are hereby approved:

<b>COUNTY WATER DISTRICT #1 &amp; #2</b>		<b>COUNTY WATER DISTRICT #3</b>	
Town of Brutus	\$262.47	Town of Aurelius	\$13,966.79
Town of Mentz	\$910.53	<u>Town of Fleming</u>	<u>\$495.21</u>
Town of Sennett	\$3,036.00		
<u>Town of Throop</u>	<u>\$2,692.00</u>		
<b>Total Water District 1 &amp; 2</b>	<b>\$6,901.00</b>	<b>Total Water District 3</b>	<b>\$14,462.00</b>

**COUNTY SEWER DISTRICT #2**

Town of Sterling \$181,560.00

**Total Sewer 2 \$ 181,560.00**

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

**RESOLUTION NO. 511-11**  
**12/20/11 RP omittedtax2012**  
**AUTHORIZING THE LEVY OF OMITTED TAXES**

By: Roger Mills, Chairman, Ways & Means Committee

WHEREAS, pursuant to Real Property Tax Law Section 520, an individual becomes liable for a pro rata tax liability when a property transfer takes place after the taxable status date, on formerly wholly or partially exempt property; now, therefore be it

RESOLVED, the following omitted taxes in the amount of \$15,472.68 shall be levied against the property owners in their respective municipalities who are liable for said tax; and be it further

<u>Town</u>	<u>Amount</u>	<u>Town</u>	<u>Amount</u>
Cato	\$ 426.27	Fleming	\$1,770.17
Genoa	\$3,503.49	Ira	\$ 877.26

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Ledyard	\$ 112.18	Locke	\$ 503.28
Niles	\$1,047.40	Owasco	\$ 945.60
Sempronius	\$1,052.17	Sennett	\$3,333.00
Sterling	\$1,247.84	Summerhill	\$ 152.19
Venice	\$ 501.83		
		<b>Total</b>	<b>\$15,472.68</b>

RESOLVED, that the levies shall be in accord with filed forms dealing with the above-mentioned penalty tax, which have been approved by the respective Town Assessor.

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

**RESOLUTION NO. 512-11  
12/20/11) RP villagetaxrelevy**

**LEVY RETURNED VILLAGE TAXES & AUTHORIZE THE COUNTY  
TREASURER TO PAY SAME**

By: Roger Mills, Chairman, Ways & Means Committee

WHEREAS, Cayuga County Local Law #3 for 1987 provides for the collection of certain Delinquent Village Taxes by the County of Cayuga; now, therefore be it

RESOLVED, that the following claims from the various Villages within Cayuga County, including 7 percent added by the County Treasurer, be audited and allowed and the same be placed upon the Tax Assessment Rolls, and added to the tax on the various parcels for the amounts shown on the Returned Village tax forms which are filed in the County Treasurer's Office by the various Village Tax Collectors and Treasurers in the County of Cayuga, and be it further

RESOLVED, that the County Treasurer be authorized and directed to pay the various Villages the amounts returned by each and to retain the 7 percent penalty as indicated:

<b>Village</b>	<b>Returned Village Taxes</b>	<b>County 7% Penalty</b>	<b>Relevied Village Taxes</b>
Aurora	3,204.69	224.34	3,429.03
Cato (Town of Cato)	2,081.26	145.68	2,226.94
Cato (Town of Ira)	866.94	60.69	927.63
Cayuga	6,654.22	465.80	7,120.02
Fair Haven	9,548.79	668.42	10,217.21
Meridian	4,534.63	317.43	4,852.06
Moravia	18,217.68	1,275.25	19,492.93
Port Byron	29,254.91	2,047.75	31,302.66
Union Springs	16,837.15	1,178.56	18,015.71
Weedsport	8,614.14	603.00	9,217.14
<b>Totals</b>	<b>99,814.41</b>	<b>6,986.92</b>	<b>106,801.33</b>

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

**RESOLUTION NO. 513-11  
(12/20/11) RP waterandsewerrelevy12**

**LEVY UNPAID WATER AND SEWER BILLS — SEVERAL TOWNS AND  
CAYUGA COUNTY SEWER AND WATER AUTHORITY**

By: Roger Mills, Chairman, Ways & Means Committee

WHEREAS, pursuant to Section 198 of Town Law, several Towns have turned in listings of delinquent water and sewer bills to be relevied on the County & Town tax bill; and

WHEREAS, pursuant to Section 1199 of Public Authorities Law the Cayuga County Sewer and Water Authority has submitted a listing of delinquent water bills to be relevied on the County & Town tax bill; now, therefore be it

RESOLVED, that the following amounts in the respective districts representing unpaid water and sewer bills in the various Towns be levied against property owners in their respective Towns who are liable for service charges and unpaid water and sewer bills as claimed by the Water Department of the City of Auburn or their respective Town, pursuant to Section 198 of Town Law and Section 1199 of Public Authorities Law.

<b>Town</b>	<b>Town Water Relevy</b>	<b>Town Sewer Relevy</b>	<b>CCSWA Water Relevy</b>	<b>Grand Total</b>
Aurelius	4,552.57	1,246.57	3,975.42	9,774.56
Brutus			3,297.57	3,297.57
Fleming	23,593.77	14,295.11		37,888.88
Genoa	5,338.62			5,338.62
Locke	9,666.40			9,666.40
Mentz			5,165.25	5,165.25
Montezuma	965.19			965.19
Owasco	42,513.38	29,122.92		71,636.30
Springport	6,499.34	4,109.21		10,608.55
Sennett	1,935.15	100.00		2,035.15
Throop	786.55		12,116.69	12,903.24
Victory			516.97	516.97
<b>Totals</b>	<b>95,850.97</b>	<b>48,873.81</b>	<b>25,071.90</b>	<b>169,796.68</b>

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

**RESOLUTION NO. 514-11  
12/20/11 RP AnnualBudgetREV**

**LEVY TAXES PROVIDED FOR IN THE ADOPTED ANNUAL BUDGETS OF  
THE TOWNS AND FIRE DISTRICTS OF CAYUGA COUNTY**

By: Roger Mills, Chairman, Ways & Means Committee

WHEREAS, there has been provided a duly certified copy of the annual budgets of each of the several Towns of the County of Cayuga for the fiscal year beginning January 1, 2012; now, therefore be it

RESOLVED, that there shall be and hereby are taxes levied based upon the taxable value of real property situated in each of the Towns, in the amounts indicated and as specified in the budgets adopted in each of the respective Towns within the County (see attached list of budgets); and be it further

RESOLVED, that there shall be and hereby is assessed and collected from the real property within the respective fire protection districts and other special districts in the amounts indicated for the purpose of such districts as specified in the respective adopted annual budget (see attached).



**Annual Town Budgets for the 2012 Tax Year**  
(amount to be raised by taxes as listed in town budgets) 12/13/2011

General Town	Highway Outside	Grand General Outside	Total Outside	Highway Townwide	Fund Townwide	Total Townwide	Total to Raise
Aurelius	-	-	-	-	245,828	245,828	245,828
Brutus	-	-	-	195,500	125,304	320,804	320,804
Cato	-	-	-	128,118	380,026	508,144	508,144
Conquest	-	-	-	82,250	43,163	125,413	125,413
Fleming	-	-	-	-	-	-	-
Genoa	-	-	-	118,100	79,500	197,600	197,600
Ira	-	-	-	182,692	238,140	420,832	420,832
Ledyard	-	-	-	-	159,644	159,644	159,644
Locke	-	-	-	298,250	122,617	420,867	420,867
Mentz	-	23,300	23,300	-	218,000	218,000	241,300
Montezuma	-	-	-	116,222	7,348	123,570	123,570
Moravia	-	-	-	177,532	182,259	359,791	359,791
Niles	-	-	-	100,481	-	100,481	100,481
Owasco	-	-	-	10,000	10,000	20,000	20,000
Scipio	-	-	-	232,000	4,100	236,100	236,100
Sempronius	-	-	-	205,880	26,375	232,255	232,255
Sennett	-	-	-	-	-	-	-
Springport	-	-	-	-	110,000	110,000	110,000
Sterling	-	-	-	173,588	302,502	476,090	476,090
Summerhill	-	-	-	347,350	6,421	353,771	353,771
Throop	-	-	-	185,000	-	185,000	185,000
Venice	-	-	-	343,119	135,150	478,269	478,269
Victory	-	-	-	344,890	55,643	400,533	400,533
<b>Totals</b>	<b>-</b>	<b>23,300</b>	<b>23,300</b>	<b>3,240,972</b>	<b>2,452,020</b>	<b>5,692,992</b>	<b>5,716,292</b>

Code	Town	District	Total Taxable Value	Amount to Raise
FD201	<b>Aurelius</b>	Fire District	208,976,541	175,850.00
LD201		Elmhurst Light	10,917,860	3,000.00
LD202		Mullen Drive Light	2,745,900	900.00
SD201	(units)	Elmhurst Sewer	88.00	10,493.00
SD202	(units)	Elmhurst Sewer District ext	0	0.00
SD203	(units)	Sewer District 2	205	0.00
SD204	(units)	Sewer District 2 Clark St.	135	17,075.00
WD201		Water 1	18,677,832	44,285.00
WD202		Water 2	57,710,886	39,290.00
WD203		Water 3	10,983,700	10,000.00
WD206	(with Fleming)	Co Water District 3 Phase 1A	10,855,029	13,966.79
CC201	units	Elmhurst Pump St Upg	88.00	0.00
CC203	units	Ellis Dr. Pump St Up	195.00	0.00
CC204	units	Ellis Dr. Pump Fut Be	136.50	0.00
FP221	<b>Brutus</b>	Fire Protection	109,024,158	0
LD221		Shadybrook Light	1,150,000	3855
WD221	(units)	Eastern Brutus Water Dist 2	700	172000
WD222	(with Mentz)	Cay Co Water District 1	157,200	262.47
WD223	(units)	Water District 3	16	7,840
WD 224	(units)	Water District # 4	6	3,558.00
WD225	(units)	Water District # 5	15	730.00
DD221	(units)	Drainage Dist # 1	18	1,000.00
WD226	(units)	Water District #6	4	627.00
WD227	units	Water District # 7	48	9,512.00
SD221	units	Sewer District # 1	4	1,000.00
FD241	<b>Cato</b>	Fire Protection, Meridian	82,127,960	85,722.00
FD242		Fire Protection, Cato	19,274,447	25,823.00
FD243		Fire Protection, Weedsport	29,803,831	22,807.00
AM241	town & two vlgs	Ambulance Service	125,325,238	30,630.00
FP261	<b>Conquest</b>	Fire Protection	72,003,636	81,400.00
LD261		Conquest Light	2,017,271	1,500.00
LD262		Spring Lake Light	1,709,980	0.00
FP281	<b>Fleming</b>	Fire Protection	90,338,179.00	193,800.00
LD281		Lakeview Light	1,010,430.00	900.00
LD282		Lake Avenue Light	736,707.00	550.00
LD283	(units)	Owasco Terrace Light	21.00	550.00
SD281	(units)	General Sewer (special)	676.50	44,261.00
SD282	(units)	Sewer O&M	671.50	181,000.00
WD281	(units)	Water #1 (special)	967.75	105,463.00
WD282	(with Aurelius)	Co Water District 3 Phase 1A	147,640.00	495.21
WD283	(units)	Water O&M	948.25	110,500.00
WD286	units	Water District # 6	56.40	37,111.00
DD281	units	Forest Hill Drainage	14.00	350.00
SL281		Seymour Library	62,564,851.00	72,156.73
FD301	<b>Genoa</b>	Fire District, King Ferry	99,859,212.00	54,674.59

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FD302		Fire District, Genoa	70,360,509.00	104,033.47
LD301		King Ferry Light	7,539,152.00	3,800.00
LD302		Genoa Light	12,091,457.00	7,000.00
WD301		Genoa/King Ferry Water	26,384,555.00	31,150.00
FP321	<b>Ira</b>	Fire Protection, Ira	63,736,854.00	86,377.00
FP322		Fire Protection, Cato	31,154,000.00	42,225.00
LD321		Light	1,185,165.00	1,650.00
FD341	<b>Ledyard</b>	Fire District, King Ferry	20,951,315.00	11,471.20
FD342		Fire District, SLV	42,222,422.00	40,263.43
FD343	(town)	Fire District Aurora/Ledyard	78,726,790.00	90,553.24
FD344	(village)	Fire District Aurora/Ledyard	46,609,619.00	53,611.38
AM341	(town)	Southern Cay. Ambulance	74,153,140	9,600.00
FD361	<b>Locke</b>	Fire District	82,270,108.00	143,930.00
LD361		Light	11,374,614.00	5,990.00
WD361		Water	11,681,914.00	0.00
FP381	<b>Mentz</b>	Fire Protection	35,099,151.00	75,500.00
WD381	(with Brutus)	Cay Co Water District 1	430,530.00	910.53
FD401	<b>Montezuma</b>	Fire District	51,601,233.00	97,700.00
HD401		Hydrant Charge	13,268,907.00	0.00
WD401	(units)	Water Service #1	177.00	0.00
WD403	(units)	Water Service #2	30.00	0.00
FD422	<b>Moravia</b>	Fire District, Joint (town)	93,960,372.00	92,354.67
FD423		Fire District, Joint (village)	52,958,338.00	52,053.33
FD441	<b>Niles</b>	Fire District, Three Town	237,629,301.00	264,338.31
GR441	(units)	Garbage & Refuse	794.00	116,569.00
FD461	<b>Owasco</b>	<b>Fire District</b>	313,067,743.00	421,100.00
SD461		Sewer general	143,678,774.00	430,000.00
SD462		Sewer special	4,226,784.00	0.00
SD463	precalculated	Sewer ext Oakridge/Melrose	pre calc	0.00
SD465	precalculated	Sewer ext no service	pre calc	1,178.40
SD466	(units)	Sewer Dist #2 Cap Costs	238.50	58,386.55
SD467		Sewer Dist #2 O & M	54,638,999.00	15,300.00
SL461		Seymour Library	313,264,088.00	153,990.21
WD461		Water 1	273,402,548.00	303,000.00
WD462	(units)	FL7 Water Dist cap costs	10.00	2,680.40
WD463	(units)	FL9 Water Dist cap costs	24.00	5,616.00
SD468	(units)	Sewer #1 Rehab Cap Costs	1,234.00	74,414.81
SD469	precalculated	Sewer #2 Grinder pumps	pre calc	5,288.34
SD470	precalculated	Sewer#2 Gravity Lines	pre calc	900.00
SD471	(units)	Swr#2 Grinder pumps O&M	95.00	12,488.70
SD472	(units)	Sw#1 Melrose/Havens Improve.	995.50	78,014.34
FD481	<b>Scipio</b>	Fire District, SLV	113,633,453.00	114,064.44
LD481		Light District, Sherwood	1,922,700.00	0.00

FD501	<b>Sempronius</b>	Fire District, Three Town	74,070,343.00	82,395.69
FD521	<b>Sennett</b>	Fire District	324,946,754.00	337,136.00
LD521		Light District, Sennett	16,109,419.00	2,900.00
LD522		Light District, Butera Drive	7,098,700.00	1,100.00
SD521	(units)	Sewer Construction	247.00	0.00
SD522	(units)	Sewer O & M	317.00	194,650.00
SD524	(units)	Sewer Trunk Line	247.00	0.00
SD525		Sewer Capital Project	35,551,024.00	25,566.00
SD526		Sewer O & M	35,551,024.00	0.00
SL521		Seymour Library	106,325,235.00	47,039.35
WD521		Water 1	40,378,525.00	16,098.00
WD522		Water 2	60,200,214.00	30,814.00
WD523		Water 3 service	29,148,599.00	12,097.00
WD524		Water 3 no service	8,465,438.00	0.00
WD525	(units)	Water 5	3.50	650.00
WD526		Water 6	4,566,646.00	7,434.00
WD527	(units)	Water 5 ext	1.50	0.00
WD528		Water 6 ext	4,961,726.00	4,000.00
WD529		Water 1 Capital Project	44,060,670.00	22,400.00
WD530		Water 3 Capital Project	31,266,064.00	16,491.00
WD531	(with Throop)	Cay Co Water District 2	2,260,667.00	2,291.00
WD532	(units)	Water Debt Extension	18.00	10,000.00
WD533		Water 6 Ext curr user Cap Cost	8,708,000.00	2,948.00
WD534		Water 6 ext non user Cap Cost	20,580,580.00	54,473.00
WD535		Water 6 ext non user O & M	22,635,180.00	23,539.00
WD536		Water 2 ext curr user Cap Cost	60,571,267.00	38,623.00
WD537		Cay Co WD 2 Zone 1	643,120	745.00
WD538		Water 6 Ext 2007 Cap Cost	3,691,100	17,000.00
FD541	<b>Springport</b>	Fire District, town	115,349,438.00	139,301.48
FD542		Fire District, village	56,275,120.00	67,960.52
SD541	(units)	Sewer District 1	374.00	104,647.16
SD542	(units)	Sewer District 1 ext 1	43.00	12,031.62
SD543	(units)	Sewer District 1 ext 2	0.00	0.00
WD541	(units)	Water District 1	374.00	95,835.83
WD542	(units)	Water District 1 ext 1	43.00	11,018.56
WD543	(units)	Water District 1 ext 2	15.00	9,490.00
WD544	(units)	Water District # 2	306.00	193,567.00
WD545	(units)	Water District # 2 vacant	0.00	0
WD546	(units)	WD 2 Vac. Agricult	81.00	21304
WD547	(units)	WD 2 Vac. Residential	3.00	790
SD544	(units)	SD1 Ext 2 Vac. Residential	0.00	0
FP561	<b>Sterling</b>	Fire Protection, Fair Haven #1	70,098,251.00	62,379.00
FP562		Fire Protection, Fair Haven #2	28,884,124.00	28,483.00
FP563		Fire Protection, Red Creek	15,679,531.00	16,032.00
LD561		Light District, Sterling	3,426,820.00	1,400.00
LD562		Light District, Martville	4,179,693.00	2,200.00
WC561		Weed District, town	2,222,700.00	0.00
WC562		Weed District, village	57,413,523.00	0.00
SD561vlg		County Sewer Phase 1A	72.55	14,510.00

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SD561tov		County Sewer Phase 1A	1.00	200.00
SD562 vlg		County Sewer Phase 1B	260.10	52,020.00
SD563 vlg Prime Units		County Sewer Phase 2	138.90	27,780.00
SD563vlg Sec Units		County Sewer Phase 2	46.00	0.00
SD563 tov Prime Units		County Sewer Phase 2	68.45	13,690.00
SD563 tov Sec Units		County Sewer Phase 2	15.85	0.00
SD565tov Prime Units		County Sewer Phase 4	12.00	2,400.00
SD565vlg Prime Units		County Sewer Phase 4	175.30	35,060.00
SD566vlg		County Sewer O&M	335.65	0.00
SD566tov		County Sewer O&M	2.00	0.00
SD567 vlg		Co. Sew Phase 1c-1e	169.20	33,840.00
SD567tov		Co. Sew Phase 1c-1e	10.30	2,060.00
FD601	<b>Throop</b>	Fire District	112,261,819.00	160,564.00
WD601		Water District	36,079,002.00	125,000.00
WD602	(with Sennett)	Cay Co Water District 2	3,900,690.00	2,692.00
FD621	<b>Venice</b>	Fire District, SLV	67,745,295.00	64,602.13
FD622		Fire District, Genoa	16,891,596.00	24,975.53
FD623		Fire District, King Ferry	5,861,404.00	3,209.22
LD621		Light District, Poplar Ridge	6,494,800.00	180.00
FP641	<b>Victory</b>	Fire Protection, Victory	55,582,994.00	63,225.00
FP642		Fire Protection, Cato	4,217,432.00	4,922.00
FP643		Fire Protection, Red Creek	13,823,900.00	16,313.00
LD641	(units)	Light District, Victory	52.00	2,800.00
LD642	(units)	Light District, Westbury	34.00	1,000.00

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

**RESOLUTION NO. 515-11**  
**12/20/11 COL ctytax2012rev**

**DIRECTING THE LEVY OF TAX AGAINST THE CITY OF AUBURN FOR  
COUNTY PURPOSES FOR 2012.**

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

WHEREAS, the total amount of taxes levied against the County of Cayuga for the year 2011, in accord with Section 360 of the County Law, and pursuant to the duly adopted County Budget for 2012 in which the City of Auburn participates is **\$35,174,086**; and

WHEREAS, apportionments of this amount to all municipalities have been made and determined by applying the equalization table as adopted by Resolution No. **447-11** on **November 22, 2011**,

RESOLVED, that the City of Auburn's share of County Taxes is computed to be **\$7,997,929** for 2012, which is directed to be levied against city properties, and will be furnished to the City of Auburn upon adoption of the 2012 County Budget ; and be it further

RESOLVED, effective January 1, 2012, there is due and payable to the Cayuga County Treasurer by the City of Auburn residents for County Tax Purposes for 2012, the following amount A430 charges covering expenses related to the preparation and mailing of tax bills to city residents for county taxes, a total of **\$2,970.69** to be spread on the County tax bills going to city property owners; and be it further

RESOLVED, that the proportionate share for the City of Auburn for the Commu-

nity College charges per **Resolution No. 508-11**, duly adopted on **December 20, 2011** is **\$111,745.07**, due and payable to the County Treasurer to be itemized on the county tax bills going to city property owners; and be it further

RESOLVED, that the Clerk of the Legislature be and is hereby directed to deliver and file with the City of Auburn, a certified copy of this resolution.

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

**RESOLUTION NO. 516-11**  
**(12/20/11) RP relevyschoolrev**  
**LEVY RETURNED SCHOOL TAX AND AUTHORIZE**  
**COUNTY TREASURER TO PAY SAME**

BY: Roger Mills, Chairman, Ways and Means Committee

WHEREAS, Real Property Tax Law Article 13 §1330 provides for the collection of Delinquent School taxes by Cayuga County; and

WHEREAS, Various Schools in Cayuga County have turned in listings of Delinquent School Tax Bills; and

WHEREAS, Cayuga County has added a seven percent relevy penalty; now therefore be it

RESOLVED, that the claims from the various school districts in Cayuga County, including seven (7) percent added by the Treasurer, be audited and allowed and the same be placed upon the County Tax Rolls by assessing the taxes due on the various parcels of land as they appear on the Unpaid School tax forms filed in the County Treasurer's Office by the various School Collectors and Treasurers, and be it further

RESOLVED, that the County Treasurer be authorized and directed to pay the several districts the amounts returned as indicated. (See Attachment)

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

**Returned 2011 School Tax**

	<b>Returned Tax</b>	<b>0.07</b>	<b>Total</b>
<b>Cato Meridian</b>			
Cato	199,627.41	13,974.01	213,601.42
Conquest	65,275.32	4,569.26	69,844.58
Ira	143,296.14	10,030.74	153,326.88
Sterling	1,834.78	128.43	1,963.21
Victory	31,818.92	2,227.33	34,046.25
<i>Total</i>	<b>441,852.57</b>	<b>30,929.77</b>	<b>472,782.34</b>
<b>Groton</b>			
Locke	11,595.64	811.69	12,407.33
Summerhill	42,363.84	2,965.47	45,329.31
<i>Total</i>	<b>53,959.48</b>	<b>3,777.16</b>	<b>57,736.64</b>
<b>Hannibal</b>			
Sterling	<b>152,425.89</b>	<b>10,669.83</b>	<b>163,095.72</b>

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<b>Homer</b>			
Sempronius	24,047.79	1,683.34	25,731.13
Summerhill	62,745.80	4,392.22	67,138.02
<b>Total</b>	<b>86,793.59</b>	<b>6,075.56</b>	<b>92,869.15</b>

<b>Jordan Elbridge</b>			
Brutus	33,260.40	2,328.20	35,588.60
Sennett	35,255.09	2,467.85	37,722.94
<b>Total</b>	<b>68,515.49</b>	<b>4,796.05</b>	<b>73,311.54</b>

<b>Moravia</b>			
Locke	105,808.75	7,406.61	113,215.36
Moravia	145,059.46	10,154.16	155,213.62
Niles	209,481.33	14,663.71	224,145.04
Sempronius	93,698.96	6,558.91	100,257.87
Summerhill	8,436.52	590.57	9,027.09
Venice	8,824.36	617.69	9,442.05
<b>Total</b>	<b>571,309.38</b>	<b>39,991.65</b>	<b>611,301.03</b>

<b>Port Byron</b>			
Aurelius	636.93	44.59	681.52
Brutus	0.00	0.00	0.00
Conquest	62,003.11	4,340.23	66,343.34
Mentz	117,094.57	8,196.56	125,291.13
Montezuma	53,407.36	3,738.52	57,145.88
Throop	130,017.74	9,101.23	139,118.97
<b>Total</b>	<b>363,159.71</b>	<b>25,421.13</b>	<b>388,580.84</b>

**Returned 2011 School Tax**  
Towns within School Districts

<b>Red Creek</b>			
Conquest	1,061.88	74.34	1,136.22
Sterling	131,577.45	9,210.35	140,787.80
Victory	77,088.63	5,396.19	82,484.82
<b>Total</b>	<b>209,727.96</b>	<b>14,680.88</b>	<b>224,408.84</b>

<b>Skaneateles</b>			
Niles	19,209.90	1,344.70	20,554.60
Owasco	21,942.77	1,535.99	23,478.76
Sennett	35,389.87	2,477.28	37,867.15
<b>Total</b>	<b>76,542.54</b>	<b>5,357.97</b>	<b>81,900.51</b>

<b>Southern Cayuga</b>			
Fleming	1,375.44	122.69	1,498.13
Genoa	116,603.39	8,162.19	124,765.58
Ledyard	127,955.63	8,956.90	136,912.53

Locke	3,693.28	258.53	3,951.81
Scipio	155,250.24	10,867.65	166,117.89
Venice	55,628.60	4,033.56	59,662.16
<b>Total</b>	<b>460,506.58</b>	<b>32,401.52</b>	<b>492,908.10</b>

**Union Springs**

Aurelius	160,733.19	11,251.31	171,984.50
Fleming	39,929.64	2,795.16	42,724.80
Ledyard	12,803.61	896.26	13,699.87
Scipio	11,020.33	771.42	11,791.75
Springport	224,307.15	15,701.52	240,008.67
<b>Total</b>	<b>448,793.92</b>	<b>31,415.67</b>	<b>480,209.59</b>

**Weedsport**

Brutus	221,984.68	15,538.93	237,523.61
Cato	54,572.30	3,820.05	58,392.35
Conquest	18,158.08	1,271.08	19,429.16
Mentz	0.00	0.00	0.00
Sennett	149,871.89	10,491.02	160,362.91
Throop	4,863.88	340.47	5,204.35
<b>Total</b>	<b>449,450.83</b>	<b>31,461.55</b>	<b>480,912.38</b>

**Grand Total**                      **3,383,037.94**                      **236,978.74**                      **3,620,016.68**

**RESOLUTION NO. 517-11****(12/20/11) RP Clarifying Policy Sale Co-Owned Property**

**CLARIFYING POLICIES AND PROCEDURES FOR THE SALE, DISPOSITION  
AND USE OF CERTAIN REAL PROPERTY OWNED BY THE COUNTY OF  
CAYUGA – REVISED 12-2011**

By: Roger Mills, Chairman, Ways & Means Committee

WHEREAS, the County of Cayuga, from time to time, acquires certain real property through tax foreclosure and in other ways, and pursuant to Resolution 88-01 procedures for disposition and auction of these properties were established, and

WHEREAS, Resolution 188-02 revised the procedure for disposition and auction of said properties while adoption of Resolution 382-04 sought to provide clarifying policies and procedures for the same, and

WHEREAS, it has been deemed appropriate to review previously approved clarifying policies and procedures to offer appropriate updates and amendments; now, therefore, be it

RESOLVED, that the Cayuga County Office of Real Property Tax Services (RPTS) shall continued to be the county office in charge of disposing of said property once a deed has been issued to the county pursuant to the rules set forth in the attachment hereto entitled "Policies and Procedures for the Sale and Disposition of Real Property Acquired by Cayuga County Through Tax Foreclosure – Revised 12-2011"

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



**RESOLUTION NO. 518-11**  
**(12/20/2011) RP corrtxrollDec2011**  
**AUTHORIZING CORRECTION OF TAX ERROR IN THE**  
**TOWN OF MORAVIA**

BY: Roger Mills, Chairperson, Ways & Means Committee

WHEREAS, petitions for corrections have been received by the Director of Real Property Tax, from the Town Assessors to correct clerical errors or an error in essential fact as specified below, as existed on the 2011 Tax Roll, and;

WHEREAS, The petitions for correction were received too late to make the necessary adjustments before the extension of taxes, and;

WHEREAS, the Director of Real Property Tax Services has reviewed the petitions and found them to be correct; now therefore be it

RESOLVED, that the Director of Real Property Tax Services under Real Property Tax Law 553-554 and 556A be authorized to make the change set forth hereafter; and be it further

RESOLVED, that a corrected 2011 County tax statement shall be prepared, or a refund of any overpayment of taxes be made, as is applicable; and be it further

RESOLVED, that the 2011/2012 School Tax Roll shall also be corrected as follows:

**Town of Sempronius: Tax Map # 211.00-1-1.12** This portion of the parcel had been assessed as having all the improvements that were on the parent parcel prior to it being split, when in fact most of the structures were physically located on a different parcel. The assessment should be reduced to 27,500.

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

**RESOLUTION NO. 519-11**  
**12.20.11 WM deferredcomp 2012rev**  
**AUTHORIZING THE COUNTY ADMINISTRATOR'S OFFICE TO ADVERTISE**  
**AND RECEIVE REQUEST FOR PROPOSALS FROM ADMINISTRATIVE**  
**SERVICE AGENCIES, TRUSTEES, AND FINANCIAL ORGANIZATIONS FOR**  
**SERVICES IN CONNECTION WITH A DEFERRED COMPENSATION PLAN**  
**FOR THE EMPLOYEES OF CAYUGA COUNTY.**

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

WHEREAS, the Cayuga County Legislature, On December 8, 1998, resolution #498-98 authorized the establishment of a Deferred Compensation Plan for the Employees of Cayuga County; and

WHEREAS, the Deferred Compensation Plan was implemented in July of 1999; and

WHEREAS, every five years the County is required to advertise and receive request for proposals for the continuation of the plan for an additional five years; now therefore be it

RESOLVED, that the County administrator is authorized and directed to advertise and receive request for proposals from administrative service agencies relating to trust service, administration and/or Funding of a Deferred compensation Plan for the employees of the County of Cayuga which will meet the requirements of section 457 of the Internal Revenue Code and Section 5 of the State Finance Law; and be it further

RESOLVED, that the members of the Ways and Means Committee are hereby designated as members of the Cayuga County Deferred Compensation Committee. The Cayuga County Deferred Compensation Committee shall interview and review all pro-

posals submitted and shall make a written recommendation to the full legislature regarding the vendor or vendors selected.

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

**RESOLUTION NO. 520-11**

**(December 20, 2011) HS Fill HS Examiner PA**

**AUTHORIZING THE DIRECTOR OF HEALTH AND HUMAN SERVICES TO  
FILL A HUMAN SERVICES EXAMINER POSITION IN THE PUBLIC  
ASSISTANCE UNIT OF HUMAN SERVICES DUE TO RETIREMENT OF  
INCUMBENT**

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

WHEREAS, there will be a Human Services Examiner vacancy (position control #002245) in the Public Assistance Unit of Human Services due to retirement of the incumbent effective January 1, 2012; and

WHEREAS, the Human Services Examiner in Public Assistance determines eligibility for public assistance and manages a caseload of recipients receiving public assistance, food stamps and Medicaid; and

WHEREAS, this is a budgeted position in the 2011 Human Service's budget and is partially funded at approximately 62%; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the vacated Human Services Examiner position effective January 1, 2012, and any fill behinds that may occur in a manner consistent with the rules and regulations of the Cayuga County Civil Service Commission and the policies of the County of Cayuga.

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

**RESOLUTION NO. 521-11**

**(December 20, 2011) HS Fill Accting Supervisor Grade A**

**AUTHORIZE THE DIRECTOR OF HEALTH & HUMAN SERVICES TO FILL  
AN ACCOUNTING SUPERVISOR GRADE A VACANCY DUE TO RETIRE-  
MENT EFFECTIVE 12/31/11**

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

WHEREAS, due to the retirement of the incumbent effective 12/31/11, there will be an Accounting Supervisor Grade A vacancy (position control #002258) in the Human Services Department; and

WHEREAS, the person filling this position has the responsibility for the preparation of the DSS claims to the State for financial reimbursement; and

WHEREAS, this position is funded at 75% State and Federal reimbursement; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized to fill the vacated Accounting Supervisor Grade A position effective December 31, 2011, and any fill behinds that may occur in a manner consistent with the rules and regulations of the Cayuga County Civil Service Commission and the policies of the County of Cayuga.

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

**RESOLUTION NO. 522-11**

**(December 20, 2011) HS Fill SrSocWelfareExaminer PA**

**AUTHORIZING THE DIRECTOR OF HEALTH AND HUMAN SERVICES TO  
FILL A SR. SOCIAL WELFARE EXAMINER IN THE PUBLIC ASSISTANCE  
UNIT OF HUMAN SERVICES DUE TO RETIREMENT**

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

**WHEREAS, there is an anticipated Sr. Social Welfare Examiner vacancy (position control #002179) in the Public Assistance Unit of Human Services due to retirement of the incumbent effective January 30, 2012; and**

WHEREAS, the Sr. Social Welfare Examiner makes eligibility determinations and budget calculations; records and maintains case notes and database information; trains new employees in their duties and supervises human service examiners in the unit; assists in the formulation of policies and procedures; makes supervisory-level decisions including authorizing payments independently based on policy and regulation; and independently plans, coordinates, supervises and manages activities within an assigned area of responsibility in the absence of/or at the direction of a Principal Examiner; and

WHEREAS, this position is reimbursed at 62%; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the anticipated Sr. Social Welfare Examiner vacancy effective January 30, 2012 in the Public Assistance 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, Lattimore, Mills, Sincebaugh, Pinckney, Cuddeback, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 523-11**

**(December 20, 2011) HS Amend 2011 H&HS Budgets**

**AUTHORIZING THE COUNTY TREASURER TO AMEND THE 2011 CAYUGA  
COUNTY HEALTH & HUMAN SERVICES BUDGETS**

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

WHEREAS, after the submission of the 2011 Health and Human Services Budgets, it has been determined that the upgrading of certain computer equipment is necessary; and

WHEREAS, additional funds are available in several contractual accounts due to unexpected under spending; NOW, THEREFORE, BE IT

RESOLVED, that the County Treasurer be authorized and directed to make the following transfers within the 2011 Health and Human Services Budgets:

Accounts:

Increase #A60102 52000 Equipment	\$10,000
Decrease #A60104 54065 Rental of Fac	\$8,000
Decrease #A60104 54179 Inspector FC	\$2,000
Increase #A40102 52000 Equipment	\$9,000
Decrease #A40104 54046 Equip Rental	\$5,000

Decrease #A40104 54049 Office Supp	\$2,000	
Decrease #A40104 54123 Rabies		\$2,000

and, be it further

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

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

**RESOLUTION NO. 524-11**

**(December 20, 2011) HD ARRA Immunization Billing Grant**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH THE NYSDOH TO ACCEPT FUNDING THROUGH THE AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA)**

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

WHEREAS, NYS Department of Health is providing \$4,238 for the purchase of laptop or standard personal computers, medical card scanners and associated software used in immunization and other clinics for the purpose of effectively collecting and using third-party billing information to obtain reimbursement; and

WHEREAS, the equipment will become the property of the local health department and any maintenance of the equipment must be supported by the County; NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with the State to accept funding in the amount of \$4,238 for the period November 1, 2011 – December 31, 2011; and be it further

RESOLVED, that the County Treasurer be authorized and directed to make the necessary journal and accounting entries in the 2011 Health Department Budget as follows:

Increase Expenditure Account #A40154 54059.....	\$4,238
Increase Revenue Account #A40150 43415.....	\$4,238

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

**RESOLUTION NO. 525-11**

**Action 12/20/11 MH ContractEastHill12.11rev**

**AUTHORIZE THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND THE DIRECTOR OF THE CAYUGA COUNTY COMMUNITY MENTAL HEALTH CENTER TO CONTINUE AN PSYCHIATRIC CONSULTING AGREEMENT WITH EAST HILL FAMILY MEDICAL**

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

WHEREAS, East Hill Family Medical provides short-term mental health services; and

WHEREAS, they have a need for their medical staff to confer with psychiatric professionals; and

WHEREAS, there are some individuals who require referral for services beyond

those provided under the short-term East Hill program; and

WHEREAS, a number of individuals in need of longer treatment services will be referred to the Community Mental Health Center of Cayuga County, therefore, it would be advantageous for Community Mental Health staff to be involved in the consultative process in anticipation of serving those individuals; and

WHEREAS, East Hill Family Medical has agreed to continue to pay the Community Mental Health Center for telephone consultation at a rate of \$175.00 per hour for a minimum of four hours weekly; now therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature and Director of the Community Mental Health Center of Cayuga County be authorized to enter into an agreement with East Hill Family Medical to authorize professional psychiatric staff from the Mental Health Department to continue to provide this telephone consultation.

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

**RESOLUTION NO. 526-11**

**12.20.12 MH hillsideagreement2012rev**

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

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

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

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

WHEREAS, the Community Mental Health Center of Cayuga County has determined the services to be beneficial, and continues to identify individuals in need of said services; and

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

RESOLVED, that the Chairman of the Cayuga County Legislature and Director of the Cayuga County Community Mental Health Center be authorized to renew an agreement with Hillside Children's Center for Customized Skill Building Services at a cost of \$48.53 per hour; and be it further

RESOLVED, that the payment for these services will be charged to line A43164 54074, Mental Health Intensive Case Management, Service Enhancement Funds, Department Expense in the 2012 Cayuga County Budget; and be it further

RESOLVED, that if the New York State Office of Mental Health ceases to provide all or a portion of State dollars, identified as Service Enhancement Funds, to Cayuga County to meet the unique needs of the intensive Case Management clients, than in that event the agreement with Hillside Children's Center, Inc. will be re-evaluated by the Cayuga County Legislature.

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

**RESOLUTION NO. 527-11****Action 12/20/11 MH timewarnercable12.11****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF COMMUNITY MENTAL HEALTH SERVICES TO RENEW AN AGREEMENT WITH TIME WARNER CABLE BUSINESS CLASS FOR CABLE SERVICE AT 146 NORTH STREET, AUBURN, NY 13021.**

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

WHEREAS, there has been a long-standing contract between the cable company and the Cayuga County Community Mental Health Center (CCCMHC) for Basic Standard Cable at 146 North Street, Auburn, NY 13021; and

WHEREAS, the expense is paid out of account A43114-54202 Patient Rehabilitation; and

WHEREAS, the service is used for educational purposes for the clients; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of Community Mental Health Services enter into an agreement with Time Warner Cable business Class to sign a one-year agreement beginning January 1, 2012 to December 31, 2012.

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

**RESOLUTION NO. 528-11****Action 12/20/11 MH AgmtUpstate12.11rev****AUTHORIZING THE DIRECTOR OF COMMUNITY MENTAL HEALTH SERVICES AND THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO RENEW AN AGREEMENT WITH THE PROFESSIONAL PRACTICE GROUP OF THE DEPARTMENT OF PSYCHIATRY AT THE UPSTATE MEDICAL UNIVERSITY**

WHEREAS, the Mental Health Center of Cayuga County must provide direct patient care to children and youth with severe and persistent mental illness; and

WHEREAS, the department was unable to recruit a psychiatrist specializing in the treatment of children and youth, and

WHEREAS, the Professional Practice Group of the Department of Psychiatry at the Upstate Medical University is able to provide psychiatric services for children and youth on a contractual basis and has been successfully providing these services through a contract with the County; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of Community Mental Health Services be authorized to renew the agreement with the Professional Practice Group of the Department of Psychiatry at the Upstate Medical University for the services of licensed Psychiatrists for the provision of psychiatric services for children and youth not to exceed fourteen hours weekly at the rate of \$242 per hour.

Signed by Mahunik, Aikman, Axton, Barski, Lattimore, Mills, Sincebaugh, Pinckney, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 529-11**

**12/20/11 MH UpstateStudentAgreement2012**

**AUTHORIZE THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE  
AND THE DIRECTOR OF THE CAYUGA COUNTY COMMUNITY MENTAL  
HEALTH CENTER TO ENTER INTO AN AGREEMENT WITH THE STATE  
UNIVERSITY OF NEW YORK UPSTATE MEDICAL UNIVERSITY**

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

WHEREAS, the Cayuga County Community Mental Health Center and the State University of New York Upstate Medical University are mutually desirous of providing for the establishment, direction and operation of a fieldwork experience to aid in the clinical educational experiences requisite to College of Nursing students; now, therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature and the Director of the Cayuga County Community Mental Health Center be authorized to enter into the attached agreement with the State University of New York Upstate Medical University for the period commencing with the signature date on the agreement through December 31, 2016.

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

**RESOLUTION NO. 530-11**

**Action 12/20/11 MH DCS12.2011(Rev2)**

**ADOPTING THE RECOMMENDATION OF THE COMMUNITY SERVICES  
BOARD TO APPOINT RAYMOND BIZZARI AS THE EXECUTIVE DIRECTOR  
TO THE COMMUNITY SERVICES BOARD**

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

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

WHEREAS, it is also provided in that section that the salary and allowable expenses of the position is set by the Cayuga County Legislature; and

WHEREAS, the salary, fringe benefits, and allowable expenses are budgeted by the Cayuga County Legislature; now therefore, be it

RESOLVED, the Cayuga County Legislature hereby adopts the recommendation of the Community Services Board to appoint Raymond Bizzari as the Executive Director to the Community Services Board at a salary of \$98,000 with three weeks of vacation time credited for 2012; and be it further

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

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

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

**RESOLUTION NO. 531-11**  
**12/20/11 NH crtflmtrlmngrrev**  
**AUTHORIZATION TO CREATE AND HIRE A MATERIAL MANAGER**  
**AND ABOLISH THE STOCK CLERK AT THE CAYUGA**  
**COUNTY NURSING HOME.**

BY: Roger Mills, Chairman, Ways and Means Committee

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

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

WHEREAS, it is necessary to designate a person to acquire, inventory and distribute materials and supplies to staff at the Nursing Home; and

WHEREAS, the position of stock clerk established 27 years ago does not reflect the technological requirements for today's needs; and

WHEREAS, the Civil Service Commission has established a position guide and wage structure that is consistent with similar titles at other skilled nursing facilities; now therefore be it

RESOLVED, that the position of Material Manager be created and that the Director of the Nursing Home is authorized and directed to fill the position of Material Manager at the Nursing Home; and be it further

RESOLVED, that the position of Stock Clerk be abolished as soon as the Material Manager position is filled on a permanent basis; and be it further resolved

RESOLVED, that the rate of pay be set at a grade 5 and become a part of the CSEA Compensation Plan, Part I, with a title within the Nursing Home; and be it further

RESOLVED, that the Nursing Home Administrator be hereby directed and authorized to hire a Material Manager on 12/26/11 to provide the aforementioned services at Cayuga County Nursing Home and that the hire be in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga. Signed by Mahunik, Aikman, Axton, Barski, Lattimore, Mills, Sincebaugh, Pinckney, Cuddeback, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 532-11**  
**(12/20/11) YB safehavensgrnt**  
**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE**  
**TO SIGN CONTRACT AND THE COUNTY TREASURER TO**  
**ACCEPT FUNDS FROM THE DEPARTMENT OF JUSTICE OFFICE**  
**ON VIOLENCE AGAINST WOMEN**

BY: MR. PATRICK V. MAHUNIK, Chairman, Health & Human Services Committee

MR. ROGER A. MILLS, Chairman, Ways & Means Committee

WHEREAS, the Office on Violence Against Women has approved Cayuga County's application for funding under the Safe Havens: Supervised Visitation and Safe Exchange Grant Program in the amount of \$348,979.00; and

WHEREAS, Cayuga County and its collaborative partners, Cayuga/Seneca Community Action Agency and the Cayuga County Family and Integrated Violence Court will use this 36 month cooperative agreement to develop and implement supervised visitation and safe exchanges of children by and between parents in situations involving domestic violence, dating violence, child abuse, sexual assault and/or stalking; now, therefore, be it

RESOLVED, that the Chairman is hereby authorized to sign any and all contracts necessary to effectuate the purposes for which this grant has been authorized; and be it



further

RESOLVED, that the Cayuga County Treasurer is hereby authorized to make the following accounting entries necessary to implement the intent of this resolution, increase A735040-54436 (Safe Havens expense) \$348,979, increase A73500-43826 (Safe Havens revenue) \$348,979; 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 Mahunik, Aikman, Axton, Barski, Lattimore, Mills, Sincebaugh, Pinckney, Cuddeback, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 533-11**

**DATE: 12/20/11 OFAcontractsDec11**

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

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

WHEREAS, appropriations were approved in the Cayuga County budget for the year 2012 for various subcontractors (Munis A67724 54118) for the Cayuga County Office for the Aging, in return for which these subcontractors agree to perform certain services for the benefit of Senior Citizens of Cayuga County; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of the County Office for the Aging are hereby authorized to sign on behalf of the County various contracts for said services with the following subcontractors:

Title III E Caregiver Services (total to be spent not to exceed \$19,000):

Cayuga County Nursing Home	<i>Skilled Nursing Care</i>
Mercy Health & Rehabilitation Center	<i>Skilled Nursing Care &amp; Adult Day Care</i>
Northbrook Heights Assisted Living Center	<i>Adult Care, Assisted Living Care, and Aide Services</i>
Seneca/Cayuga ARC	<i>Social Day Care</i>
Stafkings Healthcare System	<i>Home Health Aide Services</i>

Title III B Services (total to be spent not to exceed \$23,200):

Boyle Senior Center ( <i>Home Helper Referral</i> )	\$4500
Council of Senior Citizens ( <i>Newsletter Postage</i> )	\$3000
Douglas P. Bates, Esq. ( <i>Legal Services</i> )	\$6700
RSVP ( <i>Senior Volunteer Program</i> )	\$1500
Stafkings Healthcare System ( <i>Aide Services</i> )	\$7500

And be it further

RESOLVED, that the Office for the Aging is authorized to continue its contract with the above contractors for the period of January 1, 2012 through December 31, 2012.

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

**RESOLUTION NO. 534-11**  
**12/20/11 MHEmendmotion469-11rev**  
**AMENDING MOTION NO. 469-11 TO SET THE SALARY AND EFFECTIVE**  
**DATE THEREOF FOR THE DEPUTY DIRECTOR OF COMMUNITY MENTAL**  
**HEALTH SERVICES WHO IS ACTING AS THE INTERIM DIRECTOR OF**  
**COMMUNITY MENTAL HEALTH SERVICES**

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

WHEREAS, Motion No. 469-11 the Deputy Director of Community Mental Health Services was appointed to be the Interim Director of Community Mental Health Services, did not establish the salary and effective date thereof; and

WHEREAS, the purpose of this Resolution is to set the salary and effective date for said interim position; now therefore be it

RESOLVED, that effective November 28, 2011 the Deputy Director of Community Mental Health Services shall receive the salary of \$97, 500, pro rated for the term of her service as interim Director of Community Mental Health Services; and be it further

RESOLVED, that the term for such service is from November 28, 2011 through January 15, 2012.

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

**RESOLUTION NO. 535-11**  
**12/20/11 NH adjslrysupnrsev**  
**AUTHORIZATION TO ADJUST THE SALARY OF TWO SUPERVISING**  
**NURSES AT THE CAYUGA COUNTY NURSING HOME.**

BY: Roger Mills, Chairman, Ways and Means Committee

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

WHEREAS, the nursing home has had difficulty recruiting registered nurses at the nursing home; and

WHEREAS, two candidates have been identified with experience that would be willing to accept position of supervising nurse; and

WHEREAS, these two candidates would be willing to enter supervising nurse positions (position control numbers 5495 and 1662) of the Compensation Plan at step two instead of the probation step; now therefore be it

RESOLVED, that the Administrator of the Nursing Home is authorized to hire two (2) supervisors (position control numbers 5495 and 1662) at step 2 of Part II of the Cayuga County Compensation Plan, Part IV; 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 Mahunik, Aikman, Axton, Barski, Lattimore, Mills, Sincebaugh, Pinckney, Cuddeback, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 536-11**  
**12.20.11 BOE NTSSOFTWARECONTRACTrev**  
**A RESOLUTION TO AUTHORIZE THE CHAIRMAN OF THE**  
**LEGISLATURE TO SIGN A SOFTWARE MAINTENANCE**  
**CONTRACT FOR THE BOARD OF ELECTIONS**

BY: Mr. Fearon, Chair, Government Operations Committee, and

Mr. Mills, Chair, Ways & Means Committee

WHEREAS, The Board of Election currently utilizes the following programs from NTS Data Services, Inc., for its computer needs: Sign-It! for signature digitization, Full-Doc for registration form digitization, TEAM-SQL for voter registration and related functions, the IMS Interface Messaging System for connection to the State Board of Elections NYS Voter program, E-Suite for election night reporting; and

WHEREAS, NTS has provided a contract price for maintenance and support for these programs from 2012-2014; and

WHEREAS, the funds have been budgeted for in the 2012 budget in account A14504 54073; 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 \$121,500 for software maintenance and support to be paid over a three-year period.

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

**RESOLUTION NO. 537-11**

**12/20/11 COL organizeleg2012**

**TO FIX DATE, TIME AND PLACE OF THE MEETING TO ORGANIZE  
THE CAYUGA COUNTY LEGISLATURE FOR 2012.**

BY: Hon George Fearon, Government Operations Committee.

WHEREAS, Section 151 of Article 4 of New York State County Law requires the Cayuga County Legislature, by resolution duly adopted during the month of December of each year, to fix the date, time and place to organize the Legislature; now, therefore be it

RESOLVED, that the Cayuga County Legislature shall meet for the purpose of organizing the Legislature and choosing a Chairman on the 3rd day of January 2012 at 6:00 P.M., in the Legislative Chambers on the Sixth Floor of the Cayuga County Office Building, 160 Genesee Street in the City of Auburn, New York.

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

**RESOLUTION NO. 538-11**

**12.20.11 HR Ladder Safety Policy rev1**

**AUTHORIZATION TO ADOPT THE LADDER SAFETY  
POLICY FOR THE COUNTY OF CAYUGA**

Mr. George Fearon, Chairman, Government Operations

Mr. Roger Mills, Chairman Ways and Means Committee

WHEREAS, the County of Cayuga is currently without a policy to prevent injuries and assure safe operation when working with ladders; and

WHEREAS, the Cayuga County Legislature wishes to adopt a policy to establish procedures to prevent injuries and assure safe operation when working with ladders to provide a safe a productive work environment for employees as well as the constituency of Cayuga County, now therefore be it

RESOLVED, that the Cayuga County Legislature adopt the attached Ladder Safety Policy, and be it further;

RESOLVED, that this policy be effective January 1, 2012 and that the policy be distributed to each department, and placed in the County of Cayuga Policy Manual.

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

**RESOLUTION NO. 539-11**

**12/20/11 ADM rejectcodeenfrev**

**AUTHORIZING THE REJECTION OF ALL RFPs FOR CODE ENFORCEMENT OFFICERS AND AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE AND RECEIVE NEW RFP'S WITH THE NEW SPECIFICATIONS.**

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

WHEREAS, 2 firms responded to the RFP for Code Enforcement Officer Services for Cayuga County which were opened on August 1, 2011; and

WHEREAS, after careful review of the bid results, the county has found it to be in its best interest to change the specifications to include all code inspections, now therefore be it

RESOLVED, that the Cayuga County Legislature rejects all bids for Code Enforcement Officer services that were received on August 1, 2011; and be it further

RESOLVED, that the County Administrator is authorized and directed to advertise and receive new RFP's with the new specifications for Build and Code Enforcement Services.

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

**RESOLUTION NO. 540-11**

**12-20-11 VET flptclk**

**AUTHORIZING THE HIRING OF A PART TIME CLERK IN THE VETERAN'S OFFICE**

WHEREAS, the part time clerk resigned on November 15, 2011; and

WHEREAS, this position is necessary for the effective operation of the Veteran's Office; and

WHEREAS, funding exists in the Veterans Office 2011 budget; line A65101 51002, Control No. 002299 to support this position; now therefore be it

RESOLVED, that the position of part time clerk in the Veteran's Office be filled in accordance with the Civil Service Rules and Regulations and the policies of Cayuga County.

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

**RESOLUTION NO. 541-11**

**12.20.11 COA AmendRulesofOrder rev2**

**AUTHORIZING THE AMENDMENT OF THE RULES OF ORDER - CAYUGA COUNTY LEGISLATURE**

By: Mr. George Fearon, Chairman Government Operations

WHEREAS, from time to time the Cayuga County Legislature reviews its rules and thereafter considers making changes thereto; and

WHEREAS, the position of Building and Fire Code Inspector was recently placed under the jurisdiction of the County Attorney; and

WHEREAS, the County Attorney's office reports to the Government Operations Committee; and

WHEREAS, the Government Operations Committee and the Public Works Committee believe that the position of Building and Fire Code Inspector will continue to be placed with the County Attorney's Office but the Building and Fire Code Inspector shall report to the Public Works Committee; and

WHEREAS, Resolution No.276-11 adopted weighted voting plans for the County of Cayuga; and

WHEREAS, The Rules of Order-Cayuga County Legislature, were not amended to comport with Resolution No. 276-11; now therefore be it

RESOLVED, that Section 3 – Committees, Rule 1 Standing Committees shall be amended to add the following under 2. Public Works Committee – “G. Building and Fire Code Inspector.”; and be it further

RESOLVED, that the Rules of Order-Cayuga County Legislature, I DEFINITIONS AND TERMS, Weighted Vote, Simple Majority and Weighted vote, 2/3 Majority, be amended as follows:

Weighted Vote, Simple Majority: Each member of the Legislature shall carry the following number of votes when a simple majority is required, based on the Legislator's district:

District 1:	53
District 2:	75
District 3:	65
District 4:	51
District 5:	62
District 6:	86
District 7:	68
District 8:	61
District 9:	67
District 10:	49
District 11:	52
District 12:	47
District 13:	48
District 14:	48
District 15:	51

Weighted Vote, 2/3 Majority: Each member of the Legislature shall carry the following number of votes when a 2/3 majority is required, based on the Legislator's district:

District 1:	15
District 2:	21
District 3:	18
District 4:	15
District 5:	17
District 6:	22
District 7:	19
District 8:	17
District 9:	19
District 10:	14
District 11:	15
District 12:	14
District 13:	14

District 14: 14

District 15: 15

Signed by Fearon, Chapman, Lattimore, Mitchell, Sincebaugh and Whitman, all present voting yes, except Aikman voting no.

**Motion by Sincebaugh to separate GO-3, 2<sup>nd</sup> by Lattimore.**

**Discussion:**

**Fearon, are there legal requirements?**

**Westphal, I will check and get back to you.**

**Fearon, we will come back to this.**

**(RESOLUTION NO. 12/20/11 COL Designating Newspapers 12  
DESIGNATING NEWSPAPERS TO PUBLISH COUNTY MATTERS FOR THE  
YEAR 2012)**

**RESOLUTION NO. 542-11**

**12-20-11 ET filldirectorIIrev**

**AUTHORIZING THE FILLING OF THE POSITION OF EMPLOYMENT &  
TRAINING DIRECTOR II**

BY: Ann Petrus, Chair, Planning and Economic Development Committee  
Roger Mills, Chair, Ways & Means Committee

WHEREAS, a vacancy will exist in the Employment & Training Department due to the retirement of Employment & Training Director II, Edward F. Herrling, effective December 30, 2011; and

WHEREAS, it is imperative that the Legislature select a candidate and fill the position of Employment & Training Director II; now, therefore, be it

RESOLVED, that the vacant position of Employment & Training Director II be hereby filled effective December 31, 2011 by Ann M. Kubarek, in accordance with the Civil Service Rules and Regulations and the Policies of Cayuga County; and be it further

RESOLVED, that the position of Employment & Training Deputy Director be abolished, with the appointment of Ann M. Kubarek to the position of Employment & Training Director II; and be it further

RESOLVED, that the savings from the abolishment of the E & T Deputy Director's position be used for training purposes for the many eligible Adults, Dislocated Workers and Youth in Cayuga County; and be it further

RESOLVED, that the appointee be paid in accordance to Cayuga County Compensation Plan, Part IV for the title of Employment & Training Director II; and be it further

RESOLVED, that the salary for the position be set at \$53,800.00; and be it further

RESOLVED, that the Treasurer make any and all journal and accounting entries necessary to accomplish the forgoing.

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

**RESOLUTION NO. 543-11**

**12/20/11 PT MuseumPartTimeHelp 12 11rev1**

**AUTHORIZING THE HIRING OF UP TO EIGHT PART-TIME MUSEUM  
AIDES AND ONE MUSEUM ASSISTANT FOR THE WARD W. O'HARA  
AGRICULTURAL MUSEUM AND THE DR. JOSEPH F. KARPINSKI SR.  
EDUCATIONAL CENTER**

By: By: David R. Axton, Chairperson, Public Works  
Roger Mills, Ways & Means Committee

WHEREAS, the new Dr. Joseph Karpinski Jr. Educational Center was erected as a wing to the Ward W. O'Hara Agricultural Museum; and

WHEREAS, the center is climate controlled, therefore providing a heated facility in which events/programs/research can be conducted year round; and

WHEREAS, civil service advised the parks department we can no longer staff the facility with seasonal employees because the facility will be open year round, and

WHEREAS, the part time employees will be paid the same rate as the seasonal employees; now, therefore be it

RESOLVED, that the Parks and Trails Department is hereby authorized to hire up to eight (8) Museum Aides PT at a rate of \$7.75/hr, and one Museum Assistant PT at a rate of \$8.50/hr, to meet the needs of the year round Ward O'Hara Agricultural Museum and The Dr. Joseph F. Karpinski Sr. Educational Center; and be it further

RESOLVED, that the funding for the above-stated positions shall be paid from appropriated funds in the 2012 Parks & Trails Department Budget Account #A71111-51002, Salaries PT, total not to exceed the budgeted amount of \$11,499 for these positions; and be it further

RESOLVED, that the Park Maintenance Supervisor is hereby authorized to fill up to eight (8) part time positions of Museum Aide PT and one (1) Museum Assistant PT in accordance with the Civil Service Rules and Regulations and the policies of the County of Cayuga.

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

**RESOLUTION NO. 544-11**

**12/20/11 PT SterlingNatureCentCapReserve 12 11**

**AUTHORIZING THE TRANSFER OF 2011 STERLING NATURE CENTER CONTRACTUAL BUDGET FUNDS IN THE AMOUNT OF \$6,969 TO THE CAPITAL RESERVE FUND ESTABLISHED FOR BUILDING IMPROVEMENTS AT THE STERLING NATURE CENTER**

By: By: David R. Axton, Chairperson, Public Works  
Roger Mills, Chairperson, Ways & Means Committee

WHEREAS, Resolution 706-09 authorized the establishment of a Capital Reserve Fund for building improvements at the Sterling Nature Center; and

WHEREAS, the Public Works Committee advised the Parks Department that due to the extreme cost to make the current building exterior maintenance free, it may be better to construct a new building; and

WHEREAS, the legislature recognizes the need to make major improvements to the existing building or construct new;  
now therefore be it

RESOLVED, that the Cayuga County Treasurer is hereby directed to transfer \$6,969 from the Sterling Nature Center contractual budget as described below to the Capital Reserve Account for building improvements at the Sterling Nature Center:

A71134-54012- BLD MAINT .....	500
A71134-54022- ELECT MANT .....	515
A71134-54043- LANDFILL .....	.200
A71134-54048- BOOKS .....	.206

A71134-54055- POSTAGE .....	208
A71134-54058- PROF DUES .....	50
A71134-54059- PROF SERV.....	591
A71134-54070- STAT & FRM .....	156
A71134-54074- DEPT EXP .....	241
A71134-54101- PROMTION .....	1759
A71134-54147- PARK IMPR .....	100
A71134-54150- NEW EXHB .....	675
A71134-54164- SPC PROG .....	600
A71134-54270- SNOW REM .....	1168
TOTAL.....	\$6969, 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, Whitman, Mitchell, Pinckney, Mills, Fearon and Mahunik, all in favor.

**RESOLUTION NO. 545-11**

**(12.20.11) PT WestBarrierBarExtension 12 11**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN A ONE YEAR EXTENSION TO THE INTER-MUNICIPAL AGREEMENT WITH THE VILLAGE OF FAIR HAVEN AND THE TOWN OF STERLING FOR THE OVERSIGHT AND EVENTUAL OWNERSHIP OF WEST BARRIER BAR**

By: Mr. Dave Axton, Chairman, Public Works

Mr. Roger Mills, Chairman, Ways & Means Committee

WHEREAS, the Cayuga County Legislature passed Resolution 405-07 authorizing the chairman of the legislature to sign an intermunicipal agreement with The town of Sterling and The Village of Fair Haven Parks transferring ownership of West Barrier Bar to the Town and Village after five years, and

WHEREAS, the five years was to be up in September of 2012, and

WHEREAS, the town and village sent a letter to the county requesting a five year extension to the agreement, and

WHEREAS, the Public Works Committee on November 8, 2012 advised the Parks Director that they would consider a resolution authorizing a one year extension, now, therefore, be it

RESOLVED, that the Chairman of the Legislature is hereby authorized and directed to sign an extension to the inter-municipal agreement to be drawn up by the county attorney.

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

**RESOLUTION NO. 546-11**

**Date: 12/20/11 PT Cato-BrutusCap.ReserveTransfer 12 11 Rev 1**

**AUTHORIZING THE TRANSFER OF FUNDS IN THE AMOUNT OF \$2,308 FROM THE 2011 CATO-FAIR HAVEN TRAILS CONTRACTUAL BUDGET TO THE CATO-BRUTUS TRAIL GRANT CAPITAL H #07-02**

By: David R. Axton, Chairperson, Public Works

By: Roger Mills, Chairperson, Ways & Means Committee



Tuesday, December 20, 2011

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WHEREAS, per resolution #341-07 Cayuga County agreed to accept a Transportation Enhancement Program Grant in the amount of \$260,040 for improvements to the Cato-Brutus Trail; and

WHEREAS, Cayuga County committed to furnishing \$79,750 of combined in kind services, material, and cash; and

WHEREAS, there is a fund balance of \$2,308 in the 2011 Cato-Fair Haven Trail contractual budget Account # A71154-54000; and

WHEREAS, the transfer of these funds will assist in meeting the obligation of the County to provide the matching amount of \$79,750, now therefore be it

RESOLVED, that the Cayuga County Treasurer is hereby directed to transfer \$2,308 from the Cato-Fair Haven contractual account A71154.54000 to Cap H #07-02 Cato-Brutus Trail Grant; 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, Whitman, Mitchell, Pinckney, Mills, Fearon and Mahunik, all in favor.

**RESOLUTION NO. 547-11**

**Date: December 20, 2011 hwyondsnormvlagreeREV**

**AUTHORIZING THE COUNTY CHAIRMAN TO SIGN SNOW REMOVAL AGREEMENT WITH ONONDAGA COUNTY FOR 2011-2012**

BY: David Axton, Public Works Committee

Roger Mills, Chairman, Ways & Means Committee

WHEREAS, the Public Works Committee has recommended that the County Highway Department continue to conduct snow removal operations on a portion of Onondaga County roads for reimbursement in the amount of \$2,343.95; and

WHEREAS, present agreement expired on May 31, 2011; now therefore be it

RESOLVED, to authorize the Chairman of the Cayuga County Legislature to sign the Snow and Ice Control Agreement with Onondaga County for 2011-2012.

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

**RESOLUTION NO. 548-11**

**Date: December 20, 2011 hwyfillautomechanicREV**

**AUTHORIZATION FOR SUPERINTENDENT OF HIGHWAYS TO FILL AN AUTO MECHANIC DIESEL POSITION WITHIN THE HIGHWAY DEPARTMENT**

BY: David Axton, Public Works Committee

Roger Mills, Chairman, Ways & Means Committee

WHEREAS, an Auto Mechanic Diesel position will be vacated on 11/30/2011 due to promotion; and

WHEREAS, this Auto Mechanic Diesel position is critical to the operation of the highway department's equipment maintenance division; and

WHEREAS, this position (Position Control #003075) has been budgeted for the entire year of 2012; 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, Chapman, Cuddeback, Whitman, Mitchell, Pinckney, Mills, Fearon and Mahunik, all in favor.

**RESOLUTION NO. 549-11**

**Date: December 20, 2011 hwybackfillMEOHREV**

**AUTHORIZATION FOR SUPERINTENDENT OF HIGHWAYS TO FILL MEO -  
HEAVY POSITION WITHIN THE HIGHWAY DEPARTMENT AND TO BACK-  
FILL A POSITION CREATED BY PROMOTION**

BY: David Axton, Public Works Committee

Roger Mills, Chairman, Ways & Means Committee

WHEREAS, an MEO - Heavy position was vacated on 07/25/2011 due to retirement; and

WHEREAS, this MEO – Heavy position is critical to the operation of the highway department; and

WHEREAS, this position (Position Control #002429) has been budgeted for the entire year of 2012; now therefore be it

RESOLVED, to authorize the Highway Superintendent to fill this open position and any open positions created behind it; 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 Barski, Chapman, Cuddeback, Whitman, Mitchell, Pinckney, Mills, Fearon and Mahunik, all in favor.

**RESOLUTION NO. 550-11**

**December 20, 2011 hwyamendbdggas**

**AUTHORIZATION TO AMEND THE 2011 CAYUGA COUNTY MOTOR POOL  
BUDGET FOR GASOLINE AND DEPARTMENT REIMBURSEMENT**

BY: David Axton Chairman, Public Works Committee

Roger Mills Chairman, Ways and Means Committee

WHEREAS, \$699,440 was budgeted in Account DM51314 54032 for the purchase of gasoline for 2011; and

WHEREAS, the sales of gasoline have increased since the adoption of the 2011 budget; and

WHEREAS, the Motor Pool sells gasoline to County agencies and other agencies; and

WHEREAS, Appropriation Accounts DM51314 54032 is used for the expenditures of Gasoline; and

WHEREAS, Revenue Account DM51300 41272 – Department Reimbursement is to receive revenue from the sale of gasoline to County agencies; now therefore be it

RESOLVED, that Revenue Account DM51300 41272 – Department Reimbursement be amended and increased by \$60,000; and be it further

RESOLVED, that Appropriations account DM51314 54032 – gasoline be amended and increased by \$60,000; and be it further

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

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

**RESOLUTION NO. 551-11**  
**December 20, 2011 hwyamndbdgmachrent**  
**AUTHORIZATION TO AMEND THE 2011 CAYUGA COUNTY HIGHWAY**  
**BUDGET FOR OTHER MACHINERY RENTAL**

BY: Dave Axton, Chairman, Public Works Committee

Roger Mills, Chairman, Ways and Means Committee

WHEREAS, in the 2011 Highway Budget a total of \$52,205 was budgeted in D51104 54096 – Other Machinery Rental; and

WHEREAS, it is necessary to amend the 2011 Highway Budget due to an increase in the use of rented equipment; now, therefore, be it

RESOLVED, that the County Treasurer be and is hereby authorized and directed to provide for transfer of funds in the following manner:

<u>Appropriation Accounts</u>	<u>Original Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
D51104 54096 –				
Other Machinery Rental	\$ 52,205	\$ 6,400		\$ 58,605
D51104 54106 –				
Patch Material	\$ 27,370		\$ 6,400	\$ 20,970

AND BE IT FURTHER

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

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

**RESOLUTION NO. 552-11**  
**12.20.11 911 maintenangepennrev2**  
**AUTHORIZATION THE CHAIRPERSON OF THE LEGISLATURE TO**  
**SIGN A ONE YEAR RENEWAL WITH PENN POWER SYSTEMS FOR THE**  
**MAINTENANCE OF THE GENERATORS FOR THE CAYUGA COUNTY**  
**RADIO SYSTEM.**

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

Mr. Roger Mills, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County 911 Center currently utilizes Penn Power to maintain and support the generators at the Cayuga County 911 Center; and

WHEREAS, it is critical that the generators function properly twenty-four hours per day, seven days per week without interruption; and

WHEREAS, Penn Power Systems has submitted an annual contract renewal for this equipment and has agreed to maintain the contract for one year at 2,282.00 and the monies are budgeted in account A30204 54045; now, therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to sign the annual contract renewal with Penn Power Systems for the amount of 2,282.00 for the period of January 1, 2012 through December 31, 2012; and be it further

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

**RESOLUTION NO. 553-11**  
**12/20/11 SHR BOCES SROrev2**

**AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO ENTER INTO A  
 FIVE (5) YEAR MEMORANDUM OF AGREEMENT WITH THE CAYUGA-  
 ONONDAGA BOARD OF COOPERATIVE EDUCATION SERVICES (BOCES)  
 FOR THE ASSIGNMENT OF A SHERIFF'S DEPUTY AT THE BOCES  
 CAMPUS TO SERVE AS A SCHOOL RESOURCE OFFICER AND BACKFILL  
 THE SHERIFF'S DEPUTY VACANCY LEFT BY SAID ASSIGNMENT**

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

WHEREAS, the Cayuga-Onondaga Board of Cooperative Education Services (BOCES) has requested from the Cayuga County Sheriff's Department the assignment of a School Resource Officer (SRO) at their campus located at 1879 West Genesee Street, Auburn; and

WHEREAS, the Cayuga-Onondaga Board of Cooperative Education Services (BOCES) believes there is a critical need for this position for the safety and security of the student body and staff on campus; and

WHEREAS, it would be to the mutual advantage of the County of Cayuga and the Cayuga-Onondaga Board of Cooperative Education Services (BOCES) to enter into an agreement to establish the School Resource Officer (SRO) position; and

WHEREAS, there will be a 5-year signed agreement between the County of Cayuga and the Cayuga-Onondaga Board of Cooperative Education Services (BOCES), beginning January 1, 2012 and terminating December 31, 2016; and

WHEREAS, the Cayuga-Onondaga Board of Cooperative Education Services (BOCES) will pay for the 2012 year an amount not to exceed \$95,516, which includes other costs associated with the position, unless salaries and benefits increase due to 2012 contract negotiations. The cost to the Cayuga-Onondaga Board of Cooperative Education Services (BOCES) for subsequent years are subject to change based upon expenses and modifications to the current collective bargaining agreement; NOW therefore be it

RESOLVED, that Revenue in the amount of \$95,516 has been included in the 2012 Sheriff Law Enforcement Budget line A31100-42262 Sheriff SRO and the Student Resource Officer contractual salary (which includes fringe benefits) has also been included and that revenue and the corresponding charges will become line items in the 2013-2016 Sheriff's Law Enforcement Budgets; and therefore be it

RESOLVED, that in order to accomplish the foregoing, the Chairman of the County Legislature and the County Sheriff are hereby authorized and directed to enter into a Memorandum of Agreement with the Cayuga-Onondaga Board of Cooperative Education Services (BOCES) for the services of a School Resource Officer; and further be it

RESOLVED, that the Cayuga County Sheriff is authorized to assign a current Sheriff's Deputy to Position No. 006642 created pursuant to Resolution No. 303-08 to serve as School Resource Officer at the Cayuga-Onondaga Board of Cooperative Education Services (BOCES) campus; and further be it

RESOLVED, that the Cayuga County Sheriff is authorized to fill the Sheriff's Deputy vacancy resulting in the assignment of a Sheriff's Deputy to the Cayuga-Onondaga Board of Cooperative Education Services (BOCES) campus in accordance with Civil Service Rules and Regulations and the Policies of the County of Cayuga; and further be it

RESOLVED, that the aforementioned positions shall be filled in accordance with Civil Service Rules and Regulations and the Policies of the County of Cayuga; and it is further

RESOLVED, that if the State/Federal reimbursement for this position gets withdrawn at the current level or, if the Cayuga-Onondaga Board of Cooperative Education Services (BOCES) payments for this position do not keep pace with contractual salary (which includes fringe benefits) for the position, than in that event the status of the position will be brought before the County Legislature to be re-evaluated.

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

**RESOLUTION NO. 554-11**

**12/20/11 SHR-Transfer Monies.rev1**

**AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO TRANSFER MONIES FROM VARIOUS LINES OF THE SHERIFF'S 2011 CUSTODY BUDGET TO THE SHERIFF'S 2011 CUSTODY CONTRACT FOOD BUDGET LINE (A31504 54028) AND THE SHERIFF'S 2011 CUSTODY DRUGS BUDGET LINE (A31504 54046)**

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

WHEREAS, there is an insufficient amount of money in the Sheriff's 2011 Custody Contract Food Budget Line (A31504 54028) to cover the cost of food for the inmates housed at the Cayuga County Jail due to the unexpected high number of inmates ordered to the jail for incarceration; and

WHEREAS, there is an insufficient amount of money in the Sheriff's 2011 Custody Drugs Budget Line (A31504 54046) to cover the cost of inmate medications due to the unpredictable nature of inmate medical needs; and

WHEREAS, there is money available in various Sheriff's 2011 Custody Budget Lines to compensate the shortfall in the Sheriff's 2011 Custody Contract Food Budget Line and Sheriff's Custody Drugs Budget Line; now therefore be it

RESOLVED, that the Cayuga County Treasurer be authorized to transfer \$13,000 into the Sheriff's 2011 Custody Contract Food Budget Line (A31504 54028) and \$30,000 into the Sheriff's 2011 Custody Drugs Budget Line (A31504 54046) from the below accounts as indicated for a total of \$43,000:

Sheriff's 2011 Custody Electricity Budget Line (A31504 54023)	\$ 7,000
Sheriff's 2011 Custody Phone Budget Line (A31504 54075)	\$ 3,500
Sheriff's 2011 Custody Professional Services Budget Line (A31504 54059)	\$11,045
Sheriff's 2011 Custody Landfill Budget Line (A31504 54043)	\$ 1,500
Sheriff's 2011 Custody SERT Budget Line (A31504 54255)	\$ 2,499
Sheriff's 2011 Custody Ammunition Budget Line (A31504 54214)	\$11,000
Sheriff's 2011 Custody Elec. Serv. Monitoring Budget Line (A31504 54138)	\$ 1,000
Sheriff's 2011 Custody Training Budget Line (A31504 54135)	\$ 1,600
Sheriff's 2011 Custody Law Books Budget Line (A31504 54122)	\$ 2,000
Sheriff's 2011 Custody Machinery Repairs Budget Line (A31504 54047)	\$ 400
Sheriff's 2011 Custody Stationary and Forms Budget Line (A31504 54070)	\$ 1,456;

and further be it

RESOLVED that the Cayuga County Treasurer make the necessary accounting and journal entries to accomplish the intent of this Resolution.

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

**RESOLUTION NO. 555-11**

**(12/20/11) COA Adopt Local Law Daly Lease**

**TO ADOPT LOCAL LAW NO. 3 FOR THE YEAR 2011 AUTHORIZING THE COUNTY OF CAYUGA TO LEASE PART OF THE PREMISES COMMONLY KNOWN AS TAX MAP NO. 52.00-1-38.1 ROUTE 34, CATO, NEW YORK, FROM JOHN DALY FOR A TERM OF 99 YEARS.**

BY: David Axton, Chair, Public Works Committee.

Roger Mills, Chair, Ways & Means Committee.

WHEREAS, Local Law No. 3 for the year 2011 was presented to the Cayuga County Legislature on the 20th day of December 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. 3 for 2011 on December 20, 2011 at 6:00 P. M.; now, therefore, be it

ENACTED, that the Cayuga County Legislature does hereby adopt Local Law No. 3 for 2011, entitled:

A LOCAL LAW AUTHORIZING THE COUNTY OF CAYUGA TO LEASE PART OF THE PREMISES COMMONLY KNOWN AS TAX MAP NO. 52.00-1-38.1 ROUTE 34, CATO, NEW YORK, FROM JOHN DALY FOR A TERM OF 99 YEARS;

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.

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

STATE OF NEW YORK: COUNTY OF CAYUGA

COA locallawdalylease

**Local Law No. 3 2011**

A local law authorizing the County of Cayuga to lease part of the premises commonly known as Tax Map No. 52.00-1-38.1 Route **34**, Cato, New York, from John Daly for a term of 99 years

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

Section 1 - Intent: John Daly owns property commonly known as Tax Map No. 52.00-1-38.1, Route **34**, Cato, New York and has agreed to lease a portion of the premises to the County of Cayuga for the location of a communication tower as part of the Cayuga County Radio Communication Project.

Section 2 - Authority: The Cayuga County Legislature is hereby authorized to enter into a 99 year lease with John Daly for the premises commonly known as Tax Map No. 52.00-1-38.1 Route **34**, Cato, New York, substantially as set forth in the draft agreement which was submitted to this Legislature with the Resolution to set the public hearing on this local law. This local law confirms the authority to enter into the lease

Section 3 - Effective: This Local Law shall be effective upon completion of the municipal home rule law requirements for the adoption of a local law.

**RESOLUTION NO. 556-11**  
**(12/20/11) YB indigentdefreaptamnddepr**  
**APPOINTING ADMINISTRATOR INDIGENT DEFENDANTS, PART TIME,**  
**AND SETTING SALARIES FOR ADMINISTRATOR INDIGENT**  
**DEFENDANTS, PART TIME, AND DEPUTY ADMINISTRATOR INDIGENT**  
**DEFENDANTS, PART TIME**

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

WHEREAS, the position of Administrator Indigent Defendants, Part Time is a one (1) year fixed term appointment; and

WHEREAS, Lloyd E. Hoskins has held the position as Administrator since January 1, 1994; and

WHEREAS, this Legislature has determined that Lloyd E. Hoskins is best qualified to fill this position; and

WHEREAS, the position of Deputy Administrator Indigent Defendants, Part Time is a one (1) year fixed term appointment; now, therefore, be it

RESOLVED, that Lloyd E. Hoskins is hereby appointed as Director Indigent Defendants, Part Time, to serve for one (1) year term commencing January 1, 2012 and ending December 31, 2012, and be it further

RESOLVED, that the salary for Director Indigent Defendants, Part Time, the 2012 calendar year thereafter shall be \$13,193.00; and be it further

RESOLVED, that the salary for Deputy Administrator Indigent Defendants, Part Time for the 2012 calendar year thereafter shall be \$6,928.00; and be it further

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

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

**RESOLUTION NO. 557-11**  
**12/20/11 SHR AuctionPatrolVehicle**  
**AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO TEMPORARILY**  
**RETAIN A 2007 FORD CROWN VICTORIA THAT WAS SCHEDULED TO BE**  
**DELIVERED TO THE CLERK**  
**OF THE CAYUGA COUNTY LEGISLATURE FOR DISPOSAL**

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

WHEREAS, pursuant to Resolution No. 113-11, the Cayuga County Sheriff's Office was to turn over to the Clerk of the Cayuga County Legislature for disposal a 2007 Ford Crown Victoria (VIN 2FAHP71W27X100791); and

WHEREAS, there is now a need to temporarily retain said 2007 Ford Crown Victoria for use by the Sheriff's Deputy assigned as the School Resource Officer at the Cayuga-Onondaga BOCES campus until a new patrol vehicle is purchased by BOCES for this use; and

WHEREAS, after the new patrol vehicle is purchased by Cayuga-Onondaga BOCES and delivered for use by the School Resource Officer assigned to the Cayuga-Onondaga BOCES, said 2007 Ford Crown Victoria will be delivered to the Clerk of the Cayuga County Legislature for disposal; now therefore be it

RESOLVED, that the 2007 Ford Crown Victoria (VIN 2FAHP71W27X100791) scheduled to be delivered to the Clerk of the Cayuga County Legislature for disposal pursuant to Resolution No. 113-11 shall be temporarily retained by the Cayuga County Sheriff's Office for use by the Sheriff's Deputy assigned as the School Resource Officer at the Cayuga-Onondaga BOCES campus until a new patrol vehicle is purchased by BOCES for this use usage; and it is further

RESOLVED, that upon delivery of the new patrol vehicle as purchased by the Cayuga-Onondaga BOCES for the School Resource Officer, said 2007 Ford Crown Victoria (VIN 2FAHP71W27X100791) will be delivered to and accepted by the Clerk of the Cayuga County Legislature for disposal.

Signed by Barski, Pinckney, Sincebaugh, Whitman, Mills, Axton, Fearon and Mahunik, all in favor.

Legislator Chapman announced there will be a Republican Caucus immediately following this meeting.

Legislator Sincebaugh, thanked everyone.

Motion by Sincebaugh to separate question, 2<sup>nd</sup> by Lattimore.

Discussion:

Fearon, legal requirements?

Westphal, we have to use 2 newspapers, one with a Republican point of view and one with a Democratic point of view.

Vote on resolution as presented.

**RESOLUTION NO. 558-11**  
**12/20/11 COL Designating Newspapers12**  
**DESIGNATING NEWSPAPERS TO PUBLISH COUNTY MATTERS**  
**FOR THE YEAR 2012**

BY: Hon. George Fearon, Chairman, Government Operations Committee.

WHEREAS, Section 214, Subdivision 2, of the County Law directs that the Cayuga County Legislature shall annually designate at least two (2) newspapers for publication of all local laws, notices and other matters required by law to be published during fiscal year 2012.

NOW, BE IT RESOLVED, that the Cayuga County Legislature does hereby designate the following newspapers for that purpose:

Republican Register, (Community Newspaper) Moravia, New York

Wayuga ,(Lake Shore News), Red Creek, New York

The Citizen, Auburn, New York

Signed by Fearon, Aikman, Chapman, Mitchell, Sincebaugh and Whitman, all in favor, except Sincebaugh voting no.

**Motion by Mills to adjourn at 7:47PM, 2<sup>nd</sup> by Cuddeback, all in favor.**

**Motion by Chapman to approve minutes of 12-20-11, 2<sup>nd</sup> by Pinckney, all in favor.**