

**MINUTES  
CAYUGA COUNTY LEGISLATURE  
REORGANIZATION MEETING  
JANUARY 3, 2012, 6:00 PM**

**ROLL CALL:** Sheila Smith, Deputy Clerk of the Legislature

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**SWEARING IN OF COUNTY CLERK, SUSAN M. DWYER, BY HON. MARK H. FANDRICH, SURROGATE COURT JUDGE.**

**SWEARING IN OF NEWLY ELECTED AND RE-ELECTED LEGISLATORS BY HON. MARK H. FANDRICH, SURROGATE COURT JUDGE.**

**Newly Elected:** Joseph Runkle, District No. 6, Hans Pecher, District No.8, Michael Didio, District No. 14, Tucker Whitman District 1,

**Re-Elected:** Michael Chapman District 2

**SWEARING IN OF NEWLY ELECTED AND RE-ELECTED LEGISLATOR'S, BY HON. THOMAS G. LEONE COUNTY COURT JUDGE.**

**Newly Elected:** Mark Farrell, District No. 4, Joseph Bennett District No. 10.

**Re-elected:** Patrick Mahunik, District 12.

**ADMINISTRATION OF OATHS OF OFFICE:**

County Clerk Susan Dwyer for newly elected and re-elected Legislators

**NOMINATIONS FOR LEGISLATIVE CHAIRPERSON.**

Motion by Axton for Steven Cuddeback, 2<sup>nd</sup> by Lattimore

Motion by Aikman for Patrick Mahunik, 2<sup>nd</sup> by Farrell

**Motion by Axton for Steven Cuddeback as Legislature Chairperson approved by Majority vote, Ayes – Didio, Pecher, Whitman, Chapman, Axton, Pinckney, Runkle, Fearon, Barski, Lattimore and Cuddeback. Noes – Farrell, Bennett, Mahunik and Aikman. Vote – 685/198**

**ADMINISTRATION OF OATHS OF OFFICE:**

County Clerk Susan Dwyer for Chairperson

**NOMINATIONS FOR LEGISLATIVE VICE CHAIRPERSON.**

Motion by Didio for Lattimore, 2<sup>nd</sup> by Pinckney

Motion by Mahunik for Aikman, 2<sup>nd</sup> by Bennett

**Motion by Didio for Lattimore as Vice Chairperson approved by Majority vote, Ayes – Didio, Pecher, Whitman, Chapman, Axton, Pinckney, Runkle, Fearon, Lattimore and Cuddeback. Noes – Farrell, Bennett, Barski, Mahunik, Aikman. Vote – 633/250**

**ADMINISTRATION OF OATHS OF OFFICE:**

County Clerk Susan Dwyer for Vice Chairperson.

**DESIGNATION OF MAJORITY LEADER FOR 2012.**

Motion by Chapman for Didio, 2<sup>nd</sup> by Lattimore, all voting in favor. County Clerk Susan Dwyer administered the Oath of Office.

**ADMINISTRATION OF OATHS OF OFFICE:**

County Clerk Susan Dwyer for Majority Leader.

**DESIGNATION OF MINORITY LEADERS FOR 2012.**

Motion by Mahunik for Aikman, 2<sup>nd</sup> by Bennett, all voting in favor. (Democrat) County Clerk Susan Dwyer administered the Oath of Office.

Motion by Fearon for Pecher, 2<sup>nd</sup> by Chapman, all voting in favor. (Conservative) County Clerk Susan Dwyer administered the Oath of Office.

Pecher, my purpose is to eliminate the funding of the political position by the tax payers of Cayuga County, I hope by next year's budget. I have talked with Fred Westphal, County Attorney, it can't be done this year, but hopefully by next year we will have the positions of Majority and Minority Leader unfunded.

**10 MINUTE BREAK TO SIGN RESOLUTIONS & PHOTO OPPORTUNITIES.**

Out of session at 6:40PM back in session at 6:53PM

**APPOINTING CLERK OF THE LEGISLATURE, SETTING SALARY AND OATH OF OFFICE**

Motion by Fearon to appoint Mary T. Jones, and setting the salary at \$49,500.00 for the year 2012, 2<sup>nd</sup> by Didio, all voting in favor.

County Clerk Susan Dwyer administered the Oath of Office.

**Motion by Axton to go into Executive Session re: the proposed acquisition or sale of real property at 6:52PM, 2<sup>nd</sup> by Runkle, all in favor.**

**Invited in: Tom Squires, Fred Westphal and Stephen Lynch**

**Motion by Pinckney to come out of Executive Session at 8:05PM, 2<sup>nd</sup> by Whitman, all in favor.**

**Motion by Didio to adjourn at 8:06PM, 2<sup>nd</sup> by Bennett, all in favor.**

**Motion by Chapman to approve minutes of 1-3-12, 2<sup>nd</sup> by Pinckney, all in favor.**

**MINUTES**  
**SPECIAL LEGISLATURE MEETING**  
**WEDNESDAY, JANUARY 4, 2012, 7:00 PM**  
**160 GENESEE ST, 6<sup>th</sup> FLOOR, CHAMBERS, AUBURN, NY 13021**

**Welcome to tonight's Special Meeting of the Cayuga County Legislature and City of Auburn, Wednesday, January 4, 2012, CCOB, 6<sup>th</sup> Floor.**

**CALL TO ORDER:** Hon. Steven Cuddeback, Chairman, at 7:00PM.

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

**CITY COUNCIL:** Mayor Michael Quill opens City Council meeting at 7:01 PM

**CITY ROLL CALL:** Deborah McCormick, City Clerk, all Councilmen present.

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**Motion by Councilman Graney to enter into an Executive Session, seconded by Councilman Rusinko at 7:05 PM**

**TOPIC: Contractual Negotiations for Utility Rates**

**City Members move to Caucus Room 1 for Executive Session.**

**Chairman Steven Cuddeback calls for recess at 7:06 pm.**

**At approximately 7:51 PM – City Council members return to Chambers.**

**Chairman Steven Cuddeback calls meeting back to order at 7:51 PM**

**Mayor Quill advises that the City needs more time to discuss the matter with staff members and has reached no action at this time.**

**Rusinko motions to adjourn meeting at 7:54 PM, seconded by Camardo. Roll call vote taken by City Clerk, all in favor.**

**Motion by Didio to adjourn at 7:55 pm, seconded by Bennett. All in favor.**

**Motion by Chapman to approve minutes of 1-4-12, 2<sup>nd</sup> by Pinckney, all in favor.**

**MINUTES**  
**SPECIAL LEGISLATURE MEETING**  
**TUESDAY, JANUARY 10, 2012, 5:30 PM**  
**160 GENESEE ST, 6<sup>th</sup> FLOOR, CHAMBERS, AUBURN, NY 13021**

**Welcome to tonight's Special Meeting of the Cayuga County Legislature, Tuesday, January 10, 2012, CCOB, 6<sup>th</sup> Floor.**

**CALL TO ORDER:** Hon. Steven Cuddeback, Chairman, at 5:30 PM.

**ROLL CALL:** Mary Jones, Clerk of the Legislature, all Legislators present: except Pinckney and Mahunik

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**MOTION TO ADJOURN TO MEET IN PRIVATE TO SEEK LEGAL ADVICE FROM COUNCIL** made by Didio at 5:33 PM, seconded by Runkle. All in favor.

**Chairman Cuddeback calls meeting back to order at 5:50 PM**

**Chairman Cuddeback states for the record that Pinckney and Mahunik arrived at 5:34 PM**

**Minority Leader Aikman calls for Democratic Caucus.**

**Majority Leader Didio calls for Republican Caucus.**

**Chairman Cuddeback adjourns meeting at 5:52 PM**

**Chairman Cuddeback calls meeting back to order at 6:40 PM**

**Motion by Didio to adjourn at 6:40 PM, seconded by Bennett. All in favor.**

**Motion by Chapman to approve minutes of 1-10-12, 2<sup>nd</sup> by Pinckney, all in favor.**

**MINUTES**  
**CAYUGA COUNTY LEGISLATURE**  
**TUESDAY, JANUARY 24, 2012 – 6:30PM**

**CALL TO ORDER:** Hon. Steven Cuddeback, Chairman, at 6:32PM.

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

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**DEATHS:** Arbon Hatfield, Cayuga County Legislature Chairman from 1976-1977 and 1986-1989, Cayuga County Board of Supervisors 1967-1971 and a Cayuga County Legislator from 1972 to 1989, Moravia Town Supervisor 1967-1989 and civic leader.

Chairman Steve Cuddeback welcomed members of Leadership Cayuga, , Barbara Bowen, Stephanie Hutchinson, Morgan Festa, Ashley Newberry, Janet Pendergraph, Carole Estabrook, Onea Kloster, Jon Wilcox, Michael Schatt, Nancy Rifanberg, Scott DeWolff and Brenda Costello.

**PROCLAMATIONS:** NAACP 13<sup>th</sup> Annual Millennium Luncheon January 18, 2012

Cayuga County Salutes Jacob A. Chappell, Friday, December 20, 2011

Cayuga County Salutes Robert J. Romeo, Friday, December 20, 2011

Cayuga County Salutes Ian S. Molloy, Friday, December 20, 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 Timothy Lattimore for Kevin Cox, I have some concerns regarding one of the resolutions to be presented tonight on the Schwartz Theater. The Musical Theater Festival has not been able to raise the money it was supposed to raise, specifically the 3.8 million dollars in matching funds. I refer you back to the September 27, 2011 resolution that stated that the project shall not commence until 100% of all funding for all sources is made available; specifically the 50% matching funds that is going to be provided by the Musical Theater Festival, 3.8 million. The 50% matching funds had to be received and in place before any of this project started. From the looks of the resolution now, it appears that the project is now going to be phased, I assume that is because the Musical Theater Festival has not been able to raise the funds that it represented it could. This resolution is contrary to the September resolution and to the representation made to the State Senate in agreeing to provide**

those matching funds. The sources that I have, say the Senate isn't going to provide any of that money until the Musical Theatre Festival has placed their 3.8 million up front. The concern should be that if the money is not there and this project proceeds in piece meal fashion in the way it is being proposed, you are going to end up, going out to bid, someone is going to low ball it and you're going to have change orders and who is going to pay for those. The Musical Theatre Festival is going to come to you and ask you to pay for the change orders; it will be an emergency situation, a crisis situation and you will be left holding the bag. I urge you not to approve any resolution until the Musical Theatre Festival has come forward and provided the 3.8 million in matching funds that they are obligated to do.

**MINUTES:** For Approval: 9-27-11, 11-22-11, 12-8-11 and 12-13-11, **Motion by Axton, 2<sup>nd</sup> by Lattimore, all in favor.**

For Reading: 12-20-11, 1-3-12, 1-4-12 and 1-10-12

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

Discussion:

Lattimore, bids for the Fulton Campus?

Larson, bids went out the end of 2011, 3 different packages, because we knew the demolition needed to be completed before we could get started and we wanted the steel for the 2<sup>nd</sup> floor. The bids came back 16% under budget and local companies came back as winning bidders.

Lattimore, the Governor stands strongly behind the community colleges.

Larson, yes he does, feels very strongly about getting our work force retrained.

Fearon, the Governor's budget doesn't fully fund any increase that we have our school projects.

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

**Legislator Joseph Runkle, re:** Sergeant William E. Korth's, who was awarded the Navy and Marine Corps Achievement Medal with a V for Valor, from his tour of duty in Afghanistan from June 2010 to January 2011, his mother Mary K. Austin is a Registered Nurse at Mental Health. Award attached to original minutes.

**COUNTY ADMINISTRATOR'S REPORT:** Tom Squires, the Treasurer's office is currently working on closing the books for year 2011, and in mid February we should have good preliminary numbers. The State budget has been released, proposed by the Governor, in that is the cap on Medicaid growth, the Medicaid bill for the County is 14 million and change for 2012. As it stands now we could chart out what the cost for Medicaid would be in future years, because we had a cap of 3% growth. The State budget beginning with the 2013-2014 State fiscal year, is going to cap the growth at 2%, reduce the cap to 1% growth the following year and the following year make it flat. That will be a very positive thing for all counties, it's not the full takeover of the Medicaid costs that we would like to see, but the reality in Albany is that's not a reality, enormous expense. The State budget also introduces a tier 6, which would reduce retirement costs, unfortunately for us, only for new employees. In looking forward to the 2015 budget, we have new debt coming on, 911 project, additional borrowing for the college project, and we

have existing debt on our books. We have been working very closely with, myself, County Attorney, Lynn Marinelli, the Treasurer Office. Paul Padlick in the Treasurer's Office has worked very hard in lining up what our debt is, cash position, and trying to project that into our upcoming year, as we go through the year I will report back to you. I will be meeting later this week with Nursing Home Director Deb English and a couple of other Nursing Home and we will be looking at how do we keep our long term beds in the community. Deb and I expect to have a resolution in February making a recommendation regarding a consultant to come in and help the community look at the long term care beds in our community and try help us chart a course to keep those beds. The NYSAC Conference is next week, there is a lot of good information there. Leadership Cayuga is in attendance tonight and will be doing a mock Legislature Meeting on February 2, 2012 in the chambers; all Legislators' are welcome, starts at noon. Every month we have a vendor come in and serve lunch and we do a 50/50 raffle that helps offset the cost of supplies. Larry Wilt, Director of the Veterans Office has received letters thank him for is help.

**CHAIRMAN'S REPORT:** Steven Cuddeback, reminder, Planning Committee will meet the 1<sup>st</sup> Thursday in February, February 2, 2012 at 6:00PM, Government Operations will be Tuesday February 7, 2012, at the College. Cayuga County employees will hold their 3<sup>rd</sup>, From the Heart Campaign, this February; proceeds will go to Matthew House and Hospice. Purchasing; the County Administrator and I have met over the last week with officials from Onondaga County to discuss consolidation of purchasing with their county, this could produce lower prices that could benefit all of us. I have had discussions with the County Administrator regarding the spruce tree in front of the Old Historic Post Office, I have directed that he develop alternatives to cutting down the tree and bring them to committee next month. The Economic Forecast Luncheon will be this Thursday at noon, Holiday Inn, cost is \$35.00, if you're planning on attending please let Mary Jones, Clerk of the Legislature know.

Lattimore, I would like to recognize Ms. Aikman for attending the 13<sup>th</sup> Millennium Luncheon.

**Chairman Steven Cuddeback asked that all appointments be bundled.**

**Motion by Axton to re-submit Herb Marshall's name to the Cayuga County Industrial Development Board (CCIDA) and vote on with the group, 2<sup>nd</sup> by Lattimore, all in favor.**

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

**APPOINTMENTS AND RE-APPOINTMENTS:**

**CCIDA:**

**Herbert Marshall, 8016 Powers Rd., Port Byron, NY 13140, term 1-24-12 to 12-31-2012.**

**Cayuga-Cortland Workforce Investment Board**

Ann M. Kubarek, 56 Grant St., Auburn, NY: Term: 1/1/12 – 6/30/13  
(replaces Edward (Ted) Herrling)

**Cayuga County Planning**

Members serve until the locality they represent submits a new nomination:

Randall E. Frech (Village of Cato), 2598 Mechanic St., Cato, NY (replaces Carl Lincoln)

Dan George (Town of Conquest), 235 East Lake Road, Port Byron, NY (replaces Charles Knapp)

**WQMA (Water Quality Management Agency)**

Vicky Murphy (City of Auburn) Memorial City Hall, 24 South St, Auburn, NY

**Central New York Regional Planning and Development Board**

Stephen Lynch, 160 Genesee St., 5<sup>th</sup> Floor, Auburn, NY: term: 1/1/12 – 12/31/12

Vijay Mitel, at large, 52 Kearney Ave., Auburn, NY: term: 1/1/12 -12/31/12

Keith Welch, 3149 Center Rd., Moravia, NY: term: 1/1/12 – 12/31/12

Stephen Zabriski, at large, PO Box 119, 441 Main St., Aurora, NY: term: 1/1/12 -12/31/12

Chairman's appointments for 2012

**Cayuga County Water & Sewer Authority: Corrected Terms**

William McVea, 14948 West Bay Rd., Sterling, NY 13156, term – 1-1-10 to 12-31-12

Robert Reohr, 1513 Great Gully Rd., Union Springs, NY 13160, term – 1-1-10 to 12-31-12

**Health Consortium Board of Directors:****Appointed by Cayuga Community College**

Diane Hutchinson, CCC 197 Franklin St, Auburn, NY 13021, term 1-1-2012 to 12-31-2012

Eric Zizza, 7592 Healy Rd., Auburn, NY 13021, term – 1-1-2012 to 12-31-2012

**Appointed by Cayuga County Soil & Water Conservation**

Ron Podolak, 5002 North Rd., Owasco, NY 13130, term – 1-1-2012 to 12-31-2012

Wanda Jakaub, CCS&W, 7413 county House Rd., Auburn, BY 13021, term 1-1-2012 to 12-31-2012

**Board of Health:**

Dr. Cassandra Archer, 37 W. Garden St., Suite. 201, Auburn, NY 13021, term - 1-25-2012 to 12-31-2015

**Chairman's Appointments for 2012****Judicial and Public Works****Board of Jurors (serves at the pleasure of the board)**

Michael Didio, 6 Clymer St, Auburn, NY – (replaces Cuddeback) serves at the pleasure of the board

**Cayuga County Traffic Safety Board**

Michael Chapman, 11290 Myers Rd., Cato, NY – Legislator – Leg Term



### **Fire Advisory Committee**

Tucker Whitman, 940 Finches Corners Rd., Martville, NY – Legislator (replaces Chapman) – Leg Term

### **Public Works**

#### **Parks & Trails Commission**

Joseph Runkle, 3252 Barrington Way, Auburn, NY – Legislator (replaces Mills) – Leg Term

#### **Ag & Farm Protection Board (coterminous with position)**

Steven Cuddeback, 160 Genesee St., 6<sup>th</sup> Floor, Auburn, NY – Chairman of the Legislature

Paul Pinckney, 2035 Pinckney Road, Auburn, NY - Legislator

### **Ward O’Hara Ag Museum Board of Directors**

Paul Pinckney, 2035 Pinckney Road, Auburn, NY – Legislator (replaces Sincebaugh) – Leg Term

## **HEALTH & HUMAN SERVICES**

### **Board of Health**

Hans Pecher, 1219 Bartnick Rd., Genoa, NY – Legislative Appt (replaces Mitchell) term: 1/1/12-12/31/12

Michael Chapman, 11290 Myers Rd., Cato, NY – Legislative Appt (replaces Petrus) term: 1/1/12-12/31/13

Steven Cuddeback, Chairman of the Legislature - Ex-Officio member

Raymond Bizzari, Director of Mental Health – Ex-Officio member (replaces Katharine O’Connell)

Debra English, Director Nursing Home – Ex-Officio member

### **Office for the Aging Advisory Board**

Steven Cuddeback, Chairman of the Legislature, 160 Genesee St., Auburn, NY

Michael Chapman, Chairman of Health & Human Services, 160 Genesee St., Auburn, NY

### **Cayuga County Youth Board**

Mark Farrell, 8497 Ball Rd., Weedsport, NY –Legislator (replaces Petrus) indefinite term

### **Community Service Board**

Patrick Mahunik, 2 Frederick St., Auburn, NY – Legislator; term: 1/1/12 – 12/31/12

Michael Chapman, 11290 Myers Rd., Cato, NY – Legislator (replaces Mitchell); term: 1/1/12-12/31/12

### **Health Consortium Board of Directors**

Michelle Anthony, Pinckney Rd., Auburn, NY (replace Mitchell) term: 1/1/12 – 12/31/12

Marla, Connelly, 17 Burt Ave., Auburn, NY 13021, term – 1-1-2012 to 12-31-2012

**PWDD sub-committee**

Joseph Runkle, 3252 Barrington Way, Auburn, NY – Legislator (replaces Mills) – Leg Term

**PLANNING****Cayuga - Cortland Workforce Investment Board.**

Steven Cuddeback, 160 Genesee St., 6<sup>th</sup> Floor, Auburn, NY – Chairman of the Legislature

**Cayuga County Soil & Water Conservation**

Stephen Barski, 55 Dayton St., Auburn, NY – Legislator (replaces Mills)

**Cayuga County Office of Tourism:**

Timothy Lattimore, 63 South St, PO Box 1674, Auburn, NY - Legislator – Leg Term

**CNY Regional Planning Board:**

Steve Barski, 55 Dayton St, Auburn, NY – Legislative Appointment (replaces Mills) – ex-officio

Steven Cuddeback, 160 Genesee St., 6<sup>th</sup> Floor, Auburn, NY – Chairman - ex-officio

Cynthia Aikman, 17 Liberty St., Auburn, NY – Legislative Appointment

**Fish & Wildlife Management Board**

Michele Wunderlich, Planning Dept., 160 Genesee St. 5<sup>th</sup> Fl Auburn, NY – Leg Appt. term: 1/1/12 – 12/31/13

Lance Robson, Landowner, 365 Center St. Rd., Auburn, NY term: 1/1/12 – 12/31/12

Dennis Rhoads, Sport Rep., 7219 Hatfield Rd., Cortland, NY term: 1/1/12-12/31/13

Dennis Zach, Sports Alternate, 97 N Lewis St., Auburn, NY term: 1/1/12-12/31/13

**Forest Practice Board**

Paul Pinckney, 2035 Pinckney Road, Auburn, NY - Legislative Appointment

**Cornell Co-op Extension (serves at pleasure of board)**

Stephen Barski, 55 Dayton St., Auburn, NY – Legislative Appt.

David Axton, 8160 State St. Rd. Port Byron, NY (replaces Cuddeback)

**GOVERNMENT OPERATIONS****Election Board**

George Fearon, 5641 State Route 90 N, Cayuga, NY – Legislative Appointment

**Ethics Board** (correct terms - only)

Thomas McKellopp, 32 Lake Avenue, Auburn, NY: term: 1/1/12 -12/31/2016

Paul VanVorce, 1281 Sherwood Rd., Aurora, NY: term: 1/1/12 – 12/31/12

**Inter-County Association of Western NY**

Michael Didio, 6 Clymer St, Auburn, NY – Leg Term

Steven Cuddeback, Chairman

**Records Advisory (ex-officio)**

George Fearon, 5641 State Route 90 N, Cayuga, NY – Legislative Appointment  
Cynthia Aikman, 17 Liberty St., Auburn, NY (replaces Tortorici)

**WAYS & MEANS**

**Deferred Compensation (legislative appointments /serve at pleasure of Chairman)**

Michael Chapman, 11290 Myers Rd., Cato, NY  
Timothy Lattimore, PO Box 1674, 63 South St., Auburn, NY  
Thomas Squires, Co. Admin, 160 Genesee St., Auburn, NY  
James Orman, Co. Treasurer, 160 Genesee St., Auburn, NY  
vacant – HR Director

**Tobacco Serialization Settlement Board:**

Steven Cuddeback, Chairman, 160 Genesee St., Auburn  
David Axton, Chair/Ways & Means, 160 Genesee St., Auburn  
Michael Didio, Majority Leader, 160 Genesee St., Auburn

**End of bundle.**

**COMMUNICATIONS AND ANNOUNCEMENTS:**

1. Received Certified Resolution No. 462-11 from the County of Lewis, Calling upon New York State Association of Counties' Executive Committee to prepare and Disseminate an Action Plan to Bring Mandate Relief to New York State Counties.
2. Received a letter from NYS Dept. of Transportation, re: Cayuga County's request to lower the speed limit on **Pine Ridge Rd.**, they will conduct a formal investigation.
3. Received a letter from NYS Dept. of Transportation, re: Cayuga County's request to lower the speed limit on **Rockefeller Rd.**, they will conduct a formal investigation.
4. Received a certificate for "Champion of Learning, from Central New York Chapter ASTD.
5. Received a letter from Mary K. Austin, RN Mental Health Dept., regarding her son, William E. Korth's, who was awarded the Navy and Marine Corps Achievement Medal with a V for Valor, from his tour of duty in Afghanistan from June 2010 to January 2011, he was also promoted to Gunnery Sgt. and is serving another tour in Afghanistan.
6. Received a letter from NYS Dept. of Transportation, re: Cayuga County's request to lower the speed limit on **Pine Ridge Rd.**, the traffic engineers have completed their review and determined that a school speed limit of 45MPH would be appropriate.

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

**RESOLUTIONS**

Motion by Axton for 1A, 1B and 1C, 2<sup>nd</sup> by Pinckney, all in favor.

**RESOLUTION NO. 2-12****01-24-12 AP Audit January 12 (A)****AUTHORIZING THE COUNTY TREASURER TO PAY  
DECEMBER 15-DECEMBER 22, 2011 AUDIT OF CLAIMS**

BY: Hon. David Axton, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on January 24, 2011 audit claims against the County of Cayuga in the aggregate sum of \$275,672.12 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, 2011.

Signed by Axton, Barski, Chapman, Fearon, Pinckney, Runkle and Whitman, all in favor.

**RESOLUTION NO. 3-12****01-24-12 AP Audit January 12 (B)****AUTHORIZING THE COUNTY TREASURER TO PAY  
DECEMBER 23-JANUARY 09, 2012(2011) AUDIT OF CLAIMS**

BY: Hon. David Axton, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on January 24, 2011 audit claims against the County of Cayuga in the aggregate sum of \$926,433.21 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, 2011.

Signed by Axton, Barski, Chapman, Fearon, Pinckney, Runkle and Whitman, all in favor.

**RESOLUTION NO. 4-12****01-24-12 AP Audit January 12 (C)****AUTHORIZING THE COUNTY TREASURER TO PAY  
JANUARY 1-10, 2012 (2012)AUDIT OF CLAIMS**

BY: Hon. David Axton, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on January 24, 2011 audit claims against the County of Cayuga in the aggregate sum of \$364,270.98 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, 2011.

Signed by Axton, Barski, Chapman, Fearon, Pinckney, Runkle and Whitman, all in favor.

**RESOLUTION NO. 5-12**  
**(01/24/12) RPS GIS Specialist position**  
**AUTHORIZING THE CAYUGA COUNTY REAL**  
**PROPERTY SERVICES OFFICE TO FILL A VACANCY**

BY: Steve Cuddeback, Chairman, Ways & Means Committee

WHEREAS, the Cayuga County Office of Real Property Services has a vacancy due to a promotion of a GIS Specialist to Supervising GIS Specialist effective 12/19/2011; and

WHEREAS, the duties of this position are critical to maintaining accurate and current tax map and ownership records, and

WHEREAS, funding has been budgeted for the GIS Specialist position in the 2012 budget under GIS Specialist in the amount of \$35,669; now therefore be it

RESOLVED that the Director of Real Property Tax Services is hereby authorized to fill the position immediately; and be it further

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

Signed by Axton, Barski, Chapman, Fearon, Pinckney, Runkle and Whitman, all in favor.

**RESOLUTION NO. 6-12**  
**1/24/12 HR FILLHRADM**  
**AUTHORIZING THE CAYUGA COUNTY CIVIL SERVICE COMMISSION**  
**TO FILL THE HUMAN RESOURCES ADMINISTRATOR POSITION**  
**IN THE DEPARTMENT OF HUMAN RESOURCES AND**  
**CIVIL SERVICE COMMISSION DUE TO A RESIGNATION**

BY: Mr. David Axton, Chairman Ways and Means Committee

WHEREAS, the current Human Resources Administrator will resign effective upon the successful hiring of a replacement; 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 to work with the Legislature to ensure that the most qualified candidate is chosen for this position; NOW THEREFORE BE IT

RESOLVED, that the position of Human Resources Administrator(PC# 6037) be filled in a timely manner; and be it further

RESOLVED, that the Cayuga County Legislature shall appoint two Legislators to work with the Cayuga County Civil Service Commission and the County Administrator during the recruitment process for hiring a new Human Resources Administrator, with the two legislative appointments to be made by the Legislature through the Oversight Committee of Ways & Means; and be it further

RESOLVED, that the salary range to be advertised be \$50,000 to \$65,000 with the Ways and Means Committee setting the final salary negotiated within that range; and be it further

RESOLVED, that the current incumbent's salary remain in the compensation plan at \$57,256 and be omitted from the compensation plan upon the resignation of said incumbent; and be it further

RESOLVED, that the salary determined for the new hire by the Ways and Means Committee be placed in the Cayuga County Compensation Plan, Part IV under the Human Resources and Civil Service Commission; and be it further

RESOLVED, that the appointment be made in accordance with Cayuga County Civil Service Rules and Regulations and the Policies of the County of Cayuga.

Signed by Axton, Barski, Chapman, Fearon, Pinckney, Runkle and Whitman, all in favor.

## **RESOLUTION NO. 7-12**

### **1.24.12 COA ESTCAPTH12-01MTFINCREV**

#### **AUTHORIZATION TO CREATE CAPITAL "H" PROJECT NO. 12-01C (SCHWARTZ FAMILY PERFORMING ARTS CENTER) (2/3)**

By: Hon. David Axton, Chair Ways and Means Committee

WHEREAS, Resolution No. 724-09, EXPRESSION OF COMMITMENT TO THE CAYUGA COMMUNITY COLLEGE'S REQUEST FOR CAPITAL FUNDING FOR A COLLEGE PERFORMANCE ARTS CENTER, acknowledged that the Cayuga Community College has identified a need for a Performing Arts Center in the City of Auburn; and,

WHEREAS, the costs associated with the project are eligible for 50% State funding from the State University of New York (SUNY); and,

WHEREAS, the Music Theatre Festival, Inc. represented to the Cayuga County Legislature that it will gift to the County of Cayuga a matching sum for the Performing Arts Center and acknowledged that there would be no County local share for the project; 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, Resolution No. 396-11, AMENDING RESOLUTION No. 724-09 EXPRESSION OF COMMITMENT TO THE CAYUGA COMMUNITY COLLEGE'S REQUEST FOR CAPITAL FUNDING FOR A COLLEGE PERFORMANCE ARTS CENTER, restated Resolution No. 724-09, that the Cayuga County Legislature authorized the County to accept Gifts and Donations from Music Theatre Festival, Inc., in the sum of \$3,860,000.00 in support of the local share of this Capital Project; and

WHEREAS, Resolutions No. 724-09 and Resolution No 396-11 indicated 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

WHEREAS, the Cayuga Community College and the Music Theatre Festival, Inc. approached the Ways and Means Committee with a request that the project be segmented into two phases, i.e. design and bid, and construction; and

WHEREAS, the Music Theatre Festival, Inc. will contribute the entire cost of the design and bid phase of the project, estimated to be \$444,600.00; and

WHEREAS, the construction phase of the project will not proceed prior to the Music Theatre Festival, Inc. having contributed the balance of its financial match to the County of Cayuga; now therefore be it

RESOLVED, that in order to carry out the Project, the County Treasurer be and he is hereby authorized and directed to create Capital "H" Project No. 12-01C (Schwartz Family Performing Arts Center) in an amount not to exceed \$7,720,000.00; and be it further

RESOLVED, that the Music Theatre Festival, Inc. will contribute the entire cost of the design and bid phase of the project, estimated to be \$444,600.00; and be it further

RESOLVED, that there will be no county local share for this project, the entire amount of the project to be the costs associated with the project are eligible for 50% State funding from the State University of New York (SUNY); and the remaining 50% of the project costs to be paid for by contributions from the Music Theatre Festival, Inc., and be it further

RESOLVED, that the construction phase of the project will not proceed prior to the Music Theatre Festival, Inc. having contributed the balance of its gift to the County of Cayuga; and be it further

RESOLVED, the County Treasurer is authorized to make the journal and accounting entries necessary to accomplish the foregoing; and be it 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"), SEQRA having been completed by the City of Auburn on February 24, 2011; and be it further,

RESOLVED, that certified copies of this resolution be sent by the Clerk of this Legislature to the County Treasurer, 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; and be it further

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

Signed by Axton, Chapman, Fearon, Pinckney, Runkle and Whitman, all in favor, except Aikman abstained.

**Discussion:**

Fearon, WM-3 is a little incorrect, not all money is in place for the entire project.

Mike Chamberlain Music Theater Festival, the key issue is to finish and complete the design on this so that we are able to complete the funding. The construction will not move forward until the funding is in place.

Fearon, I will still support, no cost to the local tax payers.

Farrell, resolutions asks for 2 phases, where do we stand on that, it has not been segmented?

Westphal, the purpose of this resolution is to segment it, it has not been segmented at this point.

Farrell, if we approve this and set up the Capital "H" account, where do the funds come from.

Westphal, Music Theatre Festival Inc. will contribute the funds in the amount of \$444,600.00, SUNY has already approved the 50% match. The funds would be put into a Trust account and as needed be put into the Capital "H" account to pay bills for the design bid phase.

Farrell, and they are prepared to move that money over.

Westphal, yes, that is my understanding.

Mahunik, the resolution speaks of about 3.86 million dollars that the state was willing to contribute, the documentation that we have received stated about 2.9 million, is there a reason for the discrepancy?

Westphal, I believe that it is part of the present SUNY budget, there is a request for the additional monies to move it up to the 3.86 million dollars that would be then a part of the Governor's budget and subject to review and approval prior to or after April 1.

Mahunik, passing this resolution at the 3.86 million dollars, where do we stand if that doesn't happen?

Westphal, if that doesn't happen then the project would not proceed.

WM-3 vote, all in favor, except Aikman abstained.

Motion by Axton, 2<sup>nd</sup> by Pinckney

### **RESOLUTION NO. 8-12**

**1/24/2012 HR SafeTrainGrant**

### **RESOLUTION TO AUTHORIZE THE CHAIRMAN AND HUMAN RESOURCES ADMINISTRATOR TO APPLY FOR GRANT TO CONDUCT SAFETY TRAINING FOR HIGHWAY, PARKS AND TRAILS, AND BUILDING AND GROUNDS EMPLOYEES**

By: David Axton, Chairman Ways and Means Committee

WHEREAS, AECC, the county's contracted compliance officer has applied for and received a safety grant in 2011-2012 that would pay for required safety training for highway, building and grounds and, parks and trails employees, and

WHEREAS, the application for the safety training grant for 2012-2013 would be prepared by AECC and OSEA at minimal cost to the county; and

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

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

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

Signed by Axton, Chapman, Fearon, Pinckney, Runkle and Whitman, all in favor.

**Aikman disclosed that she has an interest in the building that Partnership for Results runs from, resolution number 23-12 (HH-16)**



**RESOLUTION NO. 9-12**

**(JANUARY 24, 2012) HD SPCA CONTRACT 2012**

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

BY: Michael Chapman, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

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

WHEREAS, in order to accomplish this, it is our desire to contract with the Finger Lakes SPCA of CNY to provide these clinics at a cost not to exceed \$600 per year plus the cost of vaccine and syringes; NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to renew the contract with Finger Lakes SPCA of CNY for the period January 1, 2012 through December 31, 2012 to provide these mandated services (100% funded); and be it further

RESOLVED, that payment for these services will be from Account #A- - - - - 40104 54123, of the 2012 Health Department Budget.

Signed by Chapman, Aikman, Bennett, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 10-12**

**(JANUARY 24, 2012) HD JOHN TONZI CONTRACT**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND  
THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO  
A CONTRACT WITH JOHN J. TONZI TO CONDUCT ADMINISTRATIVE  
HEARINGS FOR THE CAYUGA COUNTY BOARD OF HEALTH**

BY: Michael Chapman, Chairman of Health & Human Services Committee  
David Axton, Chairman of Ways & Means Committee

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

WHEREAS, Mr. Tonzi's contract expired on December 31, 2011; and

WHEREAS, it is our desire to renew Mr. Tonzi's contract for the period January 1, 2012 through December 31, 2012 at a rate of \$40.00 per hearing; now, therefore be it

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with John J. Tonzi to conduct administrative hearings for the Cayuga County Board of Health; and be it further

RESOLVED, that this service be paid from Account #A40104 54172 of the 2012 Health Department Budget.

Signed by Chapman, Aikman, Bennett, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 11-12****(Jan. 24, 2012) HD Thadine Collier Contract 2012****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH THADINE COLLIER, RN**

BY: Michael Chapman, Chairman of the Health &amp; Human Service Committee

David Axton, Chairman of the Ways &amp; Means Committee

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

WHEREAS, the Health Department relies on obtaining this service through professional contractors; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Thadine Collier, RN to provide these services for the period January 1, 2012 through December 31, 2012 at the rate of \$21.86 per hour; and be it further

RESOLVED, that the charges for these services be paid from Account #A40104 54123 of the 2012 Health Department Budget.

Signed by Chapman, Aikman, Bennett, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 12-12****(January 24, 2012) HD Fingerlakes Dog Protection 2012****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW THE CONTRACT BETWEEN FINGER LAKES DOG PROTECTION AGENCY, INC. AND THE COUNTY OF CAYUGA**

BY: Michael Chapman, Chairman of the Health &amp; Human Services Committee

David Axton, Chairman of the Ways &amp; Means Committee

WHEREAS, Finger Lakes Dog Protection Agency, Inc. has a contract with Cayuga County, which expired December 31, 2011, to provide rabies control and West Nile Virus surveillance services including responding to calls to capture potentially rabid animals or animals potentially affected with the West Nile Virus; euthanizing, preparing, and shipping animals for rabies or West Nile Virus testing; confining stray, biting cats or dogs for observation; and for collecting, preparing, and shipping mosquitoes and other insects for West Nile Virus testing; and

WHEREAS, it is the desire of the Cayuga County Health Department to renew this contract for the period January 1, 2012 through December 31, 2012; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to renew the contract with Finger Lakes Dog Protection Agency, Inc. (2.5% increase over last year's rates) as follows:

- On-call rate from \$25.63/day
- Hourly rate from \$26.14/hr.
- Specimen preparation \$25.63 (except for bird preparation, \$12.80)

- Euthanasia from \$16.65/prep
- Confinement of animals for 10-Day Confinement \$10.24/day
- Mileage will be contingent on the IRS Standard Rate
- 100% reimbursement for costs involved in shipping specimens

and be it further

RESOLVED, that payment for these services be made from A40104 54123, of the 2012 Health Department budget.

Signed by Chapman, Aikman, Bennett, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 13-12**

**(January 24, 2012) HD East Hill STD 2012**

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

BY: Michael Chapman, Chairman of Health & Human Service Committee  
David Axton, Chairman of Ways & Means Committee

WHEREAS, the County's Department of Health is responsible for providing diagnosis and treatment of sexually transmitted diseases (STD's) under Article 23 of the Public Health Law; and

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

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

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to enter into a contract with East Hill Family Medical, Inc. for the provision of diagnosis and treatment of sexually transmitted diseases in the amount of \$34,730 and for HIV testing and counseling (HIV Pre-Testing @ \$12/patient; Post-Testing with Positive Results @ \$12/patient; and Post-Testing with Negative Results @ \$6/patient) for the contract period of January 1, 2012 through December 31, 2012; and be it further

RESOLVED, that payment for these services shall be made from Account #A40104 54126 of the 2012 Health Department's Budget.

Signed by Chapman, Aikman, Bennett, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 14-12****(1/24/12) HHS Aurora of CNY Contract 2012****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE  
DIRECTOR OF HEALTH & HUMAN SERVICES TO EXTEND THE  
CONTRACT WITH AURORA OF CENTRAL NEW YORK, INC.  
FOR 2 MORE YEARS FOR INTERPRETING SERVICES**

BY: Michael Chapman, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

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

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

WHEREAS, there is funding in both the Health Department's 2012 Budget and the Human Services' 2012 budget to provide these services; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services extend the Contract with Aurora of Central New York, Inc. for two more years at the attached rates for the period of January 1, 2012 through December 31, 2013 unless the terms of the contract are amended or changed; and be it further

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

Human Services: Account #A60104 54059

Health Department: Account #A40104 54059

Signed by Chapman, Aikman, Bennett, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 15-12****(January 24, 2012) HS County Attorney Contract 2012****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND  
THE DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW THE  
AGREEMENT WITH THE CAYUGA COUNTY ATTORNEY'S OFFICE  
FOR PROVISION OF LEGAL SERVICES**

BY: Michael Chapman, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Health & Human Services Department and the Cayuga County Attorney's Office entered into a Cooperative Agreement for legal services for multiple years; and

WHEREAS, said Agreement as amended expired December 31, 2011, but pursuant to paragraph C-6 could be extended upon the written consent of both parties hereto; and

WHEREAS, the above referred to Agreement, as amended, is hereby extended so that it is effective for the year 2012 on the same terms as set forth in the agreement; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to renew the Agreement with the Cayuga County Attorney's Office for the period January 1, 2012 through December 31, 2012 and to reimburse the Legal Department for costs associated with DSS work; and be it further

RESOLVED, that payment for these services be paid from Account #A60104 54118, of the 2012 Human Services Budget.

Signed by Chapman, Aikman, Bennett, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 16-12**

**(1/24/12) HS Sheriff's Transportation & Security 2012**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE  
DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW THE  
CONTRACT WITH THE CAYUGA COUNTY SHERIFF'S DEPARTMENT  
TO PROVIDE SECURITY AND TRANSPORTATION SERVICES**

BY: Michael Chapman, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

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

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

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

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

RESOLVED, that payment for these services will be from Account #A60104 54118, of the 2012 Human Services Budget.

Signed by Chapman, Aikman, Bennett, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 17-12**

**(Jan. 24, 2012) HS Cayuga/Seneca Non-Residential DVS2012**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE  
DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW THE  
CONTRACT WITH CAYUGA/SENECA COMMUNITY ACTION AGENCY,  
INC. FOR THE PROVISION OF NON-RESIDENTIAL DOMESTIC  
VIOLENCE SERVICES**

BY: Michael Chapman, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Health & Human Services Department is required to provide non-residential domestic violence services to the people of Cayuga County; and

WHEREAS, Cayuga County Health & Human Services Department has successfully contracted in the past with Cayuga/Seneca Community Action Agency, Inc. for the provision of these services; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to renew the contract with Cayuga/Seneca Community Action, Inc. to provide non-residential domestic violence services for the period 1/1/12 through 12/31/12 at a cost of \$95,000; and be it further

RESOLVED, that payment for these services be from account #A60704 - 54182 of the 2012 Human Services Budget.

Signed by Chapman, Aikman, Bennett, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 18-12**

**(Jan. 24, 2012) HS Cayuga/Seneca Residential DVS 2012**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW THE CONTRACT WITH CAYUGA/SENECA COMMUNITY ACTION AGENCY, INC. FOR THE PROVISION OF RESIDENTIAL DOMESTIC VIOLENCE SERVICES**

BY: Michael Chapman, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Health & Human Services Department is required to provide residential domestic violence services to the people of Cayuga County; and

WHEREAS, Cayuga County Health & Human Services Department has successfully contracted in the past with Cayuga/Seneca Community Action Agency, Inc. for the provision of these services; and

WHEREAS, the NYS Department of Social Services establishes the residential per diem rate; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to renew the contract with Cayuga/Seneca Community Action Agency, Inc. to provide residential domestic violence services for the period 1/1/12 through 12/31/12 at a per diem rate set by the State; and be it further

RESOLVED, that payment of these services be paid from account #A61094 - 54000 of the 2012 Human Services Budget.

Signed by Chapman, Aikman, Bennett, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 19-12**

**(January 24, 2012) HS Huntington Contract 2012**

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

BY: Michael Chapman, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, the Department of Health & Human Services is responsible to appropriately program for children placed in foster care and/or preventive services; and

WHEREAS, Huntington offers a specialized program; and

WHEREAS, the Department of Health & Human Services has successfully contracted with Huntington Family Center, Inc. in the past to provide out patient clinical assessment and services; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to enter into a contract with Huntington Family Center, Inc. for the period of 1/1/12 to 12/31/12 at the following monthly rates:

Assessment .....	\$800
Individual & Family .....	\$525
Individual .....	\$400

and be it further

RESOLVED, that the payment of these services be from account #A61194 - 54000 of the 2012 Human Services Budget.

Signed by Chapman, Aikman, Bennett, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 20-12**

**(January 24, 2012) HS Catholic Charities PCM 2012**

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

BY: Michael Chapman, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

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

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

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

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

WHEREAS, based on the new child welfare funding, preventive services are reimbursed open-ended 62% State reimbursement net of Federal; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health& Human Services be authorized to renew the contract with Catholic Charities for Parenting Case Management Program for the period January 1, 2012 to December 31, 2012 in an amount not to exceed \$48,724; and be it further

RESOLVED, that payment for these services be made from Account #A60704 54184 of the 2012 Human Services' Budget.

Signed by Chapman, Aikman, Bennett, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 21-12****(January 24, 2012) HS Cayuga Counseling 2012****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH CAYUGA COUNSELING SERVICES, INC. FOR THE PROVISION OF PINS ADJUSTMENT SERVICES, PARENT AIDE, JUVENILE SPECIAL SUPERVISION SERVICES, AND AFTERCARE**

BY: Michael Chapman, Chairman of the Health &amp; Human Service Committee

David Axton, Chairman of the Ways &amp; Means Committee

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

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

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to enter into a contract with Cayuga Counseling Services, Inc. to provide the above services for the contract period January 1, 2012 through December 31, 2012 at the following costs:

<u>Services</u>	<u>2012 Rates Per Unit of Service</u>
PINS Adjustment	\$64.63
Parent Aide	\$45.91
Juvenile Special Supervision	\$72.13

RESOLVED, that these services be paid from Account #A60704 54185 of the Human Services Department's 2012 Budget.

Signed by Chapman, Aikman, Bennett, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 22-12****(January 24, 2012) HS Cayuga Centers FPP, ERD, MST, FS 2012****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH CAYUGA CENTERS FOR THE PROVISION OF FAMILY PRESERVATION SERVICES, EARLY RESIDENTIAL DISCHARGE PROGRAM, MULTI-SYSTEMIC THERAPY, AND FAMILY SUPPORT**

BY: Michael Chapman, Chairman of the Health &amp; Human Service Committee

David Axton, Chairman of the Ways &amp; Means Committee

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

WHEREAS, such services are reimbursed by the State at 62% net of Federal; and

WHEREAS, Cayuga Centers (previously know as Cayuga Home for Children) has provided a number of preventive services to families in Cayuga County including Family Preservation Program focusing on high-risk CPC cases, MST therapies, high-risk adolescents, and Early Residential Discharge Program allowing children to come out of costly Residential Care, and Family Support; and



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

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to enter into a contract with Cayuga Centers to provide the above services for the contract period of January 1, 2012 through December 31, 2012 at the following costs:

Services

Family Preservation .....	\$74.68/Unit of Service
Early Residential Discharge .....	Individualized Service Plans
Program (WIT)	at Basic Support Rate \$2,000/Month
	Operational Supports Coaching at \$30/Hour
	Therapy at \$50/Session
	Overnight Respite at \$100/Night
Multi-Systemic Therapy (MST) .....	\$7,500/Month
Family Support .....	\$74.68/Unit of Service

RESOLVED, that these services be paid from Account #A60704 54184 of the Human Services Department's 2012 Budget.

Signed by Chapman, Aikman, Bennett, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 23-12**

**(January 24, 2012) HS Partnership for Results 2012rev**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH PARTNERSHIP FOR RESULTS, INC. FOR THE PROVISION OF PREVENTIVE SERVICES**

BY: Michael Chapman, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

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

WHEREAS, with the new Child Welfare Funding, such preventive service contracts are reimbursed at minimum, 62%; and

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

<u>Services</u>	<u>Contract Amount</u>	<u>Rate per Unit of Service</u>
Intensive Supervision Conditional Discharge Program	\$105,702	N/A
Multi-Dimensional Preventive Services	\$92,345	N/A

NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Partnership for Results, Inc. for the provision of the above listed services for the period of January 1, 2012 to December 31, 2012; and be it further

RESOLVED, that the charges for these services be paid from Account #A60704 54184 of the 2012 Health Department Budget.

Signed by Chapman, Aikman, Mahunik, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 24-12**

**(January 24, 2012) HS Elmcrest Detention Beds 2012**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH ELMCREST CHILDREN'S CENTER FOR NON-SECURE DETENTION SERVICES FOR THE PERIOD OF JANUARY 1, 2012– DECEMBER 31, 2012**

BY: Michael Chapman, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, the Department of Health & Human Services is required to provide detention services for county residents remanded by the courts; and

WHEREAS, it is the desire of the Department to enter into a contract with Elmcrest Children's Center to ensure we have access to local non-secure detention beds; 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 Elmcrest Children's Center to reserve one bed for 15 days per calendar month at a daily rate of \$282.40 (total contract amount of \$50,832) for the period of January 1, 2012 to December 31, 2012. In addition any day in excess of those 15 will be paid at a per diem rate of \$393.95; and be it further

RESOLVED, that payment for these services will be from Account #A61234 54000 of the 2012 Human Services Budget.

Signed by Chapman, Aikman, Bennett, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 25-12**

**(January 24, 2012) HS Cayuga Centers Placement Serv 2012**

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

BY: Michael Chapman, Chairman of the Health & Human Service Committee  
David Axton, 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, Cayuga Centers 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 Cayuga Centers 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 Cayuga Centers for the contract period of 2/1/12 to 1/31/13 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 2012 Human Services Budget.

Signed by Chapman, Aikman, Bennett, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 26-12**

**(January 24, 2012) HS Create/Fill PT Sr. Clerk**

**AUTHORIZING THE COUNTY LEGISLATURE TO CREATE A PT SR. CLERK POSITION IN THE MEDICAL ACCOUNTING UNIT OF HUMAN SERVICES AND ABOLISH ONE FT SR. ACCT. CLERK POSITION IN THAT UNIT; AND AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO FILL THE NEWLY CREATED PT SR. CLERK POSITION**

BY: Michael Chapman, Chairman of the Health & Human Service Committee

David Axton, Chairman of the Ways & Means Committee

WHEREAS, a Senior Account Clerk (position control #002210) in the Medical Accounting Unit of Human Services, retired effective December 31, 2011; and

WHEREAS, the work done by this staff has substantially changed due to the take-over of medical transportation by the State on January 1, 2012; and

WHEREAS, upon review of the duties remaining and upon review of the new position duties statement by the Civil Service Commission, we are requesting to create and fill a PT Senior Clerk in place of the FT Senior Account Clerk; NOW, THEREFORE, BE IT

RESOLVED, that the Cayuga County Legislature create one PT Senior Clerk position, Grade 8, in the Medical Accounting Unit of Human Services, and abolish the FT Senior Account Clerk position, Grade 10, 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 PT Senior Clerk position in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga; and be it further

RESOLVED, that if the State/Federal reimbursement for this position gets withdrawn at the current level, the position will be brought before the County Legislature to be re-evaluated.

Signed by Chapman, Aikman, Bennett, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 27-12****(January 24, 2012) HS Fill Caseworker Child Welfare 2012rev****AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO  
FILL A CASEWORKER VACANCY IN CHILD WELFARE UNIT**

BY: Michael Chapman, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, there is a caseworker vacancy a Grade 17, 35-hour work week position in the Child Welfare Unit of Human Services (position control #002145) due to a resignation effective January 6, 2012; and

WHEREAS, this work is mandated by the State and reimbursed at minimum 75% state and federal; and

WHEREAS, this is a funded position in the Human Services Department's 2012 budget; NOW, THEREFORE BE IT

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the vacated Caseworker position in the Child Welfare Unit, in accordance with Civil Services Rules and Regulations and the policies of the C

RESOLVED, that the Treasurer be hereby authorized to make any adjustments necessary to the budget to accomplish the intent of the resolution.

Signed by Chapman, Aikman, Mahunik, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 28-12****(January 24, 2012) HS Create/Fill HSE PArev****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 IN PUBLIC ASSISTANCE  
AND ABOLISH A TYPIST POSITION IN PA**

BY: Michael Chapman, Chairman of the Health & Human Services Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, resolution #423-11 (October 25, 2011) allowed for the creation and filling of a Human Services Examiner (HSE) in the Day Care Unit of the Human Services Department; and

WHEREAS, the HSE (position control #007263) was filled by promotion of a typist (position control #002193) on December 2, 2011, and the typist position must be unencumbered until the HSE successfully completes her probationary period (June 6, 2012); and

WHEREAS, a New Position Duties Statement was reviewed by the Civil Service Commission and the position was classified as a Human Service Examiner; NOW, THEREFORE, BE IT

RESOLVED, that the Cayuga County Legislature create one Human Services Examiner position, Grade 10, in the Public Assistance Unit of Human Services, and the Director of the Health & Human Services be authorized and directed to fill the newly

created Human Services Examiner position which is 62% federally funded with additional funding from the budgeted typist position for a 35-hour work week in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga; and be it further

RESOLVED, that if the reimbursement for this position gets withdrawn at the current level, the position will be brought before the County Legislature to be re-evaluated; and be it further

RESOLVED, that if the HSE (position control #00723) successfully completes her probationary period, the typist position (control #002193) will be abolished on June 7, 2012, or if the HSE does not successfully complete her probationary period, the HSE position will be abolished and the incumbent will fall back in her typist position; and be it further

RESOLVED, that the Treasurer be hereby authorized to make any adjustments necessary to the budget to accomplish the intent of this resolution.

Signed by Chapman, Aikman, Mahunik, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 29-12**

**Action 1/24/11 MH FillSSWJan2012promo**

**AUTHORIZE THE FILLING OF A VACANT STAFF SOCIAL WORKER (CMH) POSITION AT THE COMMUNITY MENTAL HEALTH CENTER DUE TO A PROMOTION**

By: Hon. Michael Chapman, Chair Health and Human Services Committee, and Hon. David Axton, 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 promotion from position control number 4289; and

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

WHEREAS, the position (4289) is reflected in the 2012 County Budget, line A43101-51001, as a 100% funded position through state aid and revenues generated by that individual; and

WHEREAS, the position must be encumbered until the incumbent has successfully completed the probationary period in their new position; 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; and be it further

RESOLVED, that position number 4289 remain filled on a contingent permanent basis until such time the incumbent successfully completes the probationary period of the new appointment at which time position number 4289 will become a permanent appointment.

Signed by Chapman, Aikman, Bennett, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 30-12****Action 1/24/11 MH FillSSWJan2012****AUTHORIZE THE FILLING OF A VACANT STAFF SOCIAL WORKER (CMH) POSITION AT THE COMMUNITY MENTAL HEALTH CENTER DUE TO A RETIREMENT**

By: Hon. Michael Chapman, Chair Health and Human Services Committee, and  
Hon. David Axton, 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 retirement from position control number 5148; and

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

WHEREAS, the position (5148) is reflected in the 2012 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 Chapman, Aikman, Bennett, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 31-12****1/24/12 MH UpstatePhyAsstAgreement2012****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 FOR PHYSICIAN ASSISTANT STUDENT PLACEMENT**

BY: Mr. Michael Chapman, Chair, Health and Human Services Committee, and  
Mr. David Axton, 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 Health Professions, Program in Physician Assistant Studies 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 Chapman, Aikman, Bennett, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 32-12**

**1/24/12 NH Agencycontracts**

**AUTHORIZING CHAIRMAN OF THE LEGISLATURE AND ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ENTER INTO AGREEMENTS WITH SIBLEY NURSING PERSONNEL, NURSEFINDERS AND NURSECORE TO PROVIDE TEMPORARY NURSING STAFFING FOR JANUARY 1, 2012 UNTIL DECEMBER 31, 2012.**

BY: Hon. Michael Chapman, Chairman, Health and Human Services Committee

BY: Hon. David Axton, Chairman, Ways and Means Committee

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

WHEREAS, Cayuga County Nursing Home occasionally needs to utilize temporary nursing staff; and,

WHEREAS, Sibley Nursing Services, Nursefinders and Nursecore provide temporary nursing staff to skilled nursing facilities throughout New York State, including Cayuga County Nursing Home, to allow compliance with New York State Department of Health regulations; and,

WHEREAS, Sibley Nursing Services, Nursefinders and Nursecore will be paid for services to Cayuga County Nursing Home through individual corporate fee schedule as follows:

Nursefinders: RN at \$49./hr; LPN at \$ 33. /hr and CNA at \$22.50/hr

Sibley Nursing Services: RN at \$42.25/hr; LPN at 32.45/hr and CNA at \$19.50/hr

Nursecore: RN at 42.95/hr; LPN at 32.95/hr; and CNA at \$19.95/hr;

Now therefore be it:

RESOLVED that Chairman of the Legislature and Administrator of Cayuga County Nursing Home be authorized to sign agreements with Sibley Nursing Services, Nursefinders and Nursecore to provide temporary nursing staffing at Cayuga County Nursing Home for the period January 1, 2012 through December 31, 2012.

Signed by Chapman, Aikman, Bennett, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 33-12**

**January 24, 2012 NH billing**

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

BY: Michael Chapman , Chairman, Health and Human Services

David Axton, Chairman. Ways and Means

WHEREAS, the Cayuga County Nursing Home has to bill Medicare for those residents with coverage for a skilled stay in the facility, and

WHEREAS, the technical requirements for accurate billing are such that outsourcing this function to a firm specializing in billing is advantageous; and

WHEREAS, proposals were requested from firms known to do such work; and

WHEREAS, the proposals were received as follows:

Ancillary Billing Services for \$ 700 per month based on a potential for up to 70 claims;

Alternative Solutions Group for \$ 2,875 per month based on up to 70 claims; and

The Lancaster Group for \$ 3,500 per month based on up to 70 claims; and

WHEREAS, the proposal from Ancillary Billing Services provides the service at least cost; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature and Administrator of the Cayuga County Nursing Home are authorized to enter into an agreement with Ancillary Billing Services for \$ 700. (Seven hundred dollars) per month for 1 year; and be it further

RESOLVED, that funds be allocated from the budget account titled Computer Support E45004 54019.

Signed by Chapman, Aikman, Bennett, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 34-12**

**1/24/12 NHmoacsearev**

**AUTHORIZATION FOR THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN A MEMORANDUM OF AGREEMENT WITH CSEA FOR LPN'S AT THE CAYUGA COUNTY NURSING HOME.**

BY: David Axton, Chairman, Ways and Means Committee

BY: Michael Chapman, Chairman, Health and Human Services Committee

WHEREAS, the nursing home utilizes Licensed Practical Nurses to cover during time periods when a Registered Nurse is not available; and

WHEREAS, the collective bargaining agreement recognizes those LPN's for supervisory duties but not unit charge responsibilities; and

WHEREAS, an agreement has been presented and accepted by CSEA, copy attached; Now be it therefore

RESOLVED, that the Chairman of the Cayuga County Legislature be authorized to sign the agreement that recognizes an LPN serving as charge nurse for a unit be compensated at a rate of \$1.35 per hour in addition to regular wages and at a rate of \$2.00 per hour if acting as facility supervisor; and be it further

RESOLVED, that the County Comp plan be amended accordingly.

Signed by Chapman, Aikman, Bennett, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 35-12**

**1-24-12 CC DMVSRCASHIERFTrev**

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

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

Hon. David Axton, Chairperson, Ways and Means Committee

WHEREAS, there is Senior DMV Cashier position vacancy in the Motor Vehicle Bureau and that this full time position provides essential services to the Motor Vehicle Department and to the County; and

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

WHEREAS, the funding for this Full Time Senior DMV Cashier position # 1839 has been appropriated in the 2012 Department of Motor Vehicle (A14111-51001) salary account in the amount of \$ 36,107; now therefore be it



RESOLVED, that Cayuga County Clerk Susan Dwyer be authorized to fill the position of full Time Motor Vehicle Senior Cashier, with a full time position with fringe benefits pursuant to the Cayuga County Compensation Plan, Part I- CSEA Bargaining in the title Senior Motor Vehicle Cashier and to backfill any positions that may result from promotions; and be it further

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

Signed by Fearon, Aikman, Bennett, Didio, Farrell, Lattimore, Pecher, Axton, Barski, Chapman, Pinckney, Runkle and Whitman, all in favor.

**RESOLUTION NO. 36-12**

**1-24-12 CC SR CLERK**

**AUTHORIZATION TO CREATE AND FILL THE POSITION OF SENIOR CLERK IN THE COUNTY CLERKS OFFICE**

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

Hon. David Axton, Chairperson, Ways and Means Committee

WHEREAS, the County Clerk has employed an Account Clerk, Grade 5 (Position #1839) and the incumbent has retired; and

WHEREAS, the Civil Service Commission has classified a Senior Clerk position(35 hours per week) to accomplish the increased responsibilities on the Recording Office, for recording and maintaining records in an electronic and digitized format; and

WHEREAS, the funding has been appropriated in the 2012 County Clerks Budget to cover the salary of an Account Clerk, Grade 5 for a full year, which will cover the Senior Clerk position for the balance of 2012; therefore be it

RESOLVED, that the Senior Clerk position be hereby created and that the vacant position of Account Clerk be abolished effective this date; and be it further

RESOLVED, that the County Clerk be authorized to fill the position of Senior Clerk, Grade 8, effective this date, in accordance with the Cayuga County Compensation Plan, Part I-CSEA Bargaining with fringe benefits; and be it further

RESOLVED, that this full time Senior Clerk position be filled in accordance with the Civil Service Rules and Regulations and the policies of the County of Cayuga, and be it further

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

Signed by Fearon, Aikman, Bennett, Didio, Farrell, Lattimore, Pecher, Axton, Barski, Chapman, Pinckney, Runkle and Whitman, all in favor.

**RESOLUTION NO. 37-12**

**(JANUARY 24, 2012) ADM WLADISGRANTWRITING2012 C WRITING AUTHORIZING THE CHAIR OF THE CAYUGA COUNTY LEGISLATURE TO SIGN A GRANT WRITING AGREEMENT WITH WLADIS LAW FIRM**

BY: George Fearon, Chairman of the Government Operations Committee

David Axton, Chairman of the Ways and Means Committee

WHEREAS, Cayuga County continuously pursues State and Federal grants and other funding opportunities, in order to maximize the funds available for County operations in order to reduce the reliance on property taxes ; and

WHEREAS, the funding opportunities are typically awarded on a competitive basis upon the completion of grant applications; and

WHEREAS, the Wladis Law Firm has vast experience in applying for these grants and has been awarded grants on behalf of several municipalities; and

WHEREAS, this level of experience is invaluable in the competitive environment where fewer State and Federal funds are now available to be awarded to recipients, NOW THEREFORE BE IT;

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized to enter into a professional services agreement with Wladis Law Firm for grant writing for the period of 1/1 2012 thru 6/30/2012 at a cost of \$8,000 per month, plus mileage and related costs; and be it further

RESOLVED, that the funds for this contract have been budgeted for in the 2012 budget in account A10104 54059; and be it further

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

Signed by Aikman, Bennett, Didio, Farrell, Lattimore, Axton, Barski, Chapman, Pinckney, Runkle and Whitman, all in favor, Except Fearon, Bennett and Pecher voting No.

### **RESOLUTION NO. 38-12**

#### **1-24-12 PB VEHICLE/OLWMC**

#### **AUTHORIZING CAYUGA COUNTY TO DECLARE SURPLUS AND TRANSFER VEHICLE TO THE CAYUGA COUNTY SOIL AND WATER CONSERVATION DISTRICT FOR USE IN THE OWASCO LAKE WATERSHED INSPECTION PROGRAM**

WHEREAS, the Cayuga County Sheriff's Office turned in for auction a 1999 Ford Expedition, VIN# 1FMPU18L3WLB31160; and

WHEREAS, the Owasco Lake Watershed Inspection Program overseen by the Owasco Lake Watershed Management Council is in need of a vehicle; and

WHEREAS, the Owasco Lake Watershed Management Council would like to acquire a vehicle for the Owasco Lake Watershed Inspection Program; and

WHEREAS, the Cayuga County Legislative Judicial and Public Safety Committee voted on removing this 1999 Ford Expedition from the auction list; and

WHEREAS, the vehicle needs repairs and the Owasco Lake Watershed Management Council is willing to pay for needed repairs; and

WHEREAS, the Cayuga County Soil and Water Conservation District will register and insure the vehicle on behalf of the Owasco Lake Watershed Inspection Program; therefore be it

RESOLVED, that the 1999 Ford Expedition VIN# 1FMPU18L3WLB31160 scheduled to be turned in for auction shall be removed from the auction list; and be it further

RESOLVED, Cayuga County declares this vehicle surplus and transfers ownership to the Cayuga County Soil and Water Conservation District to register and insure it on behalf of the Owasco Lake Watershed Management Council's Owasco Lake Watershed Inspection Program; and be it further

RESOLVED, the Owasco Lake Watershed Management Council will pay for needed repairs on the vehicle; and be it further

RESOLVED, that the vehicle will be surrendered to the Clerk of the Cayuga County Legislature for sale or transfer once it is no longer used for the Owasco Lake Watershed Inspection Program.

Signed by Barski, Aikman, Chapman, Farrell, Fearon, Mahunik, Axton, Runkle and Whitman, all in favor.

**RESOLUTION NO. 39-12**

**1/24/2012 PB plannervacancyrev**

**AUTHORIZATION TO FUND AND FILL THE POSITION  
OF PLANNER DUE TO A RESIGNATION OF A PLANNER**

By: Stephen Barski, Chairman, Planning & Economic Development  
David Axton, Chairman, Ways and Means Committee

WHEREAS, the position of Planner (position control #2359) within the Planning and Economic Development Department will become vacant due to the resignation of the current employee (effective January 27, 2012); and

WHEREAS, the position provides essential services for the department and is necessary for the efficient operation of the Planning and Economic Development Department; and

WHEREAS, the position is 37 ½ hours per week; and

WHEREAS, sufficient funding exists in the 2012 Planning and Economic Development Department's Budget to support this position; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Planning be hereby authorized to fill the fully funded position of Planner (2359) at 2011 CSEA Grade 23, Probationary Step at an annual salary of \$46,719.00; and be it further

RESOLVED, that the appointment be in accordance to Civil Service Rules and Regulations, CSEA Contract Language, and the Policies of the County of Cayuga.

Signed by Barski, Aikman, Chapman, Farrell, Fearon, Lattimore, Mahunik, Axton, Runkle and Whitman, all in favor.

**RESOLUTION NO. 40-12**

**1/24/12 PT Property Transfer Brutus SW Trailrev3 1 12**

**AUTHORIZING THE COUNTY TO TRANSFER OWNERSHIP OF  
A PORTION OF THE COUNTY TRAIL SYSTEM PARCEL NO. 77.00-2-48.1  
PART OF WHICH IS COMMONLY REFERRED TO AS THE "SOUTHWEST  
TRAIL" TO THE TOWN OF BRUTUS AND AUTHORIZING THE  
CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE  
TO EXECUTE THE NECESSARY DOCUMENTS**

By: Mr. Tucker Whitman Chairman, Public Works

WHEREAS, the Cayuga County Parks and Trails Department oversees the county trail system including over 30 miles of trails; and

WHEREAS, one 52.5 acre section of the county trail Parcel No. 77.00-2-48.1 being 3.5 miles in length (from East Brutus Street near the high school to the county line near Pump Road) part of which is commonly known as the "Southwest Trail" and is located in the Town of Brutus; and

WHEREAS, the Town of Brutus sent a letter to the Cayuga County Parks Commission asking that the County consider turning this parcel over to the Town; and

WHEREAS, this 3.5 mile long parcel is in the Town of Brutus connects with six other county owned parcels measuring 5.5 mile long including 86.41 acres in Onondaga County; and

WHEREAS, The Town of Brutus has been assisting with the maintenance of the section of this parcel used as a trail; and

WHEREAS, the Town agrees to keep the trail open to all current recreational uses including snowmobiling in the winter months; and

WHEREAS, the New York State Office of Parks, Recreation and Historic preservation neither supports or opposes the change; and

WHEREAS, the local legislator, the Parks Commission, and the Planning Department supports the transfer as long as the county retains a utility easement; now, therefore, be it

RESOLVED, that Cayuga County is hereby authorized and directed to transfer a parcel of land while retaining a utility easement, tax map number 77.00-2-48.1, which parcel is located in the Town of Brutus, consisting of approximately 52.5 acres of land to the Town of Brutus pursuant to section General Municipal Law 72-h and County Law section 215; and be it further

RESOLVED, that the transfer is subject to the Town of Brutus maintaining sections the parcel as parkland with any and all members of the public being permitted access to the parcel; and be it further

RESOLVED, that portions of the parcel will continue to be used for park purposes and the parkland use shall not be diverted to non-park use; and be it further

RESOLVED, if the Town of Brutus desires or undertakes to alienate the parcel as to a non- park purpose or desires or undertakes to restrict access to the parcel to members of the public that, in that event, the parcel shall revert to the County of Cayuga; 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 implement this resolution.

Signed by Whitman, Axton, Didio, Mahunik, Pinckney and Runkle, all in favor.

### **RESOLUTION NO. 41-12**

**1/24/12 PT Property Transfer Brutus RR Bedrev 3**

**AUTHORIZING THE COUNTY TO TRANSFER OWNERSHIP OF AN ABANDONED RAILROAD BED APPROXIMATELY 1.8 MILES IN LENGTH CONTAINING 18.23 ACRES PARCEL TAX ID NO 77.00-2-54 BETWEEN ROUTE 31 NEAR CLINTON ROAD AND A SPOT BETWEEN BONTA BRIDGE ROAD AND PUMP ROAD TO THE TOWN OF BRUTUS AND AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO EXECUTE NECESSARY DOCUMENTS.**

By: Tucker Whitman, Chairman, Public Works

WHEREAS, the Cayuga County Parks and Trails Department oversees the county trail system including over 30 miles of trails; and

WHEREAS, one 18.23 acre section of the abandoned railroad bed approximately 1.8 miles in length belonging to Cayuga County known as Parcel # 77.00-2-54 between Route 31 near Clinton Road (west) and a spot between Bonta Bridge Road and Pump Road (east) located in the Town of Brutus; and

WHEREAS, The Town of Brutus has requested that the County consider turning this parcel over to the Town; and

WHEREAS, it is an isolated parcel in the Town of Brutus; and

WHEREAS, The Town of Brutus has been assisting with the maintenance of some sections of this railroad bed; and

WHEREAS, the Town agrees to keep the same sections of railroad bed open to all current recreational uses; and

WHEREAS, the New York State Office of Parks, Recreation and Historic preservation neither supports nor is opposed to the change; and

WHEREAS, the local legislator, the Parks Commission and the Planning Department supports the transfer as long as the county maintains a utility easement; now, therefore, be it

RESOLVED, that Cayuga County is hereby authorized and directed to transfer a parcel of land while retaining a utility easement, tax map number 77.00-2-54, which parcel is located in the Town of Brutus, consisting of approximately 18.23 acres of land to the Town of Brutus pursuant to section General Municipal Law 72-h and County Law section 215; and be it further

RESOLVED, that the transfer is subject to the Town of Brutus maintaining sections of the parcel as parkland with any and all members of the public being permitted access to the parcel; and be it further

RESOLVED, that sections of the parcel will continue to be used for park purposes and the parkland use shall not be diverted to non-park use; and be it further

RESOLVED, if the Town of Brutus desires or undertakes to alienate the parcel as to a non- park purpose or desires or undertakes to restrict access to the parcel to members of the public that, in that event, the parcel shall revert to the County of Cayuga; 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 implement this resolution.

Signed by Whitman, Axton, Didio, Mahunik, Pinckney and Runkle, all in favor.

**RESOLUTION NO. 42-12**

**1/24/2012 BLD Establishing Capital Reserve Fund rev2**

**ESTABLISHING A CAPITAL RESERVE FUND FOR**

**GENERAL IMPROVEMENT OF COUNTY OWNED BUILDINGS**

BY: Hon. Tucker M. Whitman, Chairman, Public Works Committee, and  
Hon. David R. Axton, Chairman, Ways & Means Committee.

WHEREAS, The General Municipal Law Section 6-c permits the County of Cayuga to establishment of Capital Reserve Funds, is to accumulate moneys to finance the improvement, construction or reconstruction of County owned buildings; and

WHEREAS, the Buildings Department did not expend all of the monies appropriated to the Department in the 2011 budget; Now therefore be it

RESOLVED, that pursuant to Section 6-c of the General Municipal Law there is hereby established a capital reserve fund in the amount of \$103,000.00 to be known as the "Buildings Reserve fund" (hereinafter "Reserve Fund"); and be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to establish a capital reserve fund to be known as the "Buildings Reserve fund" (hereinafter "Reserve Fund"), the source of funding to be the unappropriated and unrestricted fund balance.; and be it further

RESOLVED, Except as otherwise provided by law, expenditures from this Reserve fund shall be made only for the purpose for which the reserve Fund is established and no expenditure shall be made from this Reserve Fund without the approval of Cayuga County Legislature and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law or any other law.

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 Whitman, Axton, Didio, Mahunik, Pinckney, Runkle, Barski, Chapman and Fearon, all in favor.

**RESOLUTION NO. 43-12**

**1/24/2012 BLD Establishing Equipment Reserve Fund rev2  
ESTABLISHING A RESERVE FUND FOR THE ACQUISITION OF  
EQUIPMENT TO MAINTAIN COUNTY OWNED  
BUILDINGS AND GROUNDS**

BY: Hon. Tucker M. Whitman, Chairman, Public Works Committee, and  
Hon. David R. Axton, Chairman, Ways & Means Committee.

WHEREAS, The General Municipal Law allows the establishment of Reserve Fund, to be known as the "Equipment Reserve fund" for the purpose of accumulating moneys to finance the cost of equipment; and

WHEREAS, the Buildings Department did not expend all of the monies appropriated to the Department in the 2011 budget; Now therefore be it

RESOLVED, that pursuant to Section 6-c of the General Municipal Law there is hereby established a reserve fund. to be known as the "Equipment Reserve fund" for the purpose of accumulating moneys to finance the cost of equipment; and be it further

RESOLVED, that the Treasurer is here by directed to transfer the sum of \$15,000.00 to the reserve fund from the unexpended and unappropriated fund; and be it further

RESOLVED, Except as otherwise provided by law, expenditures from this Reserve fund shall be made only for the purpose for which the reserve Fund is established and no expenditure shall be made from this Equipment Reserve fund without the approval of Cayuga County Legislature and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law or any other law.

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 Whitman, Axton, Didio, Mahunik, Pinckney, Runkle, Barski, Chapman and Fearon, all in favor.

**RESOLUTION NO. 44-12**

**1/24/2012 BLD HPO Masonry change order M-8 rev1  
AUTHORIZATION OF CHANGE ORDER M-8 FOR HISTORIC POST  
OFFICE MASONRY PROJECT AND CLOSE OUT THE MASONRY  
PORTION OF THE CAPITAL H 09-02.**

BY: Hon. Tucker M. Whitman, Chairman, Public Works Committee, and  
Hon. David R. Axton, Chairman, Ways & Means Committee.

WHEREAS, resolution 411-09 set up capital "H" project 09-02 for the Historic Post Office windows, roof and walls projects and resolution 493-10 designated where the funding would come from and awarding masonry bid, and

WHEREAS, with projects there are change orders for the betterment of the project; and

WHEREAS, the following attached change order M-8, for re-pointing in court yard area 2<sup>nd</sup> floor \$2,000.00, does not increase the total of the contract plus contingency amount, Now therefore be it

RESOLVED, that the Cayuga County Legislature authorize the Superintendent of Buildings and Grounds to sign change order M-8 and close out the Masonry portion of Capital "H" 09-02 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 Whitman, Axton, Didio, Mahunik, Pecher, Pinckney, Runkle, Barski, Chapman and Fearon, all in favor.

**RESOLUTION NO. 45-12**

**January 24, 2012 hwyWeedsignagree**

**AUTHORIZE CHAIRMAN OF LEGISLATURE TO SIGN AN  
INTERMUNICIPAL AGREEMENT WITH THE VILLAGE OF WEEDSPORT**

BY: Tucker Whitman, Public Works Committee

David Axton, Chairman Ways and Means Committee

WHEREAS, the Cayuga County Highway Department and the Village of Weedsport desire to work together through a Municipal Cooperation Agreement; and

WHEREAS, this Inter-municipal Agreement would allow the Village of Weedsport Highway Department and the Cayuga County Highway Department to lend, borrow or exchange materials and supplies; and

WHEREAS, an Agreement will be reviewed by the County Attorney before the Chairman of the Legislature signs; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized to sign an Inter-municipal Agreement with the Village of Weedsport.

Signed by Whitman, Axton, Didio, Mahunik, Pecher, Pinckney, Runkle, Barski, Chapman and Fearon, all in favor.

**RESOLUTION NO. 46-12****Date: January 24, 2012 HWYfillwelder****AUTHORIZATION FOR SUPERINTENDENT OF HIGHWAYS TO FILL  
A WELDER POSITION WITHIN THE HIGHWAY DEPARTMENT**

BY: Tucker Whitman, Public Works Committee

David Axton, Chairman, Ways &amp; Means Committee

WHEREAS, a Welder position was vacated on 12/19/11 due to promotion; and

WHEREAS, this Welder position is critical to the operation of the highway department's operations; and

WHEREAS, this position (Position Control #002420) 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 Whitman, Axton, Didio, Mahunik, Pecher, Pinckney, Runkle, Barski, Chapman and Fearon, all in favor.

**RESOLUTION NO. 47-12****Date: January 24, 2012 HWY 3TAttrkspurch****AUTHORIZATION FOR THE HIGHWAY SUPERINTENDENT TO REPLACE  
3 TANDEM AXLE TRUCKS USING STATE CONTRACT PRICING**

BY: Tucker Whitman, Chairman, Public Works Committee

David Axton, Chairman, Ways and Means Committee

WHEREAS, in the 2012 Highway Department budget, funds were budgeted in account DM51302 52002 for the replacement of three (3) 2000 IH 10 wheel dump trucks; and

WHEREAS, the County can purchase these trucks at \$109,783 each for a total cost of \$329,349 from State bid contract PC62176 thereby eliminating the need and cost of bidding; and

WHEREAS, these trucks are a necessary and critical component of the Highway Department for snow removal and paving operations; now therefore be it

RESOLVED, the Highway Superintendent is authorized to purchase three (3) tandem axle trucks from the State bid utilizing the appropriated and budgeted funds in account DM51302 52002; and be it further

RESOLVED, that the total cost of the these trucks is not to exceed \$329,349; and be it further;

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

Signed by Whitman, Axton, Didio, Mahunik, Pecher, Pinckney, Runkle, Barski, Chapman and Fearon, all in favor.



**RESOLUTION NO. 48-12**

**January 24, 2012 hwybidext2012REV2**

**RESOLUTION TO EXTEND CERTAIN 2011 BID ITEMS**

By: Tucker Whitman , Chairman Public Works Committee

Dave Axton, Chairman Ways and Means Committee

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

WHEREAS, these items were bid in 2011; and

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

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

RESOLVED, to approve the extension of the following 2011 bids for Highway Equipment and Materials:

Sign Materials

Fuel

Concrete

Equipment Rentals

Liquid Bituminous Materials

Base Stabilization

and be it further

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

Signed by Whitman, Axton, Didio, Mahunik, Pecher, Pinckney, Runkle, Barski, Chapman and Fearon, all in favor.

**RESOLUTION NO. 49-12**

**January 24, 2012 HWY bidauth2012**

**AUTHORIZING THE COUNTY ADMINISTRATOR'S OFFICE AND THE COUNTY HIGHWAY SUPERINTENDENT TO ADVERTISE AND RECEIVE SEALED BIDS FOR THE PURCHASE OF MACHINERY, MATERIALS, TOOLS, EQUIPMENT, FUEL AND EQUIPMENT RENTALS.**

By: Tucker Whitman, Chairman Public Works Committee

David Axton, Chairman Way and Means Committee

WHEREAS, certain supplies will have to be purchased during 2012 for the County Highway Department; and

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

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

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

RESOLVED, that the Clerk of the Legislature and County Highway Superintendent, be and is hereby authorized and directed, as specified in Section 133 of the Highway Law and Section 103 of the Municipal Law, to advertise and receive sealed bids for machinery, tools, equipment, implements, materials and supplies not limited to the following items:

Guide Rail Materials, Sign Materials, Pavement Markings, Road Base Stabilization, Sign Faces & Blanks, Striping, Hot in Place Pavement Recycling, Pipe and Pipe Arch, Liquid Calcium, Transit Concrete Mix, Stone, Sand, Liquid Asphalt, Bituminous Concrete, Gasoline, Diesel Fuel, and Equipment Rental

Signed by Whitman, Axton, Didio, Mahunik, Pecher, Pinckney, Runkle, Barski, Chapman and Fearon, all in favor.

**RESOLUTION NO. 50-12**

**1-24-12 911 capth10-03chnqorder**

**AUTHORIZING PAYMENT OF CHANGE ORDERS 1, 5, 6, 13, 15, AND 16,  
FOR THE CAYUGA COUNTY EMERGENCY  
COMMUNICATIONS PROJECT**

BY: Hon. Paul Pinckney, Chair Judicial & Public Safety

Hon. David Axton, Chair Ways & Means Committee

WHEREAS, resolution 318-10 set up Capital "H" No. 10-03, (CAYUGA COUNTY EMERGENCY COMMUNICATIONS PROJECT); and

WHEREAS, with projects there are change orders for the betterment of the project; and

WHEREAS, Midstate Communications & Electronics, Inc. submitted six (6) change orders for the Radio Communications Project in the aggregate amount of \$66,972.00 (see attachments); now therefore be it

RESOLVED, that the Cayuga County Chairman sign change order 1, 5, 6, 13, 15, and 16, for CAYUGA COUNTY EMERGENCY COMMUNICATIONS PROJECT; and be it further

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

Signed by Pinckney, Axton, Barski, Bennett, Didio, Whitman, Chapman, Fearon and Runkle, all in favor.

**RESOLUTION NO. 51-12**

**1/24/12 SHR AwardSnowmobileTrailerREV**

**AWARDING THE BID TO BIBBENS SALES AND SERVICE FOR THE  
PURCHASE OF A 2012 TRITON SNOWMOBILE TRAILER BY  
THE CAYUGA COUNTY SHERIFF'S OFFICE**

BY: HON. MR. PAUL PINKNEY, Chairman, Public Safety Committee, and

HON. MR DAVID AXTON, Chairman, Ways & Means Committee.

WHEREAS, Resolution No. 202-11 authorized the Cayuga County Sheriff's Office to accept grant monies awarded by the New York State Division of Homeland Security and Emergency Services under the 2010 Operation Stonegarden Grant to be used to-

wards the purchase of approved equipment and reimbursement to the County for overtime and fringe benefits on overtime expended on operational details with the United States Border Patrol; and

WHEREAS, the Cayuga County Sheriff's Office utilizes snowmobiles to facilitate law enforcement partnerships and enhance border enforcement capabilities in its efforts to address border security issues; and

WHEREAS, the Cayuga County Sheriff's Office requires a snowmobile trailer to transport its snowmobiles to the areas of Cayuga County where illegal activity is likely and said purchase is approved to be made by the grant monies awarded by the NYS Division of Homeland Security and Emergency Services; and

WHEREAS, the Cayuga County Sheriff's Office sought bids for said trailer and received the following:

<i>Contractor Name</i>	<i>City/State</i>	<i>Trailer Amount</i>
Bibbens Sales and Service	Weedsport, NY	\$12,214.96 (2012 Triton)
Ingles Performance	Phoenix, NY	\$21,719.75 (2012 Featherlite)
Anthony Tauro	Auburn, NY	\$12,417.95 (2012 Blizzard); and

WHEREAS, Bibbens Sales and Service is the lowest responsible bidder with the amount of \$12,214.96; and

WHEREAS, the purchase of this snowmobile trailer will be made from the Sheriff's Grant Expenditure Account A31134 54561; now therefore be it

RESOLVED, that the Cayuga County Legislature award the purchase to Bibbens Sales and Service for a 2012 Triton in the amount of \$12,214.96; and further be it

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

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 Pinckney, Axton, Barski, Bennett, Didio, Whitman, Chapman, Fearon and Runkle, all in favor.

**RESOLUTION NO. 52-12**

**1/24/12 SHR Purchase 2012 Chevy Tahoe.rev**

**AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO PURCHASE A 2012 CHEVROLET TAHOE TO REPLACE AN EXISTING 2007 DODGE DURANGO THAT IS IN NEED OF NUMEROUS MECHANICAL REPAIRS AND HAS ACCUMULATED HIGH MILEAGE.**

BY: Mr. Paul Pinckney, Chair, Judicial and Public Safety Committee, and Mr. David Axton, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Office, Custody Division, presently has a 2007 Dodge Durango, VIN 1D8HB38N07F8475, that is used to transport inmates for court appearances, medical appointments and other various engagements that may arise, that is in need of numerous mechanical repairs and has accumulated mileage exceeding 79,000; and

WHEREAS, Hoselton Automall, Rochester, New York, pursuant to NYS Contract No. PC64892, can provide a new 2012 Chevrolet Tahoe for a cost not to exceed \$31,000.00, which price includes detailing and outfitting of necessary radio equipment; and

WHEREAS, there are sufficient funds in the Sheriff's 2012 Custody Equipment Budget Line A31502 52100 to purchase a new vehicle; and

WHEREAS, the existing 2007 Dodge Durango, VIN 1D8HB38N07F8475, will be delivered to the Clerk of the Cayuga County Legislature for disposal upon the delivery of the new 2012 Chevrolet Tahoe; and now therefore be it

RESOLVED, that the Cayuga County Sheriff is authorized to purchase a 2012 Chevrolet Tahoe from Hoselton Automall, Rochester, New York, for a cost not to exceed \$31,000.00, which price includes detailing and outfitting of necessary radio equipment; and it is further

RESOLVED, that upon the delivery of the new 2012 Chevrolet Tahoe, the 2007 Dodge Durango will be delivered to the Clerk of the Cayuga County Legislature for disposal; and further be it

RESOLVED, that the purchase of the new vehicle will be made in accordance with the existing purchasing policies of Cayuga County.

Signed by Pinckney, Axton, Barski, Bennett, Didio, Whitman, Chapman, Fearon and Runkle, all in favor.

**RESOLUTION NO. 53-12**

**Action Date 1/24/12 911 bidawardrev2**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY  
LEGISLATURE TO SIGN A CONTRACT FOR THE PHASE 2  
CONSTRUCTION OF THE NEW EMERGENCY  
COMMUNICATIONS SYSTEM**

BY: Paul Pinckney, Chairperson, Judicial & Public Safety Committee

David Axton, Chairperson, Ways & Means Committee

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

WHEREAS, Cayuga County has released bids for Phase 2 of the project; and

WHEREAS, the bid opening is January 10, 2012; and

WHEREAS, Cayuga County will award the contract to the lowest responsible bidder; and

WHEREAS, the responses to the bid may be found on the bid tab sheet annexed hereto and made a part hereof; and

WHEREAS, there is money in the Capital "H" Project No. 10-03, Emergency Communications Project, for this purpose; now therefore be it

RESOLVED, that the bid for Phase 2 of the project be awarded to Kaplan-Schmidt Electric, Inc.; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature be authorized and directed to sign a contract for the Phase 2 construction of the new Emergency Communications Project; and be it further

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

Signed by Pinckney, Axton, Barski, Bennett, Didio, Whitman, Chapman, Fearon and Runkle, all in favor.

**RESOLUTION NO. 54-12**

**1/24/12 SHR CPS Incentive Grant**

**AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO ACCEPT GRANT MONIES FROM THE NEW YORK STATE CHILD PASSENGER SAFETY (CPS) GRANT PROGRAM AND THE TREASURER'S DEPARTMENT TO AMEND THE 2012 LAW ENFORCEMENT BUDGET**

BY: Mr. Paul Pinckney, Chair, Judicial and Public Safety Committee, and Mr. David Axton, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Office applied for and was awarded a \$5,000.00 Child Passenger Safety Grant from the National Highway Traffic Safety Administration through the New York State Governor's Traffic Safety Committee; and

WHEREAS, all expense has been approved through the Grant which is 100% funded; NOW therefore be it

RESOLVED, that the 2012 Cayuga County Sheriff's Law Enforcement Operating Budget be amended to allow the following changes: An increase of \$5,000.00 in the Revenue Line A31100 A44390 Traffic Enforcement and an increase of \$5,000.00 in the Expenditure Account A31100 A54244 Grant Expense; and be it further

RESOLVED, that the Cayuga County Sheriff's Office be allowed to purchase child safety seats and necessary items to effect this Grant; and be it further

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

Signed by Pinckney, Barski, Didio, Whitman, Chapman, Fearon and Runkle, all in favor.

**Motion by Didio to adjourn to seek legal counsel, at 7:10PM, 2<sup>nd</sup> by Runkle, all in favor.**

**Motion by Cuddeback to come back into session at 7:39PM.**

**Motion by Didio to adjourn at 7:40PM, 2<sup>nd</sup> by Pinckney, all in favor.**

**Motion by Didio to approve minutes of 1-24-12, 2<sup>nd</sup> by Runkle, all in favor.**

**MINUTES**  
**CAYUGA COUNTY LEGISLATURE**  
**TUESDAY, FEBRUARY 28, 2012 – 6:30PM**

**CALL TO ORDER:** Hon. Steven Cuddeback, Chairman, at 6:34PM.

Fred Westphal, County Attorney statement: In the matter of Cayuga County Legislature v Joseph Bennett, Judge Ark signed an order to show cause on February 17, 2012. In that order to show cause is a preliminary junction having to do with Mr. Bennett and I would like to read that into the record; Mr. Bennett is preliminary enjoying from participating as a Cayuga County Legislator for District 10, additionally Mr. Bennett may not exercise any of the powers and duties as a member of the Cayuga County Legislator confirmed upon him except that he may attend the meeting, the meeting of the Cayuga County Legislature and its committees meetings in a non-voting capacity and I would note that Mr. Bennett is in the chambers tonight.

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

**DEATHS:** Dave Perry, retired County Highway Department employee.

Chairman Cuddeback, I would ask that you keep in mind Dave Perry who retired from Cayuga County Highway Department employee and keep in your thoughts and prayers the students that are deceased from the Ohio shooting incident and their families as well.

Lattimore, tonight we are honoring an Eagle Scout, Matthew G. Leja and I would like to have him start the Pledge of Allegiance.

**PLEDGE OF ALLEGIANCE:** lead by Eagle Scout Matthew G. Leja.

**MOMENT OF PRAYER:**

**PROCLAMATIONS:** Cayuga County Salutes Matthew G. Leja, Eagle Scout, read by Legislature Clerk Mary Jones. Chairman Cuddeback congratulated Matthew on a job well done.

**PRESENTATION:** Meg Vanek, Executive Director Office of Tourism, "I am Tourism" video. How important tourism is for Cayuga County and the money it brings in. Tourism flyer attached to original minutes.

**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. **Chairman Cuddeback for John Chick, Auburn, NY, re: parking fees at Emerson Park, I think you should really think about not charging the handicap and senior citizens for parking.**

**MINUTES:** For Approval: 12-20-11, 1-3-12, 1-4-12 and 1-10-12, **Motion by Chapman to approve all minutes and waive reading of minutes of 1-24-12, 2<sup>nd</sup> by Pinckney, all in favor**

For Reading: 1-24-12

**EMERGENCY AUTHORIZATION FOR SPENDING:**

**COA hrdnrbgelevator**

**REASON FOR SPENDING:**

WHEREAS, the elevator in the Hardenburg Building failed a routine test on 26 January 2012 and has been shut down for repair; and

WHEREAS, the County Veterans Service Agency and a private tenant both have offices on the third floor; and

WHEREAS, TyssenKrupp Elevator Americans submitted a work order to repair the elevator, copy attached; and

WHEREAS, the estimated price for the repair is \$31,247.00; now therefore be it

RESOLVED, that the County attorney is authorized and directed to execute the attached work order with TyssenKrupp Elevator Americans.

partment:

Signed by Whitman, Aikman, Cuddeback, Axton, Pecher and Squires.

**EMERGENCY AUTHORIZATION FOR SPENDING:**

**EMR BLDelevator**

Dept.: **Buildings and Grounds**

**REASON FOR EMERGENCY SPENDING:**

WHEREAS, the elevator in the Hardenburg building failed a routine test on January 26, 2012 and a emergency resolution was authorized for the work order to be signed for ThyssenKrupp Elevator to start repair of the elevator; and

WHEREAS, ThyssenKrupp Elevator found that there was too much debris inside the current hole and cleaning the hole was not in the original scope of work, therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized and directed to sign the work order from ThyseenKrupp Elevator for cleaning of the hole not to exceed \$4,265.00 ; and be it further

RESOLVED, that a formal resolution will be submitted to the Legislature.

Signed by Whitman, Aikman, Cuddeback, Axton, Pecher and Squires.

**CCC REPORT:** Dr. Daniel Larson: **Attached, Diane Hutchinson, Vice President of Administration, expansion in Fulton is going well, ahead of schedule.**

**Legislator Fearon, I have the new drawings of the Schwartz Theater, if anyone would like to look at them, please see me.**

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

**Lattimore, the City has a payment box for payments, I have spoken to the Treasurer to see if this body can look at a system where people can drop their payments, could we have Buildings & Grounds look at that.**

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

**Discussion:**

Runkle, on the Federal Inmate Revenue, 2011 is budgeted for 1,700,000 and in 2012 it is budgeted 1, 955,000 a quarter of a million more, why would you jump that much as far as budget goes.

Squires, we thought with the work crew we would make back the cost of the work crew and a little bit more and we thought all else would be equal, that hasn't proven to be the case.

Squires, Main Street Blue, will take place Friday, March 2, 2012 at 6:00PM in the Exchange St. Mall, everyone is invited. Received a letter from a county resident, who's mother was a veteran, that was having trouble with paperwork associated with that and thanked Larry Wilt for all his help.

Lattimore, parking issues at the lake, can you give us an update on how much additional cost for site work.

Squires, the total estimate was \$696,000 for site work, some of that is equipment and labor costs that are in the Highway Department and some of it was checks we cut for work that was done by Soil & Water, Water & Sewer and sub-contractors. They ran and re-ran water and electric lines, a lot of the work wouldn't stand out, because it is underground. We have paid all of the bills at this time, except a few of the small ones. We have estimates remaining and are a little over budget at this point, but we have not spent over budget yet, but for the remaining work to get done, that we would like to get done that would put us over budget. We are in the process now of looking at the work that remains to be done and what was included in the original budget and what came to light after words. The total budget of \$696,000, to get the work completed will take more money, so we need to figure out what needs to be done, what we can pull out, where we can save money.

Lattimore, the year to year operational cost to cut the grass, \$600, \$800? What is the total operational budget for the park?

Duckett, revenue is \$442,876 for 2012.

Squires, what is the gross?

Duckett, don't have the gross.

Lattimore, so about 600,000 to run the park annually and then we infrastructure and upgrades, it will be a million dollars before we are done.

**CHAIRMAN'S REPORT:** Steven Cuddeback, no report

**APPOINTMENTS AND RE-APPOINTMENTS:**

**Records Advisory Committee**

**(Appointments run from 1/1/11 to 12/31/13)**

Chair Susan Dwyer, County Clerk

William Hulik, Jr. – Coordinator, Records Retention Center

Linda Frank, Historian, Cayuga County

Mary Ann Marr, Chief Clerk Surrogate's Court

Jodie Nickerson, IT Department (HHS)

Steve Tobin, Entre Computer Services



**The Variance Committee for the Cayuga County Board of Health**

William McVea, 14948 West Bay Rd., Fair Haven, NY – Term: 1/1/2012 – 12/31/14

**Community Service Board and Mental Health Sub-committee**

Jaime Wilson, 176 South Hoopes Ave., Auburn, NY – Term 1/1/12 – 12/31/15

**Cayuga-Cortland Workforce Investment Board**

Stephen F. Lynch, Director of Planning, 160 Genesee St. Auburn, NY term: 2/1/12-6/30/14

**Owasco Lake Watershed Council:**

Michael Didio, 6 Clymer St. Auburn, NY 13021, Ex-Officio, term, 1-1-2012 to 12-31-2012

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

**COMMUNICATIONS AND ANNOUNCEMENTS:**

1. Received a letter from NYS Dept. of transportation, re: the County’s request to lower the speed limit on Rockefeller Road, they have determined that a reduced speed limit is not appropriate at this time.

2. Received a letter from Meredith and Kathleen Badman, requesting that the speed limit on Rockefeller Road be reduced to 50MPH, where it changes from 40 to 55 MPH on the north end and where it changes from 30 to 55MPH on the south end.

3. Received a letter from Jim and Brenda Fouts, re: asking that the speed limit on Rockefeller Road be reduced before there is a serious accident.

4. Received a letter from Frank R. Fisher, Seneca County Attorney, re: Tribal Designated Statistical Area Cayuga Indian Nation.

5. Received a letter from L Stephen Freeman, Councilmen Town of Yates, re: Water levels on :Lake Ontario.

6. Letters sent to Hon. Robert Oakes, NYS Assembly and Hon. Michael Nozzolio, NYS Senate, re: asking for a hard freeze on county Medicaid payments this year, while continuing to support Senate bill 5889C, which provides for a State takeover of Medicaid.

7. Received a letter from Gary B. Searing, Fleming Town Supervisor, re: in favor of the Emerson Park Foundation’s offer to pay for free parking at Emerson Park for the next three years.

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

**RESOLUTIONS 2-28-12**

**RESOLUTION NO. 55-12**

**02-28-12 AP Audit February 12 (A)**

**AUTHORIZING THE COUNTY TREASURER TO PAY**

**JANUARY 11-30, 2012 AUDIT OF CLAIMS**

BY: Hon. David Axton, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on February 28, 2011 audit claims against the County of Cayuga in the aggregate sum of \$1,403,395.71 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, 2011.

Signed by Axton, Chapman, Fearon, Runkle and Whitman, all in favor.

**RESOLUTION NO. 56-12**

**02-28-12 AP Audit February 12 (B)**

**AUTHORIZING THE COUNTY TREASURER TO PAY  
JANUARY 31-FEBRUARY 13, 2012 AUDIT OF CLAIMS**

BY: Hon. David Axton, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on February 28, 2011 audit claims against the County of Cayuga in the aggregate sum of \$1,958,863.48, 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, 2011.

Signed by Axton, Chapman, Fearon, Runkle and Whitman, all in favor.

**RESOLUTION NO. 57-12**

**(Feb 28, 2012) RP corrtxrollFeb2012**

**AUTHORIZING CORRECTION OF TAX ERRORS IN  
THE TOWN OF SPRINGPORT:**

BY: David Axton, Chairperson, Ways & Means Committee.

WHEREAS, petitions for corrections have been received by the Director of Real Property Tax Services, from the Town Assessors to correct clerical errors or an error in essential fact as specified below, as existed on the 2012 Tax Roll, and;

WHEREAS, the petitions for correction to make the necessary adjustment were received after the extension of taxes, and;

WHEREAS, the Director of Real Property Tax Services has reviewed the petitions and found them to be correct; and 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 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 2012 County/Town Tax Roll shall also be corrected as follows:

**Town of Springport: Tax Map # 150.09-1-18**, this property owner paid the school tax at a county office on Nov 8, 2011 but the record was not updated on the Unpaid School Listing. The parcel was incorrectly charged for Unpaid School tax and said tax should be removed.

Signed by Axton, Chapman, Fearon, Runkle and Whitman, all in favor.

**RESOLUTION NO. 58-12**  
**2/28/12 COL amendpolicyliabilityrev**  
**AMENDING RESOLUTION NO. 222 OF 1986, LIABILITY**  
**AND CASUALTY RESERVE FUND, AS AMENDED.**

By: David Axton, Chairperson Ways & Means Committee

WHEREAS, The Cayuga County Legislature by Resolution No. 222, which was adopted on the 16<sup>th</sup> day of September, 1986 established a Liability and Casualty Reserve Fund;; and

WHEREAS, the Liability and Casualty Reserve Fund policy was amended on the 19<sup>th</sup> of January, 1987, by Resolution No. 14 and again on December 18, 1990, by Resolution No. 483; and

WHEREAS, after review of said policy it is necessary to establish the payment of claims portion in order to expedite the payment process and also update the name of the oversight committee since there was a name change from Finance Committee to the Ways & Means Committee in the Rules of Order; now therefore be it

RESOLVED, that the sixth (6) paragraph of Resolution No. 14 of 1987 is hereby amended to substitute the "Ways & Means Committee" for the "Finance Committee; and be it further

RESOLVED, that the approval process for payment of bills submitted shall require the authorized of the Chairperson of the Cayuga County Legislature, County Treasurer and County Administrator; and be it further

RESOLVED, that Resolution No. 222 of 1998, as amended by Resolutions Numbered 14 of 1987 and 483 of 1990 shall remain in full force and effect, except as amended herein.

Signed by Axton, Chapman, Fearon, Runkle and Whitman, all in favor.

**RESOLUTION NO. 59-12**  
**2/28/12 ADM Salarysavings**  
**SUPPORTING THE AUTHORIZATION FOR SALARY**  
**SAVINGS TRANSFERS TO THE CONTINGENT ACCOUNT**

BY: David Axton, Chairman Ways and Means Committee

WHEREAS, during budget negotiations for the 2012 County Budget, the decision was made to reduce the amount of funding in Account A10164-54000 (Contingent Account) for the year 2012 in order to reduce the County tax levy; and

WHEREAS, the purpose of this resolution is to authorize budget transfers from salary and fringe benefit accounts to the Contingent account, when salary savings have been identified in the current year budget, due to position vacancies; now, therefore be it

RESOLVED, that all monies saved by vacancies in positions budgeted in 2012, that result from not hiring new employees or replacing employees who have quit, been terminated or retired be transferred into Account A10164-54000; and, be it further

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

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

Signed by Axton, Chapman, Fearon, Runkle and Whitman, all in favor.

**RESOLUTION NO. 60-12**  
**2.28.12 COA AgencyCtrsReso2012rev**  
**AUTHORIZE CHAIRMAN TO SIGN CONTRACTS**  
**WITH CERTAIN AGENCIES.**

By: David Axton, Chairman, Ways & Means Committee.

WHEREAS, certain appropriations were approved in the County Budget adopted for 2012 for certain agencies, in return for which these agencies agree to perform certain services for the benefit of the County of Cayuga; now, therefore, be it

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

**CAYUGA COUNSELING, INC. OF AUBURN AND CAYUGA COUNTY:**

1. Alternative Sentencing - \$24,144.00 – A10144-54504
2. Pretrial Diversion - \$11,000.00 – A10144-54503
3. Pretrial Release - \$18,960.00 – A31504-54118 – paid by Jail.
4. Sexual Assault Victims Advocate Resource (SAVAR) - \$1,877.00 – A10144-54137

CAYUGA COUNTY ARTS COUNCIL, INC. - \$2,000.00 – A75604-54000  
 CAYUGA COUNTY OFFICE OF TOURISM - \$396,150.00 – A64104-54000  
 CAYUGA MUSEUM OF HISTORY AND ART - \$8,775.00 – A74504-54000  
 CAYUGA/SENECA COMMUNITY ACTION AGENCY, INC. - \$1,800.00 – A10144-54139  
 CENTRAL NY REGIONAL PLANNING AND DEVELOPMENT BOARD - \$24,968.00 – A80254-54000  
 CENTRO - \$176,200.00 – A56304-54000  
 COMMUNITY PRESERVATION COMMITTEE (WILLARD CHAPEL) - \$1,575.00 – A75204-54000  
 CORNELL COOPERATIVE EXTENSION ASSOCIATION - \$278,028.00 – A29804-54000  
 FEDERATION OF CONSERVATION CLUBS - \$900.00 – A87204-54000  
 MERRY-GO-ROUND PLAYHOUSE - \$5,000.00 – A75404-54000  
 OPTIONS FOR INDEPENDENCE - \$5,000.00 – A10144-54136  
 WATER & SEWER AUTHORITY - \$50,000.00 – A10144-54512

**LIBRARIES:**

Account – A74104-54000

AURORA FREE LIBRARY - \$6,000.00  
 PORT BYRON LIBRARY - \$6,000.00  
 FAIR HAVEN LIBRARY - \$6,000.00  
 POWERS LIBRARY - \$6,000.00  
 FINGER LAKES LIBRARY SYSTEM - \$3,300.00  
 SEYMOUR LIBRARY - \$7,200.00  
 HAZARD PUBLIC LIBRARY - \$6,000.00  
 SPRINGPORT FREE LIBRARY - \$6,000.00  
 STEWART B. LANG MEMORIAL LIBRARY - \$6,000.00  
 WEEDSPORT LIBRARY - \$6,000.00

Signed by Chapman, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. \_\_\_\_\_**  
**2-28-12 COA allocate insurance**  
**ALLOCATE INSURANCE COSTS TO DEPARTMENTS**  
**THAT RECEIVE REIMBURSEMENT**

BY: Hon. David Axton, Chairman of the Ways & Means Committee

WHEREAS, during the process for the 2012 County Budget, insurance costs for Liability, Property, Professional and Automobile in the General Fund (A) were placed in Account A10144-54131 (Legislative Contracts, Contractual, Insurance); and

WHEREAS, actual amounts have been received for insurance costs and these actual amounts will be charged to departments that receive reimbursement; NOW, THEREFORE, BE IT

RESOLVED, that the following amounts be transferred from A10141-54131 (Legislative, Contracts, Insurance) to:

<u>Account</u>			<u>Increase</u>
Mental Health, Admin	A43104-54039	Auto Ins	\$893
	A43104-54040	Prof Liab	\$35,323
	A43104-54114	Gen Liab	\$5,211
Mental Health, CSS	A43114-54039	Auto Ins	\$893
	A43114-54040	Prof Liab	\$2,078
	A43114-54114	Gen Liab	\$307
Mental Health, ICM	A43134-54039	Auto Ins	\$2,678
	A43134-54040	Prof Liab	\$4,156
	A43134-54114	Gen Liab	\$613
Human Services	A60104-54039	Auto Ins	\$6,912
	A60104-54114	Gen Liab	\$3,191
Public Health	A40104-54039	Auto Ins	\$3,705
	A40104-54114	Gen Liab	\$4,343
		Total	\$70,303

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, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 62-12**  
**2-28-12 COA DefCompAmdModelPlan1.12**  
**DEFERRED COMPENSATION COMMITTEE RESOLUTION**  
**TO AMEND AND RESTATE THE MODEL PLAN**

BY: David Axton, Chairman of the Ways & Means Committee

WHEREAS, the New York State Deferred Compensation Board (the “Board”), pursuant to Section 5 of the New York State Finance Law (“Section 5”) and the Regulations of the New York State Deferred Compensation Board (the “Regulations”), has promulgated the Plan Document of the Deferred Compensation Plan for Employees of Cayuga County (the “Model Plan”) and offers the Model Plan for adoption by local employers;

WHEREAS, Cayuga County, pursuant to Section 5 and the Regulations, has adopted and currently administers the Model Plan known as the Deferred Compensation Plan for Employees of Cayuga County.

WHEREAS, effective August 26, 2011 the Board amended the Model Plan to adopt provisions

- Reorganizing and updating sections to improve the overall readability and eliminate unnecessary numerical references (annual limits) from the Model Plan document.
- Including employer elections within the plan document including: suspension of deferrals following an unforeseeable emergency withdrawal, automatic distributions from small and inactive accounts, loan design parameters and Roth deferrals and in-plan conversions are permissive. The Model Plan document includes a Schedule A where the employer may indicate the election of one or more of these provisions.
- Clarifying the first date a participant may make deferrals in compliance with Code Section 457(b) and timing requirements for any subsequent changes to deferral rates or allocations between pre-tax and after-tax deferrals.
- Clarifying compensation available for deferral for purposes of calculating contributions and recognizes that employers use various methods in determining the order of deductions taken before a deferral percentage is applied.
- Including provisions related to HEART Act of 2008 regarding treatment of differential pay and qualifying distributions for active military service in compliance with the HEART Act, including suspension of deferrals for six months following distribution.
- Making technical recognition of the waiver of RMDs for 2009.
- Clarifying that a beneficiary form must be received in good order to be considered valid.
- Clarifying that the Model Plan will only accept rollovers from Eligible Retirement Plans comprised of pre-tax amounts and amounts may be rolled in by participants, beneficiaries (other than inherited accounts) and alternate payees. Model Plans may roll account balances out to Eligible Retirement Plans that include post-tax amounts if the receiving plan separately accounts for them.
- Clarifying that a beneficiary of a deceased participant may roll a distribution directly to a Roth IRA, in addition to plan participants.
- Including language allowing for future delivery of participant communications through electronic means, where appropriate.
- Codifying that periodic and lump sum payments must be a minimum of \$100 per payment, unless the Committee selects a different minimum, and sets a maximum annual number of partial distributions.
- Clarifying that the \$50,000 loan limit includes the highest loan value in the last twelve months from the Model Plan and other employer plans. Regarding participants who have defaulted on a Plan loan, subsequent loans would not be allowed until defaulted loan is repaid. Removes requirement that a participant must wait until the term of the original loan expires before applying for a new loan, assuming the defaulted loan is repaid.
- Providing guidance on the handling of the receipt of special proceeds such as SEC settlements payable to former participants.
- Allowing a surviving spouse beneficiary to name a beneficiary on their account.
- Including the 5 year option for non-spousal beneficiaries to receive distributions and makes distribution rules consistent for pre- and post-age 70½ deaths.

- Allowing earlier distributions due to severance of employment as long as a balance of \$500 remains in the account for 45 days after a severance from employment.
- Providing that outstanding loans from another New York state 457(b) plan may be allowed to be transferred or rolled in with a full account transfer.
- Removing the Power of Attorney Language since the acceptance of a power of attorney is governed by State law and not required in the Model Plan document.
- Clarifying the requirement that Committee actions must be taken at a public meeting in accordance with Article 7 of the Public Officers Law.
- Limiting indemnification to Committee Members only.

WHEREAS, the Board has offered for adoption the amended and restated Model Plan to each Model Plan sponsored by a local employer in accordance with the Regulations; and

WHEREAS, upon due deliberation, Cayuga County has concluded that it is prudent and appropriate to amend the Deferred Compensation Plan for Employees of Cayuga County by adopting the amended Model Plan.

NOW, THEREFORE, BE IT

RESOLVED, that Cayuga County hereby amends the Deferred Compensation Plan for Employees of Cayuga County by adopting the amended Model Plan effective August 26, 2011, including the optional provisions in Schedule A, in the form attached hereto as Exhibit A.

IN WITNESS WHEREOF, the undersigned have executed this Resolution in Cayuga County, New York this 28<sup>th</sup> day of February 2012 and directed that it be filed as appropriate.

Signed by Axton, Chapman, Fearon, Runkle and Whitman, all in favor.

### **RESOLUTION NO. 63-12**

**2/28/12 TRE deputytresstipend**

#### **AUTHORIZATION TO PROVIDE A STIPEND TO THE DEPUTY CAYUGA COUNTY TREASURER (PC#6303) FOR ADDITIONAL JOB DUTIES.**

Mr. David Axton, Chairman Ways and Means Committee

WHEREAS, the Cayuga County Treasurer submitted a request to the Cayuga County Civil Service Commission to revise the job description of the Deputy Cayuga County Treasurer to include additional responsibilities in regards to the financing of capital projects and the analysis and report generation of capital projects; and

WHEREAS, the Cayuga County Civil Service Commission reviewed said request, and added the additional responsibilities to the Deputy County Treasurer job specification, and

WHEREAS, it is the intention to provide additional monies to the Deputy Treasurer for the completion of these additional duties, and

WHEREAS, funding for the additional monies exists in the current 2012 budget due to a vacancy, now therefore be it

RESOLVED, that an annual \$17,461 stipend for the Deputy Treasurer (PC#6303) be awarded effective February 8, 2012, and be prorated for the remainder of the year 2012; and be it further

RESOLVED, that the Treasurer be authorized to make the following transfer of monies to fund the stipend and related fringe benefits:

DECREASE		INCREASE
A16801-51001-	\$17,461	A132151-51001- \$17,461
A16801-58001	\$1,335	A13251-58001 - \$1,335
A16801-58002	\$2,968	A13251 58002 - \$2,968

And be it further;

RESOLVED, that the stipend amount of \$17,461 for the Deputy County Treasurer (PC#6303) be placed in the 2012 Cayuga County Compensation Plan Part IV.  
Signed by Axton, Chapman, Fearon, Runkle and Whitman, all in favor.

### RESOLUTION NO. 64-12

#### 2.28.12 Leg cnclpenaltiesrev4

#### AUTHORIZING THE CANCELLATION OF THE COUNTY

#### IMPOSED PENALTY OF \$166.41 ON TAX MAP NO. 129.00-1-60.112

By: Hon. David Axton, Chair, Ways and Means Committee

WHEREAS, Michael Delaney and Regina Delaney own property commonly known as 2245 Kijowski Road, Auburn, NY 13021, Tax Map No. 129.00-1-60.112; and

WHEREAS, the property is located in the Town of Springport, and is within the Union Springs School District; and

WHEREAS, the Delaney's hand delivered check number 5723 in the amount of \$2,308.00 to the tax collector's house, 2035 Pinckney Rd., Auburn, NY, and placed same in the front door of the porch; and

WHEREAS, the front porch of the tax collector's porch is closed off in September and the tax collector did not discover the check until after the time to pay the taxes had passed; and

WHEREAS, the check was later discovered on the tax collector's porch, as indicated, but the Delaneys' stopped payment in order to avoid further problems; and

WHEREAS, the unpaid taxes for the parcel had been turned over to the County for collection; and

WHEREAS, the following penalties were imposed:

\$69.24 penalty imposed by Union Springs CSD

\$166.41 penalty imposed by Cayuga County

\$235.65 total

; and

WHEREAS, the Delaney's are requesting that the penalties be waived; and

WHEREAS, pursuant to New York State Real Property Tax Law, Section 1182, cancellation or reduction of penalties and interest is within the purview of the Cayuga County Legislature, subject to the following caveat: "that in cases where such interest, penalties, or other charges, if collected by the tax district, belong to a municipal corporation therein, no reduction or remission in whole or in part of such interest, penalties, or other charges shall be made without the consent of the municipal corporation affected, which consent may be given by resolution adopted after a public hearing"; now therefore be it

RESOLVED, that the Cayuga County Legislature hereby cancels the penalties imposed by the County of Cayuga in the amount of \$166.41.

Signed by Axton, Chapman, Runkle and Whitman, all in favor.

Motion by Axton, 2<sup>nd</sup> by Lattimore.



**RESOLUTION NO. 65-12**

**3.27.12 COA cntrctCCSWCDrev2**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN CONTRACT WITH CAYUGA COUNTY SOIL & WATER CONSERVATION DISTRICT.**

By: David Axton, Chairman, Ways & Means Committee.

WHEREAS, certain appropriations were approved in the County Budget adopted for 2012 for certain agencies, in return for which these agencies agree to perform certain services for the benefit of the County of Cayuga; and

WHEREAS, the Cayuga County Legislature, at the recommendation of the Ways and Means Committee, desires to segment the appropriation to Cayuga County Soil & Water Conservation District into three (3) payments of \$241,119.33 on the following dates: January 23, 2012, May 22, 2012 and September 25, 2012; and

WHEREAS, prior to each payment date the to Cayuga County Soil & Water Conservation District must obtain authorization from the Cayuga County Legislature for the payment of the \$241,119.33 installment; now, therefore, be it

RESOLVED, that the appropriation to Cayuga County Soil & Water Conservation District of \$723,358.00 – A87304-54000 shall be divided into three (3) payments of \$241,119.33 with payment to be made on or after the following dates: February 2., 2012, May 22, 2012 and September 25, 2012; and be it further

RESOLVED, prior to each payment date the to Cayuga County Soil & Water Conservation District must obtain prior authorization from the Cayuga County Legislature for the payment of the installment of \$241, 119.33; and be it further

RESOLVED, that the Chairman of the County Legislature be and he is hereby authorized and directed execute on behalf of the County, with Cayuga County Soil & Water Conservation District 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 Chapman, Fearon, Pinckney and Runkle, all in favor.

**RESOLUTION NO. 66-12**

**(Feb. 28, 2012) HD Creating Healthy Places 2012**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ACCEPT 100% STATE FUNDING TO CONTINUE TO PARTICIPATE IN THE CREATING HEALTHY PLACES IN CAYUGA COUNTY PROGRAM**

BY: Michael Chapman, Chairman of the Health & Human Service Committee

David Axton, Chairman of the Ways & Means Committee

WHEREAS, the Health Department was awarded a grant “Creating Healthy Places to Live, Work and Play” for the period 10/1/10 – 3/31/12; and

WHEREAS, the Health Department has received a renewal contract from the State for the period 4/1/12 – 3/31/13 in the amount of \$175,000 to continue its participation in the Creating Healthy Places in Cayuga County Program; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of Legislature and the Director of Health & Human Services accept funding in the amount of \$175,000 to continue the Health Department’s participation in the above named program for the period 4/1/12 through 3/31/13; and be it further

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into subcontracts as necessary to implement the Creating Healthy Places in Cayuga County Program; and be it also

RESOLVED, that the County Treasurer be authorized and directed to amend the Health Department’s 2012 budget in the following manner:

Increase Revenue Account #A40240 43424 ..... \$175,000

Increase Expense Account #A40244 54000 ..... \$175,000

and be directed to make the necessary journal and accounting entries to accomplish the same.

Signed by Chapman, Aikman, Bennett, Lattimore, Mahunik, Pecher, Runkle, Axton, Fearon and Whitman, all in favor.

**RESOLUTION NO. 67-12**

**(2/28/12) HS Catholic Charities SSI Max 2012 SNA & TANF  
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE  
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO  
A CONTRACT WITH CATHOLIC CHARITIES TO PROVIDE SSI  
MAXIMIZATION FOR SAFETY NET ASSISTANCE (SNA) AND  
TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF)**

BY: Michael Chapman, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

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

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

WHEREAS, there is a direct reduction in local share benefits paid by the County when SSI is approved; NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Catholic Charities to provide SSI Maximization for SNA and TANF clients for the period January 1, 2012 through December 31, 2012 in the amount of \$20,488 for SNA and \$11,041 for TANF ; and be it further

RESOLVED, that these services be paid for from TANF Account #A60604 54000 and SNA Account #A60104 54059 of the Human Services Department’s 2012 Budget. Signed by Chapman, Aikman, Bennett, Lattimore, Mahunik, Pecher, Runkle, Axton, Fearon and Whitman, all in favor.

**RESOLUTION NO. 68-12**

**(February 28, 2012) HS Catholic Charities Case Management 2012  
AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES  
TO RENEW A CONTRACT WITH CATHOLIC CHARITIES FOR CASE  
MANAGEMENT OF TANF CLIENTS (100% FUNDED)**

BY: Michael Chapman, Chairman of the Health and Human Services Committee

David Axton, Chairman of the Ways & Means Committee

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

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

WHEREAS, these services are 100% federally reimbursed through the flexible fund allocation; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to renew the contract with Catholic Charities to provide Case Management Services for the period January 1, 2012 through December 31, 2012; and be it further

RESOLVED, that the expenses incurred for Case Management Services provided not exceed \$52,530; and be it also

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

Signed by Chapman, Aikman, Bennett, Lattimore, Mahunik, Pecher, Runkle, Axton, Fearon and Whitman, all in favor.

**RESOLUTION NO. 69-12**

**(February 28, 2012) HS CST Funds 2012  
AUTHORIZE THE CHAIRMAN OF THE LEGISLATURE AND  
THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ACCEPT  
FEDERAL FUNDING ATTACHED TO THE COMMUNITY  
SOLUTIONS FOR TRANSPORTATION GRANT**

BY: Michael Chapman, Chairman of the Health & Human Service Committee

David Axton, Chairman of the Ways & Means Committee

WHEREAS, the Human Services Division of the Cayuga County Health & Human Services Department has been awarded (100%) federal funding attached to the "Community Solutions for Transportation Grant" in the amount of \$3,077; and

WHEREAS, this grant is used to develop transportation solutions that will meet the needs of persons eligible for federal Temporary Assistance for Needy Families (TANF) as well as persons with income levels at or below the 200% poverty level as they transition to work and retain employment; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to accept additional 100% federal funding attached to the "Community Solutions for Transportation Grant" in the amount of \$3,077 to be expended through June 30, 2012, and that they be authorized to enter into sub-contracts in order to implement the Grant; and be it further

RESOLVED, that the Cayuga County Treasurer make the following adjustments to the 2012 Human Services Budget to accommodate the grant:

Increase Appropriation Account #60104 54261.....\$3,077

Increase Revenue Account #60100 44612.....\$3,077

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 Chapman, Aikman, Bennett, Lattimore, Mahunik, Pecher, Runkle, Axton, Fearon and Whitman, all in favor.

**RESOLUTION NO. 70-12**

**(February 28, 2012) HS Employment & Training 2012**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO CONTRACTS WITH CAYUGA COUNTY EMPLOYMENT & TRAINING DEPARTMENT FOR PROVISION OF SERVICES**

BY: Michael Chapman, Chairman of the Health & Human Service Committee

David Axton, Chairman of the Ways & Means Committee

WHEREAS, the Human Services Division of Health & Human Services has need to provide employment and training services to public assistance recipients to meet the obligations of the Work Requirement Program; and

WHEREAS, our Human Services Division has successfully contracted with Cayuga County Employment and Training Department in the past for provision of these services; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Cayuga County Employment and Training to provide employment and training services to public assistance recipients for a period 1/1/2012 to 12/31/2012 at a cost of \$128,000; and be it further

RESOLVED, that the charges for these services be paid out of account #A60104 54189 of the 2012 Human Services Budget.

Signed by Chapman, Aikman, Bennett, Lattimore, Mahunik, Pecher, Runkle, Axton, Fearon and Whitman, all in favor.

**RESOLUTION NO. 71-12**

**(February 28, 2012) HS Hillside R&R MAPPS Foster Parents**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH HILLSIDE CHILDREN’S CENTER FOR THE RECRUITMENT, TRAINING AND RETENTION OF FOSTER PARENTS**

BY: Michael Chapman, Chairman of the Health & Human Service Committee

David Axton, Chairman of the Ways & Means Committee

WHEREAS, the Human Services Department (DSS) desires to collaborate with Hillside Children’s Center (HCC) in an effort to recruit, train and retain foster parents serving particular groups of children and youth; and

WHEREAS, HCC leadership will work with the DSS leadership to develop an overall approach to drawing on the mutual strengths of HCC and DSS in the recruitment and training of foster parents; and

WHEREAS, HCC will participate in the planning, and then be responsible for, the delivery of community-outreach oriented recruitment activities and also will be involved in the MAPPS (Model Approach to Partnership in Parenting) Program, which is recommended by the Office of Children and Family Services as a pre-certification training program for prospective foster parents; and

WHEREAS, by contracting with Hillside Children's Center in this collaborative effort, the Department's objective is to recruit twenty new foster families in the first year of this contract; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to contract with Hillside Children's Center for the recruitment, training and retention of foster parents for the period March 1, 2012 to February 28, 2013 at the cost of \$39,083.22; and be it further

RESOLVED, that these expenses be paid from account #60104 54059 of the 2012 Human Services Budget.

Signed by Chapman, Aikman, Bennett, Lattimore, Mahunik, Pecher, Runkle, Axon, Fearon and Whitman, all in favor.

**RESOLUTION NO. 72-12**

**(January 24, 2012) HS Chapel House 2012**

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

BY: Michael Chapman, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, Chapel House opened a facility that offers temporary shelter to men in need; and

WHEREAS, this shelter has provided service to those income eligible individuals in need of shelter; and

WHEREAS, in accordance with Social Services Regulations, local DSS is required to provide temporary shelter for eligible homeless families and individuals who are financially eligible and have no housing resources available to them; and

WHEREAS, the costs incurred by the local district are State reimbursed at 29%; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services enter into a contract with Chapel House for the period January 1, 2012 through December 31, 2012 at a rate of \$25/day, per person, after 30 days, the basic shelter allowance will be paid; and be it further

RESOLVED, that these expenditures will be paid out of account #A6140 54000 of the 2012 Human Services Budget.

Signed by Chapman, Aikman, Bennett, Lattimore, Mahunik, Pecher, Runkle, Axton, Fearon and Whitman, all in favor.

**RESOLUTION NO. 73-12****(Feb. 28, 2012) HS Fill Caseworker Child Welfare 2012****AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES  
TO FILL A CASEWORKER VACANCY IN CHILD WELFARE UNIT**

BY: Michael Chapman, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, there is a caseworker vacancy a Grade 17, 35-hour work week position in the Child Welfare Unit of Human Services (position control #002256) due to a resignation effective February 15, 2012; and

WHEREAS, this work is mandated by the State and reimbursed at minimum 75% State and Federal; and

WHEREAS, this is a funded position in the Human Services Department's 2012 budget; NOW, THEREFORE BE IT

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the vacated Caseworker position in the Child Welfare Unit in accordance with Civil Services Rules and Regulations and the policies of the County of Cayuga. Signed by Chapman, Aikman, Bennett, Lattimore, Mahunik, Pecher, Runkle, Axton, Fearon and Whitman, all in favor.

**RESOLUTION NO. 74-12****2-27-12 MH CreateFillICM2012****AUTHORIZE THE CREATION AND FILLING OF TWO INTENSIVE CASE  
MANAGERS AT THE COMMUNITY MENTAL HEALTH CENTER AND  
ABOLISHING TWO STAFF SOCIAL WORKERS**

By: Hon. Michael Chapman, Chair, Health and Human Services Committee  
Hon. David Axton, Chair, Ways and Means Committee

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

WHEREAS; the Department has historically utilized several titles in the Intensive Case Management Program and has determined that it would be beneficial to be consistent both for programmatic and financial reasons; and

WHEREAS, the Department has two vacant Staff Social Worker positions, grade 30, one due to retirement (position code 5148) and one due to a promotion (position code 4289); now, therefore, be it

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

RESOLVED, that the position of Staff Social Worker(CMH), position code 5148, as reflected in the budget line A43101-51001, Salaries-FT, be abolished; and be it further

RESOLVED, that the position of Staff Social Worker position code 4289, also reflected in the budget line A43101-51001, Salaries-FT, be unfunded until such time that the incumbent is permanently appointed to another title, and that the position will then be abolished; and be it further

RESOLVED, that the Director of Community Mental Health Services be authorized and directed to fill two positions of Intensive Case Manager in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of Cayuga County, and be it further

RESOLVED, that one Intensive Case Manager position be filled on a contingent permanent basis until such time the incumbent Staff Social Worker successfully completes the probationary period of the new appointment at which time the Staff Social Worker position 4289 will be abolished; and be it further

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

Signed by Chapman, Aikman, Bennett, Lattimore, Mahunik, Pecher, Runkle, Axton, Fearon and Whitman, all in favor.

**RESOLUTION NO. 75-12**

**2/28/12 NH engineeringsrv**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ACCEPT A PROPOSAL FOR ENGINEERING SERVICES AT THE NURSING HOME.**

BY: Michael Chapman, Chairman, Health & Human Services Committee

BY: David Axton, Chairman, Ways & Means Committee

WHEREAS, the heating, ventilation and air conditioning systems at the Nursing Home need to be updated, and

WHEREAS, a request for proposals was sent out to eleven regional firms; and,

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

WHEREAS, the following proposals were received:

Argus Engineering for \$39,780.00;

C & S Companies for \$37,500.00; and,

WHEREAS, comparison was made of the two proposals considering the services to be performed and costs; and

WHEREAS, the proposal submitted by C & S Companies contains all of the elements anticipated in the specifications; now therefore be it,

RESOLVED, that the proposal be awarded to C & S Companies for \$ 37,500.00 (Thirty-Seven Thousand Five Hundred dollars) and be it further,

RESOLVED, that the project be paid through the fund balance of the nursing home. Signed by Chapman, Aikman, Bennett, Lattimore, Mahunik, Pecher, Runkle, Axton, Fearon and Whitman, all in favor.

**RESOLUTION NO. 76-12**

**2/28/12 NH AcptPropPest**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ACCEPT A PROPOSAL FOR PEST CONTROL SERVICES AT THE NURSING HOME.**

BY: Michael Chapman, Chairman, Health & Human Services Committee

BY: David Axton, Chairman, Ways & Means Committee

WHEREAS, the pest control contract for the nursing home will expire, and

WHEREAS, a request for quotes was sent out to five local and regional firms; and,

WHEREAS, one (1) firms responded with a quote; and,

WHEREAS, Flower City Pest Elimination has proposed a fee of \$55.00 per month for routine ; and

WHEREAS, this organization already services the food service area of the nursing home and is less costly than our current provider; therefore be it

RESOLVED, that the proposal be awarded to Flower City Pest Elimination for \$ 80.00 for initial visit and \$55.00 per month for routine service; and be it further

RESOLVED, that the contract be paid through budgeted account E45104 54365 (Plant Operation and Maintenance)

Signed by Chapman, Aikman, Bennett, Lattimore, Mahunik, Pecher, Runkle, Axton, Fearon and Whitman, all in favor.

**RESOLUTION NO. 77-12**

**2/28/12 NH AcceptIceMachine**

**AUTHORIZING THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ACCEPT A PROPOSAL FOR REPLACEMENT OF AN ICE MACHINE AT THE NURSING HOME.**

BY: Michael Chapman, Chairman, Health & Human Services Committee

BY: David Axton, Chairman, Ways & Means Committee

WHEREAS, an ice machine at the Nursing Home needs replacement, and

WHEREAS, the quotes were solicited from four local and regional firms; and,

WHEREAS, three (4) firms responded with proposals; and,

WHEREAS, the following proposals were received:

D'Alberto Refrigeration for \$4,071.25;

Buffalo Hotel Supply for \$3,227.00; and,

Direct Supply for \$ 3,226.20; and,

B & W Supply for \$3,166.00, and

WHEREAS, a comparison was made of the proposals considering the quality of the products, installation and disposal; and

WHEREAS, the proposal submitted by B & W Supply contains all of the elements anticipated in the specifications; now therefore be it,

RESOLVED, that the proposal be awarded to B & W Supply for \$ 3,166 (Three thousand one hundred sixty-six dollars), and be it further

RESOLVED, that the cost will come from account E45002 52000 of the 2012 budget.

Signed by Chapman, Aikman, Bennett, Lattimore, Mahunik, Pecher, Runkle, Axton, Fearon and Whitman, all in favor.

**RESOLUTION NO. 78-12**

**DATE: 02/28/12 OFA ContractsFeb12**

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

BY: Mr. Michael Chapman, Chair, Health & Human Services Committee, and

Mr. David Axton, Chair, Ways and Means Committee.

WHEREAS, appropriations were approved in the County budget for the year 2012 for various subcontractors (A67724 54118) for the Cayuga County Office for the Aging, in return for which these subcontractors agree to perform certain services for the benefit of Senior Citizens of Cayuga County; now, therefore, be it



RESOLVED, that the Chairman of the Legislature and the Director of the County Office for the Aging are hereby authorized and directed to enter into contracts with the subcontractors listed below:

April 1, 2012 through March 31, 2013:

EISEP (Expanded In Home Services for the Elderly) \*Total of EISEP Services  
Home Instead Senior Care not to exceed \$198,500

Seneca Cayuga ARC

Staffings Healthcare Systems, Inc.

CSE (Community Services for the Elderly)

& AAA (Area Agency on Aging Transportation Funds)

Transportation Project, Inc. \$53,500

CSE (Community Services for the Elderly) & CSI (Congregate Services Initiative)

Boyle Senior Center, Inc. \$5,500

and be it further

RESOLVED, that the Office for the Aging is authorized and directed to enter into contracts with the above referenced subcontractors in an amount not to exceed the above referenced sums.

Signed by Chapman, Aikman, Bennett, Lattimore, Mahunik, Pecher, Runkle, Axton, Fearon and Whitman, all in favor.

**RESOLUTION NO. 79-12**

**2.28.12 BOE electionworkerpayrev3**

**ESTABLISHING PAY RATES FOR ELECTION INSPECTORS  
AND CUSTODIANS**

BY: Mr. Fearon, Chairman, Government Operations Committee

WHEREAS, the Cayuga County Legislature has established pay rates for election inspectors and machine custodians in Cayuga County as part of the 2012 budgets; and

WHEREAS, the rates are as follows:

- Primary Election Inspector: \$125 per day
- General Election Inspector: \$175 per day
- Poll Manager: \$50 per day (in addition to inspector pay)
- Primary Election Custodian: \$125 per day
- General Election Custodian: \$175 per day

NOW THEREFORE BE IT,

RESOLVED, that these pay rates shall remain in effect in Cayuga County until so amended; AND BE IT FURTHER

RESOLVED, that the Compensation Plan shall be so amended.

Signed by Chapman, Aikman, Bennett, Lattimore, Mahunik, Pecher, Runkle, Axton, Fearon, Fearon and Whitman, all in favor.

**RESOLUTION NO. 80-12****(02/28/12) ET lattingamntrev****AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN AN AGREEMENT WITH CARL LATTING TO SPEAK AT CAYUGA WORKS CAREER CENTER'S YOUTH LEADERSHIP FORUM**

By: Stephen Barski, Chairman, Planning & Economic Development Committee  
David Axton, Chairman Ways and Means Committee

WHEREAS, Cayuga County Employment & Training Department is sponsoring a Youth Leadership Forum on March 30, 2012; and

WHEREAS, Cayuga County Employment & Training Department wants to contract with Carl Latting to be the Plenary Speaker for this Youth Leadership Forum; and

WHEREAS, The Cayuga County Employment & Training Department has funds from various foundations available in the amount of \$2,900.00, Acct # CD63704-54118, to pay for the Plenary Speaker; now therefore, be it

RESOLVED, that the Chairman of the County Legislature is authorized to sign an agreement with Carl Latting to be the Plenary Speaker at Cayuga Works Career Center's Youth Leadership Forum on March 30, 2012; 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 Barski, Aikman, Chapman, Farrell, Fearon, Lattimore, Mahunik, Axton, Runkle and Whitman, all in favor.

**RESOLUTION NO. 81-12****February 28, 2012 PB FLA\_Cntrct\_2009\_FLOWPA Fund****AUTHORIZING THE SIGNING OF A CONTRACT WITH THE FINGER LAKES ASSOCIATION FOR THE TRANSFER OF NYSDEC FUNDING FOR THE FINGER LAKES-LAKE ONTARIO WATERSHED PROTECTION ALLIANCE, STATE FISCAL YEAR 2009 – 2010 FUNDING**

BY: Stephen Barski, Chair, Planning and Economic Development Committee  
David R. Axton, Chair, Ways and Means Committee

WHEREAS, Cayuga County, as one of the twenty-five (25) voting members of the Water Resources Board of the Finger Lakes-Lake Ontario Watershed Protection Alliance, has been allocated NYS Department of Environmental Conservation (NYSDEC) funds for its water quality program under the Finger Lakes-Lake Ontario Watershed Protection Alliance (FL-LOWPA); and

WHEREAS, NYSDEC has agreed to transfer funding for the twenty-five (25) member Programs to the Finger Lakes Association (FLA) via a single contract between NYSDEC and FLA; and

WHEREAS, the County of Cayuga is eligible to receive \$44,175 in FL-LOWPA funding through the FLA which will be used to enhance, protect and preserve Cayuga County's water resources; now, therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute the required contract between Cayuga County and the FLA for FL-LOWPA as specified in said contract; and to act as the official representative of Cayuga County in connection with any and all contracts between Cayuga County and the FLA for FL-LOWPA funds; and be it further

RESOLVED, that a signed, certified copy of this resolution be submitted to the Finger Lakes Association along with said contract; and be it further

RESOLVED, that the Planning and Economic Development Department's 2012 budget is hereby amended so as to add \$44,175 to the Department's A87410 43994 -A State Aid – FL/FLOWPA GRANT revenue account and the WQMA's 2012 budget is hereby amended so as to add \$44,175 to the agency's A87414 54000 -A FLOWPA GRANT expenses account, no net change in the budget to accommodate this project; and be it further

RESOLVED, that the County Treasurer be and is hereby authorized and directed to make the necessary journal and accounting entries to accomplish the same; and be it further

RESOLVED, that this resolution take effect immediately.

Signed by Barski, Aikman, Chapman, Farrell, Fearon, Lattimore, Mahunik, Axton, Runkle and Whitman, all in favor.

**RESOLUTION NO. 82-12**

**2/28/12 COA-LL#1-09#3-94&#-07RMTXAm12FIX**

**FIXING DAY AND NOTICE OF PUBLIC HEARING ON A LOCAL LAW AMENDING LOCAL LAW NO.1 OF 2009 AND LOCAL LAW NO. 5 OF 2007 AND LOCAL LAW NO. 3 OF 1994 TO CONTINUE THE ROOM TAX FOR THREE YEARS.**

BY: Stephen Barski, Chair, Planning & Economic Development Committee, and David Axton, Chair, Ways & Means Committee.

WHEREAS, there has been duly presented and introduced at a meeting of this County Legislature held on February 28, 2012, a proposed local law entitled:

“A LOCAL LAW AMENDING LOCAL LAW NO. 1 OF 2009 AND LOCAL LAW NO. 5 OF 2007 AND LOCAL LAW NO. 3 OF 1994 TO CONTINUE THE ROOM TAX FOR THREE YEARS.”

Now, therefore, be it

RESOLVED, that a public hearing shall be held concerning the proposed local law before the Cayuga County Legislature on March 27, 2012 at 6:30 P.M., at the Chambers of the Cayuga County Legislature, County Office Building, 160 Genesee Street, Auburn, New York, and the Clerk of the Cayuga County Legislature is hereby directed to give due legal notice of said public hearing as provided by statute.

Signed by Barski, Aikman, Chapman, Farrell, Fearon, Lattimore, Mahunik, Axton, and Whitman, all in favor.

**RESOLUTION NO. 83-12**

**February 28, 2012**

**PB OLTTestingFLInstitute v2**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO EXECUTE A CONTRACT AGREEMENT BETWEEN THE FINGER LAKES INSTITUTE AND CAYUGA COUNTY FOR IMPLEMENTATION OF THE FY 2012 OWASCO LAKE AND STREAM MONITORING PROGRAM**

By: Hon. Stephen Barski, Chair, Planning and Economic Development Committee  
Hon. David R. Axton, Chair, Ways and Means Committee

WHEREAS, the water quality of Owasco Lake is important to Cayuga County and its residents; and

WHEREAS, the Owasco Lake Watershed Management Plan recommended that the water quality of Owasco Lake and its tributaries be monitored; and

WHEREAS, the Cayuga County Water Quality Management Agency (“WQMA”) advises the Cayuga County Legislature on matters related to water resource management, protection and planning; and

WHEREAS, the adopted 2012 WQMA Work Plan lists the continued monitoring of water bodies and ongoing research coordination with the Finger Lakes Institute and others as a priority for the WQMA in 2012; and

WHEREAS, the Owasco Lake Watershed Management Council (OLWMC) was incorporated to bring specific focus to strategic plans and actions to improve and protect the water quality of Owasco Lake and created a Watershed Inspection Committee (WIC) under the OLWMC and charged the WIC with the responsibility to align data collection and lake monitoring with the watershed inspection program efforts; and

WHEREAS, Dr. John Halfman, of the Finger Lakes Institute, has proposed an Owasco Lake and Stream Monitoring Program for 2012 (the Project) which has been presented to the OLWMC Watershed Inspection Committee for review and recommendation, and the WIC has made a unanimous recommendation that the Project be funded in full; and

WHEREAS, the total Project cost is \$26,700, while the Planning & Economic Development Department’s WQMA budget has \$25,000 available in FY 2012 budget item A87404-54059 specifically allocated for professional services and targeted research related to Owasco Lake and Stream monitoring, leaving a Project funding gap of \$1,700; and

WHEREAS, Cayuga County deems it to be in the public interest and benefit to enter into a contract to conduct this lake and stream monitoring on its main drinking water source; and

WHEREAS, the Cayuga County Attorney has reviewed the Finger Lakes Institute professional services proposal in the context of the ongoing research and data collection conducted by Dr. Halfman and the Finger Lakes Institute on Owasco Lake and its major stream tributaries, and has concluded that the proposed contract should be considered a sole source procurement contract for professional services; and

WHEREAS, Cayuga County is funding this Project on the behalf of, and as its contribution to, the Owasco Lake Watershed Management Council;

NOW, THEREFORE BE IT RESOLVED, by the Cayuga County Legislature as follows:

1. The Chairman is authorized and directed to sign such documents as may be necessary to implement this Project so long as costs do not exceed the Project cost of \$26,700; and
2. That the County Treasurer is hereby authorized to transfer up to \$1,700 from Contingent Account Fund A10164 54000 to Account A87404-54059 and to make the journal and accounting entries necessary to accomplish the administration of the Project; and
3. This resolution shall take effect immediately.

Signed by Barski, Aikman, Chapman, Farrell, Fearon, Lattimore, Mahunik, Axton, Runkle and Whitman, all in favor.

**RESOLUTION NO. 84-12**

**February 28, 2012 PB HHWGRANT12**

**AUTHORIZING THE FILING OF AN APPLICATION FOR STATE ASSISTANCE FROM THE HOUSEHOLD HAZARDOUS WASTE (HHW) STATE ASSISTANCE PROGRAM AND SIGNING OF THE ASSOCIATED STATE CONTRACT, UNDER THE APPROPRIATE LAWS OF NEW YORK STATE.**

By: Hon. Stephen Barski, Chair, Planning and Economic Development Committee  
Hon. David R. Axton, Chair, Ways and Means Committee

WHEREAS, the State of New York provides financial aid for household hazardous waste programs; and

WHEREAS, the County of Cayuga, herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Aid;

NOW, THEREFORE, BE IT RESOLVED by the Legislature of the County of Cayuga:

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized; and
2. That the Chairman of the Legislature, or his designee, is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the STATE; and
3. That the MUNICIPALITY agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the STATE for the STATE share of such costs, and that \$40,000.00 has been properly budgeted for by the Cayuga County Planning and Economic Development Department (FY 2012 Special Programs Account A80204 54164) to be utilized for this purpose; and
4. That four (4) Certified Copies of this Resolution be prepared and sent to the NYSDEC together with a complete application prepared and submitted by the Cayuga County Department of Planning & Economic Development; and
5. That the County Administrator's Office is hereby authorized to advertise for and receive sealed proposals for a hazardous waste service provider for this project; and
6. That the Chairman of the Legislature is hereby authorized and directed to sign such documents as may be necessary to implement this project so long as costs do not exceed the available budget; and

7. That the County Treasurer is hereby authorized to make the journal and accounting entries necessary to accomplish the same; and
8. That this resolution shall take effect immediately.

Signed by Barski, Aikman, Chapman, Farrell, Fearon, Lattimore, Mahunik, Axton, Runkle and Whitman, all in favor.

**RESOLUTION NO. 85-12**

**2.28.12 EMO AcceptHazardMitigationGrantrev3**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY  
LEGISLATURE AND THE DIRECTOR OF EMERGENCY SERVICES  
AND THE DIRECTOR OF THE PLANNING DEPARTMENT TO ACCEPT  
A NEW YORK STATE OFFICE OF EMERGENCY MANAGEMENT /  
FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)  
HAZARD MITIGATION GRANT TO DEVELOP  
A CAYUGA COUNTY HAZARD MITIGATION PLAN.**

BY: Hon. Stephen Barski, Chairman, Planning and Economic Development Committee  
Hon. Paul Pinckney, Chairman, Judicial & Public Safety Committee, and  
Hon. David Axton, Chairman, Ways & Means Committee

WHEREAS, the Cayuga County Office of Emergency Services and Cayuga County Planning Department have collaboratively applied for and Cayuga County was awarded a \$180,000.00 Federal Emergency Management Agency (FEMA) Hazard Mitigation Planning Grant to develop a Comprehensive, multi-jurisdictional Hazard Mitigation Plan for Cayuga County; and,

WHEREAS, the Grant funds awarded to Cayuga County are \$135,000.00 Federal Share and 25% or \$45,000 local match, that can be any combination of In-Kind Services; and

WHEREAS, the Grant funds are specified by the New York State Office of Emergency Management and the Federal Emergency Management Agency (FEMA) to produce and submit a Comprehensive, multi-jurisdictional Hazard Mitigation Plan for Cayuga County; therefore be it

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

RESOLVED, that the Chairman of the Legislature, County Administrator, Director of Emergency Services and Director of the Planning Department be authorized to develop and release a Request for Proposal, and to enter into contracts with appropriate vendors in order to accomplish the goals of this grant without further legislative action; and be it further

RESOLVED, that the Cayuga County Treasurer's Office is hereby authorized and directed to amend the Emergency Management Department's 2012 Budget by creating a revenue line Munis Account No. A36470-44314 and creating expenditure line Munis Account No. A36474-54519; and be it further

RESOLVED, that appropriations be increased by \$135,000 and revenues be increased by \$135,000

RESOLVED, that the Treasurer make the journal and accounting entries necessary to implement the intent of this Resolution.

Signed by Aikman, Chapman, Farrell, Fearon, Pinckney, Axton, Whitman and Runkle, all in favor.

**RESOLUTION NO. 86-12**  
**2/28/12 PT Flowers 2 12 Rev 1**  
**AUTHORIZING THE PURCHASE OF FLOWERS FOR**  
**THE VARIOUS FLOWERBEDS AT EMERSON PARK**

By: Tucker Whitman Chairperson, Public Works

David Axton Chairperson, Ways & Means Committee

WHEREAS, Each year the park purchases flowers for the flowerbeds at Emerson Park, and replace other landscaping as needed; and

WHEREAS, Part of operating a park is to make it attractive so that people want to visit it; and

WHEREAS, Dickman Farms LLC has proven to be a good vendor over the years providing delivery, use of rolling carts and technical support at no charge to the park; and

WHEREAS, Emerson Park has \$3,075 in budget account A71104.54109 for General Landscaping to purchase flowers and other landscaping items; now therefore be it

RESOLVED, that the County Legislature hereby authorizes the Parks and Trails Department to purchase the flowers and related items for Emerson Park at a price not to exceed \$3,075; and be it further

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

Signed by Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Barski, Chapman, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 87-12**  
**2/28/12 PT Sterling Friend's Agree 2-12**  
**APPROVING A FIVE YEAR AGREEMENT WITH FRIENDS OF**  
**THE STERLING NATURE CENTER, INC.**

By: Tucker Whitman, Chairperson Public Works

David Axton: Chairperson, Ways & Means Committee

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

WHEREAS, for many years the county has been approving an annual agreement the Friends of the Sterling Nature Center Inc. allowing them to foster programs that support and are consistent with the mission of the Nature Center; and

WHEREAS, last February the Public Works Committee recommended we consider a 5-year agreement in 2012; and

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

RESOLVED, that the Chairperson of the County Legislature is hereby authorized to sign a 5-year agreement with the Friends of the Sterling Nature Center Inc., and be it further,

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

Signed by Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Barski, Chapman, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 88-12**

**2/28/11 PT ATV Trail Agreement 2 12**

**AUTHORIZING THE CHAIRPERSON OF THE CAYUGA COUNTY LEGISLATURE TO SIGN AN AGREEMENT WITH THE OSWEGO VALLEY ATV CLUB TO ALLOW ACCESS TO THE HOJACK TRAIL FROM OSWEGO COUNTY WEST TO THE CATO/FAIR HAVEN TRAIL AND FOR THE ENTIRE LENGTH OF THE CATO/FAIR HAVEN TRAIL FOR THE 2012 AND 2013 SEASONS**

By: Tucker Whitman Chairperson, Public Works

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

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

WHEREAS, for 2012 AND 2013 the Oswego Valley ATV Club has again requested permission to include the Hojack Trail from Oswego County west to the Cato/Fair haven Trail and for the entire length of the Cato/Fair Haven Trail; and

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

WHEREAS, the definition of an ATV is a 4 wheeled vehicle that travels on low pressure tires, with a seat that is straddled by the operator, and with handlebars for steering control. Riders are permitted but must maintain a safe position behind the driver. Vehicles such as LUV (Light Utility Vehicles) or UV (Utility Vehicles) which typically have side by side seats and a steering wheel, are not considered ATV's UNLESS THEY MEET THE NEW YORK STATE DEPARTMENT OF MOTOR VEHICLES DEFINITION OF AN ATV AND ARE LICENSED AND REGISTERED AS AN ATV and will not be allowed to use the trail except for situations in which the club would need this type of vehicle for use in maintenance or repair of trails. ATV's must have stock, unmodified, factory installed exhaust systems with spark arresters. Motorcycles or any other 2 or 3 wheeled vehicles are not considered ATV's and therefore will not be allowed on trails. No homemade ATV will be considered an approved ATV by definition; and

WHEREAS, the proposed agreement is supported by the local politicians, the Park Commission and Legislators Whitman and Chapman; now, therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to sign an agreement with The Oswego Valley ATV Club to allow ATV use on the Cayuga County Hojack Trail from Oswego County west to the Cato/Fair



Haven Trail and the entire Cato/Fair Haven Trail for the 2012 season (from April 15, 2012 to the opening day of deer season 2012) and the entire 2013 season (from April 15, 2013 to the opening day of deer season 2013); and be it further

RESOLVED, that the Parks and Trails Department is authorized and directed to review the trail with The Oswego Valley ATV Club before it is opened to ATV use, during the season and after the season to verify that the agreement has been complied with.

Signed by Whitman, Axton, Bennett, Didio, Mahunik, Pecher and Runkle, all in favor.

**RESOLUTION NO. 89-12**

**Date: 2/28/12 PT SterlingNatureCentCapReserve 2 12**

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

By: Tucker Whitman, Chairperson, Public Works

David Axton, Chairperson Ways & Means Committee\_

WHEREAS, by Resolutions 706-09, 104-10, 46-11, 318-11 and 544-11 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; and

WHEREAS, the fund has grown to \$108,389.09, and

WHEREAS, the legislature included another \$10,000 in the 2012 Budget Account #A71134-54609 Fund Transfer to be put toward this project; now therefore be it

RESOLVED, that the Cayuga County Treasurer is hereby directed to transfer the \$10,000 in 2012 Parks and Trails Budget Account A71134-54609 to the Capital Reserve Account for building improvements at the Sterling Nature Center; 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 Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Barski, Chapman, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 90-12**

**(2/28/12) PT Seasonal Help 2 12**

**AUTHORIZING THE HIRING OF SEASONAL STAFF FOR THE PARKS & TRAILS DEPARTMENT FOR THE 2012 SEASON**

By: Tucker Whitman Chairperson, Public Works

David Axton Chairperson, Ways & Means Committee

WHEREAS, it is necessary to hire additional seasonal staff at Emerson Park, West Barrier Bar, Sterling Nature Center, Owasco Flats and the County Trails to accomplish the increased workload preparing for, during and after the summer season; and

WHEREAS, it is anticipated that in order to accomplish this extra work up to forty-five (45) full-time equivalent seasonal positions will be needed, which will include:

Fourteen (14) Laborers, six (6) Lifeguards, two (2) Head Lifeguards, four (4) Maintenance Crew Leaders, twelve (12) Park Security Guards, one (1) Supervising Park Security Guard, one (1) Building Maintenance Mechanic, two (2) Building Maintenance Persons and three (3) Cleaners as recommended by the Committee or as otherwise provided by law; now, therefore, be it

RESOLVED, that the Park Maintenance Supervisor is hereby authorized to hire up to forty-five (45) full time equivalent seasonal positions as stated above, to be paid as follows:

Laborers	\$7.25/hr.
Lifeguards	\$8.50/hr.
Head Lifeguards	\$9.25/hr.
Maintenance Crew Leaders	\$8.75/hr.
Park Security Guards	\$10.00/hr.
Supervising Park Security Guard	\$15.00/hr.
Building Maintenance Mechanic	\$15.00/hr.
Building Maintenance Persons	\$11.50/hr
Cleaners	\$8.75/hr.

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 # A71101-51005, total not to exceed the budgeted amount of \$111,871.00.

Signed by Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Barski, Chapman, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 91-12**

**(2/28/12) PT AsstParkMaintSuperHrs 2 12rev**

**AUTHORIZATION TO CHANGE REQUIRED DAILY WORK HOURS FOR THE ASSISTANT PARK MAINTENANCE SUPERVISOR FROM 8 HOURS A DAY TO 6 HOURS A DAY AND ADJUST ANNUAL SALARY AND BENEFITS ACCORDINGLY.**

By: Tucker Whitman Chairperson, Public Works

David Axton Chairperson, Ways & Means Committee

WHEREAS, in 2011 Cayuga County entered into a contract for the sole management and daily operation of the Emerson Park Pavilion; and

WHEREAS, in October of 2011 the Parks Department ceased renting the Pavilion; and

WHEREAS, the effects of the management of the pavilion by a sole caterer has been, and is anticipated to continue, to lessen the workload of the park administrative office; and

WHEREAS, as a result the workload and responsibilities of the administrative office staff has been restructured and reassigned and the department continues to function in a very productive manner; now therefore be it

RESOLVED, that the required daily work hours for the Assistant Park Maintenance Supervisor (Position Control Number 03367) be changed from 8 hours to 6 hours a day, the effect being a 25% decrease in hours worked; and be it further

RESOLVED, that the annual salary and earned benefits for said position be reduced by 25% to reflect the decreased hours; and be it further

RESOLVED, that the County of Cayuga's Compensation Plan, Part IV and set the salary at \$36,945.

Signed by Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Barski, Chapman, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 92-12**

**(2/28/11) PT CCE Youth Fair Ag Museum 2 12**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN AN AGREEMENT WITH CORNELL COOPERATIVE EXTENSION OF CAYUGA COUNTY (CCE) TO ALLOW THE 2012 YOUTH FAIR TO BE HELD AT THE WARD W. O'HARA AGRICULTURAL MUSEUM AND THE DR. JOSEPH F. KARPINSKI SR. EDUCATIONAL CENTER AT EMERSON PARK IN JULY OF 2012**

By: Tucker Whitman Chairperson, Public Works

WHEREAS, for the last two years CCE has held their annual youth fair at the Ward W. O'Hara Agricultural Museum located in Emerson Park; and

WHEREAS, CCE has requested to have the 2012 event at The Ward W. O'Hara Agricultural Museum and The Dr. Joseph F. Karpinski Sr. Educational Center at Emerson Park; and

WHEREAS, CCE has agreed to provide the necessary tents and set-up and removal expenses from external donations and the reimbursable funds provided by the Cayuga County Legislature; and

WHEREAS, CCE and 4H agrees to provide staff, judges and insurance for the event, and

WHEREAS, the events over the last two years were very successful and well received; and

WHEREAS, CCE, a group of dedicated volunteers and the Cayuga County Parks Department are hoping to build on the success of the last two years and make the 2012 event even bigger; now, therefore, be it

RESOLVED, that the Cayuga County Attorney is hereby authorized and directed to work with CCE to develop an agreement acceptable to both parties; and be it further

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

SIGNED BY Whitman, Axton, Bennett, Didio, Mahunik, Pecher and Runkle, all in favor.

**Motion by Axton to amend the parking fees, fee list attached, 2<sup>nd</sup> by Chapman, approved by Majority Vote, Ayes – Pecher, Whitman, Chapman, Axton, Pinckney, Runkle, Fearon, Lattimore and Cuddeback. No – Aikman, Farrell, Barski and Mahunik. Excused Didio. Vote Count – 585/201/48, as amended, all in favor, except Mahunik, Barski, Farrell and Aikman voting no.**

**RESOLUTION NO. 93-12****(2/28/12) PT EmersonParkFees 2 12rev**

**APPROVING NEW FEES FOR EMERSON PARK AND DIRECTING THE CAYUGA COUNTY TREASURER TO ESTABLISH A CAPITAL RESERVE ACCOUNT TITLED EMERSON PARK IMPROVEMENTS AND TO DEPOSIT ANY PARKING AND BOAT LAUNCH REVENUE IN EXCESS OF THE 2012 BUDGETED AMOUNT OF \$60,640 INTO THAT CAPITAL RESERVE ACCOUNT THIS YEAR AND IN FUTURE YEARS**

By: Tucker Whitman Chairperson, Public Works

David Axton Chairperson, Ways & Means Committee

WHEREAS, the fees at Emerson Park have not been changed in many years; and  
 WHEREAS, the Park Commission compared the parking, boat launch and rental fees at Emerson Park to the fees charged by New York State Parks and Onondaga County Parks and determined that a change was warranted; and

WHEREAS, the Park Commission recommended that the legislature approve the fees on the attached spreadsheet titled "Proposed Fee Changes Attached to February Resolution, 1/27/12", which includes charges for seniors and handicapped at a reduced rate; and

WHEREAS, the 2012 Budget for Emerson Park projected \$60,640 in revenue for parking and the boat launch; and

WHEREAS, the Parks Department projected the increases would result in an additional \$30,818 minus \$2,465.44 in sales tax equals \$28,352.56 in parking fee and boat launch revenue; and

WHEREAS, the Park Commission recommended any additional funds over the budgeted revenue of \$60,640 from this increase be placed in a Capital Reserve Account for improvements to Emerson Park; now therefore be it

RESOLVED, that the Cayuga County Legislature does hereby approve the new fee structure for Emerson Park; and be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to establish a Capital Reserve Account titled Emerson Park Improvements; and be it further

RESOLVED, the Cayuga County Treasurer is hereby authorized and directed to fund this account annually with any parking and boat launch revenue received above \$60,640.

<b>Description</b>	<b>Current</b>	<b>Proposed</b>	<b>NYS Parks</b>	<b>Onon. Cty</b>	<b>Parks Commission</b>
Parking Daily	\$2.00	\$2.00	\$6.00	\$4.00	NYS \$6-\$10, Jamesville \$6.00 Weekends
Parking Season Pass	\$20.00	\$20.00	\$65.00	\$31.50	NYS Good for all parks.
Parking, Little League Season Pass	\$15.00	<u>\$18.00</u>	NA	NA	
Parking, Seniors	\$0.00	<u>\$1.00</u>	\$6.00	\$2.00	NYS Free Week days only, Onond. Reduced Weekdays only
Parking Pass Seniors	\$0.00	<u>\$10.00</u>	\$65.00	\$21.00	No Change
Parking, Handicapped	\$0.00	<u>\$1.00</u>	\$0.00	NA?	No Change
Parking Pass Handicapped	\$0.00	<u>\$10.00</u>	\$0.00	NA?	No Change
Boat Launch Daily	\$5.00	<u>\$6.00</u>	\$7.00	\$7.50	Maybe less for PWC (Personal Water Craft)?
Boat Launch Season Pass	\$50.00	<u>\$60.00</u>	\$65.00	\$77.00	NYS Empire Passport
PWC launch Daily	\$2.00	<u>\$5.00</u>		\$5.00	
PWC Season Pass	\$20.00	<u>\$50.00</u>		\$63.00	
Boat Launch, Seniors	\$0.00	<u>\$5.00</u>	\$7.00	\$4.00	Onon. Weekdays \$4.00
Boat Launch Season Pass, Seniors	\$0.00	<u>\$25.00</u>	\$65.00	\$77.00	No Change, considered charging
Boat Launch, Handicapped	\$0.00	<u>\$5.00</u>	\$7.00	\$7.50	No Change
Boat Lch Ssn Pass, Handicapped	\$0.00	<u>\$25.00</u>	\$65.00	\$77.00	No Change
Boat Launch Honor Box	\$0.00	\$0.00	NA	\$5.00	Off Season
Parking, Tomatofest (Extend season)	\$2.00	<u>\$3.00</u>	NA	NA	Yes, extend season
Parking July 3rd Fireworks	\$5.00	\$5.00	NA	NA	Yes, extend season
Bus	\$25.00	\$25.00	\$75.00	\$10.50	NYS Nonprofit bus
Boat Slip Rental, Daily	\$12.00	<u>\$15.00</u>	\$10.00	\$29.00	
Boat Slip Rental, Annual	\$700.00	\$700.00	\$625.00	\$650.00	\$800.00 After March 31 (NYS \$42/Ft X\$18=\$756)
Boat Launch Shelter	\$100.00	\$100.00	\$75.00	\$65.00	OK (Note: Owasco Shelter \$100.00 w/\$25 refund)
Conservation Shelter (Plus Security)	\$150.00	\$150.00	\$75.00	\$65.00	OK
Seawall Shelter (Plus Security)	\$175.00	\$175.00	\$75.00	\$65.00	OK
Seawall Shelter, Table Rows	\$30.00	\$35.00	NA	NA	OK

Island Shelter	\$200.00	\$200.00	\$75.00	\$65.00	OK
Island Rental	\$500.00	\$500.00	NA	NA	OK
Vendor Permit, Daily	\$50.00	\$50.00	?	?	OK
Vendor Permit, Monthly	\$0.00	\$100.00	?	?	Make \$200. No vendors did this.
Vendor Permit Season	\$100.00	\$250.00	\$400.00	?	Make \$500, Vendors say \$100.00, max..
Conference Room, (Per Evening)					Perhaps could be rented?
Log Cabin					Needs to be fixed up

**Discussion:**

Axton, the price increases went through committee and Ways, I have handed out an amendment. We have finally got our heads above water with the help of the Emerson Foundation. Gary is doing a fantastic job out there and there are a lot of things we want to continue to do out there, but we need to insure we have proper revenue coming in so that park never gets into this disrepair again. I have spoken to many seniors and have not had one, except Mr. Chick who is here tonight, speak against the increase. Everyone that came up to talk to me welcomed some way to give to the park. Originally it was \$2.00 we were going to charge the seniors and handicap and in my amendment that is dropped to \$1.00 and the senior pass in half price. It is important that we continue revenue flow, continue to build the park, continue to grow and continue to maintain it. This will help ensure that the money we make stays in a separate account and will never allow that to happen again. I am hopeful that we establish that account and my grand kids will have a park to go to. With that I offer up the amendment that is on your desks, the highlight numbers are the ones I reduced from the original.

Fearon, I support this, but I would like to see no increase on handicap or seniors, someday we may have to have all these fees, but not yet.

Runkle, in Dave's proposal the daily parking fees for non-seniors and non-handicap is not being changed.

Aikman, I will be voting no on any parking considerations, I would like us to consider the Emerson proposal, I will be opposing any fee schedule at this time. The contract that we have with the concession right now is a 3 and 1/2 year contract, it isn't a forever contract, we are not locked in, we can negotiate another contract.

Mahunik, the parking daily for Onondaga County is \$4.00.

Duckett, some of them are \$4.00 and on weekends it is \$6.00.

Mahunik, so it is not overall picture of what they charge in Onondaga County, I know the lake park doesn't change anything.

Duckett, right, but they don't have swimming but they do have walking.

Chapman, initially I was against any increase in the park, I believe the park belongs to the people and we should take ever measure possible to keep them free as much as possible. However if you look at all the numbers and what we expect to realize from our vendor on this parcel year 2012 and knowing we can utilize some of that money for upkeep, I think the minimal increase that is proposed in this amendment is reasonable and we may find that it is very much necessary to help upkeep the park.

Barski, I am not going to support any increase until we see what happens in 6month to a year.

Lattimore, the park will continue to have costs, we are going to need some kind of funding mechanism for the future.

Runkle, we have to look down the road.

Mahunik, Mr. Lattimore you have suggest that we have a million dollars invested in the infrastructure of the park, centered around the pavilion project. The parking fees would be dedicated to capital projects at the parks, I won't support the amendment or any parking fees, how much do you think you are going to gain by charging our senior citizens \$1.00 to go up there and park, what kind of capital improvement are we going to do for \$1.00. I think they deserve to be able to enjoy a view of the lake.

Axton, \$1.00 in my amendment, opposed to \$2.00 in the original.

Cuddeback, I agree we need a place for people to go and enjoy the scenic beauty of Emerson Park, but it also nice to have a parking lot that is safe to park, that they can walk across, that is what the parking fees have always been for. If there is an increase in flow because of the new venue, or upgraded venue then the wear and tear will increase as well. I was on the board in 2002 when the parking fee went in place and it was as critical debate as it is now. Make sure you all speak to this if you have something to say and we'll go from here.

Axton, it is very easy for us to push off the hard decision on a future Legislature. When I came on I said I'm going to make the hard decision now, whether it is popular or not, but it has to be one that is for the benefit for everyone. You have to do what is best for the parks future, if not the park won't be there.

Lattimore, Gary are you indorsing the change?

Duckett, the Park Commission supported the full change, I supported the full increases. Lattimore, so Dave's amendment would be something less?

Duckett, less than I would recommend, but the decisions are made here, we make recommendations.

Lattimore, what was the cost of the Merry-go-Round roof?

Duckett, about \$53,000.

Lattimore, where did that money come from?

Duckett, the taxpayers, offset by some revenue.

**Amendment Passed by Majority vote.**

**Motion by Mahunik to amend the amendment, keep current parking fees as they are now, Little League Season pass leave at \$15.00, parking daily and season parking pass for senior and handicap at \$0, 2<sup>nd</sup> by Farrell.**

**Defeated by voice vote, all voting no, except Mahunik voting yes.**

**Vote on resolution as amended, all in favor, except Mahunik, Farrell, Barski and Aikman voting no.**

#### **RESOLUTION NO. 94-12**

**2/28/12 BLD transfer of funds for Hardenburg elevator rev4**

**AUTHORIZATION THE EXECUTION OF AN AGREEMENT WITH TYSENKRUPP ELEVATOR AMERICANS FOR THE REPAIR OF THE ELEVATOR AT HARDENBURG BUILDING AND AUTHORIZING THE TRANSFER OF FUNDS FOR THE REPAIR OF THE ELEVATOR IN THE HARDENBURG BUILDING AT 95 GENESEE STREET AUBURN, NEW YORK**

BY: Hon. Tucker Whitman, Public Works Chair

Hon. David Axton, Ways and Means Chair

WHEREAS, Resolution No. 42-12 established a Capital Repair Reserve Fund for improvements, construction and reconstruction of County owned buildings known as the "Buildings Reserve fund"; and,

WHEREAS, the elevator in the Hardenburg Building at 95 Genesee Street, Auburn NY, failed a jack pressure test and is need of reconstruction; and

WHEREAS, an emergency resolution authorized the execution of a work order with TyssenKrupp Elevator Americans to proceed with the repairs in the amount of \$31,247.00 and thereafter it was determined that further work was needed to complete the repairs in the amount of \$4,265.00; and



WHEREAS, the Buildings Repair Reserve Fund was established for this purpose; now therefore be it

RESOLVED, the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute an agreement with TyssenKrupp Elevator Americans for the repair of the elevator at the Hardenburg Building in an amount not to exceed \$35,512.00; and be it further

RESOLVED, that \$35,500.00 be taken from the Building Repair Reserve Fund and placed in the Hardenburg Building Account Number A16224 54026 (Elevator) for the reconstruction repair of the elevator; 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 Superintendent of Buildings and Grounds is hereby authorized and directed to implement the repair of the elevator to 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 Whitman, Axton, Pecher, Runkle, Chapman and Fearon , all in favor.

**RESOLUTION NO. 95-12**

**2/28/12 BLD Amend Contract with Larson Design for HPOrev  
AUTHORIZING THE CHAIRPERSON OF THE CAYUGA COUNTY  
LEGISLATURE TO AMEND THE CONTRACT AGREEMENT WITH  
LARSON DESIGN GROUP FOR THE HISTORIC POST OFFICE  
WINDOWS, ROOF AND WALLS PROJECT.**

BY: Hon. Tucker Whitman, Public Works Chair

Hon. David Axton, Ways and Means Chair

WHEREAS, Resolution No. 249-09 authorized going out for RFP's for Projects in the Downtown Campus and Resolutions 411-09 and 469-09 awarded and set up Capital "H" Project No. 09-02 for the Historic Post Office; and,

WHEREAS, Resolution 409-10 authorized advertising for bids for the masonry repair of the HPO and Resolution 450-10 Awarded the masonry repair of the HPO; and

WHEREAS, with the project taking longer than expected the contract with Larson Design Group has expired; and

WHEREAS, Capital "H" Project No. 09-02 was established for the design of the project, when part of the wall fell on the HPO, concentration was moved to the masonry portion of the project and funding for the capital H for design was used for the construction monitoring phase of the masonry project; and

WHEREAS, there is enough funding in Capital "H" 09-02 to cover this increase of monitoring and reimbursable of the Masonry project; now therefore be it

RESOLVED; that the contract between the County of Cayuga and Larson Design Group be extended to December 31, 2012 to finish the design portion of the roofing and windows project to have documents ready to go out for bid; and be it further

RESOLVED; that their contract amount be increased from \$33,300.00 to a cost not to exceed \$39,900.00; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature I hereby authorized and directed to sign all contracts with Larson Design Group, to implement the intent of this resolution; be it further

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized and directed 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 Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Barski, Chapman, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 96-12**

**2-28-12 HWY summerpavelist**

**AUTHORIZATION TO APPROVE 2012 PAVING LIST**

By: Tucker Whitman, Chairman Public Works Committee

David Axton, Chairman Ways and Means Committee

WHEREAS, the County is responsible for the maintenance of 516 miles of road; and

WHEREAS, CHIPs funds were budgeted in the 2012 highway budget in account D51134 - Capital for paving and recycling of pavements; and

WHEREAS, the attached list of road work is less than the actual needed to maintain overall pavement condition at previous levels but is the best mix to try to slow the downward trend of the overall pavement condition of the county road network; now therefore be it

RESOLVED, that the attached list of roads to be worked on in the 2012 summer construction season is hereby approved; and be it further

RESOLVED, the County Highway Superintendent is authorize to make adjustments to the list to meet changing conditions and changes in the cost of materials.

Signed by Whitman, Axton, Pecher, Runkle, Chapman and Fearon, all in favor.

**RESOLUTION NO. 97-12**

**2-28-12 HWY summerhelp**

**AUTHORIZATION TO HIRE 10 SEASONAL LABORERS**

By: Tucker Whitman, Chairman Public Works Committee

David Axton, Chairman Ways and Means Committee

WHEREAS, summer is the prime construction season as well as the period when many regular employees take time off; and

WHEREAS, funding is allocated in Account D51101 51005 of the 2012 highway budget for the hiring of seasonal laborers for an 18 week period; and

WHEREAS, the decrease in the size of the Highway Department over the last few years has made the reliance on seasonal employees more critical than in the past to get work done in the short summer construction season; and

WHEREAS, the lack of these seasonal employees would seriously hamper the operations of the department during prime construction season; and

WHEREAS, many of the tasks that need to be done are seasonal in nature commencing from the beginning of June to the end of September; now therefore be it

RESOLVED, that the County Highway Superintendent be hereby authorized to hire 10 seasonal laborers to start in May and end in September for a period not to exceed 18 weeks to accomplish the added seasonal tasks required by the highway department; and be it further

RESOLVED, that the seasonal personnel be paid at an hourly rate of \$10.00 without fringe benefits except those that are required by law; and be it further

RESOLVED, that the foregoing be accomplished in accordance with Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga. Signed by Whitman, Axton, Pecher, Runkle, Chapman and Fearon, all in favor.

**RESOLUTION NO. 98-12**

**2-28-12 HWY skidsteerpurch**

**AUTHORIZATION FOR THE HIGHWAY SUPERINTENDENT TO PURCHASE A SKID STEER LOADER USING STATE CONTRACT PRICING**

BY: Tucker Whitman, Chairman, Public Works Committee

David Axton, Chairman, Ways and Means Committee

WHEREAS, in the 2012 Highway Department budget, funds were budgeted in account DM51302 52002 for the purchase of a skid steer loader; and

WHEREAS, the County can purchase this loader at a total cost of \$37,146 from State bid contract PC64709 thereby eliminating the need and cost of bidding; and

WHEREAS, this loader is a necessary and critical component of the Highway Department for highway roadside maintenance, rehabilitation, reconstruction and snow removal activities; now therefore be it

Resolved, the Highway Superintendent is authorized to purchase a 2012 skid steer from State bid utilizing the appropriated and budgeted funds in account DM51302 52002; and be it further

Resolved, that the total cost of the loader is not to exceed \$37,146; and be it further;

Resolved, that the Cayuga County Treasurer is hereby authorized and directed to make the journal and accounting

entries necessary to carry out the intent of this resolution.

Signed by Whitman, Axton, Pecher, Runkle, Chapman and Fearon, all in favor.

**RESOLUTION NO. 99-12**

**2-28-12 HWY salarytrans2012**

**AUTHORIZATION TO AMEND THE 2012 CAYUGA COUNTY HIGHWAY BUDGET**

BY: Tucker Whitman, Public Works Committee

David Axton, Chairman Ways and Means Committee

WHEREAS, the submission of the 2012 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 2012 Highway Budget to allow these various accounts to reflect estimated salaries; now, therefore, be it

RESOLVED, that the County Treasurer be and is hereby authorized and directed to provide for transfer of funds in the following manner:

Org	Object	Description	Budgeted	Increase/Decrease	Revised
D51101	51001	SALARIES - FULL TIME	\$2,059,384.00	-\$659,003.00	\$1,400,381.00
D51131	51001	SALARIES - FULL TIME	\$0.00	\$267,720.00	\$267,720.00
D51421	51001	SALARIES - FULL TIME	\$0.00	\$185,345.00	\$185,345.00
D51441	51001	SALARIES - FULL TIME	\$0.00	\$144,157.00	\$144,157.00
D51481	51001	SALARIES - FULL TIME	\$0.00	\$61,781.00	\$61,781.00
		<b>TOTALS</b>	<b>\$2,059,384.00</b>	<b>\$0.00</b>	<b>\$2,059,384.00</b>
D51101	51003	SALARIES - OVERTIME	\$248,000.00	-\$230,640.00	\$17,360.00
D51131	51003	SALARIES - OVERTIME	\$0.00	\$6,200.00	\$6,200.00
D51421	51003	SALARIES - OVERTIME	\$0.00	\$124,000.00	\$124,000.00
D51441	51003	SALARIES - OVERTIME	\$0.00	\$99,200.00	\$99,200.00
D51481	51003	SALARIES - OVERTIME	\$0.00	\$1,240.00	\$1,240.00
		<b>TOTALS</b>	<b>\$248,000.00</b>	<b>\$0.00</b>	<b>\$248,000.00</b>

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 Whitman, Axton, Pecher, Runkle, Chapman and Fearon, all in favor.

**RESOLUTION NO. 100-12**

**2.28.12 COA bldcdsrcrev2**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO ENTER INTO AN AGREEMENT WITH HOWARD TANNER DOING BUSINESS AS TANNER INSPECTION SERVICES TO PROVIDE BUILDING CODE AND FIRE INSPECTION SERVICES FOR CAYUGA COUNTY AND THE VILLAGE OF CATO.**

By: Hon. Tucker Whitman, Chair, Public Works Committee

Hon. David Axton, Chair, Ways and Means Committee

WHEREAS, Resolution No. 539-11 authorized an RFP seeking proposals for the provision of Building Code and Fire Inspection services for the County of Cayuga and the Village of Cato; and

WHEREAS, one response was received, i.e., Howard Tanner doing business as Tanner Inspection Services; and

WHEREAS, the proposal is to provide Building Code and Fire Inspection Services at the rate of \$240.00 per day bid tab sheet attached); now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to enter into a Building and Fire Code Inspection Services agreement with Howard Tanner, doing business as Tanner Inspection Services and be it further

RESOLVED, the Cayuga County Treasurer is hereby authorized and directed to make the following transfers:

Increase A14204 54074	Department Expense	\$26,801.00
Decrease A14201 51002	PT salaries	\$20,770.00
Decrease A14204 58001	FICA	\$1,588.00
Decrease A14204 58002	Retirement	\$3,717.00
Decrease A14208 58005	Wkers Comp	\$726.00

Signed by Whitman, Axton, Runkle, Chapman and Fearon, all in favor, except Pecher and Cuddeback voting no.

**RESOLUTION NO. 101-12**

**Action Date 2/28/12 911 sharedgrantstudyrev**

**MEMORIALIZING SUPPORT FOR PARTICIPATION IN A STUDY REGARDING SHARED PUBLIC SAFETY COMMUNICATION CENTER SERVICES WITH THE COUNTIES OF OSWEGO, MADISON, AND ONONDAGA, AND AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO ENTER INTO INTERMUNICIPAL AGREEMENTS**

BY: Paul Pinckney, Chairperson, Judicial & Public Safety Committee

David Axton, Chairperson, Ways & Means Committee

WHEREAS, the Counties of Onondaga, Oswego, Madison, Cayuga, and any other counties in the region that may wish to participate, desire to consider the implications of sharing Public Safety Communication Center services, as well as the possible consolidation of those services; and

WHEREAS, sharing of such services will likely result in a streamlining of municipal resources and will promote municipal economy in all four counties; and

WHEREAS, to this end, the Counties desire to apply for a joint grant from the New York State Shared Municipal Services Incentive Grant Program to assist with funding a feasibility study to assess the possible sharing or consolidation of the Public Safety Communication Center services; now, therefore be it

RESOLVED, that the County of Cayuga is hereby authorized to participate in the submission of an application through the Shared Municipal Services Incentive Grant Program for purposes of conducting a feasibility study considering the implications of sharing or consolidating Public Safety Communication Center services between the Counties of Onondaga, Oswego, Madison, Cayuga, and any other counties in the region that may wish to participate, and, be it further

RESOLVED, that the County of Onondaga shall act as Lead Applicant and the Counties of Oswego, Madison, Cayuga, any other counties in the region that may wish to participate shall act as co-applicants, with the respective department heads or commissioners of each County's public safety communication center acting as Co-Applicant Contact Person and with the Onondaga County Commissioner of the Department of Emergency Communications, William Bleyle, or his designee, acting as the Lead Applicant Contact Person and that such Lead Applicant Contact Person shall execute all financial and/or administrative process relating to the grant program; and, be it further

RESOLVED, that the project for which the grant application shall be submitted is for the Counties of Onondaga, Oswego, Madison, Cayuga, and any other counties in the region that may wish to participate to conduct a feasibility study to determine whether there are financial and operational efficiencies to be achieved in the event that the participating counties either share or consolidate Public Safety Communication Center services; and, be it further

RESOLVED, that the maximum amount of money to be applied for in the grant application shall be \$25,000 per county, with each county contributing a maximum local share of \$2,500 toward the study, and that the maximum aggregate amount of the grant application will be \$100,000 for all four counties, plus an additional \$25,000 for any other county in the region that may wish to participate in the study, resulting in a maximum aggregate local share of \$10,000 among the four counties, plus an additional \$2,500 for any other county in the region that may wish to participate in the study ; and, be it further

RESOLVED, that the Counties of Onondaga, Oswego, Madison, Cayuga, and any other county in the region that may wish to participate in the study shall enter into an inter-municipal agreement that further defines the rights and obligations of the counties in connection with the feasibility study and that the local share or match for the grant funds shall be made by equal contribution from each county; and, be it further

RESOLVED, that the County Executive is authorized to enter into agreements to implement the intent of this resolution.

Signed by Pinckney, Axton, Barski, Bennett, Didio, Farrell, Whitman, Chapman, Fearon and Runkle, all in favor.

**RESOLUTION NO. 102-12**

**2.28.12 SHR BlackCreekAgmnt.rev**

**AUTHORIZATION TO ENTER A SUPPORT PLAN AGREEMENT WITH  
BLACK CREEK INTEGRATED SYSTEMS CORP. FOR SUPPORTIVE  
SERVICES CONCERNING THE SOFTWARE AND ITS OPERATION  
THAT IS USED TO SUPPORT THE BOOKING RECORD SYSTEM  
AT THE CAYUGA COUNTY JAIL**

BY: Mr. Paul Pinckney, Chairperson, Judicial and Public Safety Committee  
Mr. David Axton, Chairperson, Ways & Means Committee

WHEREAS, the software utilized to support the Sally-Port at the Cayuga County Jail is provided and serviced by Black Creek Integrated Systems Corp.; and

WHEREAS, the present Support Plan Agreement between the Cayuga County Sheriff's Office and Black Creek Integrated Systems Corporation is expiring; and

WHEREAS, it is critical that the booking record system at the Cayuga County Jail operates at the highest level of efficiency possible to maintain accurate, well-organized booking records and procedures in the Jail and Black Creek Integrated Systems Corp. provides the necessary software and support to maintain said booking record system; and

WHEREAS, Black Creek Integrated Systems Corp. submitted a Support Plan Agreement to extend services for an additional year; and

WHEREAS, sufficient money to cover the cost of said Support Plan Agreement is 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 Support Plan Agreement with Black Creek Integrated Systems Corp. the amount of \$14,533.75 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 Pinckney, Axton, Barski, Bennett, Didio, Farrell, Whitman, Chapman, Fearon and Runkle, all in favor.

**RESOLUTION NO. 103-12**

**Date: 2/28/12 SHR FillJailVacancy**

**AUTHORIZE THE SHERIFF TO FILL ONE VACANT SHERIFF  
CUSTODY OFFICER POSITION IN THE CUSTODY DIVISION  
OF THE CAYUGA COUNTY SHERIFF'S OFFICE.**

By: MR. PAUL PINCKNEY, Judicial & Public Safety Committee

MR. DAVID AXTON, Chairman, Ways & Means Committee

WHEREAS, a Sheriff Custody Officer (Position Control No. 006520-SYS) resigned effective November 29, 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 2012 Cayuga County Sheriff's 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 (SEACC) 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 Pinckney, Axton, Barski, Bennett, Didio, Farrell, Whitman, Chapman, Fearon and Runkle, all in favor.

Lattimore, I would like to commend Mr. Camardo and the newly elected board in regards to trying to come up with solutions for the operations cost at the Sewage Treatment Plant and recognize his efforts.

**Motion by Chapman to adjourn at 7:35PM, 2<sup>nd</sup> by Pinckney, all in favor.**

**Motion by Didio to approve minutes of 2-28-12, 2<sup>nd</sup> by Pinckney, all in favor.**



**MINUTES**  
**CAYUGA COUNTY LEGISLATURE**  
**TUESDAY, MARCH 27, 2012 – 6:30PM**

**CALL TO ORDER:** Hon. Steven Cuddeback, Chairman, at 6:32PM

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

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**DEATHS:**

**PUBLIC HEARING: 6:30PM** To Adopt Local Law No. 1 for the Year 2012, Amending Local Law No. 1 of 2009, and Local Law No. 5 of 2007, and Local Law No. 3 of 1994 to continue the room tax for three years.

**Public Hearing opened at 6:33PM**

**PRESENTATION:** Tim Kelly, Executive Director, United Way of Cayuga County; Presentation on Community Profiles Program, handout attached to original minutes.

**PROCLAMATIONS:** Colon Cancer Awareness Month

Copy of Proclamation received from Governor Andrew Cuomo, “Vietnam Veteran’s Day, March 29, 2012 in the Empire State. Read in its entirety by Clerk of the Legislature, Mary Jones, attached to original minutes.

**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 Patrick Mahunik for Brian Morgan Principal Auburn High School and students Jenna Bruno, senior class secretary and Larysa Droczyk, senior class vice-president re: graduation to be held at Emerson Park, Deauville Island and they would like the parking fee waived, handout attached to original minutes.

Fearon, I can’t speak to where the majority will go on this, but you might discover it is so nice there that next year’s class might want to make it a tradition.

Mahunik, if you rented the Pavilion before, was the parking fee waived.

Duckett, yes.

Mahunik, so we wouldn’t be stretching our policy to far.

Duckett, car shows, great race, they pay the parking fee. It is up to this board to make that decision.

Cuddeback, should be brought back to committee.

Whitman, I would like it to go back to committee for more discussion.

Cuddeback, Gary could you get a resolution ready for this?

Duckett, I will do a resolution to waive the parking fee.

Didio, I think we should push for discussion to have future graduations at that site.

Mahunik, Mary please let Mr. Morgan and the students that were here know when the next Public Works meeting is.

Axton, Public Works meeting for April will be held on April 10 at the Public Safety building, County House Rd, Judicial start at 5:45 and Public Works will follow.

Lattimore, regarding the proclamation from the Governor's Office, I would like to have our Assessment Department, we have now war zone exemptions for properties, I would like to see what the financial impact for the Vietnam Vets that weren't in the war zone, but did participate would be on our taxes.

Cuddeback, there has been some discussion, also on the Cold War Veterans, that might be something that can come before the Real Property and they can research and give us some numbers on it.

Axton, Public Works meeting for April will be held on April 10 at the Public Safety building, County House Rd, Judicial start at 5:45 and Public Works will follow, you should probably get there around 6:45PM.

Cuddeback, asked if anyone would like to speak on the Public Hearing.

**MINUTES:** For Approval: 1-24-12, **Motion by Didio to approve minutes, 2<sup>nd</sup> by Runkle, all in favor.**

For Reading: 2-28-12

**CCC REPORT:** Vice President Ann Herron, hand out attached.

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

Chapman, communication #1 re: Bill Conners, employee of the County buildings department, stepped forward to help the staff of WIC do to staff illness, this is a fine example of the type of employees that Cayuga County has and I hope we continue to remember them. I suggest that all committees think about this for next month's meeting so that we can increase our team work and make everybody a member of the extra mile club.

Aikman, at last month's Government Operations meeting we talked about a new policy, Healthy meetings, at the meeting we agreed to ask the administrator to advance the idea of the Healthy Foods at our in house meetings. I would like to get the blessing of the Legislature and to ask the Clerk of the Legislature to inform other organizations that meet here, staff, and other committees to also follow the policy. I have left copy of the policy on your desk.

**COUNTY ADMINISTRATOR'S REPORT:** Tom Squires, hand out attached.

Squires, at April Government Op's Meeting the Health Economics Group is coming in to give a presentation on the Dental Network Card. A few years ago the Legislature adopted a resolution that enabled Pro Act to offer a prescription card to residents of the county

that didn't have insurance coverage and this is similar, but with dental services. Treasurer Jim Orman held a pancake breakfast last Friday it is a way to thank employees and boast moral and at the same time it is also a food raiser for one of the local food pantries. People were asked to bring a food item to donate, this year's recipient was the King Ferry Food Pantry.

Lattimore, the numbers on sales tax, I heard that the numbers are down, you are indicating that the numbers are up 22%.

Squires, overall on an accrual basis we are up 13% compared to where we were last year at this time.

Lattimore, the city has been without a comptroller for some time, but they are indicating that their sales tax is a lot lower. I am concerned about that number, I don't know if it is true.

Squires, I believe it is the Treasurer's Office puts out a report and it breaks down the sales tax distribution between city, county, towns and villages. I believe the city sales tax is down, the city exercises their preemption right in regards to sales tax, so the city collects 50% of the sales tax that is collected in the city.

Lattimore, I'm questioning the sales tax numbers, I don't think there that high.

Squires, we don't get good information from the state and there are adjustments that come through.

Orman, adjustments were in January that is why we are up.

Squires, the state doesn't give us good information that is why it is hard to drill down to individual stores and then adjustments come through and it could go up or down.

Lattimore, the city is reporting less.

Squires, that number comes from the state, the break out of the sales tax.

Lattimore, I am concerned about that number.

Fearon, it is formula driven, basically the county gets half of the sales tax that is collected in the county, the state gets 4% and then the county gets 2% and then the division between towns, villages and city and then based a formula.

Aikman, the numbers that you just gave to us are the numbers that we received?

Squires, that the state has reported to us, that we have received.

Aikman, so there is no question that those are the numbers that we have received?

Squires, that is what we have received.

Lattimore, is there a peak season in the way we get our deposits from the state?

Squires, the holiday season, about 22 to 23% of the sales tax comes in related to the Christmas shopping season. It is subject to national and even international events.

Lattimore, but the city is down and they are part of the county.

Axton, its different retail establishments that you're talking about, so in the city business is down, but outside the city limit business is up.

**CHAIRMAN'S REPORT:** Steven Cuddeback, the Cayuga County employees have raised over \$1,100 in February for the 3<sup>rd</sup> annual "From the Heart Campaign", the money was collected and sent to Hospice and Matthew House. NYSAC Finance School registration is now open, the school will be held at the Sheridan, Syracuse University May 2nd through the 4<sup>th</sup>, please contact the clerk for more information. This Thursday, March 29 is the State of the City and County luncheon and will be held at the Holiday Inn from noon to 2:00PM anyone that would like to attend please see the clerk for more details. Java with Gents annual fundraiser for SAVAR is this Friday, March 30<sup>th</sup> at the Springside Inn, please contact 253-9795, Cayuga Counseling to reserve your ticket.

**APPOINTMENTS AND RE-APPOINTMENTS: None****COMMUNICATIONS AND ANNOUNCEMENTS:**

1. Received a letter from Mary Beth Hogan, Coordinator for the WIC Program, thanking Bill Connors, Building Dept, for going beyond his job description and helping them when they were short handed.

2. Received a letter from Mary Pat Hancock, President NYSAC, re: State Mandate costs.

3. Received the semi-annual PCB report from Nationalgrid for the period ending 12-31-2011.

4. received the certified copy of Resolution No. 73 from the Essex County Board of Supervisors, re:

“Calling on all Counties to Unite to bring about Real and Meaningful Mandate Relief in New York State”

5. Received a certified copy of Resolution No. IL-012-12 from Niagara County Legislature, titled “Calling on Congress to Repeal Portion of Universal Service Fund, A Hidden Tax, that Funds Tracfone “Safelink” Mobile telephones and Other Similar Free Cell Phone Services Provided to “Income-Eligible” Individuals at the Expense of Paying Telephone Customers.

6. Received a letter from the New York State Division of Homeland Security and Emergency Services, congratulating Cayuga County and its regional partnership \$54,200 under the FY2011 HazMat Grant Program.

7. Nancy Siefka, Office for the Aging received notification of a Grant Reward (NGA) for the Federal Fiscal Year 2012, Nutrition Services Incentive Program.

8. Received a letter from NYS Homes & Community Renewal, re: Grant NYS CDBG Project #201ED751-11, reminder completion date of Grant is March 16, 2012 and there are still funds available for use.

9. Received a letter from Matthew House thanking the County employees for their donation.

**Motion by Axton to waive reading of communication, except for number one that was discussed earlier, 2<sup>nd</sup> by Whitman, all in favor.**

**RESOLUTIONS:****RESOLUTION NO. 104-12****3-27-12 AP Audit March 2012 (A)****AUTHORIZING THE COUNTY TREASURER TO  
PAY FEBRUARY 14-27, 2012 AUDIT OF CLAIMS**

BY: Hon. David Axton, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on March 27, 2012 audit claims against the County of Cayuga in the aggregate sum of \$465,537.08 therefore be it

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

RESOLVED, that the County Treasurer be and he hereby is authorized and directed to pay the several claims so audited and charge the amounts to the several appropriations made therefore in the County Budget finalized on December 13, 2011.

Signed by Axton, Barski, Chapman, Fearon, Runkle and Whitman, all in favor.

**RESOLUTION NO. 105-12**  
**3-27-12 AP Audit March 2012 (B)**  
**AUTHORIZING THE COUNTY TREASURER TO PAY**  
**FEBRUARY 28-MARCH 12, 2012 AUDIT OF CLAIMS**

BY: Hon. David Axton, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on March 27, 2012 audit claims against the County of Cayuga in the aggregate sum of \$1,176,388.87 therefore be it

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

RESOLVED, that the County Treasurer be and he hereby is authorized and directed to pay the several claims so audited and charge the amounts to the several appropriations made therefore in the County Budget finalized on December 13, 2011.

Signed by Axton, Barski, Chapman, Fearon, Runkle and Whitman, all in favor.

**RESOLUTION NO. 106-12**  
**3/27/12 COL amendpolicyliabilityrev**  
**AMENDING RESOLUTION NO. 222 OF 1986, LIABILITY**  
**AND CASUALTY RESERVE FUND, AS AMENDED.**

By: David Axton, Chairperson Ways & Means Committee

WHEREAS, The Cayuga County Legislature by Resolution No. 222, which was adopted on the 16<sup>th</sup> day of September, 1986 established a Liability and Casualty Reserve Fund,; and

WHEREAS, the Liability and Casualty Reserve Fund policy was amended on the 19<sup>th</sup> of January, 1987, by Resolution No. 14 and again on December 18, 1990, by Resolution No. 483; and

WHEREAS, after review of said policy it is necessary to establish the payment of claims portion in order to expedite the payment process and also update the name of the oversight committee since there was a name change from Finance Committee to the Ways & Means Committee in the Rules of Order; now therefore be it

RESOLVED, that the sixth (6) paragraph of Resolution No. 14 of 1987 is hereby amended to substitute the "Ways & Means Committee" for the "Finance Committee; and be it further

RESOLVED, that the approval process for payment of bills submitted shall require the authorization of the Chairperson of the Cayuga County Legislature, County Treasurer and County Administrator; and be it further

RESOLVED, that Resolution No. 222 of 1998, as amended by Resolutions Numbered 14 of 1987 and 483 of 1990 shall remain in full force and effect, except as amended herein.

Signed by Axton, Barski, Chapman, Fearon, Runkle and Whitman, all in favor.

**RESOLUTION NO. 107-12****March 27, 2012 HS Leave Bank JP 2012****AUTHORIZING THE CREATION OF A TEMPORARY LEAVE BANK  
FOR A CAYUGA COUNTY HUMAN SERVICES EMPLOYEE**

BY: Michael Chapman, Chairman of the Health & Human Service Committee  
David Axton, 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 due to this illness has exhausted all her accruals and as of March 23, 2012 will have exhausted a leave bank set up for her; and

WHEREAS, the employee's illness remains of a serious nature and is still on a medical leave of indefinite duration; 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 another 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 approve another 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, 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 Chapman, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon and Whitman, all in favor.

**RESOLUTION NO. 108-12****March 27, 2012 HS Med-Rev 2012****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND  
THE DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW  
A CONTRACT WITH MED REV RECOVERIES, INC. FOR  
THE PROVISION OF DEBT RECOVERY SERVICES**

BY: Michael Chapman, Chairman of the Health & Human Services Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, recipients of public assistance on occasion become ineligible for benefits with an identifiable amount due to the County of Cayuga; and

WHEREAS, the Human Services Division of Health & Human Services is required to provide debt recovery services in order to re-coup monies owed to the County; and

WHEREAS, when the Departments have been unable to collect payments, we have successfully contracted with Med-Rev Recoveries, Inc. in the past to provide these services; and

WHEREAS, Med Rev Recoveries, Inc. would receive a contingent fee of 23% of amounts recovered; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Med Rev Recoveries, Inc. to be renewed on an annual basis unless the terms and/or conditions are amended; and be it further

RESOLVED, that the charges for these services be paid from account #A60104 54059 of the 2012 Human Services Budget.

Signed by Chapman, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon and Whitman, all in favor.

**RESOLUTION NO. 109-12**

**March 27, 2012 HS Fill PT Caseworker Child Welfare**

**AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO  
FILL A PT CASEWORKER VACANCY IN CHILD WELFARE UNIT**

BY: Michael Chapman, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, there is a part-time caseworker vacancy in the Child Welfare Unit of Human Services effective March 6, 2012 due to resignation of the incumbent to take a full-time caseworker position; and

WHEREAS, this work is mandated by the State and is reimbursed at 75% State and Federal funding; and

WHEREAS, this is a funded position in the Human Services Department's 2012 budget; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the vacated Part-Time Caseworker position, position control #007087, in the Child Welfare Unit in accordance with Civil Services Rules and Regulations and the policies of the County of Cayuga.

Signed by Chapman, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon and Whitman, all in favor.

**RESOLUTION NO. 110-12**

**March 27, 2012 HS Day Light House 2012**

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

BY: Michael Chapman, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, in accordance with Social Services Regulations, local DSS is required to provide temporary shelter for eligible homeless families and individuals who are financially eligible and have no housing resources available to them; and

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

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

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

WHEREAS, the costs incurred by the local district are reimbursed at 100% when sheltering TANF cases and 29% for the SNA cases; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services enter into a contract with Day Light House, Inc. for transitional housing for the period April 1, 2012 through March 31, 2013 at a room rate of \$25 per day; and be if further

RESOLVED, that these expenditures will be paid out of account #A61094 54000 of the 2012 Human Services Budget.

Signed by Chapman, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon and Whitman, all in favor.

**RESOLUTION NO. 111-12**

**March 27, 2012 HD Early Intervention Admin Grant 2011-12**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH THE STATE TO ACCEPT 100% FUNDED EARLY INTERVENTION ADMINISTRATION GRANT**

BY: Michael Chapman, Chairman of Health & Human Services Committee  
David Axton, Chairman of Ways & Means Committee

WHEREAS, the State of New York has made money available to county government for the purpose of meeting their administrative responsibilities in local oversight and implementation of the Early Intervention Program (a state-mandated program) for the period October 1, 2011 through September 30, 2012 in the amount of \$56,392; 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 to offset our costs for administrative responsibilities in local oversight and implementation of the Early Intervention Program; and be it further

RESOLVED, that the County Treasurer be authorized and directed to make the necessary journal and accounting entries in the 2012 Health Department Budget as follows and to accept any additional COLA funds relative to this program:

- Increase Appropriation Account A40264 54000 ..... \$56,392
- Increase Revenue Account A40260 43426 ..... \$56,392

and be it also

RESOLVED, that the Director of Health & Human Service be authorized to enter into contracts with other agencies/individuals in order to accomplish the goals of this grant without further legislative action.

Signed by Chapman, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon and Whitman, all in favor.



**RESOLUTION NO. 112-12**

**March 27, 2012 HD Integrated Cancer Services Program 2012-13  
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND  
THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO  
A CONTRACT WITH THE NYS DEPARTMENT OF HEALTH TO  
PARTICIPATE IN THE INTEGRATED CANCER SERVICES PROGRAM  
AND TO ACCEPT FUNDING FOR THE INFRASTRUCTURE  
PORTION OF THIS CONTRACT**

BY: Michael Chapman, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, the New York State Department of Health has awarded the Health Department funds to participate in the Integrated Cancer Services Program for which the Cayuga County Health Department would screen eligible women for breast and cervical cancer, eligible women and men for colorectal cancer, and provide education regarding both colorectal and prostate cancer to all eligible individuals screened; and

WHEREAS, the funding awarded the Health Department by the State is appropriated for the “infrastructure” portion of this contract which runs from April 1, 2012 through March 31, 2013 in the amount \$123,202; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to enter into a contract with the NYS Department of Health to accept 100% State funding in the amount of \$123,202 for the period April 1, 2012 - March 31, 2013 to continue participation in the Integrated Cancer Services Program and that the Chairman of the Legislature and the Director of Health & Human Services be authorized to sign contracts with clinical providers participating in this program; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the following adjustments to the Health Department’s 2012 Budget in the following manner:

- Increase Revenue Account #A40160 43416 ..... \$123,202
- Increase Appropriation Account #40164 54000 ..... \$123,202

and be it also

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the necessary journal and accounting entries in the Health Department’s 2012 budget to accomplish the same.

Signed by Chapman, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon and Whitman, all in favor.

**RESOLUTION NO. 113-12**

**March 27, 2012 HD Accept COLA Funds  
AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO  
AMEND CONTRACTS WITH NYS DEPARTMENT OF HEALTH  
TO ACCEPT ADDITIONAL COLA FUNDS**

BY: Michael Chapman, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, Chapter 57, Laws of 2006 provide for the Commissioner of Health to establish annual cost of living adjustment (COLA) programs outlined in the statute. This COLAs are based on a Congressional Budget Office calculation for State fiscal year; and

WHEREAS, payment of the COLA amount associated with these contracts will be made separately from authorized contract payments; NOW, THEREFORE, BE IT

RESOLVED, that as the Health Department receives notification of the cost of living adjustments to 100% State funded grant programs that fall in this category, the Director of Health & Human Services be authorized to sign the required certifications to accept the COLAs attached to these programs; and be it also

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the appropriate adjustments to the Health Department's budget to accomplish this. Signed by Chapman, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon and Whitman, all in favor.

**RESOLUTION NO. 114-12**

**March 27, 2012 MHLeaveBank3.12rev**

**AUTHORIZING THE CREATION OF A TEMPORARY LEAVE BANK  
FOR A CAYUGA COUNTY MENTAL HEALTH EMPLOYEE**

BY: Mr. Michael Chapman, Chairperson, Health and Human Services Committee  
Mr. David Axton, Chairperson, Ways and Means Committee.

WHEREAS, an employee of the Cayuga County Community Mental Health Center has a serious illness requiring treatment that will necessitate a medical leave of indefinite duration; and

WHEREAS, this employee has worked for the Mental Health Department since May 7, 2007 and is expected to exhaust accruals due to this illness; and

WHEREAS, discussion has occurred over this issue with representatives of the County and 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; 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 compensatory time in no less than half-day increments, at any amount up to a grand total of ninety-five (95) 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 Chapman, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon and Whitman, all in favor.

**RESOLUTION NO. 115-12**

**March 27, 2012 MH BudAdjustOPWDD3.12**

**AMENDING THE MENTAL HEALTH 2012 BUDGET TO INCREASE  
STATE AID FUNDING FOR THE E JOHN GAVRAS CENTER  
AND SENECA/CAYUGA ARC**

BY: Mr. Michael Chapman, Chairperson, Health and Human Services Committee  
Mr. David Axton, Chairperson, 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, additional State Aid has been allocated to the E John Gavras Center and Seneca/Cayuga ARC following the final 2009 State audit for the year 2009 and received by the County in 2012, and

WHEREAS, these 100% State funds were not anticipated in the 2012 budget and it is now necessary to reflect those dollars to allow the County to make payment to the E John Gavras Center and Seneca/Cayuga ARC; now, therefore, be it

RESOLVED, that 2012 budget be modified as follows:

Increase line	A43510-43499	Seneca/Cayuga ARC.Revenue by	\$13,918.50
Increase line	A43514-54340	Seneca/Cayuga ARCExpense by	\$13,918.50
Increase line	A45320-43507	E John Gavras CntrRevenue by	\$ 4,667.00
Increase line	A43524-43524	E John Gavras CntrExpense by	\$ 4,667.00

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 Chapman, Lattimore, Mahunik, Runkle, Axton, Barski, Fearon and Whitman, all in favor.

**RESOLUTION NO. 116-12**

**March 27, 2012 NH rhbsrvsagmnt**

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

BY: Michael Chapman, Health and Human Service  
David Axton, Ways and Means

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

WHEREAS, Select Rehabilitation has provided those services for the past 2 years satisfactorily; and

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

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

Signed by Chapman, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon and Whitman, all in favor.

**RESOLUTION NO. 117-12****3-27-12 CC SR CLERK PTrev****AUTHORIZATION TO CREATE AND FILL TWO PART-TIME SENIOR CLERK POSITIONS AND ABOLISH TWO PART-TIME ACCOUNT CLERK POSITIONS IN THE COUNTY CLERKS OFFICE**

BY: Mr. George Fearon, Chairperson, Government Operations Committee

Mr. David Axton, Chairperson, Ways and Means Committee

WHEREAS, the County Clerk wishes to request the creation and filling of two Senior Clerk PT positions and abolish two Account Clerk PT positions; and

WHEREAS, the duties performed by the two Account Clerk PT positions have changed to accomplish the increased responsibilities in the Recording Office due to the demands for recording and maintaining records in an electronic and digitized format; and

WHEREAS, the Civil Service Commission reviewed the duties and classified two part-time Senior Clerk positions (17.38 hrs per week); and

WHEREAS, the funding has been appropriated in the 2012 County Clerks Budget Account #A-10-13-1410-1-51000 to cover the salary of two Account Clerks, PT positions for a full year; and

WHEREAS, the existing funds will cover the salary of the two newly created Senior Clerk PT positions for the balance of 2012; now therefore be it

RESOLVED, that two Senior Clerk PT positions be hereby created and the County Clerk be authorized to fill these two positions effective this date in accordance with the Cayuga County Compensation Plan, Part II Non-Bargaining, with no fringe benefits; and be it further

RESOLVED, that the two Part Time Senior Clerk positions be filled in accordance with the Civil Service Rules and regulations and the policies of the County of Cayuga; and be it further

RESOLVED, that the vacant Account Clerk PT position (#000022) be abolished effective this date and the other Account Clerk PT position (#004814) be abolished upon the incumbent being appointed as a Senior Clerk PT; and be it further

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

Signed by Fearon, Aikman, Farrell, Lattimore, Pecher, Axton, Barski, Chapman, Runkle and Whitman, all in favor.

**RESOLUTION NO. 118-12****3.27.12 COA AmendRulesofOrderII****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 of Order and thereafter considers making changes thereto; and

WHEREAS, the current Rules of Order references a "Chairperson" and a "Deputy Chairperson"; and

WHEREAS, County Law 151, entitled Organization of Boards, addresses "chairman" (sic) and "vice-chairman" (sic); and

WHEREAS, to be consistent and thus to avoid confusion it is the recommendation of the Government Operations Committee that the Rules of Order be amended to replace the words "Deputy Chairperson" with "Vice-Chairperson" wherever and whenever found in the Rules of Order; now therefore be it

RESOLVED, that the Rules of Order be amended to replace the words "Deputy Chairperson" with "Vice-Chairperson" wherever and whenever found in the Rules of Order.

Signed by Fearon, Aikman, Farrell, Lattimore and Pecher, all in favor.

**RESOLUTION NO. 119-12**

**3.27.12' COA AmendRulesofOrderrev12**

**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 of Order-Cayuga County Legislature and thereafter considers making changes thereto; and

WHEREAS, after careful consideration and discussion by the Government Operations Committee, the Cayuga County Legislature desires to modify its Committee Structure by changing the composition of the Ways and Means Committee and by allowing the Deputy Chairpersons of the five (5) Standing Committees to cast a vote at the Ways & Means Committee in the absence of the Chairperson of one or more of the Standing Committees; now, therefore be it resolved

RESOLVED, that the Rules of Order-Cayuga County Legislature shall be amended as follows:

Section III-Committees, by adding a new RULE NO. 4: WAYS AND MEANS COMMITTEE-The Ways and Means Committee shall be comprised of the Chairperson of Ways and Means Committee, Chairpersons of the other Standing Committees and one at Large member of the Legislature, all to be appointed by the Chairperson of the Cayuga County Legislature. In the event that the Chairperson of one or more of the other Standing Committees is not present, then in that event the Deputy Chairperson of that Standing Committee may under certain conditions substitute for the absent Chairperson of a Standing Committee. In a situation wherein the Deputy Chairperson of a Standing Committee is in a position to participate and vote at the Ways and Means Committee meeting, as the result of being a Chairperson of another Standing Committee then in that event the Deputy Chairperson of a Standing committee may not so participate as a Deputy Chairperson of another Standing Committee. Then in that event the an individual may not participate at the Ways and Means Committee as a Deputy Chairperson of that Standing Committee then said Standing Committee shall be unrepresented. In the event of the absence of the Ways and Means Chairperson or the at large member, then said positions shall be unrepresented at the meeting. In the absence of the Chairperson of the Ways and Means Committee, the Deputy of the Ways and Means Committee shall conduct the meeting and participate as Chair of their Standing Committee. In no circumstance, may a Deputy Chairperson of a Standing Committee substitute for more than one Chairperson of a Standing Committee or participate as a member of the Ways and Means Committee meeting if he or she is already a participating member of the Ways and Means Committee. In any possible case no legislator can have more than one vote in a Ways and Means Committee meeting.

; and be it further

RESOLVED, that Section III Rules Numbered 4, 5, 6, 7, and 8 shall be renumbered as Rule No. 5, 6, 7, 8, and 9 respectively.

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

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

**RESOLUTION NO. 120-12**

**March 27, 2012 COL IPADrev2**

**TO AFFIRM AND IMPLEMENT FOR THE COUNTY LEGISLATURE  
THE USE OF THE IPADS AS THEY BECOME AVAILABLE FOR  
ALL AGENDAS AND CORRESPONDING MATERIAL  
IN PLACE OF PHOTOCOPYING AND POSTAGE**

By: George Fearon, Chairman, Government Operations Committee  
David Axton, Chairman Ways and Means Committee

WHEREAS, the Cayuga County Legislature desires the usage of IPADS for receiving agenda packets in a more timely fashion; and

WHEREAS, in an effort to go paperless the use of IPADS will replace the printing and mailing of packets for all committees; and

WHEREAS, each Legislator will receive a personal IPAD for their exclusive use to retrieve and review all agendas and material prior to any scheduled meeting; and

WHEREAS, any and all information for each meeting will be viewed on-line and made available to the public in accordance with Open Government Meeting laws, including but not limited to: agendas, resolutions, contracts, department reports, correspondence and presentations; and

WHEREAS, the funds to implement the new iPad system is in the 2012 Information Technology budget for 19 IPAD'S, Account No. A16102 52009, this expenditure may not exceed \$11,500.00; and

WHEREAS, all other related cost such as software, annual maintenance and data plan are available in the 2012 Information Technology IT Budget; and

WHEREAS, the Clerk of the Legislature's Office, County Administrator and IT Director will work together to implement the new IPAD system; now therefore be it

RESOLVED, that the electronic distribution of all agendas, resolutions and corresponding materials: contracts, correspondence and presentations be utilized; and it is further

RESOLVED, that 19 4G 16GB IPAD'S shall be ordered; and it is further

RESOLVED, that all material be placed on the Cayuga County website for public viewing.

Signed by Fearon, Aikman, Lattimore, Pecher, Axton, Barski, Chapman and Whitman, all in favor.

**RESOLUTION NO. 121-12**

**3/27/2012 PB seniorplannervacancy ver1**

**AUTHORIZATION TO BACKFILL THE POSITION OF SENIOR PLANNER  
DUE TO A RESIGNATION OF A SENIOR PLANNER AND FUND  
AND FILL THE POSITION OF PLANNER**

By: Hon. Stephen Barski, Chair, Planning and Economic Development Committee

Hon. David R. Axton, Chair, Ways and Means Committee

WHEREAS, the position of Senior Planner (position control #86 ) within the Planning and Economic Development Department will become vacant due to the resignation of the current employee (effective March 30, 2012); and

WHEREAS, the position provides essential services for the department and is necessary for the efficient operation and workload demands of the Planning and Economic Development Department; and

WHEREAS, sufficient funding exists in the 2012 Planning and Economic Development Department's Budget to support this position; and

WHEREAS, there is an incumbent in the Planner Position (Step 4) of the Department that the Director of Planning wishes to promote to fill the vacant Senior Planner position that will result in \$4,203 in salary savings to the department budget and result in a vacancy in the Planner position which could be filled at an entry level grade for an additional \$6,048 savings to the department; NOW, THEREFORE, BE IT

RESOLVED, that the Senior Planner position (position control #86) vacated be authorized for backfill by the Director of Planning by promotion of the current Planner (Step 4) in the Department, effective April 1, 2012 at 2011 CSEA Grade 27, 2nd step at an annual salary of \$53,812.00.00 based on a 37 ½ hour work week; AND BE IT FURTHER

RESOLVED, that the Director of Planning be hereby authorized to fill the fully funded position of Planner (2359) at 2011 CSEA Grade 23, Probationary Step at an annual salary of \$46,719.00 based on a 37 ½ hour work week; AND BE IT FURTHER

RESOLVED, that the appointments be made in accordance to Civil Service Rules and Regulations, CSEA Contract Language, and the Policies of the County of Cayuga. Signed by Barski, Aikman, Chapman, Farrell, Lattimore, Mahunik, Barski, Fearon, Runkle and Whitman, all in favor.

**Motion by Barski, 2<sup>nd</sup> by Whitman.**

**RESOLUTION NO. 122-12**

**3-27-12 PB rifle&crossbowhuntingREV4**

**REQUESTING THE NEW YORK STATE LEGISLATURE  
TO ENACT HOME RULE LEGISLATION ALLOWING RIFLE  
AND CROSSBOW HUNTING IN CAYUGA COUNTY.**

By: Hon. Stephen Barski, Chair, Planning and Economic Development Committee

Hon. Hans Pecher, co-sponsor

WHEREAS, the Cayuga County Legislature supports a bill to allow rifle and crossbow hunting for big-game in Cayuga County; and

WHEREAS, big game rifle and crossbow hunting is permitted in many counties throughout New York State; and

WHEREAS, Ontario County, Madison County, Cortland County and Schuyler County have passed similar resolutions in support of such legislation; and

WHEREAS, during the 2008 big game season center-fire rifles were allowed as a legal firearm for the harvesting of big game (deer) in Madison County on a pilot basis; and

WHEREAS, there were no incidents of accidents involving rifles reported in Madison County during the 2008 big game (deer) season; and

WHEREAS, it is now requested that action be completed in time for the Big Game Hunting Season of 2012; and

WHEREAS, the Cayuga County Legislature hereby requests Home Rule Legislation to amend the Environmental Conservation Law, in relation to allowing the use of rifle and crossbow hunting in Cayuga County; and

WHEREAS, Senate Bill No. S06801, entitled AN ACT to amend the environmental conservation law, in relation to allowing the use of rifles for hunting in Cayuga county; and providing for the repeal of such provisions upon expiration thereof, and Assembly Bill No. A09638, entitled AN ACT to amend the environmental conservation law, in relation to allowing the use of rifles for hunting in Cayuga county; and providing for the repeal of such provisions upon expiration thereof have been introduced in the New York State Senate and Assembly;

NOW, THEREFORE, BE IT RESOLVED, the Legislature of the County of Cayuga:

1. Hereby requests the New York State Legislature to adopt requests Home Rule Legislation to amend the New York State Environmental Conservation Law, § 11-0907, relating to the use of rifle and crossbow for hunting in the County of Cayuga; and
2. Hereby offers its support for Senate Bill No. S06801, entitled AN ACT to amend the environmental conservation law, in relation to allowing the use of rifles for hunting in Cayuga County; and providing for the repeal of such provisions upon expiration thereof, and Assembly Bill No. A09638, entitled AN ACT to amend the environmental conservation law, in relation to allowing the use of rifles for hunting in Cayuga County; and providing for the repeal of such provisions upon expiration thereof has been introduced in the New York State Senate and Assembly; and
3. Confirms that a certified copy of this Resolution will be sent to Governor Andrew Cuomo; Joe Martens, DEC Commissioner; the New York State Fish and Wildlife Management Act Board; Senator Michael Nozzolio, Senator David Valesky and Assemblymen Gary Finch, Brian Kolb and Robert Oaks.

Signed by Barski, Chapman, Fearon and Lattimore, all in favor, except Farrell voting no.

### **RESOLUTION NO. 123-12**

**3/27/12 PT SNCPartTimeHelp 3 12 Rev 4**

### **AUTHORIZING THE HIRING OF A PART-TIME LABORER FOR THE STERLING NATURE CENTER**

By: Tucker Whitman, Chairperson, Public Works  
David Axton, Ways & Means Committee

WHEREAS, the staff of The Sterling Nature Center consists of a part time director and a part time laborer; and



WHEREAS, the part time laborer resigned from his position on February 7, 2012; and

WHEREAS, this position is needed to assist the part time director in the operation of the center; and

WHEREAS, the position is funded in the 2012 budget at a rate of \$7.25/hour (minimum wage) for The Sterling Nature Center now; therefore be it

RESOLVED, that the Park Maintenance Supervisor is hereby authorized to fill the PT Laborer position in accordance with the Civil Service Rules and Regulations; and be it further

RESOLVED, funding for the position paid will come from the 2012 Parks & Trails Department Budget Account #A71131-51002, Salaries PT, not to exceed the budgeted amount of \$7,663.

Signed by Whitman, Axton, Mahunik, Pecher, Runkle, Barski, Chapman, Fearon, Pinckney, all in favor.

**RESOLUTION NO. 124-12**

**March 27, 2012 HWY accbidtreertrimrev**

**AUTHORIZATION TO ACCEPT BID FOR TREE TRIMMING SERVICES AND AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE SUPERINTENDANT OF HIGHWAYS TO ENTER IN A CONTRACT WITH CRANEBROOK TREE SERVICE.**

By: Tucker Whitman, Chairman Public Works Committee

David Axton, Chairman Ways and Means Committee

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

WHEREAS, ITB HWY 2012-05 for tree trimming service was developed and proposals were opened on February 24, 2012; and

WHEREAS, one proposal was submitted by Cranebrook Tree Service and meets the general requirements of equipment, experience and insurance coverage stated in the ITB with bid tabulation as follows:

<u>Regular Maintenance:</u>	<u>Hourly Rate</u>	<u>Daily Rate (8 hrs)</u>
Crane plus operator:	\$175.00	\$1400.00
Bucket Truck plus 2 operators:	\$175.00	\$1400.00
Stump Grinder plus operator:	\$125.00	\$1000.00
<u>Emergency Response:</u>	<u>Hourly Rate</u>	<u>Daily Rate (8 hrs)</u>
Crane plus operator:	\$175.00	\$1400.00
Bucket Truck plus 2 operators:	\$175.00	\$1400.00
Stump Grinder plus operator:	\$175.00	\$1400.00

now therefore be it

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

RESOLVED, that the Chairman of Legislature be authorized to sign said Contract. Signed by Whitman, Axton, Mahunik, Pecher, Runkle, Barski, Chapman and Fearon, all in favor.

**RESOLUTION NO. 125-12****Date: March 27, 2012 HWY CayAubWSgrantapp rev1****MEMORIALIZING SUPPORT FOR PARTICIPATION IN A STUDY REGARDING SHARED SERVICES WITH MUNICIPAL ENTITIES, AND AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE OR HIS DESIGNEE, CAYUGA COUNTY ADMINISTRATOR, TO ENTER INTO INTERMUNICIPAL AGREEMENTS**

By: Tucker Whitman, Chairman Public Works Committee

David Axton, Chairman Ways and Means Committee

WHEREAS, the County of Cayuga, the City of Auburn, and the Cayuga County Water and Sewer Authority desire to consider the implications of sharing public works services, as well as the possible consolidation of those services; and

WHEREAS, sharing of such services will likely result in a streamlining of municipal resources and will promote municipal economy among all the participating municipal subdivisions; and

WHEREAS, to this end, the County of Cayuga together with the City of Auburn, and the Cayuga County Water and Sewer Authority seek to apply for a joint grant from the New York State Local Government Efficiency Grant Program to assist with funding a feasibility study to assess the possible sharing or consolidation of the public works services; now, therefore be it

RESOLVED, that the County of Cayuga is hereby authorized to submit an application through the Local Government Efficiency Grant Program for purposes of conducting a feasibility study considering the implications of sharing or consolidating purchasing services between the County of Cayuga, City of Auburn, and the Cayuga County Water and Sewer Authority, and, be it further

RESOLVED, that the County of Cayuga shall act as Lead Applicant and the City of Auburn and the Cayuga County Water and Sewer Authority shall act as co-applicants, with the respective executive of each entity acting as Co-Applicant Contact Person and with the Chairman of the Cayuga County Legislature, or his designee, Cayuga County Administrator, acting as the Lead Applicant Contact Person; and be it further

RESOLVED, that the Cayuga County Administrator is hereby authorized to execute all financial and/or administrative process relating to the grant program; and, be it further

RESOLVED, that the project for which the grant application shall be submitted is for the County of Cayuga, the City of Auburn, and the Cayuga County Water and Sewer Authority to conduct a feasibility study to determine whether there are financial and operational efficiencies to be achieved in the event that the participants either share or consolidate public works services; and, be it further

RESOLVED, that the maximum amount of money to be applied for in the grant application shall be \$25,000 per participant, with each contributing a maximum local share of \$2,500 toward the study; and, be it further

RESOLVED, that the County of Cayuga hereby is authorized to enter into agreements with the City of Auburn and the Cayuga County Water and Sewer Authority to further define the rights and obligations of the participants in connection with the feasibility study and to provide that the local share or match for the grant funds shall be made by equal contribution from each participant.

Signed by Whitman, Axton, Mahunik, Pecher, Runkle, Barski, Chapman and Fearon, all in favor.

**RESOLUTION NO. 126-12**  
**March 27, 2012 HWY acctbidplowequip**  
**AUTHORIZING ACCEPTANCE OF BID FOR**  
**THREE (3) PLOW AND ACCESSORIES PACKS**

By: Tucker Whitman, Chairman Public Works Committee  
David Axton, Chairman Ways and Means Committee

WHEREAS, funds were budgeted in Account DM51302 52002 for the purchase of three (3) tandem axle truck accessories packages; and

WHEREAS, a bid packet was developed and advertised for Truck Accessories and was opened on February 16, 2012, with the following results:

<u>Vendor</u>	<u>Price</u>
Wayne Welding	\$69,236 (SS box, painted plow& wing)
Henderson Truck Equip	\$63,999 (SS box, painted plow& wing)

; and

WHEREAS, the bids were reviewed and the truck accessories offered by Henderson Truck Equipment made by Henderson meets the specifications for the box, plow and wing at the lowest cost; now therefore be it

RESOLVED, the Cayuga County Legislature does hereby accept the bid from Henderson Equipment for three (3) stainless steel box, painted plow and wing sets; and be it further

RESOLVED, that the Highway Superintendent is authorized to purchase the 3 truck accessories packs utilizing the funds in account DM 51302 52000.

Signed by Whitman, Axton, Mahunik, Pecher, Runkle, Barski, Chapman and Fearon, all in favor.

**RESOLUTION NO. 127-12**  
**March 27, 2012 HWY hireconsultGlenHavenRdrev**  
**AUTHORIZATION TO ACCEPT RFP AND HIRE CONSULTANT ENGINEER**  
**FOR GLEN HAVEN ROAD BANK STABILIZATION**

By: Tucker Whitman, Chairman Public Works Committee  
David Axton, Chairman Ways and Means Committee

WHEREAS, the embankment near 6894 & 6897 Glen Haven Rd, and an area south at 6975 Glen Haven Road is deficient and in need of repair; and

WHEREAS, a geotechnical engineer needs to be hired to evaluate replacement of the existing structure; and

WHEREAS, the responses to the RFP were opened on February 29, 2012 with the following results:

Firm	Task 1 Surveying	Task 2 Construction Design	Task 3 Permits	Task 4 Engineer's Estimates	Task 5 Easement Acquisitions	Task 6 Contract Documents	TOTAL
Popli Design	\$7,000.00	\$40,000.00	\$0.00	\$2,000.00	\$13,500.00	\$40,000.00	\$102,500.00
LaBella Assoc.	\$4,980.00	\$39,050.00	\$2,920.00	\$6,320.00	\$21,635.00	\$64,020.00	\$138,925.00
Barton/Logudice	\$1,708.00	\$13,364.40	\$834.00	\$741.00	\$1,208.00	\$6,030.40	\$22,177.80
Keystone Assoc.	\$11,155.00	\$42,150.00	\$1,330.00	\$5,950.00	\$7,390.00	\$33,600.00	\$101,575.00
Tectonic Engineer	\$11,000.00	\$60,000.00	\$3,500.00	\$5,000.00	\$3,000.00	\$50,000.00	\$132,500.00
Fisher Assoc.	\$3,484.00	\$35,211.00	\$1,078.00	\$4,232.00	\$4,332.00	\$20,523.00	\$65,860.00

WHEREAS, money was budgeted for this stabilization project in budget account D51104 54059 – Professional Services; now therefore be it

RESOLVED, to accept the low bid from Barton & Loguidice for the design and construction inspection of the Glen Haven Road embankment; and be it further

RESOLVED, that total tasks are not to exceed \$27,178 to allow 23 % over budget for unforeseen circumstances; and be it further

RESOLVED, that the sum of \$28,000 be transferred from Account D51104 54059, Professional Services to Capital “H” No. 11-04 (Glen Haven Road Slope Stabilization); and be it further

RESOLVED, to authorize the Highway Superintendent and Chairman of the County Legislature to sign all contract documents needed to execute the bank stabilization project; and be it further

RESOLVED, to authorize the Highway Super intent to proceed with the Glen Haven stabilization project and pay for it utilizing existing budget appropriations.

Signed by Whitman, Axton, Mahunik, Pecher, Runkle, Barski, Chapman and Fearon, all in favor.

**RESOLUTION NO. 128-12**

**3-27-12 COA-AmndLL#3-2007Adm&EnfNYSUnifmFirePrev&BldgCodeRev 2 FIX  
FIXING DAY AND NOTICE OF PUBLIC HEARING ON ADOPTING LOCAL  
LAW NO. \_\_\_\_ FOR THE YEAR 2012 AMENDING LOCAL LAW #3 FOR  
THE YEAR 2007 PROVIDING FOR THE ADMINISTRATION AND  
ENFORCEMENT OF THE NEW YORK STATE UNIFORM FIRE  
PREVENTION CODE, TO CHANGE THE FIRE SAFETY AND PROPERTY  
MAINTENANCE INSPECTIONS TO BECONSISTENT WITH THE  
NEW YORK STATE UNIFORM FIRE PREVENTION CODE.**

BY: MR. WHITMAN, Chairman, Public Works Committee.

WHEREAS, there has been duly presented and introduced at a meeting of this County Legislature held on March 27, 2012, a proposed local law entitled:

“LOCAL LAW NO. \_\_\_ FOR THE YEAR 2012 AMENDING LOCAL LAW No. 3  
FOR THE YEAR 2007, PROVIDING FOR THE ADMINISTRATION AND  
ENFORCEMENT OF THE NEW YORK STATE UNIFORM FIRE PREVENTION  
CODE, TO CHANGE THE FIRE SAFETY AND PROPERTY MAINTENANCE  
INSPECTIONS TO BE CONSISTENT WITH THE NEW YORK STATE  
UNIFORM FIRE PREVENTION CODE.”

Now, therefore, be it

RESOLVED, that a public hearing shall be held concerning the proposed local law before the Cayuga County Legislature on April 24, 2012, at 6:30 P.M., at the Chambers of the Cayuga County Legislature, County Office Building, 160 Genesee Street, Auburn, New York, and the Clerk of the Cayuga County Legislature is hereby directed to give due legal notice of said public hearing as provided by statute.

Signed by Whitman, Axton, Pecher and Runkle, all in favor.

**RESOLUTION NO. 129-12****03.27.12 SHR SLETPPgrant****AUTHORIZING THE CAYUGA COUNTY SHERIFF'S OFFICE PERMISSION TO APPLY FOR FUNDING THROUGH THE 2012 SLETPP (STATE LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM) GRANT FROM THE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES TO SUPPORT PREVENTION AND PREPAREDNESS EFFORTS.**

BY: Mr. Paul Pinckney, Chairperson, Judicial and Public Safety Committee  
 Mr. David Axton, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Office wishes to apply for a Grant from the Division of Homeland Security and Emergency Services to provide funding for the Law Enforcement community to support their terrorism and preparedness efforts; and

WHEREAS, all equipment and training through the Grant will require no match of funding by the County and will be 100% funded by the Department of Homeland Security; now therefore be it

RESOLVED, that the Cayuga County Sheriff's Office is hereby permitted to apply for monies available through the Department of Homeland Security State Law Enforcement Prevention Program.

Signed Pinckney, Axton, Barski, Farrell, Whitman, Chapman, Fearon and Runkle, all in favor.

**RESOLUTION NO. 130-12****(3/27/12) HShDA Create-FillPTConfInvestRev**

**AUTHORIZING THE CAYUGA COUNTY LEGISLATURE TO CREATE A PART-TIME CONF. INVESTIGATOR POSITION IN THE DISTRICT ATTORNEY'S OFFICE TO INVESTIGATE WELFARE FRAUD & ABUSE; AUTHORIZE THE DISTRICT ATTORNEY TO FILL THIS POSITION; AUTHORIZE THE DA'S OFFICE TO CONTRACT WITH THE HUMAN SERVICES DEPT. FOR SERVICES OF THE PT CONFIDENTIAL INVESTIGATOR; AND AMEND THE DA'S 2012 BUDGET AND THE HUMAN SERVICES 2012 BUDGET TO ACCOMPLISH THE SAME**

BY: Paul Pinckney, Chairman of the Judicial & Public Safety Committee  
 David Axton, Chairman of the Ways & Means Committee

WHEREAS, there is interest in adding a Part-Time Confidential Investigator position to the District Attorney's staff at an hourly rate of \$24.59 primarily to investigate possible public assistance fraud, including but not limited to: day care fraud, Medicaid fraud, welfare fraud and similar abuse committed against the County's Health and Human Services Department; and

WHEREAS, the Cayuga County Civil Service Commission has reviewed the New Position Duties Statement submitted for this part-time position and has classified it as a Part Time Confidential Investigator; and

WHEREAS, the District Attorney's Office costs associated with this new Part-Time Confidential Investigator will be reimbursed 100% by the County's Human Services Department; and

WHEREAS, the Human Services Department will claim these costs for available State and Federal reimbursement based on the type of investigation work performed by the PT Confidential Investigator; and

WHEREAS, we are asking to amend the 2012 District Attorney’s Budget and the 2012 Human Services Budget to accomplish this agreement as follows:

Increase

A11651	51002	Salary PT	\$15,000
A11651	58001	Social Security	1,148
A11650	41229	DA Fees	16,148
A60104	54118	Contractual Agreements	16,148
A60100	43610	State Aid	4,037
A60100	44610	Federal Aid	8,074

Decrease

A10164	54000	Contingency	4,037
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NOW, THEREFORE BE IT

RESOLVED, that the County Legislature authorize, direct and create one Part-Time Confidential Investigator in the District Attorney’s Office and place it in the Cayuga County Compensation Plan, Part II, for Non-Bargaining at an hourly rate of \$24.59; and that the District Attorney be authorized and directed to immediately fill this position; and be it further

RESOLVED, that the District Attorney’s Office is authorized to enter into a contract with the Department of Health and Human Services for the provision of these investigative services for the period April 1, 2012 – December 31, 2012; and be it further

RESOLVED, that the County Treasurer be authorized and directed to make the amendments to the District Attorney’s 2012 Budget and the Human Services Department’s 2012 Budget as noted above and make the necessary journal and accounting entries to accomplish the same; and be it also

RESOLVED, that the Human Services Department be prepared to report back to the County Legislature at their November meeting on the outcome of this new initiative so a decision can be made to continue this contract into 2013.

Signed Axton, Barski, Didio, Whitman and Chapman, all in favor.

Discussion:

Mahunik, you will keep an eye on the cost savings

Cuddeback, yes, we will track.

**RESOLUTION NO. 131-12**

**3.27.12 911 colocate AT&T TO VID**

**AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO SIGN AN AGREEMENT WITH AT&T ALLOWING CAYUGA COUNTY TO COLOCATE ON AN AT&T TOWER SITE IN VENICE AND ALLOWING AT&T TO COLOCATE ON THE CAYUGA COUNTY TOWER SITE LOCATED IN OVID.**

BY: Mr. Paul Pinckney, Chairperson, Judicial and Public Safety Committee  
 Mr. David Axton, Chairperson, Ways & Means Committee

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

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

WHEREAS, Cayuga County is building a tower site in Ovid, NY and AT&T has requested to utilize space on this tower site; and

WHEREAS, AT&T owns a tower site in Venice and will allow Cayuga County to utilize space on their tower site as part of the new emergency communications system; and

WHEREAS, there are no costs involved in this agreement; now therefore be it RESOLVED, that the Chairman of the Legislature is hereby authorized and directed to sign an agreement with AT&T for this purpose; and be it further

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

Signed Pinckney, Axton, Barski, Farrell, Whitman, Chapman and Fearon, all in favor.

Motion by Cuddeback for a 10 minute recess at 7:27PM, back in at 7:36PM.

Public Hearing closed at 7:37PM

**RESOLUTION NO. 132-12**

**(3/27/12) COA-LL#1-09#3-94&#5-07RMTX Amd12ADP**

**TO ADOPT LOCAL LAW NO. 1 FOR THE YEAR 2012, AMENDING LOCAL LAW NO. 1 OF 2009, AND LOCAL LAW NO. 5 OF 2007, AND LOCAL LAW NO. 3 OF 1994 TO CONTINUE THE ROOM TAX FOR THREE YEARS.**

BY: Stephen Barski, Chair, Planning & Economic Development Committee, and David Axton, Chair, Ways & Means Committee.

WHEREAS, Local Law No. 1 for the year 2012 was presented to the Cayuga County Legislature on February 28, 2012; and

WHEREAS, pursuant to law and after proper notice having been given, the County Legislature held a public hearing on said Local law No. 1 on March 27, 2012 at 6:30P.M.; now, therefore be it

ENACTED, that the Cayuga County Legislature does hereby adopt Local Law No. 1 for 2012, amending Local Law No. 1 of 2009, and Local Law No. 5 of 2007, and Local Law No. 3 of 1994, to continue the room tax for three years; now, therefore be it

RESOLVED, that the Clerk of the County Legislature publish notice of the adoption of the said Local Law in the official newspapers of Cayuga County, one time per week for each of two weeks, the first publication to be within ten(10) days of its effective date.

Signed by Barski, Aikman, Chapman, Farrell, Fearon, Lattimore, Mahunik, Axton, Runkle and Whitman, all in favor.

**STATE OF NEW YORK  
COUNTY OF CAYUGA**

**LOCAL LAW NO. 1 OF 2012**

**A LOCAL LAW AMENDING LOCAL LAW NO. 1 FOR THE YEAR 2009, AMENDING LOCAL LAW NO. 5 OF 2007, AND AMENDING LOCAL LAW NO. 3 OF 1994, TO CONTINUE THE ROOM TAX FOR THREE YEARS.**

**BE IT ENACTED** by the Cayuga County Legislature of the County of Cayuga as follows:



**Section 1.** Local Law No. 3 of the year 1994 entitled “ A Local Law Imposing A Tax On The Occupancy Of Hotel Rooms Pursuant To Chapter 533 Of The Laws Of 1994 Of The State Of New York” is hereby amended to add a new Section 8 and amending Local Law No. 1 of 2009 entitled “A Local Law Amending Local Law No. 5 of 2007 to Increase the Rate of the Hotel/Motel Room Tax to Five Percent (5%) in Cayuga County, and Also Authorize Cayuga County to Use All or Part of the Money in the Special Fund to Pay a Single Not-For-Profit Corporation to Promote Tourism and Convention Development in the County is hereby amended to add a new Section 4, as follows:

**Section 8.** Continuing Hotel Room Tax for Three Years.

The tax imposed by this Local Law is hereby continued, authorized and enacted for an additional period of three (3) years, beginning September 20, 2012 and ending on September 21, 2015.

**Section 4.** Continuing Hotel Room Tax for Three Years.

The tax imposed by this Local Law is hereby continued, authorized and enacted for an additional period of three (3) years, beginning September 20, 2012 and ending on September 21, 2015.

**Section 2.** Said Local Law No. 1 of the year 2009, and Local Law No. 5 of 2007, and Local Law No. 3 of the year 1994, shall remain unchanged in all other respects and are hereby so ratified.

**Section 3.** This Local Law shall take effect immediately upon its filing with the Secretary of State.

Motion by Didio to go into Executive Session at 7:37PM re: Employment history of a particular person, Collective negotiations pursuant to Article 14 of the Civil Service Law; and current litigation County of Cayuga v. Bennett, 2<sup>nd</sup> by Chapman, all in favor.

**Motion by Axton to come out of Executive Session at 9:42PM, 2<sup>nd</sup> by Runkle, all in favor, no action taken.**

**Motion by Aikman to adjourn at 9:43PM, 2<sup>nd</sup> by Didio, all in favor.**

**Motion by Didio to approve minutes of 3-27-12, 2<sup>nd</sup> by Pinckney, all in favor.**

**MINUTES**  
**CAYUGA COUNTY LEGISLATURE**  
**TUESDAY, APRIL 24, 2012 – 6:30PM**

**CALL TO ORDER:** Hon. Steven Cuddeback, Chairman, at 6:30PM

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

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**DEATHS:** Wallace Pearne Beardsley Jr. partner in Beardsley and Beardsley, former Chairman of the Cayuga County Planning Board.

Dean Benjamin Paulino, son of Richard Paulino, former Cayuga County Board of Election employee.

Josephine Indelicato Locastro

**PUBLIC HEARING: Opened at 6:40PM** To Adopt Local Law No 2 for the Year 2012 Amending Local Law #3 for the Year 2007 providing for the Administration and Enforcement of the New York State Uniform Fire Prevention Code, to Change the Fire Safety and Property Maintenance Inspections to be Consistent with the New York State Uniform for Prevention Code.

Chairman Cuddeback welcomed Leadership Cayuga members; Shereen Androsko, Betsy DeGroff, Rob Corney and Jeremy Caza

**PROCLAMATIONS:** Federation of New York Insurance Professionals week April 19-22, 2012

National Crime Victims' Rights Week April 22 through April 29, 2012, read in full by Mary Jones, Clerk of the Legislature and presented to David Gould Sheriff, by Chairman Steven Cuddeback.

Chief Lawrence E. "Larry" Wallace

**PRESENTATION:** Terry Masterson, Executive Director Cayuga Economic Development Agency (CEDA) annual report, attached to original minutes. Legislator Axton that the ADM plant in Montezuma be on the short list, Terry assured him that it is.

**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 Mahunik for Matt Moskov, teacher at Auburn High School, Theodore Ecker student at Auburn High, opposing the parking fee for the graduation ceremony at Emerson Park, also a letter from student Morgan Darrow and a petition signed by students at Auburn High opposing the parking fee, attached to original minutes.

**MINUTES:** For Approval: 2-28-12, Motion by Didio to approve minutes of 2-28-12, 2<sup>nd</sup> by Pinckney, all in favor.

For Reading: 3-27-12

**CCC REPORT:** Dr. Daniel Larson: Attached

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

**MOTION NO. 133-12 4-24-12**

**Motion by Mahunik to waive parking fees for the Auburn High School graduation at Emerson Park, 2<sup>nd</sup> by Axton.**

Approved by roll call vote.

Ayes: Didio, Aikman, Axton, Farrell , Pinckney, Runkle, Fearon, Barski, Mahunik and Lattimore.

Noes: Pecher, Whitman and Cuddeback.

Excused: Chapman

Cannot vote: Bennett

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

Discussion: Legislator Lattimore, the city tells me they are down \$145,000 in sales tax, Mr. Squires, I don't know where they are getting their information, I will check into. Legislator Runkle concerned about the Federal Inmate revenue, Sheriff Dave Gould, it will be improving. Legislator Fearon suggests confine some inmates to in house arrest to save money. Mr. Squires, Sunday June 10, 2012 at 2:30PM will be open house at the Emerson Park Pavilion, open to the public, Sunday June 17, 2012, 1-5PM will be the 25<sup>th</sup> Annual Southern Cayuga Garden Club Tour, also wished Justin Murphy, Citizen reporter the best in his new job.

**CHAIRMAN'S REPORT:** Steven Cuddeback, Red Cross Heroes, attached to original minutes, Finance School is May 2 to the 4, Senior Citizen Day is May 22, 2012, lunch is at noon, Legislative meeting will begin at 1:00PM, it will be held at the Armory, cost is \$10.00 for lunch please pay Mary Jones.

**APPOINTMENTS AND RE-APPOINTMENTS:**

**Alcohol & Substance Abuse Subcommittee:**

Mark Querns, 71 N Fulton Street, Auburn, NY 13021- Term 1/1/12 – 12/31/15

**Cayuga County Planning Board:****Terms - Members serve until the locality they represent submits a new nomination**

Town of Mentz, Jay Moose, 8229 Barnes Rd., Port Byron, New York 13140

Town of Springport, Brian Schenck, 5348 Lockwood Rd. Auburn, NY 13021

Town of Victory, Harvey E. Mills, 11996 State Rte. 38, Cato, NY 13033

**Terms - Members serve until December 31, 2012**

Chairman-Town of Scipio, Keith Welch, 3149 Center Rd., Moravia, NY 13118

Vice-Chairman-Town of Cato, Tom Lloyd, 10460 Jordan Rd., Jordan, NY 13080

**Cayuga County Ag & Farm Protection Board:****Farmland Protection Agency Representative**

Judy Wright, 26 Mary Street, Auburn, NY 13021: term 1/1/2012 to 12/31/2015

**Cayuga County Civil Service Commission:**

Ronald J. Oughterson Sr., 82 Clark St., Auburn, NY 13021, term – 6-1-12 to 5-31-2018

**Motion by Axton to approve all appointments, 2<sup>nd</sup> by Pinckney, all in favor.****COMMUNICATIONS AND ANNOUNCEMENTS:**

1. Received a letter from Brian Kolb, State Minority Leader, acknowledging receipt of Resolution No. 122-12, requesting the New York State Legislature to enact home rule legislation allowing rifle and crossbow hunting in Cayuga County.

2. Received a copy of a certified Resolution No. 146 from the Board of Supervisors of Fulton County, "Resolution Urging the United States Congress to Repeal a Portion of the Universal Service fund Surcharge that Provides Free Cellular telephone Service to "Income Eligible" Individuals.

3. Received copy of the Cayuga County Water Quality Management Agency 2011 Annual Report, a copy of which has been given to all Cayuga County Legislators.

**Motion by Axton to waive reading of communications, 2<sup>nd</sup> by Didio, all in favor.****RESOLUTIONS****RESOLUTION NO. 134-12****4-24-12 AP Audit April 2012 (A)****AUTHORIZING THE COUNTY TREASURER TO  
PAY MARCH 13-MARCH 26, 2012 AUDIT OF CLAIMS**

BY: Hon. David Axton, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on **APRIL 24, 2012** audit claims against the County of Cayuga in the aggregate sum of \$657,882.56 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, 2011.

Signed by Axton, Barski, Chapman, Fearon, Pinckney, Runkle and Whitman, all in favor.

**RESOLUTION NO. 135-12**

**4-24-12 AP Audit April 2012 (B)**

**AUTHORIZING THE COUNTY TREASURER TO  
PAY MARCH 27-APRIL 9, 2012 AUDIT OF CLAIMS**

BY: Hon. David Axton, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on **APRIL 24, 2012** audit claims against the County of Cayuga in the aggregate sum of \$956,054.88 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, 2011.

Signed by Axton, Barski, Chapman, Fearon, Pinckney, Runkle and Whitman, all in favor.

**RESOLUTION NO.136-12**

**(4/24/12) RPAAuthMOUwithNYState**

**AUTHORIZING CAYUGA COUNTY TO ENTER INTO A MEMORANDUM  
OF UNDERSTANDING WITH THE STATE OF NEW YORK REGARDING  
SCANNING EQUIPMENT AND SOFTWARE FOR ENTERING &  
MAINTAINING FORM RP-5217 TRANSFER INFORMATION**

BY: David Axton, Chairman, Ways & Means Committee

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

WHEREAS, New York State Department of Taxation & Finance is in the process of switching to a digital RP-5217 form that can be scanned to retrieve the information on the form that will populate the Salesnet software rather than manually entering that information; and

WHEREAS, the New York State Department of Taxation & Finance has agreed to supply the scanning equipment and software; and

WHEREAS, the county agrees to transmit the RP-5217 data retrieved using this equipment and maintain that data in the same manner as we currently are;

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

Signed by Axton, Barski, Fearon, Pinckney, Runkle and Whitman, all in favor.

**RESOLUTION NO. 137-12**

**4/24/12 COA CCSWCDmay2012 pmntrev**

**AUTHORIZING, PURSUANT TO RESOLUTION NO. 65-12,  
PAYMENT TO THE CAYUGA COUNTY SOIL AND WATER  
CONSERVATION DISTRICT OF THE SECOND INSTALLMENT.**

By: David Axton, Chairman, Ways & Means Committee.

WHEREAS, certain appropriations were approved in the County Budget adopted for 2012 for certain agencies, in return for which these agencies agree to perform certain services for the benefit of the County of Cayuga; and

WHEREAS, Resolution No. 65-12 segmented the appropriation into three payments as follows: “RESOLVED, that the appropriation to Cayuga County Soil & Water Conservation District of \$723,358.00 – A87304-54000 shall be divided into three (3) payments of \$241,119.33 with payment to be made on or after the following dates: February 2, 2012, May 22, 2012 and September 25, 2012; and be it further . . .”.

WHEREAS, the Cayuga County Legislature, at the recommendation of the Ways and Means Committee, desires to appropriate the second payment to Cayuga County Soil & Water Conservation District the amount of, \$241,119.33 on the following date of May 22, 2012; and

WHEREAS, prior to each payment date the Cayuga County Soil & Water Conservation District must obtain authorization from the Cayuga County Legislature for the payment of the \$241,119.33 installment; now, therefore, be it

RESOLVED, that the second payment of \$241,119.33 is hereby authorized to be made on May 22, 2012 to the Cayuga County Soil & Water Conservation District; and be it further

RESOLVED, that payment will be made upon submission of the executed agreement and a signed voucher submitted by the Cayuga County Soil and Water District from account A87304 54000; 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, Fearon, Pinckney, Runkle and Whitman, all in favor.

### **RESOLUTION NO. 138-12**

#### **4-24-12 TRE auditsrvsTestone**

#### **AWARDING THE CONTRACT FOR COUNTY AUDIT SERVICES TO TESTONE, MARSHALL & DISCENZA LLP AND AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO SIGN A CONTRACT**

By: Mr. David Axton, Ways and Means Committee

WHEREAS, Cayuga County is in need of auditing services relative to the County’s Financial Statements, Single Audit reports and NYS DOT Single Audit report; and

WHEREAS, request for proposals were solicited and have been received (bid summary attached); and

WHEREAS, the Auditing Services Selection Committee has reviewed the proposals in order to determine qualified providers of the services at a reasonable cost to the County; and

WHEREAS, the Selection Committee’s recommendations are as follows:

Testone, Marshall & Discenza, LLP for years:

2011 - \$44,000;

2012 - \$45,100;

2013 - \$46,200;

2014 - \$47,300.

WHEREAS, the Selection Committee believes that this provider will provide the best service to the County, now, therefore, be it

RESOLVED, that the Chairman of the Legislature be authorized to sign a contract with Testone, Marshall & Discenza, LLP at the amounts listed above for the services listed above.

Signed by Axton, Barski, Chapman, Fearon, Pinckney, Runkle and Whitman, all in favor.

**RESOLUTION NO. 139-12**

**April 24, 2012 TRE MHauditsrvscdywrdrev**

**AWARD THE PROPOSAL FOR COUNTY MENTAL HEALTH AUDITING  
AND ACCOUNTING SERVICES AND AUTHORIZING  
EXECUTION OF AGREEMENT.**

By: Mr. David Axton, Ways and Means Committee

WHEREAS, Cayuga County is in need of auditing and accounting services, namely, preparation of Cayuga County Mental Health Audit Report, and

WHEREAS, request for proposals were solicited and have been received (bid summary attached); and

WHEREAS, the Auditing Services Selection Committee has reviewed the proposals in order to determine qualified providers of the services at a reasonable cost to the County; and

WHEREAS, the Selection Committee's recommendations are as follows:

Testone, Marshall & Discenza, LLP for the years:

2011 - \$4,000.00;

2012 - \$4,100.00;

2013 - \$4,200.00;

WHEREAS, the Auditing Services Selection Committee believes that this provider will provide the best service to the County, now, therefore, be it

RESOLVED, that Testone, Marshall & Discenza, LLP be awarded the contract to perform auditing and accounting services for the Mental Health Department; and be it further

RESOLVED, that the Chairman of the Legislature be authorized to enter into a contract with Testone, Marshall & Discenza, LLP at the amounts listed above.

**Motion by Axton, 2<sup>nd</sup> by Pinckney, all in favor.**

**Motion by Axton, 2<sup>nd</sup> by Runkle.**

**RESOLUTION NO. 140-12**

**4.24.12 COA shrdprchsngsrvcv3**

**MEMORIALIZING SUPPORT FOR PARTICIPATION IN A STUDY  
REGARDING SHARED PURCHASING SERVICES WITH MUNICIPAL  
ENTITIES, AND AUTHORIZING THE CHAIRMAN OF  
THE CAYUGA COUNTY LEGISLATURE TO ENTER INTO  
INTERMUNICIPAL AGREEMENTS**

By: Hon. David Axton, Chair Ways & Means Committee

WHEREAS, the County of Onondaga is undergoing the implementation of a plan for sharing purchasing services with various municipal subdivisions contained within the County; and

WHEREAS, Cayuga County is participating in the plan for sharing purchasing services; and

WHEREAS, to this end, the County of Onondaga together with various municipal subdivisions therein and the County of Cayuga, seek to apply for a joint grant from the New York State Shared Municipal Services Incentive Grant Program to assist with offsetting the one-time costs incurred by the County with implementation of the program for sharing of the purchasing services; and

WHEREAS, the County of Cayuga, the City of Auburn, the Towns of Owasco, Niles and Sennett and the Cayuga-Onondaga BOCES desire to consider the implications of sharing purchasing services, as well as the possible consolidation of those services with the County of Onondaga; and

WHEREAS, sharing of such services will likely result in a streamlining of municipal resources and will promote municipal economy among all the participating municipal subdivisions; and

WHEREAS, it is likely that additional municipal subdivisions in the region will want to join in the grant application and participate in the feasibility study; and

WHEREAS, to this end, the County of Cayuga together with the City of Auburn, the Towns of Owasco, Niles and Sennett and the Cayuga-Onondaga BOCES, and any additional municipal subdivisions in the region that might come forth, seek to apply for a joint grant from the New York State Local Government Efficiency Grant Program to assist with funding a feasibility study to assess the possible sharing or consolidation of the purchasing services; now, therefore be it

RESOLVED, that the County of Cayuga is hereby authorized to submit an application through the Local Government Efficiency Grant Program for purposes of conducting a feasibility study considering the implications of sharing or consolidating purchasing services between the County of Cayuga, the City of Auburn, the Towns of Owasco, Niles and Sennett and the Cayuga-Onondaga BOCES, and any other municipal subdivisions in the region that may wish to participate, and, be it further

RESOLVED, that the County of Cayuga shall act as Lead Applicant and the City of Auburn, the Towns of Owasco, Niles and Sennett and the Cayuga-Onondaga BOCES, any other municipal subdivisions in the region that may wish to participate shall act as co-applicants, with the respective executive of each entity acting as Co-Applicant Contact Person and with the Cayuga County Administrator, or his designee, acting as the Lead Applicant Contact Person and that such Lead Applicant Contact Person shall execute all financial and/or administrative process relating to the grant program; and, be it further

RESOLVED, that the project for which the grant application shall be submitted is for the County of Cayuga, the City of Auburn, the Towns of Owasco, Niles and Sennett and the Cayuga-Onondaga BOCES, and any other municipal subdivisions in the region that may wish to participate to conduct a feasibility study to determine whether there are financial and operational efficiencies to be achieved in the event that the participants either share or consolidate purchasing services; and, be it further

RESOLVED, that the maximum amount of money to be applied for in the grant application shall be \$25,000 per participant, with each contributing a maximum local share of \$2,500 toward the study; and, be it further



RESOLVED, that the County of Cayuga hereby is authorized to enter into agreements with the City of Auburn, the Towns of Owasco, Niles and Sennett and the Cayuga-Onondaga BOCES, and any other municipal subdivisions in the region that may wish to participate in the study to further define the rights and obligations of the participants in connection with the feasibility study and to provide that the local share or match for the grant funds shall be made by equal contribution from each participant.

Signed by Axton, Barski, Fearon, Pinckney and Runkle, all in favor.

**Motion by Axton, 2<sup>nd</sup> by Runkle.**

**RESOLUTION NO. 141-1**

**4.24.12 COA shrdmunisrveononcorev**

**AUTHORIZING AN APPLICATION FOR A NEW YORK STATE SHARED MUNICIPAL SERVICES INCENTIVE GRANT TO OFFSET EXPENSES INCURRED BY ONONDAGA COUNTY IN THE IMPLEMENTATION OF SHARED PURCHASING SERVICES WITH VARIOUS MUNICIPAL SUBDIVISIONS, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO AGREEMENTS TO IMPLEMENT THIS RESOLUTION**

By: Hon. David Axton, Chair Ways and Means Committee

WHEREAS, the County of Onondaga is undergoing the implementation of a plan for sharing purchasing services with various municipal subdivisions contained within the County; and

WHEREAS, Cayuga County is participating in the plan for sharing purchasing services; and

WHEREAS, to this end, the County of Onondaga together with various municipal subdivisions therein and the County of Cayuga, seek to apply for a joint grant from the New York State Shared Municipal Services Incentive Grant Program to assist with offsetting the one-time costs incurred by the County with implementation of the program for sharing of the purchasing services; and

WHEREAS, the grant provides for an award of \$200,000 per participant, with a maximum total grant award of \$1,000,000; and

WHEREAS, the grant further requires a local contribution in the amount of 10%, which Onondaga County can provide in an amount up to \$100,000 in the form of in-kind services on behalf of all of the grant participants; and

WHEREAS, the grant terms also require the adoption of a resolution authorizing the application; now, therefore be it

RESOLVED, that Cayuga County is hereby authorized to be a co-applicant with Onondaga County and various other municipal subdivisions to submit an application through the Shared Municipal Services Incentive Grant Program for purposes of offsetting Onondaga County's one-time costs of implementation of the program for sharing purchasing services between the County and various municipal subdivisions within the County and with the County of Cayuga; and, be it further

RESOLVED, that Cayuga County shall act as Co-applicant with the various municipal subdivisions while Onondaga County acts as the lead applicant, with the Chairman of the Cayuga County Legislature County or his designee acting as Co-Applicant Contact Person for Cayuga County; and, be it further

RESOLVED, that the project for which the grant application shall be submitted is for the County of Onondaga Shared Purchasing Implementation Program; and, be it further

RESOLVED, that the maximum amount of money to be applied for in the grant application shall be the sum of \$200,000 per participant, not to exceed \$1,000,000 with Onondaga County committed to contributing a maximum local share of \$100,000 toward the study without need for contribution from the other participants, including the County of Cayuga, it being understood that the local share can be comprised of in-kind services; and, be it further

RESOLVED, that the Chairmen of the Cayuga County Legislature hereby is authorized and directed to enter into agreements with the various participating municipal subdivisions including Onondaga County, to further define the rights and obligations of the municipal subdivisions, itself and Onondaga County in connection with the grant and implementation of the shared purchasing program, and to implement the intent of this resolution.

Signed by Axton, Barski, Fearon, Pinckney and Runkle, all in favor.

**RESOLUTION NO. 142-12**

**(April 24, 2012) HS Bonadio Group Contract 2012**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND  
THE DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW OUR  
CONTRACT WITH THE BONADIO GROUP TO CONDUCT  
ELIGIBILITY REVIEWS FOR MEDICAID HEALTH BENEFITS**

BY: Michael Chapman, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, the Human Services Department desires to conduct Eligibility Reviews relating to self-employed individuals applying for Medicaid healthcare benefits; and

WHEREAS, the Bonadio Group is an accounting and business consulting firm with experience in the auditing of public benefit programs, and is duly licensed to practice in the State of New York; and

WHEREAS, it is economically and organizationally feasible for the Department to contract with the Bonadio Group for the performance of their audit and accounting services; and

WHEREAS, the Bonadio Group has successfully worked with other counties in New York State, and the program has proven to promote deterrence in fraudulent applications; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services be authorized and directed to renew our contract with the Bonadio Group for the period 5/1/12 to 4/30/13 to conduct Eligibility Reviews relating to self-employed individuals applying for Medicaid healthcare benefits at \$150/hr., in an amount not to exceed \$50,000 which is 100% reimbursed by State and Federal funds; and be it further

RESOLVED, that payment for these services comes out of account #A60104 54059. Signed by Chapman, Aikman, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 143-12**

**(April 24, 2012) HS Rescue Mission Contract 2012**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND  
THE DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW  
THE CONTRACT WITH RESCUE MISSION FOR HOMELESS  
FAMILY AND TRANSITIONAL HOUSING**

BY: Michael Chapman, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, the Rescue Mission is leasing a building from Auburn Housing Authority that consists of two one-bedroom units and two three-bedroom units; and

WHEREAS, the Rescue Mission will furnish the units, will enter into an occupancy agreement with housing participants, and will provide needed case management services necessary to move participants to permanent housing; and

WHEREAS, the maximum length of stay in these units will be for 90-days with the goal of transitioning most households to appropriate permanent housing in 30 days; and

WHEREAS, this program represents a cost effective alternative to placing families and single women in hotels with better long term outcomes; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services renew the Department's contract with the Rescue Mission for the period May 1, 2012 through April 30, 2013 at a Department cost of \$40,000 (\$833 per unit per month); and be it further

RESOLVED, that the cost of this contract will be paid from account #A61094 54000 or A61404 54000 depending on eligibility.

Signed by Chapman, Aikman, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 144-12**

**(April 24, 2012) HS Accept OCFS Funding Day Care Fraud**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND  
THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ACCEPT  
\$40,000 FUNDING FROM NYS OCFS FOR REDUCING  
CHILD CARE SUBSIDY FRAUD**

BY: Michael Chapman, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, the NYS Office of Children and Family Services (OCFS) has approved Cayuga County Human Services' application for the Child Care Fraud Prevention and Detection Incentive Program Funding (100% State) in the amount of \$40,000 for the period of April 1, 2012 – March 31, 2013 intended for the purpose of reducing child care subsidy fraud; and

WHEREAS, in order to implement this program, the Department desires to partner with the Cayuga County Sheriff's Department and the District Attorney's Department; 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 to participate in the Child Care Fraud Prevention and Detection Incentive Program; and be it further

RESOLVED, that Health and Human Services Department, as a means of implementing this program, is authorized to subcontract with the County Sheriff's Department and Cayuga County's District Attorney's Department; and be it also

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the necessary journal and accounting entries to the Human Services 2012 Budget as follows:

Increase Revenue Account (Day Care Enhancement) #A60104 54262 .....	\$40,000
Increase Expenditure Account (DSS Administration) #A60100 43610 .....	\$40,000

Signed by Chapman, Aikman, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 145-12**

**(April 24, 2012) HD Immunization Grant (IAP) 2012**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND  
THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO  
A CONTRACT WITH NYS DEPARTMENT OF HEALTH  
TO ACCEPT FUNDING FOR IAP GRANT**

BY: Michael Chapman, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, the New York State Department of Health has awarded a grant in the amount of \$40,718 to the Cayuga County Health Department for the continued support of our Immunization Action Plan for the year April 1, 2012 through March 31, 2013, contract #C023236; and

WHEREAS, the Health Department's 2012 Budget will have to be amended to accept this funding; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to renew the contract with the NYS Department of Health (contract #C023236) for the period April 1, 2012 through March 31, 2013; accept funding in the amount of \$40,718; and accept any additional COLA funds relative to this program; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make all necessary journal and accounting entries to amend the Health Department's 2012 budget in the following manner:

Increase Revenue Account #A40150 43415 .....	\$40,718
Increase Expenditure Account #40154 54059 .....	\$40,718

Signed by Chapman, Aikman, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 146-12**

**(April 24, 2012) HD Fill 2 PT Drivers EI**

**AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO  
FILL 2 PART-TIME DRIVER VACANCIES IN THE EARLY INTERVENTION  
3-5 DIVISION OF THE HEALTH DEPARTMENT**

BY: Michael Chapman, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, there are two part-time driver vacancies due to resignations, position control #006686 and position control #00668, in the Early Intervention (EI 3-5) division of the Health Department; and

WHEREAS, these positions are used to transport eligible children being served in the 3-5 program who need a special transport to a preschool program that was not part of the current transportation bid; and

WHEREAS, using these part-time drivers is more cost effective than coordinating a special bus trip; and

WHEREAS, filling of the positions will be based on student need; and

WHEREAS, sufficient funding exists in the Health Department's 2012 Budget to support these fills; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized to fill the two Part-Time Driver vacancies in the EI 3-5 division of the Health Department, based on student need, 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 Chapman, Aikman, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 147-12**

**DATE: 04/24/12 OFA Contract April 12**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF THE OFFICE FOR THE AGING TO SIGN A CONTRACT WITH CAYUGA COUNTY HOMESITE DEVELOPMENT CORPORATION.**

BY: Mr. Michael Chapman, Chair, Health & Human Services Committee, and Mr. David Axton, Chair, Ways and Means Committee.

WHEREAS, appropriations were approved in the County budget for the year 2012 for various subcontractors (A67724 54118) for the Cayuga County Office for the Aging, in return for which these subcontractors agree to perform certain services for the benefit of Senior Citizens of Cayuga County; now, therefore, be it

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

Weatherization Referral and Packaging Program (WRAP)

Cayuga County Homsite Development Corporation \$15,000  
and be it further

RESOLVED, that the Office for the Aging is authorized and directed to enter into this contract with the above referenced subcontractor for the period of April 1, 2012 through March 31, 2013.

Signed by Chapman, Aikman, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 148-12**

**4-25-12 CC Software Records rev**

**AUTHORIZES CAYUGA COUNTY CLERK TO UPGRADE SOFTWARE FOR A KODAK DOCUMENT ARCHIVE WRITER FOR THE RECORDS RETENTION CENTER.**

BY: MR. GEORGE FEARON, Chairperson, Government Operations Committee  
MR. DAVID AXTON, Chairperson, Ways and Means Committee

WHEREAS, the Records Retention Center requires a software upgrade for their Kodak document archive writer as a result of the replacement of a PC and an upgrade to Windows 7; and

WHEREAS, the Kodak archive writer can only utilize Kodak software; and  
 WHEREAS, the total cost for installation and configuration of the i9600 Application Software is \$6057 which will be paid from the IT budget Account #A16102-52009; now therefore be it

RESOLVED, that the purchase of the upgraded software be approved.  
 Signed by Fearon, Aikman, Didio, Farrell, Lattimore, Pecher, Pinckney, Axton, Barski, Chapman, Fearon, Runkle and Whitman, all in favor.

**RESOLUTION NO. 149-12**

**4-24-12 PT MusicTheatreSceneryFacilitySEQRLDAGNCYrev  
 DESIGNATING THE CAYUGA COUNTY LEGISLATURE AS LEAD AGENCY  
 UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)  
 FOR THE MUSIC THEATER FESTIVAL, INC. 2012 SCENERY  
 PRODUCTION FACILITY EXPANSION PROJECT, DETERMINING  
 THAT IT IS A “TYPE I ACTION”, AND AUTHORIZING COUNTY  
 STAFF TO ADMINISTER A COORDINATED SEQRA REVIEW  
 AND AMENDING RESOLUTION NO. 399-09.**

BY: Mr. Tucker Whitman, Chair, Public Works Committee

WHEREAS, the Cayuga County Legislature authorized the Music Theatre Festival and Merry-Go-Round Playhouse in Resolution No. 399-09 (July 28, 2009) to construct two new scene shops south of the current scene shops at Emerson Park contingent on their ability to pay all the costs associated with the project and appropriate approvals from the State, Local and Federal Authorities; and

WHEREAS, the Music Theatre Festival and Merry-Go-Round Playhouse propose that a single larger new scene shop replace the two scene shops authorized by Resolution No. 399-09; and

WHEREAS, the Music Theater Festival proposes the Music Theater Festival, Inc. 2012 Scenery Production Facility Expansion Project (“Project”), which is the addition of a single enclosed, heated structure for the year-round production of theatrical sets and props within an approximate 11,400 square foot footprint, to be located immediately adjacent to their existing facilities at Emerson Park and integrated into existing operations; and

WHEREAS, the Project is required to comply to the requirements of the State Environmental Quality Review Act and the regulations of Article 8 of the New York State Department of Environmental Conservation Law adopted thereunder (collectively, “SEQRA”); and

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

RESOLVED BY THE CAYUGA COUNTY LEGISLATURE AS FOLLOWS:

1. The Project is designated as a Type I Action under SEQRA due to the adjacent Lakeside Park and Emerson Park Pavilion being listed on the National Park Service National Register of Historic Places; and

2. The Cayuga County Legislature hereby designates itself as “Lead Agency” for the SEQRA review of the Project, as said term is defined under SEQRA; and
3. The Cayuga County Legislature, as Lead Agency, authorizes the County staff to administer and conduct, on its behalf, a Coordinated Review of this Type I Action, communicating with any and all Involved Agencies, as such terms are defined under SEQRA, including but not limited to: the New York State Department of Parks, Recreation and Historic Preservation (“NYSHPO”); and
4. The Chairman of the Legislature is hereby authorized and directed to sign and execute such documents and correspondence as required to conduct said SEQRA review.
5. Resolution No. 399-09 be amended to permit the construction of one new scene shop instead of two new scene shops.

Signed by Whitman, Axton, Didio, Pecher and Runkle, all in favor.

**RESOLUTION NO. 150-12**

**(4/24/12) PT Fireworks Concessions 4 12**

**AUTHORIZING H AND J HOSPITALITY, INC. THE LICENSEE FOR THE PAVILION TO BE THE SOLE FOOD VENDOR IN THE AREA OF THE PAVILION AND TO AUTHORIZE THEM TO SELL ALCOHOL FOR THE ANNUAL JULY THIRD EVENT AT EMERSON PARK**

By: Tucker Whitman, Chairperson, Public Works

Dave Axton, Chairperson, Ways & Means Committee

WHEREAS, Cayuga County, through the Parks and Trails Department, in conjunction with the City of Auburn, provides a public event celebrating the Fourth of July with the Syracuse University Brass Ensemble concert and a fireworks display at Emerson Park on July 3; and

WHEREAS, over the years the county has arranged for food vendors at the event to pay a percentage of their sales for the privilege of being the sole vendor at the event; and

WHEREAS, those vendors did not have the necessary liquor license to serve alcohol at the event, and

WHEREAS, the county has a License Agreement with H and J Hospitality to operate the Pavilion and to serve food and beverages including alcohol; and

WHEREAS, H and J Hospitality has the necessary liquor license to sell alcohol in the area of the park including the Pavilion, the patio, deck and in a tent; and

WHEREAS, that agreement requires H and J Hospitality to pay a percentage of their food and beverage sales to the county; now therefore be it

RESOLVED, the County Legislature hereby authorizes and directs the Cayuga County Parks and Trails Department to allow H and J Hospitality to be the sole food and beverage vendor in the area of Emerson Park where the building is located, which is bound in the north by the park exit road, in the south by Owasco Lake, in the east by State Rt. 38A and in the west by the Owasco River.

Signed by Whitman, Axton, Didio, Pecher, Runkle, Barski, Chapman and Pinckney, all in favor.

**RESOLUTION NO. 151-12****(4/24/12) PT MGRConcessions 4 12REV****AUTHORIZING H AND J HOSPITALITY, INC. , THE LICENSEE FOR THE PAVILION, TO OPERATE A CONCESSION STAND TO SERVE MERRY-GO-ROUND PATRONS AND SOME PARK PATRONS AND GRANTING H AND J HOSPITALITY, INC. PERMISSION TO SELL ALCOHOL AT THE CONCESSION STAND**

By: Tucker Whitman, Chairperson, Public Works

Dave Axton, Chairperson, Ways &amp; Means Committee

WHEREAS, the County has a License Agreement with H and J Hospitality, Inc. permitting it to operate the Pavilion and to serve food and beverages including alcohol; and

WHEREAS, H and J Hospitality, Inc. has approached the Parks Department to purchase a vendors permit to allow them to operate a concession stand near the Merry-Go-Round Playhouse; and

WHEREAS, the Merry-Go-Round Playhouse is supportive of having H and J Hospitality, Inc. provide this service; and

WHEREAS, H and J Hospitality, Inc. has requested permission to serve alcohol from this concession stand; and

WHEREAS, H and J Hospitality, Inc. has the necessary liquor license to sell alcohol in the area; and

WHEREAS, we have not allowed vendors to serve alcohol in the past; now therefore be it

RESOLVED, the County Legislature is hereby authorizes and directs the Cayuga County Parks and Trails Department to allow H and J Hospitality, Inc. to serve alcohol in the area permitted by their liquor license.

Signed by Whitman, Axton, Didio, Pecher, Runkle, Barski, Chapman, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 152-12****(4/24/12) PT FireworksContract 4 12****APPROVING THE CONTRACT WITH PYROTECNICO (FORMALLY AUBURN TELSTAR DISPLAY FIREWORKS INC.) AND OTHER EXPENSES ASSOCIATED WITH THE ANNUAL JULY THIRD EVENT AT EMERSON PARK**

By: Tucker Whitman, Chairperson, Public Works

Dave Axton, Chairperson, Ways &amp; Means Committee

WHEREAS, Cayuga County, through the Parks and Trails Department, in conjunction with the City of Auburn, provides a public event celebrating the Fourth of July with a Syracuse University Brass Ensemble concert and a fireworks display at Emerson Park on July 3; and

WHEREAS, the Public Works Committee is desirous of providing the traditional, professional fireworks display and Syracuse University Brass Ensemble performance at Emerson Park on July 3, 2012; and

WHEREAS, the Parks and Trails Department has funds budgeted in Account No. A71104-54074 (Department Expense), in the amounts of \$4,500.00 for the fireworks portion of this event and \$1,750.00 for The Syracuse University Brass Ensemble portion of this event; and



WHEREAS, the Parks and Trails Department has funds budgeted up to \$3,000 in Account No. A71104-54059 (Professional Services) for Sheriff Deputies for this event; now therefore be it

RESOLVED, that, pending approval by the Auburn City Council, the Chairman of the County Legislature is hereby authorized to sign an agreement with Pyrotecnico (formally Auburn Telstar Display Fireworks Inc.) in the amount of \$4500, and make payment in the budgeted amount of \$4,500.00; and be it further,

RESOLVED, that the Parks and Trails Department is authorized to pay the budgeted amount of \$1750.00 for the performance of the Syracuse University Brass Ensemble; and be it further

RESOLVED, that the Parks and Trails Department is authorized to pay the Cayuga County Sheriff's Department up to \$3,000; and be it further

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

Signed by Whitman, Axton, Didio, Pecher, Runkle, Barski, Chapman, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 153-12**

**4/24/2012 BLD Awarding Natural Gas Bid 2012**

**AWARDING THE BID FOR NATURAL GAS  
FOR VARIOUS COUNTY OWNED BUILDINGS**

BY: Hon., Tucker M, Whitman, Chairman, Public Works Committee, and  
Hon. David R. Axton, Chairman, Ways & Means Committee.

WHEREAS, The Cayuga County Purchasing Policy requires any purchase in excess of \$9,999.99 to use New York State contract, County contract or Group Purchasing contract or to go out for Sealed Bid; and

WHEREAS, the Counties contract for Natural Gas will expire on May 31, 2012; and

WHEREAS, In researching, The Natural Gas ESCO's will only hold prices for 3 days due to the market fluctuation and the best day for gas pricing is on a Wednesdays; and

WHEREAS, there are 29 ESCO approve by the New York State Public Service Commission that could possibly bid, a bid list will be attached to this resolution; and

WHEREAS, since there is only a three day window to accept the bid and so that a special Legislature meeting does not have to convene to approve the Natural Gas bid this Resolution proposes to give the authority to the Chairman of the Cayuga County Legislature to award the Natural Gas Bid to the lowest responsible bidder or to reject the bids and go out for rebids until the natural gas bid is awarded; now therefore be it

RESOLVED, that the Cayuga County Legislature to give the authority to the Chairman of the Cayuga County Legislature to award the Natural Gas Bid to the lowest responsible bidder or to reject the bids and go out for rebids until the natural gas bid is awarded; and be it further

RESOLVED, that a list of all bidder and their bids will be attached to this resolution; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature may sign any and all Natural Gas contracts, to implement the intent of this resolution; be it further

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

Signed by Whitman, Axton, Didio, Pecher, Runkle, Barski, Chapman, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 154-12**

**Date: April 24, 2012 HWY fillMEOM2445**

**AUTHORIZATION FOR SUPERINTENDENT OF HIGHWAYS  
TO FILL A MOTOR EQUIPMENT OPERATOR – MEDIUM(2445)  
WITHIN THE HIGHWAY DEPARTMENT**

BY: Tucker Whitman, Public Works Committee

David Axton, Chairman, Ways & Means Committee

WHEREAS, a Motor Equipment Operator Medium position will be vacated in April; and

WHEREAS, this MEO - Medium position is critical to the operation of the highway department's operations; and

WHEREAS, this position (Position Control #002445) has been budgeted for the entire year of 2012; now therefore be it

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

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

Signed by Whitman, Axton, Didio, Pecher, Runkle, Barski, Chapman, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 155-12**

**Date: April 24, 2012 HWY fillMEOM2451**

**AUTHORIZATION FOR SUPERINTENDENT OF HIGHWAYS  
TO FILL A MOTOR EQUIPMENT OPERATOR – MEDIUM (2451)  
WITHIN THE HIGHWAY DEPARTMENT**

BY: Tucker Whitman, Public Works Committee

David Axton, Chairman, Ways & Means Committee

WHEREAS, a Motor Equipment Operator Medium position will be vacated in April; and

WHEREAS, this MEO - Medium position is critical to the Highway department's operations; and

WHEREAS, this position (Position Control #002451) has been budgeted for the entire year of 2012; now therefore be it

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

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

Signed by Whitman, Axton, Didio, Pecher, Runkle, Barski, Chapman, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 156-12**

**4-24-12 HWY LAFAPlonghillowasco**

**AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE “MARCHISELLI” PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT LONG HILL OVER OWASCO INLET (BIN 3311680)**

By: Tucker Whitman, Chairman Public Works Committee  
David Axton, Chairman Ways and Means Committee

WHEREAS, a project for the County Road #43 (Long Hill Rd) over Owasco Inlet bridge, BIN 3311680, P.I.N. 375475, (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, State “Marchiselli” program funding is available for up to 75% of the non-federal funding portion of the project; 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 Phases I-IV; 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 Phases I-IV 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, that the Cayuga County Treasurer is authorized to accept 80% of funding for the County Road 43C (Long Hill Rd) over Owasco Inlet project; and be it further

RESOLVED, this resolution shall take effect immediately.

Signed by Whitman, Axton, Didio, Pecher, Runkle, Barski, Chapman, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 157-12**

**April 24, 2012 HWY 2012Surftrtlst**

**AUTHORIZATION to approve 2012 SURFACE TREATMENT LIST**

By: Tucker Whitman, Chairman Public Works Committee  
David Axton, 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 2012 highway budget in account D51104 54095 – Surface Treatment for resurfacing of pavements; and

WHEREAS, the attached list of road work is less than the actual needed to maintain overall pavement condition at previous levels but is the best mix to try to slow the downward trend of the overall pavement condition of the county road network; now therefore be it

RESOLVED, that the attached list of roads to be surface treated in the 2012 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 Whitman, Axton, Didio, Pecher, Runkle, Barski, Chapman, Fearon and Pinckney, all in favor.

### **RESOLUTION NO. 158-1**

**April 24, 2012 HWY mpoilchgrates**

#### **AUTHORIZATION TO CHANGE PREVENTIVE MAINTENANCE/OIL CHANGE SERVICE RATES AT THE MOTOR POOL TO TAKE EFFECT MAY 2012**

By: Tucker Whitman, Chairman Public Works Committee

David Axton, Chairman Way and Means Committee

WHEREAS, the Cayuga County Highway Department is in charge of the Motor Pool that maintains the fleet of vehicles that are operated by the county; and

WHEREAS, the cost of petroleum based products has increased over the last few years and fluctuates throughout the year; and

WHEREAS, the cost to provide these services has increased and the rates do not address the volatility in oil pricing; now therefore be it

RESOLVED, to approve setting a variable preventive maintenance/oil change rate for vehicles serviced at the motor pool; and be it further

RESOLVED, the fee shall be one half (1/2) hour of labor plus the cost of materials for vehicles under 1-ton, and three quarter (3/4) hour labor plus the cost of materials for vehicles 1-ton and over; and be it further

RESOLVED, that these rate increases are to take effect May 1, 2012

Signed by Whitman, Axton, Didio, Pecher, Runkle, Barski, Chapman, Fearon and Pinckney, all in favor.

### **RESOLUTION NO. 159-12**

**April 24, 2012 HWY acctbidgasoline**

#### **AUTHORIZATION TO ACCEPT BID FOR GASOLINE**

By: Tucker Whitman, Chairman Public Works Committee

David Axton, Chairman Ways and Means Committee

WHEREAS, Resolution #49-12 authorized the Highway Superintendent to bid for necessary materials and services to accomplish road work, and funds were budgeted in account DM51304 54031-Fuel Oil to fund this product; and

WHEREAS, ITB 2012-10 for Gasoline was developed and proposals were opened on March 14, 2012; and

WHEREAS, three proposals were submitted by Petroleum Traders, Hess Corporation, and Superior Plus Energy Services with Hess Corporation as lowest bidder and bid tabulation as follows:

Superior Plus (Griffith Energy) 760 Brooks Ave Rochester, NY 14619	Petroleum Traders 7120 Pointe Inverness Way Fort Wayne, IN 46804	Hess Corporation 1 Hess Plaza Woodbridge, NJ 07095
\$0.0375	NO BID	\$0.0200
\$0.0660	\$0.0244	\$0.0200

**Gasoline:**

Branded - Firm Differential  
Unbranded - Firm Differential

now therefore be it

RESOLVED, the Cayuga County Legislature does hereby accept the proposal from Hess Corporation to provide gasoline for the County Highway department; and be it further

RESOLVED, that the Chairman of Legislature is authorized to enter into an agreement for aforementioned service.

Resolved, that these rate increases are to take effect May 1, 2012

Signed by Whitman, Axton, Didio, Pecher, Runkle, Barski, Chapman, Fearon and Pinckney, all in favor.

### **RESOLUTION NO. 160-12**

**April 24, 2012 HWY accptHIPrecycle**

#### **AUTHORIZATION FOR HIGHWAY SUPERINTENDENT TO ACCEPT BID AND SIGN CONTRACT FOR HOT IN PLACE ASPHALT RECYCLING**

By: Tucker Whitman, Chairman Public Works Committee

David Axton, Chairman Ways and Means Committee

Whereas, Resolution #49-12 authorized the Highway Superintendent to bid for necessary materials and services to accomplish road work, and funds were budgeted in account D51134 54099 to fund this service; and

Whereas, ITB 2012-11 for HIP Asphalt Recycling was developed and proposals were opened on March 14, 2012; and

Whereas, one proposal was submitted by Highway Rehab Corp. and meets the general requirements as stated in the ITB with bid tabulation as follows:

#### **QUANTITY PER SQUARE YD**

Under 5,000 s.y. (3/4" to 2" depth)

with compaction \$9.82

without compaction \$9.74

Over 5,000<10,000 s.y. (3/4" to 2" depth)

with compaction \$7.82

without compaction \$7.74

Over 10,000<20,000 s.y. (3/4" to 2" depth)

with compaction \$4.82

without compaction \$4.74

Over 20,000<40,000 s.y. (3/4" to 2" depth)

with compaction \$3.95

without compaction \$3.87

Over 40,000 s.y. (3/4" to 2" depth)

with compaction \$3.87

without compaction \$3.79

Cost per day for maint and traffic control \$1,580.00

now therefore be it

RESOLVED, the Cayuga County Legislature does hereby accept the proposal from Highway Rehab to provide for Hot In Place Asphalt Recycling for the County Highway department; and be it further

RESOLVED, that the Chairman of Legislature is authorized to enter into an agreement for aforementioned service.

Signed by Whitman, Axton, Didio, Pecher, Runkle, Barski, Chapman, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 161-12**

**April 24, 2012 HWY salarytransseasonal2012**

**AUTHORIZATION TO AMEND THE 2012 CAYUGA COUNTY  
HIGHWAY BUDGET FOR SEASONAL SALARIES**

BY: Tucker Whitman, Public Works Committee

David Axton, Chairman Ways and Means Committee

WHEREAS, the submission of the 2012 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 2012 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:





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 Whitman, Axton, Didio, Pecher, Runkle, Barski, Chapman, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 162-12**

**Date: April 24, 2012 HWY statesnowagree2012-13**

**AUTHORIZING THE COUNTY CHAIRMAN TO SIGN THE SNOW  
REMOVAL AGREEMENT WITH NYS DOT FOR THE 2012-2013 SEASON**

BY: Tucker Whitman, Chairman, Public Works Committee

David Axton, 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) expires on June 30, 2012; and

WHEREAS, the State will compensate the County in the amount of \$702,448 for snow removal service for the 2012-2013 season; 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 2012-2013 season

Signed by Whitman, Axton, Didio, Pecher, Runkle, Barski, Chapman, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 163-12**

**(4/24/12) PT PavilionSiteFunding 4 12rev1**

**AUTHORIZING TRANSFER OF FUNDS REMAINING IN VARIOUS  
CAPITAL "H" ACCOUNTS AND THE CAPITAL RESERVE ACCOUNTS  
INTO CAPITAL "H" No. 08-2 EMERSON PARK PAVILION  
REPAIRS AND MAINTENANCE**

By: Tucker Whitman, Chairperson, Public Works

Dave Axton, Chairperson, Ways & Means Committee

WHEREAS, Resolution 289-08 authorized and directed the Cayuga County Treasurer to establish Capital "H" No. 08-2 "Emerson Park Pavilion Repairs and Maintenance"; and

WHEREAS, the Cayuga County Legislature has licensed the Emerson Park Pavilion for the purpose of renovating the facility and has agreed to provide certain in-kind site work related to utilities, parking lot improvements and other infrastructure in support of the Pavilion; and

WHEREAS, the estimated cost to provide additional in kind site work services is \$130,000, exclusive of labor and equipment to be provided by the Cayuga County Highway Department, to complete the site work; and

WHEREAS, other Capital "H" accounts related to completed projects, that had remaining balances, have been transferred to a general reserve within the Capital Fund; and

WHEREAS, the unexpended balance in the general capital reserve account is available to be used for the completion of the site work at Emerson Park Pavilion; now therefore be it

RESOLVED, that the Cayuga County Legislature appropriates \$130,000 of the general capital reserve into Capital "H" Project 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.

Approved by roll call vote, all in favor, excused Chapman, cannot vote Bennett.

Signed by Whitman, Axton, Didio, Pecher, Runkle, Barski, Chapman, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 164-12**

**(4/24/12) COA LL FoxLease911 FIX**

**FIXING DAY AND NOTICE OF PUBLIC HEARING ON ADOPTING LOCAL LAW NO. \_\_\_\_ FOR THE YEAR 2012. A LOCAL LAW AUTHORIZING THE COUNTY OF CAYUGA TO LEASE PART OF THE PREMISES, COMMONLY KNOWN AS TAX MAP NO. 6.00-1.16, 1197 OLD STATE ROAD, STERLING, NEW YORK, FROM KATHLEEN OUELLETTE-FOX FOR A TERM OF 99 YEARS.**

BY: MR. PAUL PINCKNEY, Chairman, Judicial and Public Safety Committee.

MR. DAVID AXTON, Chairman, Ways and Means Committee.

MR. TUCKER WHITMAN, Chairman, Public Works Committee

WHEREAS, there has been duly presented and introduced at a meeting of this County Legislature held on April 24, 2012, a proposed local law entitled:

"LOCAL LAW NO. \_\_\_ FOR THE YEAR 2012, A LOCAL LAW AUTHORIZING THE COUNTY OF CAYUGA TO LEASE PART OF THE PREMISES, COMMONLY KNOWN AS TAX MAP NO. 6.00-1.16, 1197 OLD STATE ROAD, STERLING, NEW YORK, FROM KATHLEEN OUELLETTE-FOX FOR A TERM OF 99 YEARS."

Now, therefore, be it

RESOLVED, that a public hearing shall be held concerning the proposed local law before the Cayuga County Legislature on May 22, 2012, at 1:00 P.M., at the Auburn Armory, 174 South Street, Auburn, New York, and the Clerk of the Cayuga County Legislature is hereby directed to give due legal notice of said public hearing as provided by statute.

Signed by Pinckney, Axton, Barski, Didio, Whitman, Runkle, Chapman and Fearon, all in favor.

**RESOLUTION NO. 165-12**

**4-24-12 EMO moaCNYFOODBANK**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND THE DIRECTOR OF EMERGENCY SERVICES TO ENTER INTO A MEMORANDUM OF AGREEMENT (MOA) WITH THE FOOD BANK OF CENTRAL NEW YORK, 7066 INTERSTATE ISLAND ROAD, SYRACUSE, NY 13209, TO ESTABLISH A MUTUALLY BENEFICIAL**

**PARTNERSHIP AND TO SET FORTH THE TERMS BY WHICH  
FOOD BANK OF CENTRAL NEW YORK AND CAYUGA COUNTY  
CAN COOPERATE IN DISASTER RELIEF, PREPAREDNESS,  
MITIGATION, RESPONSE AND RECOVERY.**

BY: MR. PAUL PINKNEY, Chairman, Judicial & Public Safety Committee  
MR. DAVID AXTON, Chairman, Ways & Means Committee.

WHEREAS, the mission of the Food Bank of Central New York is to work to eliminate hunger through nutritious food distribution, education and advocacy in cooperation with local communities; and

WHEREAS, the Food Bank was established in 1985 to address a growing need for food supplies for not-for-profit programs, and the Food Bank of Central New York became a certified member of Feeding America, which set standards and allows access to donated food products shared across the nation; and

WHEREAS, during the Ice Storms of 1998, the Labor Day Storms in 1998, Hurricane Katrina in 2005 and other recent Natural Disasters, the Food Bank of Central New York has assisted in, set the standards for, and become a leader in food and water delivery in Disaster; and

WHEREAS, the Food Bank of Central New York and their management have, through their Disaster Relief experiences have become uniquely qualified to support any countywide disaster relief efforts in the 11-county service area; therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature and the Director of Emergency Services be authorized to enter into the Memorandum of Agreement (MOA) with the Food Bank of Central New York, and within the terms outlined in the Memorandum of Agreement, be authorized to enact the partnership when required to collaborate for Disaster Relief and food product distribution in Cayuga County if and when necessary; and be it further

RESOLVED, that the Cayuga County Office of Emergency Services continue the dialog with the Food Bank of Central New York and cooperate and collaborate in this partnership to enhance any mutually beneficial disaster preparedness, mitigation, response and recovery efforts on behalf of Cayuga County in order to work together efficiently and effectively.

Signed by Pinckney, Axton, Barski, Didio, Whitman, Barski, Chapman, Fearon and Runkle, all in favor.

**RESOLUTION NO. 166-12**

**4-24-12 COR ContractRenewal**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE  
CAYUGA COUNTY CORONER TO RENEW THE CONTRACT WITH  
ONONDAGA COUNTY MEDICAL EXAMINER FOR AUTOPSIES  
AND OTHER RELATED PROFESSIONAL SERVICES.**

By: Mr. Paul W. Pinckney, Chairman, Judicial & Public Safety Committee  
Mr. David R. Axton, Chairman, Ways & Means Committee

WHEREAS, it is necessary to utilize the services of the medical examiner and forensic laboratory from another county to perform autopsies and other related services for the County of Cayuga, as these services are not available in Cayuga County; and

WHEREAS, the county has previously contracted with the Onondaga County Medical Examiner's office to furnish these services and the coroner has approved the new proposed contract which will cover a three-year period; now, therefore, be it

RESOLVED, that the chairman of the county legislature and the Cayuga County coroner are hereby authorized to execute said proposed contract with the County of Onondaga for medical examiner services and forensic laboratory services and any other documents necessary to implement this resolution.

Signed by Pinckney, Axton, Barski, Didio, Whitman, Barski, Chapman, Fearon and Runkle, all in favor.

**RESOLUTION NO. 167-12**

**4-24-12 911 mainpennPow**

**AUTHORIZING 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. Paul Pinckney, Chairperson, Judicial and Public Safety Committee  
Mr. David Axton, 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

Signed by Pinckney, Axton, Barski, Didio, Whitman, Barski, Chapman, Fearon and Runkle, all in favor.

**RESOLUTION NO. 168-12**

**4-24-12 911 increasecaph10-03chn gordIIrev2**

**AUTHORIZING PAYMENT OF CHANGE ORDERS FOR THE  
CAYUGA COUNTY EMERGENCY COMMUNICATIONS PROJECT**

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

WHEREAS, Resolution No.318-10 established Capital "H" Project No. 10-03; and  
WHEREAS, with projects there are change order for the betterment of the project;  
and

WHEREAS, Midstate Communications and Electronics Inc., submitted change orders for the Radio Communications Project in the aggregate amount of 31,473.20 (see attachments); now therefore be it

RESOLVED, that the Cayuga County Chairman of the Cayuga County Legislature to sign change orders, for Cayuga County Emergency Communications Project; and be it further

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

Signed by Pinckney, Axton, Barski, Didio, Whitman, Barski, Chapman, Fearon and Runkle, all in favor.

**RESOLUTION NO. 169-12**

**4/24/12 SHR OperStgdnGgrant**

**AUTHORIZING THE TREASURER'S OFFICE TO AMEND THE 2012 SHERIFF'S GRANTS BUDGET TO ACCEPT THE 2011 OPERATION STONEGARDEN GRANT FROM THE OFFICE OF HOMELAND SECURITY.**

BY: Mr. Paul Pinckney, Chair, Judicial and Public Safety Committee, and Mr. David Axton, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Office applied for and was granted \$120,458.00 in grant monies from the Office of Homeland Security towards the purchase of approved equipment and for reimbursement to the County for overtime and fringe benefits on overtime expended on operational details with the United States Border Patrol; and

WHEREAS, all above mentioned expenditures under this Grant have been approved and are 100% funded by the Department of Homeland Security; now therefore let it be

RESOLVED, that the Chairman of the Legislature be authorized to sign the necessary documentation to accept the 2011 Operation Stonegarden Grant; and be it further

RESOLVED, that after a contract has been received, signed and approved, the 2011 Cayuga County Sheriff's Grant budget be amended to increase the Revenue Line A31130 44552 DHSES Stonegarden 11 by \$120,458.00, and increase the following expenditure lines: Equipment Trackable Account A31132 52100 by \$75,000.00, and DHSES Stonegarden 11 Account A31134 54562 by \$45,458.00; and be it further

RESOLVED, that the Sheriff's Office be allowed to purchase the Grant approved equipment and expend overtime and fringes and to enter into any contracts necessary to effect this Grant; and be it

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

Signed by Pinckney, Axton, Barski, Didio, Whitman, Barski, Chapman, Fearon and Runkle, all in favor.

**RESOLUTION NO. 170-12**

**4/24/12 SHR GrantSLETTP**

**AUTHORIZING THE TREASURER'S OFFICE TO AMEND THE 2012 SHERIFF'S GRANT BUDGET TO ACCEPT THE 2011 STATE LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM GRANT FROM THE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES (DHSES).**

BY: Mr. Paul Pinckney, Chair, Judicial and Public Safety Committee, and Mr. David Axton, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Office applied for and was granted \$65,234.00 from the Division of Homeland Security and Emergency Services towards the purchase of approved equipment; and

WHEREAS, all above mentioned expenditures under this Grant have been approved and are 100% funded by the Division of Homeland Security and Emergency Services; now therefore let it be

RESOLVED, that the Chairman of the Legislature be authorized to sign the necessary documentation to accept the 2011 State Law Enforcement Terrorism Prevention Program Grant; and be it

RESOLVED, that the 2012 Sheriff's Grant budget be amended to increase the Revenue Line A31130 44504 DHSES SLETPP 11 Account by \$65,234.00, and increase the following Expenditure Line: Equipment Trackable Account A31132 52100 by \$65,234.00; 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 Pinckney, Axton, Barski, Didio, Whitman, Barski, Chapman, Fearon and Runkle, all in favor.

### **RESOLUTION NO. 171-12**

**4/24/12 SHR OperStonegarden**

#### **AUTHORIZING THE CAYUGA COUNTY SHERIFF'S OFFICE TO APPLY FOR THE 2012 OPERATION STONEGARDEN GRANT FROM THE NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES.**

BY: Mr. Paul Pinckney, Chair, Judicial and Public Safety Committee, and  
Mr. David Axton, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Office wishes to apply for a Grant from the NYS Division of Homeland Security and Emergency Services; and

WHEREAS, this Grant would facilitate law enforcement partnerships in a joint mission to enhance security through joint patrols with the Border Patrol and State Police, those areas of the County along routes of ingress from International borders deemed under protected by the Office of Homeland Security; and

WHEREAS, the Grant proposal would 100% fund equipment, associated costs and overtime benefits, now therefore be it

RESOLVED, that the Cayuga County Sheriff's Office be allowed to apply for funding under the Operation Stonegarden Grant.

Signed by Pinckney, Axton, Barski, Didio, Whitman, Barski, Chapman, Fearon and Runkle, all in favor.

### **RESOLUTION NO. 172-12**

**4/24/12 SHR AwardSnowmobiles**

#### **AWARDING THE BID TO BIBBENS SALES AND SERVICE FOR THE PURCHASE OF TWO SKI DOO SNOWMOBILES BY THE CAYUGA COUNTY SHERIFF'S OFFICE**

BY: Mr. Paul Pinckney, Chairperson, Judicial and Public Safety Committee  
Mr. David Axton, Chairperson, Ways & Means Committee

WHEREAS, Resolution No. 202-11 authorized the Cayuga County Sheriff's Office to accept grant monies awarded by the New York State Division of Homeland Security and Emergency Services under the 2010 Operation Stonegarden Grant to be used towards the purchase of approved equipment and reimbursement to the County for overtime and fringe benefits on overtime expended on operational details with the United States Border Patrol; and

WHEREAS, the Cayuga County Sheriff's Office utilizes snowmobiles to facilitate law enforcement partnerships and enhance border enforcement capabilities in its efforts to address border security issues; and

WHEREAS, the Cayuga County Sheriff’s Office would like to purchase two new snowmobiles to assist in patrolling the areas of Cayuga County where illegal activity is likely with the grant monies awarded by the NYS Division of Homeland Security and Emergency Services; and

WHEREAS, the Cayuga County Sheriff’s Office sought bids for said snowmobiles and received the following:

Contractor Name	City/State	Snowmobile Amount
Bibbens Sales & Service	Weedsport, NY	\$6,974.98 (Ski Doo Grand Touring Sport 600) \$7,316.94 (Ski Doo MXZ Sport 600)
DDS Motorsports	Utica, NY	\$7,500.00 (Ski Doo Grand Touring Sport 600) \$6,999.00 (SkiDoo MXZ Sport 600)
Brodner Equipment	Rochester, NY	\$9,198.00 (Artic Cat TZ1) \$8,898.00 (Artic Cat F1100 LXR); and

WHEREAS, Bibbens Sales and Service is the lowest responsible bidder with the prices of \$6,974.98 (Ski Doo Grand Touring Sport 600) and \$7,316.94 (Ski Doo MXZ Sport 600); and

WHEREAS, the purchase of these snowmobiles will be made from the Sheriff’s Grant Expenditure Account A31134 54561; now therefore be it

RESOLVED, that the Cayuga County Legislature award the purchase to Bibbens Sales and Service for a Ski Doo Grand Touring Sport 600 and Ski Doo MXZ Sport 600 in an amount totaling \$14,291.92; and further be it

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

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 Pinckney, Axton, Barski, Didio, Whitman, Barski, Chapman, Fearon and Runkle, all in favor.

**RESOLUTION NO. 173-12  
4/24/12 SHR 2012NavEmp**

**AUTHORIZING THE SHERIFF OF CAYUGA COUNTY  
TO EMPLOY SEASONAL PERSONNEL FOR THE MARINE UNIT**

BY: Mr. Paul Pinckney, Chair, Judicial and Public Safety Committee, and  
Mr. David Axton, Chair, Ways & Means Committee

WHEREAS, the Legislature has authorized the Sheriff to employ seasonal personnel to assist in implementation of the Sheriff’s Marine Unit as designated in the Marine Unit; and

WHEREAS, it is now necessary to set the pay rate for the 2012 season so the Sheriff may hire qualified Police Officers and Personnel to supplement his Deputy Sheriffs working in the Marine Unit; and

WHEREAS, the State of New York through Parks and Recreation reimburses the County of Cayuga upon application and certification of the Sheriff which is anticipated at the rate of fifty percent; and

WHEREAS, these positions are funded in the 2012 Sheriff’s Navigation Unit Budget Line (Salaries – Part Time) A31111 51002 in the amount of \$55,000.00; now therefore be it

RESOLVED, that under the recommendation of the Sheriff and the Judicial & Public Safety Committee the hourly rates of pay for the Sheriff's Marine Unit (Seasonal Positions) are hereby set as follows: Seasonal Deputy (Marine) at the rate of \$18.00 per hour and Navigational Assistant (Seasonal) at the rate of \$12.00 per hour; and be it further

RESOLVED, that the Sheriff is authorized to hire and pay up to twenty-five Seasonal Marine Unit Personnel at the rates set forth above; and be it further

RESOLVED, that the Sheriff is authorized to fill these positions in accordance with Civil Service Rules and Regulations and within the policies of the County of Cayuga. Signed by Pinckney, Axton, Barski, Didio, Whitman, Barski, Chapman, Fearon and Runkle, all in favor.

### **RESOLUTION NO. 174-12**

**4/24/12 SHR-PurchaseFourPatrolCarsrev1**

#### **AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO PURCHASE FOUR (4) NEW MARKED PATROL CARS TO REPLACE EXISTING PATROL CARS THAT HAVE EXCEEDED THEIR USEFUL LIFE SPAN AND HAVE ACCUMULATED HIGH MILEAGE.**

BY: Mr. Paul Pinckney, Chair, Judicial and Public Safety Committee, and Mr. David Axton, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Office, Law Enforcement Division, presently has four (4) marked patrol cars that have exceeded their useful life span and have accumulated high mileage; and

WHEREAS, the counties of Rensselaer, Ontario, Onondaga and Westchester are in the process of advertising and receiving sealed bids from various car dealerships and depending upon the final quotes received as well as the make/model the Cayuga County Sheriff's Office chooses to purchase, the Sheriff's Office will piggy-back and utilize one of these bids pursuant to General Municipal Law Sections 103 and 104; and

WHEREAS, there are sufficient funds in the Sheriff's 2012 Law Enforcement Equipment Trackable Line A31102 52100 to purchase four (4) new marked vehicles; and

WHEREAS, the following four (4) existing patrol vehicles will be delivered to the Clerk of the Cayuga County Legislature for disposal upon the delivery of the four (4) new patrol vehicles to the Cayuga County Sheriff's Office:

(1) 2007 Ford Crown Victoria, VIN 2FAHP7W27X100791 (142,230 miles); (2) 2007 Chevy Impala 2G1WS58R679415434 (144,391 miles); (3) 2007 Ford Crown Victoria, VIN FAHP71W97X100789 (128,672 miles); and (4) 2004 Ford Crown Victoria, VIN 2FAHP71W54X138866 (138,401 miles); and now therefore be it

RESOLVED, that the Cayuga County Sheriff is authorized to purchase four (4) new patrol vehicles piggy-backing off of the sealed bids sought by either Rensselaer, Ontario, Onondaga or Westchester counties for a cost not to exceed \$150,000; and it is further

RESOLVED, that upon the delivery of the four (4) new patrol vehicles, the four existing patrol cars will be delivered to the Clerk of the Cayuga County Legislature for disposal; and further be it

RESOLVED, that the purchase of these four new patrol vehicles will be made in accordance with the existing purchasing policies of Cayuga County.

Signed by Pinckney, Axton, Barski, Didio, Whitman, Barski, Chapman, Fearon and Runkle, all in favor.



**RESOLUTION NO. 175-12**

**1/24/12 SHR Purchase 2012 Chevy Tahoe.rev**

**AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO PURCHASE A 2012 CHEVROLET TAHOE TO REPLACE AN EXISTING 2007 DODGE DURANGO THAT IS IN NEED OF NUMEROUS MECHANICAL REPAIRS AND HAS ACCUMULATED HIGH MILEAGE.**

BY: Mr. Paul Pinckney, Chair, Judicial and Public Safety Committee, and Mr. David Axton, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Office, Custody Division, presently has a 2007 Dodge Durango, VIN 1D8HB38N07F8475, that is used to transport inmates for court appearances, medical appointments and other various engagements that may arise, that is in need of numerous mechanical repairs and has accumulated mileage exceeding 79,000; and

WHEREAS, Hoselton Automall, Rochester, New York, pursuant to NYS Contract No. PC64892, can provide a new 2012 Chevrolet Tahoe for a cost not to exceed \$31,000.00, which price includes detailing and outfitting of necessary radio equipment; and

WHEREAS, there are sufficient funds in the Sheriff's 2012 Custody Equipment Budget Line A31502 52100 to purchase a new vehicle; and

WHEREAS, the existing 2007 Dodge Durango, VIN 1D8HB38N07F8475, will be delivered to the Clerk of the Cayuga County Legislature for disposal upon the delivery of the new 2012 Chevrolet Tahoe; and now therefore be it

RESOLVED, that the Cayuga County Sheriff is authorized to purchase a 2012 Chevrolet Tahoe from Hoselton Automall, Rochester, New York, for a cost not to exceed \$31,000.00, which price includes detailing and outfitting of necessary radio equipment; and it is further

RESOLVED, that upon the delivery of the new 2012 Chevrolet Tahoe, the 2007 Dodge Durango will be delivered to the Clerk of the Cayuga County Legislature for disposal; and further be it

RESOLVED, that the purchase of the new vehicle will be made in accordance with the existing purchasing policies of Cayuga County.

Signed by Pinckney, Axton, Barski, Didio, Whitman, Barski, Chapman, Fearon and Runkle, all in favor.

**RESOLUTION NO. 176-12**

**(04/24/12) EMO 2011SHSPGRANTrev2**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND THE DIRECTOR OF EMERGENCY SERVICES TO ACCEPT A NEW YORK STATE HOMELAND SECURITY PROGRAM (SHSP) GRANT TO ENHANCE THE ALL HAZARDS PREPAREDNESS AND RESPONSE CAPABILITIES OF CAYUGA COUNTY, AND TO AUTHORIZE THE CAYUGA COUNTY TREASURER TO AMEND THE EMERGENCY MANAGEMENT 2012 BUDGET (A 3640) BY CREATING A REVENUE AND A CONTRACTUAL LINE IN ORDER TO ACCEPT AND EXECUTE THE PURPOSES OF THE GRANT.**

BY: Mr. Paul W. Pinckney, Chairman, Judicial & Public Safety Committee, and Mr. David R. Axton, Chairman, Ways & Means Committee.

WHEREAS, the Cayuga County Office of Emergency Services applied for and the County was granted a \$127,766.00 State Homeland Security Grant to enhance all hazards preparedness and response capabilities of Cayuga County by strengthening the County’s ability to plan for, train for, respond to, and recover from all hazards emergencies and disasters.

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

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

RESOLVED, that the County Administrator and the Director of Emergency Services are authorized to advertise for bids for equipment or to purchase from NYS OGS Contract; and be it further

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

RESOLVED, that the Chairman of the Cayuga County Legislature and Director of Emergency Services be authorized to enter into contracts or agreements with vendors in order to accomplish the goals and objectives set forth in the Grant Contract without further Legislative Action; and be it also

RESOLVED, the Cayuga County Treasurer’s Office is hereby authorized and directed to create and amend the 2012 Emergency Management A3640 Budget in the following manner:

Create Revenue Account .....	A36470 44315	
FED AID - Homeland Security 11 .....		\$127,766.00
Create Contractual Account	A36474 54520	
Homeland Security 11 .....		\$127,766.00

Signed by Pinckney, Axton, Barski, Didio, Whitman, Barski, Chapman, Fearon and Runkle, all in favor.

**RESOLUTION NO. 177-12**

**(04-24-2012) EMO Accept2011HazMatGrantrev3**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND THE DIRECTOR OF EMERGENCY SERVICES TO ACCEPT THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES 2011 HAZARDOUS MATERIALS GRANT TO PURCHASE CBRNE (CHEMICAL, BIOLOGICAL, RADIOLOGICAL, NUCLEAR, & EXPLOSIVE) INTER-SUIT COMMUNICATIONS**

**EQUIPMENT AND INCIDENT COMMAND RADIO INTERFACE  
EQUIPMENT FOR CAYUGA COUNTY AND OUR REGIONAL PARTNERS,  
AND TO AUTHORIZE THE CAYUGA COUNTY TREASURER TO AMEND  
THE EMERGENCY MANAGEMENT 2012 BUDGET (A 3640) BY CREATING  
A REVENUE AND A CONTRACTUAL LINE IN ORDER TO ACCEPT AND  
EXECUTE THE PURPOSES OF THE GRANT.**

BY: Mr. Paul W. Pinckney, Chairman, Judicial & Public Safety Committee, and  
Mr. David R. Axton, Chairman, Ways & Means Committee

WHEREAS, the Cayuga County Office of Emergency Services applied for and Cayuga County was granted a \$54,200.00 State Homeland Security 2011 Hazardous Materials Grant to purchase CBRNE (Chemical, Biological, Radiological, Nuclear & Explosives) Inter-Suit Communications Equipment compatible with the new Cayuga County Interoperable Radio System and Incident Command Radio Interface equipment compatible with the new Cayuga County Interoperable Radio System; and,

WHEREAS, the Grant funds are specified by the New York State Office of Homeland Security to procure the Inter-Suit Communications Equipment compatible with the new Cayuga County Interoperable Radio System and Incident Command Radio Interface equipment compatible with the new Cayuga County Interoperable Radio System for Cayuga, Seneca and Tompkins County's (the Regional Partners); therefore be it

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

RESOLVED, that the County Administrator and the Director of Emergency Services are authorized to advertise for bids for equipment or to purchase from NYS OGS Contract; and be it further

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

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

RESOLVED, the Cayuga County Treasurer's Office is hereby authorized and directed to create and amend the 2012 Emergency Management A3640 Budget in the following manner:

Create Revenue Account .....	A36470 44316	
HOMELAND SECURITY HAZMAT 11 .....		\$54,200.00
Create Contractual Account .....	A36474 54521	
HOMELAND SECURITY HAZMAT 11 .....		\$54,200.00

Signed by Pinckney, Axton, Barski, Didio, Whitman, Barski, Chapman, Fearon and Runkle, all in favor.

**RESOLUTION NO. 178-12****4/24/12 DA Fill PT ADArev4**

**AUTHORIZING THE CAYUGA COUNTY DISTRICT ATTORNEY TO FILL A PART-TIME ASSISTANT DISTRICT ATTORNEY POSITION IN THE DISTRICT ATTORNEY'S OFFICE IN ORDER TO PROSECUTE MORE WELFARE FRAUD & ABUSE; AUTHORIZE THE DISTRICT ATTORNEY TO FILL THIS POSITION; AUTHORIZE THE DA'S OFFICE TO CONTRACT WITH THE HUMAN SERVICES DEPT. FOR SERVICES OF AN ASSISTANT DISTRICT ATTORNEY; AND AMEND THE DA'S 2012 BUDGET AND THE HUMAN SERVICES 2012 BUDGET TO ACCOMPLISH THE SAME**

BY: Paul Pinckney, Chairman of the Judicial & Public Safety Committee

David Axton, Chairman of the Ways & Means Committee

WHEREAS, on March 27, 2012, resolution 130-12 was passed authorizing the creation and hiring of a Part-Time District Attorney Confidential Investigator to investigate public assistance/welfare fraud and this position has been filled as of April 12, 2012; and

WHEREAS, The County received notification, on March 19, 2012, that it was the recipient of a 100% reimbursed Day Care Fraud Award that will be used to enhance the investigation and prosecution of Day Care Fraud; and

WHEREAS, part of the Day Care Fraud Award will be used to support any day care prosecution that occurs within the District Attorney's office; and

WHEREAS, the Day Care Fraud Award and the new Part-Time DA Investigator will both result in additional prosecutorial work for the District Attorney's staff related to all forms of welfare/public assistance fraud cases, including daycare, public assistance, Medicaid, and food stamps ; and

WHEREAS, there currently exists one vacant Part-Time Assistant District Attorney in the District Attorney's Office (position control number #001788); and

WHEREAS, the Human Services Department will claim reimbursement for costs from State and Federal reimbursement sources, including the newly awarded Day Care Fraud Award, for all Social Services Fraud cases reviewed and prosecutions undertaken by the District Attorney's Office; and

WHEREAS, we are asking to amend the 2012 District Attorney's Budget and the 2012 Human Services Budget to accomplish this agreement as follows:

Increase

A11651	51002	Salary PT	\$15,700
A11651	58001	Social Security	1,201
A11651	58002	Retirement	2,199
A11650	41229	DA Fees	19,100
A60104	54118	Contractual Agreements	19,100
A60100	43610	State Aid	4,775
A60100	44610	Federal Aid	9,550

Decrease

A10164	54000	Contingency	4,775
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NOW, THEREFORE BE IT

RESOLVED, that the Cayuga County District Attorney is authorized to fill one Part-Time Assistant District Attorney in the District Attorney's Office (position control number #001788) at an hourly rate of \$26.90 in accordance with the Civil Service Rules and regulations and the policies of the County of Cayuga; and be it further

RESOLVED, that the hourly rate of \$26.90 for the PT District Attorney PC#001788 be added to Part II of the Cayuga County Compensation Plan under the District Attorney's Department; and be it further,

RESOLVED, that the District Attorney's Office is authorized to enter into a contract with the Department of Health and Human Services for the provision of prosecution services; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the amendments to the District Attorney's 2012 Budget and the Health and Human Services Department's 2012 Budget as noted above and make the necessary journal and accounting entries to accomplish the same; and be it also

RESOLVED, that the Human Services Department and the District Attorney's Office be prepared to report back to the Cayuga County Legislature at their November 2012 meeting on the outcome of this new initiative so a decision can be made whether to continue this position into 2013.

Signed by Pinckney, Axton, Barski, Didio, Whitman, Barski, Chapman, Fearon and Runkle, all in favor.

**RESOLUTION NO. 179-12**

**4.24.12 911 increasecap10-03rev2**

**AUTHORIZING THE CAYUGA COUNTY LEGISLATURE TO INCREASE  
CAPITAL H PROJECT NO. 10-03 FOR ADDITIONAL COSTS OF  
THE NEW EMERGENCY COMMUNICATIONS SYSTEM**

BY: Mr. Paul Pinckney, Chairperson, Judicial and Public Safety Committee  
Mr. David Axton, Chairperson, Ways & Means Committee

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

WHEREAS, various contracts have been awarded to install and maintain the new emergency communications system; and

WHEREAS, Resolution No.318-10 established Capital "H" Project No. 10-03 in an amount not to exceed \$17,022,383 and

WHEREAS, additional expenses have been incurred and estimates have been inaccurate due to then unknown costs; and

WHEREAS, there is a need to increase the Capital "H" Project No. 10-03 project by \$687,043; now therefore be it

RESOLVED, that the Cayuga County Legislature increase Capital "H" Project 10-03 is hereby amended to increase the project cost to an amount not to exceed \$17,709,426; and be it further

RESOLVED, that funds be transferred from the General Fund Fund Balance, account A 19090, in the amount of \$687,043 to Capital "H" Project No. 10-03; and be it further

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

Approve by roll call vote, all in favor, excused Chapman, cannot vote Bennett.

Signed by Pinckney, Axton, Barski, Didio, Whitman, Barski, Chapman, Fearon and Runkle, all in favor.

## **DEFEATED**

**Motion by Pecher to bring following resolution to the floor, 2<sup>nd</sup> by Aikman.**

### **Discussion:**

Legislator Pecher, I believe this is important, our business is not to interfere with the business of the town, but this is also our business, because this is tax dollars that would benefit us if the property goes on the county private property again. At the current level the property is assessed for more than \$937,000, if this were to go on the county tax rolls, the county would stand to gain about \$8,000, total tax revenue that could be gained would be around \$30,000 for all the entities involved. I believe it is important that we take a stand and oppose the state giving away property. Legislator Axton I support what this resolution is trying to do and what it says, but I feel that possibly the Legislature should not interfere with town issues, we should be there to speak to some of them, offer our help, but not in a resolution form. I would hope that if Sennett does not have a plan for that property, that they would pass and let it go to auction. Legislator Runkle feels this resolution, although it is non-binding, would create a devices atmosphere between our County Legislature and our Towns. I think our towns are chartered to run their business within the geographical area, I don't feel that we as a Legislature should write something like this against any town, as far as tax revenue it's valued at a million dollars it will go to public auction, it will be sold for x amount, which will bring the property value down. The State law provides that, when State land is sold, that local municipality has first option to buy it, if they don't want then the county to which it is in can but it, if they don't want it, it goes to auction. I cannot support this. Legislator Fearon, agrees with Mr. Axton, but I would hope that Sennett would only take what they can use and put the rest back on the tax rolls. Legislator Mahunik, I agree with Dave and George, if we start opposing the actions of local municipalities, I think we are doing a disservice to Sennett and in going forward, does that mean that this body is going to look at every piece of property in this county and possible oppose it. Legislator Lattimore thinks the town should have first use of it.

### **RESOLUTION NO. \_\_\_\_**

**May 24, 2012 HP opposetransferIrdrev**

### **OPPOSING THE TRANSFER OF PROPERTY KNOWN AS THE HARRIET TUBMAN RESIDENTIAL CENTER, AND LANDS, TO THE TOWN OF SENNETT.**

By: Hon. Hans Pecher

WHEREAS, the State of New York owns two parcels of unappropriated state lands in the Town of Sennett known as the Harriet Tubman Residential Center that it is interested in divesting itself of; and

WHEREAS, one parcel is comprised of 109 acres with an assessed value of \$937,000.00; and, the second parcel is comprised of 9.9 acres with an assessed value of \$ 360,000.00; and

WHEREAS, Public Lands Law, section 34 provides the framework for disposing of unappropriated property; and

WHEREAS, the best use of the properties is to sell them at public auction, thus generating badly needed revenue for the State of New York and also enhancing the property tax base of Cayuga County; now therefore be it

RESOLVED, that the Cayuga County Legislature urges the State of New York to sell the parcels at public auction; and be it further

RESOLVED, that a certified copy of this resolution be sent by the Clerk of the Cayuga County Legislature to Governor Andrew Cuomo; RoAnn M. Destito, Commissioner of the Office of General Services; Senator Michael Nozzolio, Senator David Valesky and Assemblymen Gary Finch, Brian Kolb and Robert Oaks.

**DEFEATED BY ROLL CALL VOTE, all voting no, except Pecher voting yes, excused Chapman and Barski and cannot vote Bennett.**

**Public Hearing closed at 7:43PM**

**RESOLUTION NO. 180-12**

**(4/24/12)**

**COA-Amnd LL#3-2007Adm&EnfYSUniformFirePrev&BldgCodeRev 2 ADP  
TO ADOPT LOCAL LAW NO. - - - - - 2 FOR THE YEAR 2012, AMENDING  
LOCAL LAW NO. 3 FOR THE YEAR 2007 PROVIDING FOR THE  
ADMINISTRATION AND ENFORCEMENT OF THE NEW YORK STATE  
UNIFORM FIRE PREVENTION CODE, TO CHANGE THE FIRE SAFETY  
AND PROPERTY MAINTENANCE INSPECTIONS TO BE CONSISTENT  
WITH THE NEW YORK STATE UNIFORM FIRE PREVENTION CODE.**

BY: MR. WHITMAN, Chairman, Public Works Committee.

WHEREAS, Local Law No.3 for the year 2007, Section 11. (a) (1) states "Fire safety and property maintenance inspections of buildings or structures which contain an area of public assembly shall be performed at least once every twelve (12) months. (2) Fire safety and property maintenance inspections of buildings or structures being occupied as dormitories shall be performed at least once every twelve (12) months. (3) Fire safety and property maintenance inspections of all multiple dwellings not included in paragraphs (1) or (2) of this subdivision, and all non-residential buildings, structures, uses and occupancies not included in paragraphs (1) or (2) of this subdivision, shall be performed at least once every twelve (12) months." be amended as follows: "Fire safety and property maintenance inspections of buildings or structures which contain an area of public assembly shall be performed in accordance with the New York State Uniform Fire Prevention Code. (2) Fire safety and property maintenance inspections of buildings or structures being occupied as dormitories shall be performed in accordance with the New York State Uniform Fire Prevention Code. (3) Fire safety and property maintenance inspections of all multiple dwellings not included in paragraphs (1) or (2) of this subdivision, and all non-residential buildings, structures, uses and occupancies not included in paragraphs (1) or (2) of this subdivision, shall be performed in accordance with the New York State Uniform Fire Prevention Code."; 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 2012 on April 24, 2012 at 6:30 P.M.; now, therefore be it

ENACTED, that the Cayuga County Legislature does hereby adopt Local Law No. 2 for 2012, providing for the administration and enforcement of the New York State Uniform Fire Prevention Code, to change the Fire Safety and Property Maintenance Inspections to be consistent with the New York State Uniform Fire Prevention Code.; and be it further

RESOLVED, that the Clerk of the County Legislature publish notice of the adoption of the amended said Local Law in the official newspapers of Cayuga County, one time per week for each of two weeks, the first publication to be within ten (10) days of its effective date.

COUNTY OF CAYUGA  
LOCAL LAW NO. 2 FOR THE YEAR 2012

AMENDING LOCAL LAW NO. 3 OF 2007, PROVIDING FOR THE  
ADMINISTRATION AND ENFORCEMENT OF THE NEW YORK STATE  
UNIFORM FIRE PREVENTION CODE, TO CHANGE THE FIRE SAFETY AND  
PROPERTY MAINTENACNE INSPECTIONS TO BE CONSISTENT WITH  
THE NEW YORK STATE UNIFORM FIRE PREVENTION CODE.

Be it enacted by the Cayuga County Legislature as follows:

**Section 1:** That this local law is adopted pursuant to the provisions of section 10(1)(B)(4) of the Municipal Home Rule Law.

**Section 2:** Local Law No. 3 for the year 2007 is amended by amending Section 11. Fire Safety and Property Maintenance Inspections, subdivision (a) (1) to read as follows:

- (1) Fire safety and property maintenance inspections of buildings or structures which contain an area of public assembly shall be performed in accordance with the New York State Uniform Fire Prevention Code.
- (2) Fire safety and property maintenance inspections of buildings or structures being occupied as dormitories shall be performed in accordance with the New York State Uniform Fire Prevention Code.
- (3) Fire safety and property maintenance inspections of all multiple dwellings not included in paragraphs (1) or (2) of this subdivision, and all non-residential buildings, structures, uses and occupancies not included in paragraphs (1) or (2) of this subdivision, shall be performed in accordance with the New York State Uniform Fire Prevention Code.

**Section 3:** Partial Invalidity: If any section of this local law or local law No. 3 for the year 2007 shall be held unconstitutional, invalid or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder.

**Section 4:** This local law shall take effect immediately upon its being duly filed as provided by the Municipal Home Rule Law.

Signed by Whitman, Axton, Didio, Pecher and Runkle, all in favor.



**Legislator Fearon suggested using unexcused as the vote if someone leaves the room.**

**Motion by Axton to go into Executive Session re: current litigation and matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person, 2<sup>nd</sup> by Didio, all in favor.**

**Motion by Whitman to come out of Executive Session at 8:45PM, 2<sup>nd</sup> by Aikman, all in favor.**

**Motion by Didio to adjourn at 8:46PM, 2<sup>nd</sup> by Aikman, all in favor.**

**Motion by Didio to approve minutes of 4-24-12, 2<sup>nd</sup> by Pinckney, all in favor.**

**MINUTES**  
**CAYUGA COUNTY LEGISLATURE**  
**MAY 22, 2012 – 1:00PM AT**  
**(THE ARMORY, 174 SOUTH ST., AUBURN, NY)**  
**SENIOR CITIZEN DAY**

**CALL TO ORDER:** Hon. Steven Cuddeback, Chairman, at 1:04 pm

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

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**National Anthem sung by Dr. Daniel Larson, President Cayuga Community College**

**PUBLIC HEARING: (1:00PM)** to Adopt Local Law No. 3 for the Year 2012 Authorizing County of Cayuga to Lease Part of the Premises, Commonly Known as Tax Map No. 6.00-1.16, 1197, **opened at 1:08PM**

**WELCOME:** 1<sup>st</sup> Lieutenant Joseph Valentino, Commanding Officer at the New York State Army, thanked all for using the facility, reminding everyone there would be a tour of the facility.

**PROCLAMATION:**

Senior Citizen's Month in Cayuga County, May 2012, read by Mary Jones, Clerk of the Legislature and presented to Nancy Siefka, Director of the Office for the Aging by Steven Cuddeback, Chairman.

**ANNOUNCEMENT OF AWARDS:Senior Citizens of the Year 2012**

Donald Clark, 61 Nelson Street, Auburn

Certificate presented by Legislator Cynthia Aikman

Richard Fernquist, 14954 W. Bay Road, Sterling

Certificate presented by Legislator Tucker Whitman

William Hopkins, 65 South Street, Auburn

Certificate presented by Legislator Timothy Lattimore

Mary Lou Petruzzi, 56 Clymer Street, Auburn

Certificate presented by Legislator Michael Didio

Margaret Sweetman, 2567 East Mechanic Street, Cato

Certificate presented by Legislator Michael Chapman

Cecilia Wilson, 616 Boyle Center, Auburn  
Certificate presented by Legislator Cynthia Aikman

**20 Minute break following the Presentation – refreshments will be served immediately following the ceremony.**

**A tour of the Armory will be available by John Sincebaugh, at this time for anyone wishing to see the facility, he will also be available at the end of the meeting for anyone who would like to take the tour then.**

**EXECUTIVE SESSION: Acquisition of Real Property, Motion by Fearon, at 1:41PM to go into Executive Session, 2<sup>nd</sup> by Pinckney, all in favor.**

**Motion by Pinckney to come out of Executive Session at 2:22PM, 2<sup>nd</sup> by Runkle, all in favor.**

**Chairman Cuddeback, would anyone like to speak on the Public Hearing, none**

**Chairman Cuddeback acknowledged Leadership Cayuga member Jennifer Hiltz.**

**PROCLAMATIONS CON'T:**

National Nursing Home Week, May 14-19, 2012

War of 1812 Bicentennial

Auburn/Cayuga County NAACP, Annual Freedom Fund Banquet, May 4<sup>th</sup>, 2012, 45 Years of Empowering Our Community

National Small Business Week, May 20<sup>th</sup> – May 26<sup>th</sup>, 2012

St. Baldrick's Foundation Day, June 3, 2012

**PRESENTATION: Marla Connelly re: Dog Park at Emerson Park, handout attached to original minutes.**

Discussion: Legislator Farrell in regards to the labor for the parking lot, you have a question mark, Marla replied when we wrote this we did not know if the county would allow the Highway Department to do the work. Legislator Farrell, in your attempts to raise the \$90,000 and say you only raise \$30,000 or so what happens to those funds that were already raised, Marla replied, I would hope that those funds would be returned to the donors. Legislator Lattimore, I just wonder if this is the highest and best use for the land, Marla replied, that would be up to you as a Legislature. Legislator Pinckney, I would ask if you could table for one more month, I have some concerns with constituents' in my township, I would like to get everyone together to discuss this, Marla replied, I appreciate that, but my one concern is that with this contest we have to show by June 15<sup>th</sup>, 2012 that we have the backing of the land owners/Legislature or we can't qualify at all. Legislator Mahunik, would we be able to do a letter of support, Marla replied, we

need that also, but we need proof that the land is there and approved for that use and we to have support from the civic leaders. Legislator Axton, I don't see any reason to hold this up, it is our property. Legislator Pinckney we just want to be informed, there was some conflict regarding communications with the person on the Parks Commission and the town. Marla replied, we did attend the town board meeting, we thought we gave them everything they needed. Legislator Latimore, I think the towns input is very important. Gary Duckett, Director of Parks & Trails, the Parks Commission is supportive of this plan. Legislator Axton, last month we decided not to get involved with the Town of Sennett, we stayed out of it. Legislator Farrell, the Parks Commission supports it, they have a representative from Fleming, Marla replies yes.

**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 Patrick Mahunik for Brian Scanlan, one of the organizers of the St. Baldrick's Event, The Event will take place on Sunday, June 3<sup>rd</sup> at 11:00AM, Knights of Columbus, 47 Market St. Auburn, NY 13021. Money raised will help children with childhood cancers, all are invited.**

**Chairman Cuddeback closed Public Hearing at 2:50PM, no speakers.**

**MINUTES:** For Approval: 3-27-12, **Motion by Didio to approve minutes, 2<sup>nd</sup> by Pinckney, all in favor.**

For Reading: 4-24-12

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

**COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS: None**

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

**CHAIRMAN'S REPORT:** Steven Cuddeback, report attached to original minutes.

**APPOINTMENTS AND RE-APPOINTMENTS:**

**Parks Commission:**

Brian Soper, 1641 Old State Rd., Sterling, NY 13156 term, 5-22-12 to 12-31-12 (unexpired term of Paul Kelly)

**Motion by**

**COMMUNICATIONS AND ANNOUNCEMENTS:**

1. Received a copy of the Recertification Survey for the Cayuga County Nursing Home from New York State Dept. of Health.

2. Received a copy of a certified Resolution No. 078 from the Wendy Falls, Clerk of the Oswego County Legislature "Resolution Opposing the Memorandum of Understanding Between New York State and the Federal Government to Speed Development of Wind Towers in Lake Ontario's Eastern Basin.

Motion by Axton to waive reading of announcements, 2<sup>nd</sup> by Didio, all in favor.

**RESOLUTIONS 5-22-12**

**RESOLUTION NO. 181-12**

**05-22-12 AP Audit May 2012 (A)**

**AUTHORIZING THE COUNTY TREASURER TO  
PAY APRIL 10-23, 2012 AUDIT OF CLAIMS**

BY: Hon. David Axton, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on May 22, 2012 audit claims against the County of Cayuga in the aggregate sum of \$664,166.12 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, 2011.

Signed by Axton, Barski, Chapman, Fearon, Pinckney, Runkle and Whitman, all in favor.

**RESOLUTION NO. 182-12**

**05-22-12 AP Audit May 2012 (B)**

**AUTHORIZING THE COUNTY TREASURER TO  
PAY APRIL 24-MAY 7, 2012 AUDIT OF CLAIMS**

BY: Hon. David Axton, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on May 22, 2012 audit claims against the County of Cayuga in the aggregate sum of \$1,717,533.64 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, 2011.

December 13, 2011.

Signed by Axton, Barski, Chapman, Fearon, Pinckney, Runkle and Whitman, all in favor.

**RESOLUTION NO. 183-12**

**May 22, 2012 COA crrtvdeed**

**AUTHORIZING THE CHAIRPERSON OF THE CAYUGA COUNTY  
LEGISLATURE TO EXECUTE A CORRECTIVE DEED  
AND OTHER REQUIRED.**

By: Hon. David Axton, Chair, Ways and Means Committee

WHEREAS, Jack Savarese and Janet Hickey entered into a land contract with Sharon Stoneburg to purchase property commonly known as 8917-8919, North Main Street, located in the Town of Mentz, County of Cayuga and State of New York, (tax map no. 81.00-1-47.2); and

WHEREAS, the County was actively pursuing a tax foreclosure matter against Sharon Stoneburg in the 2004-2005 calendar year; and

WHEREAS, Sharon Stoneburg conveyed the property to Jack Savarese and Janet Hickey, as joint tenants by warranty deed dated July 1, 2005; and

WHEREAS, pursuant to a Supreme Court Judgment dated June 30, 2005 the Cayuga County Treasurer conveyed the subject parcel to the County of Cayuga by deed dated July 26, 2005; and

WHEREAS, On August 23, 2005 Jack Savarese and Janet Hickey applied to the Cayuga County Ways and Means Committee for permission to pay off the outstanding taxes in exchange for the County's conveying the parcel to them; and

WHEREAS, Resolution No. 390-05 authorized Jack Savarese and Janet Hickey to purchase the parcel known as tax map no. 81.00-1-47.2; and

WHEREAS, by quit claim deed dated September 28, 2005 that County of Cayuga conveyed the property to Jack Savarese and Janet Hickey;

WHEREAS, the intent was to convey the property to Jack Savarese and Janet Hickey as joint tenants and not as tenants in common, thus now necessitating the preparation and execution of a corrective deed (copy attached); now therefore be it

RESOLVED, that the Chairperson of the Cayuga County Legislature is authorized and directed to execute a corrective deed, and any other supporting documents, conveying the property commonly known as 8917-8919, North Main Street, located in the Town of Mentz, County of Cayuga and State of New York, (tax map no. 81.00-1-47.2) to Jack Savarese and Janet Hickey, as joint tenants and not as tenants in common Signed by Axton, Barski, Chapman, Fearon, Pinckney, Runkle and Whitman, all in favor.

### **RESOLUTION NO. 184-12**

#### **5-22-12 COL HANDICAPPARKrev1**

### **AUTHORIZES THE CAYUGA COUNTY TREASURER TO WRITE A CHECK OUT OF THE CM17064 TRUST ACCOUNT (HANDICAPPED PARKING AWARENESS PROGRAM PARKING FEES) TO OPTIONS FOR INDEPENDENCE FOR THE AMOUNT OF \$2,000.00.**

BY: MR. DAVID AXTON, Chairperson, and Ways and Means Committee

WHEREAS, the Legislature of the State of New York established a handicapped parking education program under Chapter 497 of the Laws of 1999; and

WHEREAS, the Cayuga County Legislature established a handicapped parking education program in 2000 to expend monies collected locally from citizens who parked their vehicles in handicapped parking places who were not handicapped; and

WHEREAS, to date there is a balance of \$2,963.13 in said trust account; and

WHEREAS, the Clerk of the Legislature has met with the Director of Options for Independence who has agreed to assist in coordinating the education program for 2012; and

WHEREAS, the sum of \$2,000.00 has been agreed on for the expense of marketing said program; now there fore be it

RESOLVED, that a check be made payable to Options for Independence for the sum of \$2,000.00 from the CM17064 Trust Account; and it is further

RESOLVED, that the Director of Options for Independence will use these funds to pay for advertising, radio announcements and other means of promoting Handicap Parking Awareness; and it is further

RESOLVED, that the Director of Options for Independence will keep a journal of paid receipts/expenses for the promotion of the program and provide a complete copy to the Clerk of the Legislature no later than December 31, 2012.

Signed by Axton, Barski, Chapman, Fearon, Pinckney, Runkle and Whitman, all in favor.

**RESOLUTION NO. 185-12**

**5/22/12 HR AcceptHABGrant12**

**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. David Axton, Chairman Ways and Means Committee

WHEREAS, Resolution No. 8-12 authorized the Chairman and the Human Resources Administrator to apply for a grant to conduct safety training for the Highway, Parks & 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, 2012 through July 31, 2013 in the amount of \$11,984; 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 \$11,984 for the period of August 1, 2012 through July 31, 2013 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 2012 budget in the following manner:

Increase Revenue Account A14300-43320 by \$11,984

Increase Expenditures Account A14304-54244 by \$11,984

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, Barski, Chapman, Fearon, Pinckney, Runkle and Whitman, all in favor.

**RESOLUTION NO. 186-12****5/22/12 HR SetSalHRAdmin****AUTHORIZATION TO SET THE SALARY FOR THE NEW HUMAN RESOURCES ADMINISTRATOR POSITION AND ALLOW FOR CROSS TRAINING IN THE DEPARTMENT OF HUMAN RESOURCES AND CIVIL SERVICE COMMISSION.**

Mr. David Axton, Chairman, Ways & Means Committee

WHEREAS, Resolution Number 06-12 adopted at the January 2012 Legislative meeting authorized the search and filling of the Human Resources Administrator position due to a resignation; and

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

WHEREAS, Resolution Number 06-12 stated: "Resolved, that the salary range to be advertised be \$50,000 to \$65,000 with the Ways and Means Committee setting the final salary negotiated within that range."; and

WHEREAS, the interviews have concluded and an offer of appointment had been made contingent upon the Ways and Means Committee setting the salary within that range in accordance to Resolution Number 06-12;

WHEREAS, the Commission and Legislature wish to have a period of cross training for the new HR Administrator; and

WHEREAS, the incumbent has agreed to provide cross training for a period of time not to exceed 80 hours, and

WHEREAS, funding for the HR Administrator position and the cross training period currently exists within the 2012 HR/CS budget in line item A14301-51001; now therefore be it,

RESOLVED, that the salary for the new hire be hereby set at \$55,000 until changed by resolution of this legislature and placed within the Cayuga County Compensation Plan, Part IV; and be it further,

RESOLVED, that the hourly rate for the incumbent remain at \$31.55 for the duration of the cross training period; and be it further,

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

Signed by Axton, Barski, Chapman, Fearon, Pinckney, Runkle and Whitman, all in favor.

**RESOLUTION NO. 187-12****5/22/12 TRE filladminassist****AUTHORIZATION TO FILL THE POSITION OF ADMINISTRATIVE ASSISTANT IN THE TREASURER'S OFFICE DUE TO A RETIREMENT AND AMEND THE CAYUGA COUNTY COMPENSATION PLAN FOR THE SAME.**

By: Mr. David Axton, Chairman Ways and Means Committee

WHEREAS, the Treasurer's office is currently without an Administrative Assistant (PC#001811) due to a Retirement on April 28, 2012; and

WHEREAS, this position is necessary to supervise the tax collection unit in the County Treasurer's office; and



WHEREAS, the salary needs to be approved and the Cayuga County 2012 Compensation Plan needs to be amended to include this salary; and

WHEREAS, there is existing money budgeted in the A13250- 51001 line of the 2012 Treasurer's budget, now therefore be it;

RESOLVED, that the County Treasurer be hereby authorized to fill the position of Administrative Assistant (PC # 001811) effective the date of this resolution, and be it further;

RESOLVED, that the annual salary be set at \$43,000.00, and be it further;

RESOLVED, that the salary of \$43,000.00 be placed in Part IV of the Cayuga County 2012 Compensation Plan under the Treasurer Department, 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 Axton, Barski, Chapman, Fearon, Pinckney, Runkle and Whitman, all in favor.

**RESOLUTION NO. 188-12**

**5/22/12 TRE FillRPC**

**AUTHORIZATION TO BACK FILL THE POSITION OF REAL PROPERTY CLERK IN THE COUNTY TREASURER'S OFFICE DUE TO A REORGANIZATION WITHIN THE COUNTY TREASURER'S DEPARTMENT**

By: Mr. David Axton, Chairman Ways and Means Committee

WHEREAS, the position of Real Property Clerk (PC #001809) within the County Treasurer's office will be vacant due to re-organization after the retirement of a long time employee; and

WHEREAS, this position is critical for continuity of services in the County Treasurer's Office including tax collection and enforcement; and

WHEREAS, funding for this position exists in the County Treasurer's 2012 Budget in line A13250-51001 under position control number #001809; therefore be it

RESOLVED, that the County Treasurer is hereby authorized to fill this full time Real Property Clerk (Grade 10) position; 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 Axton, Barski, Chapman, Fearon, Pinckney, Runkle and Whitman, all in favor.

**RESOLUTION NO. 189-12**

**5/22/12 RP mortgagetaxpymtmay**

**AUTHORIZE THE COUNTY TREASURER TO PAY MORTGAGE TAX**

By: David Axton, 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 \$415,590.06, the same being the net amount collected from the taxation of mortgages for the period October 1, 2011, to March 31, 2012; and

WHEREAS there is in the County Treasurer's Account No. T-58, the amount of \$415,590.06 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 \$415,590.06 to the City of Auburn and the several Towns and Villages of the County of Cayuga in the following amounts:

City of Auburn	\$86,495.29	Montezuma	\$8,132.95
Aurelius	\$14,515.55	Moravia	\$5,698.37
Cayuga Vlg	\$1,104.02	Moravia Vlg	\$2,160.60
Brutus	\$16,561.87	Niles	\$25,394.21
Weedsport Vlg	\$8,504.36	Owasco	\$40,151.88
Cato	\$16,027.76	Scipio	\$10,569.59
Cato Vlg	\$571.75	Sempronius	\$3,487.00
Meridian Vlg	\$630.87	Sennett	\$31,869.24
Conquest	\$7,666.75	Springport	\$11,122.23
Fleming	\$22,338.33	Union Springs Vlg	\$3,928.86
Genoa	\$12,991.09	Sterling	\$11,587.32
Ira	\$12,386.65	Fair Haven Vlg	\$7,622.71
Cato Vlg	\$689.87	Summerhill	\$2,283.67
Ledyard	\$10,749.68	Throop	\$13,285.31
Aurora Vlg	\$2,230.74	Venice	\$4,874.10
Locke	\$8,201.92	Victory	\$5,787.16
Mentz	\$3,709.93		
Port Byron Vlg	\$2,258.44		

**Grand Total** **\$415,590.06**

Signed by Axton, Barski, Chapman, Fearon, Pinckney, Runkle and Whitman, all in favor.

### RESOLUTION NO. 190-12

#### 5-22-12 HWY LeaveBankKby

#### AUTHORIZING THE CREATION OF A TEMPORARY LEAVE BANK FOR A CAYUGA COUNTY HIGHWAY EMPLOYEE

BY: Mr. David Axton, Chair, Ways & Means Committee

WHEREAS, an employee of the Cayuga County Highway Department has an illness requiring treatment that will necessitate extended leave; and

WHEREAS, this employee has worked for the Cayuga County Highway Department, for approximately twelve (12) years and will exhaust accruals due to this situation; and

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

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

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

All other leave shall have been exhausted by the employee.

All County employees may be permitted to donate personal, 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.

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

Signed by Axton, Barski, Chapman, Fearon, Pinckney, Runkle and Whitman, all in favor.

**RESOLUTION NO. 191-12**

**5/22/12 coamoacseahwy10hrday**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY  
LEGISLATURE TO SIGN A TENTATIVE  
'MEMORANDUM OF AGREEMENT' WITH CSEA.**

Mr. David Axton, Chairman Ways & Means Committee

WHEREAS, a tentative "Memorandum of Agreement" has been drawn up between the County of Cayuga and the Civil Service Employees Association, Inc LOCAL 1000, AFSCME ("Association), representing the Cayuga County unit #6250 of Cayuga Local #806, Containing language for a 4 10 hour work week during the Summer months for the Cayuga County Highway Department; NOW THEREFORE, BE IT

RESOLVED, that the Legislature of the County of Cayuga hereby approves the tentative "Memorandum of Agreement" presented by CSEA, and authorizes and directs the Chairman of the Cayuga County Legislature to sign the aforementioned tentative "Memorandum of Agreement" between Cayuga County and CSEA.

Signed by Axton, Barski, Chapman, Fearon, Pinckney, Runkle and Whitman, all in favor.

**RESOLUTION NO. 192-12**

**(May 22, 2012) HS Fill Caseworker Child Welfare 2012**

**AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES  
TO FILL A CASEWORKER VACANCY IN CHILD WELFARE UNIT**

BY: Michael Chapman, Chairman of the Health & Human Service Committee

David Axton, Chairman of the Ways & Means Committee

WHEREAS, there will be a caseworker vacancy, Grade 17, in the Child Welfare Unit of Human Services (position control #002152) due to a resignation effective June 1, 2012; and

WHEREAS, this work is mandated work, and reimbursed at minimum 75% State and Federal; and

WHEREAS, this is a funded position in the Human Services Department's 2012 budget; NOW, THEREFORE BE IT

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the vacated Caseworker position in the Child Welfare Unit in accordance with Civil Services Rules and Regulations and the policies of the County of Cayuga.

Signed by Chapman, Aikman, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 193-12**

**(May 22, 2012) HD Drinking Water Enhancement 2012**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO AN AGREEMENT WITH THE STATE TO PARTICIPATE IN THE 100% STATE FUNDED DRINKING WATER PROGRAM ENHANCEMENT GRANT AND TO AUTHORIZE THE CAYUGA COUNTY TREASURER TO AMEND THE 2012 HEALTH DEPARTMENT BUDGET TO ACCEPT FUNDING**

BY: Michael Chapman, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Health Department has received approval for a 100% funded Drinking Water Program Enhancement Grant in the amount of \$114,593 for the period April 1, 2012 to March 31, 2013; and

WHEREAS, to accomplish this purpose we must enhance our investigations, enforcement, and emergency response; assure compliance with Subpart 5 of the State Sanitary Code; utilize the State’s database; provide technical advice and guidance to system operators and homeowners; and implement the Safe Drinking Water Act programs and regulations; and

WHEREAS, this Grant will help offset the salaries and fringe benefits of the Environmental staff; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into an agreement with the State to participate in the 100% State-funded Drinking Water Program Enhancement Grant; and be it further

RESOLVED, that the County Treasurer be authorized and directed to amend the Health Department’s 2012 Budget and make the necessary journal and accounting entries as follows:

Increase Appropriation Account #A40304 54000 .....	\$114,593
Increase Revenue Account #A40300 43430 .....	\$114,593

Signed by Chapman, Aikman, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 194-12**

**(May 22, 2012) HD Susan G. Komen Contract 2012**

**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: Michael Chapman, Chairman of the Health & Human Service Committee  
David Axton, 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 \$21,018 for the period of April 1, 2012 through March 31, 2013; 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 2012 Budget in the following manner:

Increase Appropriation Account #A40184 54000 .....	\$21,018
Increase Revenue Account #40180 43418 .....	\$21,018

Signed by Chapman, Aikman, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 195-12**

**(May 22, 2012) HD PHP Grant 2012 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: Michael Chapman, Chairman of the Health & Human Service Committee  
David Axton, 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 \$82,401; 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 \$82,401 for the period 8/10/12 through 8/9/13 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 2012 budget in the following manner:

Increase Revenue Account #A40250 43425 .....	\$82,401
Increase Appropriation Account #A40254 54000 .....	\$82,401

Signed by Chapman, Aikman, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 196-12****(May 22, 2012) HD Optimum Partners CHA 2012****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE  
AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER  
INTO A CONTRACT WITH OPTIMUM PARTNERS TO UPDATE  
THE COMMUNITY HEALTH ASSESSMENT**

BY: Michael Chapman, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, the Health Department has developed a comprehensive Community Health Assessment recognized by the Community; and

WHEREAS, the Department is required to maintain such an assessment that is used as the basis for our Municipal Public Health Services Plan; and

WHEREAS, we have successfully contracted with Optimum Partners for the purpose of maintaining the assessment; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services enter into a contract with Optimum Partners for the period of May 1, 2012 to December 31, 2012 to update our current assessment in an amount not to exceed \$6,000; and be it further

RESOLVED, that the charges for these services be paid out of account A40104 54059 of the 2012 Health Department Budget.

Signed by Chapman, Aikman, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 197-12****(May 22, 2012) HD EHFm Reg Health Info Tech****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND  
THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO  
A CONTRACT WITH EAST HILL FAMILY MEDICAL FOR THE SERVICES  
OF A REGISTERED HEALTH INFORMATION TECHNICIAN**

BY: Michael Chapman, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, the Health Department has an operating certificate as an Article 28 Facility Diagnostic & Treatment Center; and

WHEREAS, in accordance with New York State regulation governing Article 28 facilities, the operator of such a facility must ensure the medical records supervisor receives consultation from a qualified medical records practitioner; and

WHEREAS, the Department only has need for such services for a limited number of hours each quarter; and

WHEREAS, we have had difficulty recruiting someone to work such limited hours, this contract with East Hill Family Medical allows us to use staff they were able to recruit for their Article 28 Clinic; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services enter into a contract with East Hill Family Medical, Inc. for the services of a Registered Health Information Technician at an hourly rate of \$55 to be paid from account #A40104 54059 , professional services) for the period May 1, 2012 through April 30, 2013, and to be renewed annually unless changed or amended.

Signed by Chapman, Aikman, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 198-12**

**(May 22, 2012) HD ATUPA 2012**

**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: Michael Chapman, Chairman of the Health & Human Services Committee  
David Axton, 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 (Contract #C-025028) to continue to participate in the 100% State funded Youth Tobacco Enforcement and Prevention Program for the period of April 1, 2012 through March 31, 2013 in the amount of \$32,395; 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 2012 Budget in the following manner:

Increase Appropriation Account #A40194 54000 .....	\$32,395
Increase Revenue Account #A40190 43419 .....	\$32,395

Signed by Chapman, Aikman, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 199-12**

**Action 5/22/12 MHContractSyrPsychSvcs2012**

**AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES AND THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN A CONTRACT WITH SYRACUSE PSYCHIATRIC SERVICES, LLP**

WHEREAS, the Community Mental Health Center must provide psychiatric services; and

WHEREAS, it is extremely difficult to recruit licensed psychiatrists and often recruitment is a lengthy process which compromises continuity of patient care; and

WHEREAS, Syracuse Psychiatric Services, LLP has expressed an interest in providing services to the County on a contractual basis at a rate of \$150.00 per hour; and

WHEREAS, contracted services do not incur additional costs for fringe benefits, time off resulting in lost revenue for the department, or legacy retirement costs; and

WHEREAS, in the event of psychiatric vacancy it would be advantageous to have an existing relationship with a contract provider able to provide services with minimal disruption; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of Community be authorized to enter into an agreement with Syracuse Psychiatric Services, LLP for the services of a licensed psychiatrist for the provision of psychiatric services in the event of a staff psychiatrist vacancy; and be it further

RESOLVED, that funding will be provided by transferring funds from the vacancy in the budget line A43101-51001 Salaries – FT, as well as related fringe benefits, to the Professional Services line A43104-54059; 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 2012 Cayuga County budget should the agreement be instituted.

Signed by Chapman, Aikman, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

### **RESOLUTION NO. 200-12**

**Action 5/22/12 MHContractCCSpsych2012**

#### **AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES AND THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN A CONTRACT WITH CAYUGA COUNSELING SERVICES, INC.**

WHEREAS, there is a need for specialized psychiatric services for children and youth with severe and persistent mental illnesses; and

WHEREAS, the Mental Health Department currently contracts for these services at a rate of \$242.00 per hour plus mileage reimbursement as reflected in budget line A43104-54058, Professional Services; and

WHEREAS, Cayuga Counseling Services, Inc. would be able to provide services to children and youth on a contractual basis at a lower hourly rate; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of Community Services be authorized to enter into an agreement with Cayuga Counseling Services, Inc. for the services of a licensed Psychiatrist for the provision of psychiatric services for children and youth not to exceed twenty hours weekly at the rate of \$220.00 an hour.

Signed by Chapman, Aikman, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

### **RESOLUTION NO. 201-12**

**Action 05.22.12 MHCreateFillClerk5.12**

#### **AUTHORIZATION TO CREATE AND FILL A CLERK POSITION AND TO ABOLISH AN ACCOUNT CLERK TYPIST POSITION IN THE MENTAL HEALTH DEPARTMENT**

By: Hon. Michael Chapman, Chair, Health and Human Services Committee

Hon. David Axton, Chair, Ways and Means Committee

WHEREAS, the position of Account Clerk Typist (position control #06598), salary grade 5, within the Mental Health Department is vacant as the result of a resignation of a long term employee; and

WHEREAS, the creation of a Clerk position has been approved by the Civil Service Commission, as it was determined that this classification fits the current job duties; and

WHEREAS; this position is crucial for maintaining the operation of the department; and



WHEREAS, funding for this position is available in the Mental Health Department budget under position control number 06598; therefore, be it

RESOLVED, that the Director of Community Services is hereby authorized to create and fill a full time Clerk (grade 3); and be it further

RESOLVED, that the position of Account Clerk Typist, position code 6598, as reflected in the budget line A43101-51001, Salaries-FT, be abolished; and be it further

RESOLVED, that the Director of Community Services be authorized and directed to create and fill the position of Clerk in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of Cayuga County.

Signed by Chapman, Aikman, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

### **RESOLUTION NO. 202-12**

**Date of Meeting: May 22, 2012 NH BOCES2012**

**TO AUTHORIZE THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ENTER INTO AN AGREEMENT WITH BOARD OF COOPERATIVE EDUCATIONAL SERVICES FOR PROVISION OF EDUCATIONAL AND CLINICAL EXPERIENCES FOR PRACTICAL NURSING STUDENTS AND NURSE AIDES FOR THE 2012-2013 SCHOOL YEAR.**

BY: Michael Chapman, Chairman, Health and Human Services Committee

WHEREAS, the Cayuga County Nursing Home has a long history of providing educational and clinical experiences for practical nursing students and nurse aides enrolled in Board of Cooperative Educational Services for the Sole Supervisory District of Cayuga-Onondaga Counties; and

WHEREAS, the Board of Cooperative Educational Services for the Sole Supervisory District of Cayuga-Onondaga Counties desires Cayuga County Nursing Home provide educational and clinical experiences for practical nursing students and nurse aides enrolled be signed for the 2012-2013 school year; Now therefore be it

RESOLVED that the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home be authorized to sign the agreement with the Board of Cooperative Educational Services for the Sole Supervisory District of Cayuga-Onondaga Counties for the 2012-2013 school year.

Signed by Chapman, Aikman, Lattimore, Mahunik, Pecher and Runkle, all in favor.

### **RESOLUTION NO. 203-12**

**Date of Meeting: 5/22/12 NH Oxyger2012**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO CONTINUE AN AGREEMENT WITH NORTHEAST MEDICAL FOR THE SUPPLY OF OXYGEN AND OXYGEN EQUIPMENT FOR THE NURSING HOME.**

BY: Michael Chapman, Chairman, Health & Human Services Committee

BY: David Axton, Chairman, Ways & Means Committee

WHEREAS, there is a need for oxygen and oxygen equipment at the Cayuga County Nursing Home; and

WHEREAS, the agreement made in 2009 allowed for an additional year based on satisfactory performance; and,

WHEREAS, Northeast Medical has provided services for the past 3 years in a satisfactory manner; now therefore be it

RESOLVED, that the agreement with Northeast Medical Repairs, Inc.

Signed by Chapman, Aikman, Lattimore, Mahunik, Pecher, Axton and Runkle, all in favor.

**RESOLUTION NO. 204-12**

**DATE: 5/22/12 OFA AmendBudget&FillPositionMay12rev**

**AUTHORIZING TO AMEND THE COUNTY 2012 BUDGET AND TO FILL THE COORDINATOR OF SERVICES FOR THE AGING POSITION IN THE OFFICE FOR THE AGING DEPARTMENT.**

BY: Mr. Michael Chapman, Chair, Health & Human Services Committee, and Mr. David Axton, Chair, Ways and Means Committee.

WHEREAS, the current position of Coordinator of Services for the Aging (PC# 5327) is vacant and unfunded since a retirement effective December 28, 2011; and

WHEREAS, this is a responsible position providing direct services for HIICAP (Health Insurance Information and Counseling Assistance Program) and assisting administration of the Office for the Aging; and

WHEREAS, there is a part-time Aging Services Specialist (PC# 6170) currently providing HIICAP counseling and there has been an increasing demand for services that cannot be met by a part-time staff person; now, therefore, be it

RESOLVED, that the County Treasurer be authorized and directed to amend the Year 2012 Office for the Aging Budget in the following manner:

Decrease

A67721 51002 SAL-PT	10800
A67724 54059 PROF SRVS	4000
A67724 54065 RENT	2100
A67734 54074 RENT	1500
A67724 54074 DEPT EXP	1908
A10164 54000 Cont Fund	9600
Total:	29908

Increase

A67721 51001 SAL-FT	22058
A67721 58001 SOC SEC	830
A67721 58002 RETIRMENT	2015
A67721 58003 HLTH INS	4840
A67721 58004 DENTL INS	165

Total: 29908

And be it further

RESOLVED, that the Director of Office for the Aging be authorized and directed to fill the Coordinator of Services for the Aging (PC#5327) position effective June 18, 2012 in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga; and be it further

RESOLVED, that the part time Aging Services Specialist (PC#6170) position be unfunded effective June 18, 2012.

Signed by Chapman, Aikman, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 205-12**

**5.22.12 BOE NYSHAVACONTRACTS2012rev5**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO SIGN A CONTRACT FOR ‘SHOEBOX FUNDS’ WITH THE NEW YORK STATE BOARD OF ELECTIONS AND AMENDING THE CAYUGA COUNTY BOARD OF ELECTIONS 2012 BUDGET.**

BY: George Fearon, Chairman Government Operations Committee  
David Axton, Chairman Ways and Means Committee

WHEREAS, pursuant to the Help America Vote Act of 2002, the Cayuga County Board of Elections has been allocated funds through the New York State Board of Elections for the purposes of purchasing electronic voting machines, training the public and poll workers on their use, and making improvements to polling places; and

WHEREAS, these monies are now available for other election-related purposes and known as ‘Shoebox Funds;’ and

WHEREAS, in order to maintain access to these funds County Boards of Election must sign a contract with the New York State Board of Elections; now therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature and the Commissioners of the Cayuga County Board of Elections are hereby authorized to sign a contract for ‘Shoebox Funds’ with the New York State Board of Elections; and be it further

RESOLVED, that the Cayuga County Board of Elections 2012 budget be amended as follows:

Increase Account No. A 14500-43050 BOE by ..... \$225,411.00

Increase Account No. A 14504 -54073 Contracts by ..... \$ 225,411.00

And be it further

RESOLVED, that the Cayuga County Board of Elections shall track the expenditures made from the grant on a spread and supply a copy of same to the Treasurer’s office and if equipment or trackable items are purchased then in that event the Cayuga County Board of Elections will complete the necessary budget transfers from the contract expense account to the appropriate asset accounts to record these types of purchase; 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, Didio, Farrell, Lattimore, Pecher, Axton, Barski, Chapman, Pinckney, Runkle and Whitman, all in favor.

**RESOLUTION NO. 206-12**

**(05/22/12) ET bocessublease rev**

**AUTHORIZING THE CAYUGA COUNTY EMPLOYMENT AND TRAINING DEPARTMENT TO ENTER INTO A SUB-LEASE AGREEMENT WITH CAYUGA-ONONDAGA BOCES AND AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN SAID AGREEMENT**

By: Stephen Barski, Chairman, Planning & Economic Development Committee  
David Axton, Chairman Ways and Means Committee

WHEREAS, the Cayuga County Employment & Training Department currently leases approxi-mately 8,850 square feet of office space from Cayuga Community College; and

WHEREAS, the Cayuga County Employment & Training Department intends to sub-lease portions of said rental space; and

WHEREAS, Sub-Tenant covenants to pay the sum of \$17,340.48 rent per year during the term of this lease, payable in equal monthly installments of \$1,445.04 in advance of the first of each and every month, or as a one-time payment of \$ 17,340.48; now, therefore, be it

RESOLVED, that the Cayuga County Employment & Training Department is authorized to sub-lease portions of said rental space on such terms and conditions as it deems appropriate to the Cayuga-Onondaga BOCES; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized to sign the sub-lease agreement and other documents as may be necessary to carry out the intentions of this resolution.

Signed by Barski, Aikman, Chapman, Farrell, Fearon, Mahunik, Axton, Pinckney, Runkle and Whitman, all in favor.

**RESOLUTION NO. 207-12**

**May 22, 2012 PB AFPBAGDistInclusion12**

**AUTHORIZING ADDITION TO AGRICULTURAL DISTRICT.**

By: Hon. Stephen Barski, Chair, Planning and Economic Development Committee

WHEREAS, Article 25AA NYS Agriculture and Markets Law requires counties to annually consider requests to add viable farmland to Agricultural Districts; and

WHEREAS, one request has been received during the designated application period of March 1 to March 31 such request being from Ted O'Hara to add property to District 5; and

WHEREAS, in accordance with Article 25AA of the Agriculture and Markets Law the proposal has been reviewed by the Agriculture and Farmland Protection Board and considered by this Legislature;

NOW, THEREFORE, BE IT RESOLVED by the Legislature of the County of Cayuga that the County Legislature approves the addition of the O'Hara Property to Cayuga County Agricultural District 5.

Signed by Barski, Aikman, Chapman, Farrell, Fearon and Mahunik, all in favor.

**RESOLUTION NO. 208-12**

**May 22, 2012 PB glri\_grantrev2**

**ACCEPTING GREAT LAKES RESTORATION INITIATIVE GRANT FOR THE SOUTHERN LAKE ONTARIO - FINGER LAKES REGION AQUATIC INVERTEBRATE ASSESSMENT AND INVASIVE SPECIES PREVENTION PROJECT, AUTHORIZING CAYUGA COUNTY DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO PROVIDE IN-KIND SERVICES AND SOLICIT CONTRACTUAL SERVICES AND AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO EXECUTE DOCUMENTS.**

BY: Mr. Stephen Barski, Chair, Planning and Economic Development Committee

Mr. David Axton, Chair, Ways and Means Committee

WHEREAS, Cayuga County has been awarded and will receive funds for the Southern Lake Ontario - Finger Lakes Region Aquatic Invertebrate Assessment and Invasive Species Prevention Project through the Great Lakes Restoration Initiative (GLRI) for Aquatic Nuisance Species from the U. S. Fish & Wildlife Service (USFWS); and

WHEREAS, Cayuga County will receive \$296,000 in grants funds while providing \$10,000 of in-kind staff work 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. The work is to 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, the Cayuga County Department of Planning and Economic Development can perform some of the necessary scope items; 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, Cayuga County will provide in-kind services and be reimbursed for other services in accordance with the terms of a grant agreement once such grant agreement is signed; 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 and implement the grant for the Southern Lake Ontario - Finger Lakes Region Aquatic Invertebrate Assessment and Invasive Species Prevention Project; and be it further

RESOLVED, that the County Treasurer be and is hereby authorized to establish such accounts as may be needed to accommodate this project; and in an amount not to exceed \$296,000.00 with source of funding to be \$296,000 in grant funds and \$10,00 in-kind services; and be it further

RESOLVED, that the Planning and Economic Development Department's 2012 budget is hereby amended so as to add \$296,000.00 to the Department's A87410-44800 FA-GLRI Revenue , and is hereby amended so as to add \$296,000.00 to the agency's A87414-54807 FLOWPA GLRI Expenses account, no net change in the budget to accommodate this project; and be it further

RESOLVED, that the Planning and Economic Development Department is hereby authorized and directed to provide \$31,000.00 in technical and administrative services, of which \$10,000.00 is to be provided as in-kind staff services, and \$21,000.00 is to be reimbursed 100% by the grant to the Department and be it further

RESOLVED, that the Cayuga County Legislature directs the Planning and Economic Department to solicit proposals for specialty consultants and/or contractors to conduct the surveys, provide trainings, assist in the Citizen Science Program and perform the detailed Asian Clam work in Owasco Lake; and let it be further

RESOLVED, that the Chairman of the Cayuga County Legislature is authorized and directed to sign all contracts necessary 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 Fearon, Aikman, Didio, Farrell, Mahunik, Pecher, Axton, Barski, Chapman, Pinckney, Runkle and Whitman, all in favor.

**RESOLUTION NO. 209-12****May 22, 2012 PB owasco\_ws\_inspect\_agreement****AUTHORIZING CAYUGA COUNTY CHAIRMAN TO SIGN THE  
TRANSITIONAL OWASCO LAKE WATERSHED INSPECTION AGREEMENT**

WHEREAS, the original Owasco Lake Watershed Inspection Agreement was signed by the City of Auburn, the Town of Owasco and Cayuga County agencies on June 27, 2007; and

WHEREAS, Cayuga County further committed to improving the water quality of Owasco Lake through the creation and the founding of the Owasco Lake Watershed Management Council on December 8, 2010; and

WHEREAS, a transitional Agreement has been developed by the founding partners of the Owasco Lake Watershed Management Council transferring oversight of the Watershed Inspection Program to the Council and three independent technical advisors; and

WHEREAS, the transitional Owasco Lake Watershed Inspection Agreement is intended to support the work and purposes of the Owasco Lake Watershed Inspection Program as the program transitions from the Owasco Lake Watershed Inspection Agreement signed June 27, 2007 until such time as the Owasco Lake Watershed Management Council is able to assume full administration of the program; and

WHEREAS, no changes in water rates or other fees are needed to implement this new Agreement and it has been already approved by the Town of Owasco and City of Auburn; and

WHEREAS, under the terms of this Agreement, Cayuga County will provide satellite office space at Emerson Park for the Owasco Lake Watershed Inspection Program so the inspectors can spend more of their hours in the watershed; now therefore be it

RESOLVED, the Chairman of the Cayuga County Legislature is hereby authorized and directed to sign the transitional Owasco Lake Watershed Inspection Agreement; and let it be further

RESOLVED, that the Director of Cayuga County Parks and Trails is directed to work with the Owasco Lake Watershed Management Council to designate suitable space for the satellite office.

Signed by Barski, Aikman, Chapman, Farrell, Fearon and Mahunik, all in favor.

**RESOLUTION NO. 210-12****May 22, 2012 PB greeninnovationgrant\_surveying\_phase\_2****AUTHORIZING CAYUGA COUNTY CHAIRMAN TO SIGN  
A PROFESSIONAL SERVICES AGREEMENT FOR PHASE 2 SURVEYING  
FOR THE OWASCO FLATS WETLAND RESTORATION  
AND RIPARIAN BUFFERS INITIATIVE PROJECT**

BY: Mr. Stephen Barski, Chair, Planning and Economic Development Committee  
Mr. David Axton, 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 the State Aid Contract was signed April 5, 2012 by the Cayuga County Chairman; and

WHEREAS, Phase I surveying was successfully completed by Tectonic Engineering & Surveying Consultants P.C. from Mountainville, NY surveying to create elevation controls for final design and construction, floodplain limits and the western project limits; and

WHEREAS, Phase 2 surveying which includes but is not limited to additional detailed topographic surveying, stream crossing surveys and boundary surveys is required to complete the final design and construction; and

WHEREAS, professional services for surveying were solicited in accordance with Resolution # 316-11, resulting in the receipt of four proposals on October 11, 2011, which were analyzed with the most responsive for Phase 1 and Phase 2 services being from Tectonic Engineering & Surveying Consultants P.C. from Mountainville, NY at a total cost of \$43,970; and

WHEREAS, \$16,795 for Phase 1 survey work conducted by Tectonic Engineering & Surveying Consultants P.C. from Cap. H account #11-2 was authorized in Resolution #431-11; and

WHEREAS, \$27,175 is needed from Cap. H account #11-2, authorized in Resolution #431-11, for Tectonic Engineering & Surveying Consultants P.C. to conduct the Phase 2 survey work; and

WHEREAS, Cayuga County will be reimbursed for these services; and

RESOLVED, the Cayuga County Legislature authorizes and directs the County Chairman to sign the agreement to hire the most responsive firm to complete this survey project; and

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

Signed by Fearon, Aikman, Didio, Farrell, Mahunik, Pecher, Axton, Barski, Chapman, Pinckney, Runkle and Whitman, all in favor.

### **RESOLUTION NO. 211-12**

**5/22/12 ET drugscreeningrev**

#### **AUTHORIZING THE TRANSFER OF FUNDS FROM THE CONTINGENCY ACCOUNT TO THE EMPLOYMENT & TRAINING EMPLOYEE DRUG SCREENING ACCOUNT TO PAY FOR THE PRE-EMPLOYMENT DRUG SCREENING FOR APPLICANTS OF THE SUMMER YOUTH EMPLOYMENT & TRAINING PROGRAM**

By: Stephen Barski, Chairman, Planning & Economic Development Committee

David Axton, Chairman Ways and Means Committee

WHEREAS, Cayuga County requires all new employees to be screened for the presence of drugs as a condition of employment, and

WHEREAS, the Cayuga County Employment & Training Department operates a Summer Youth Employment & Training Work Experience Program for eligible 14 -21 year old residents of Cayuga County, funded under the Workforce Investment Act, and

WHEREAS, the youth enrolled in this program are considered new employees of Cayuga County, and are required to be screened for the presence of drugs according to the Cayuga County Pre-Employment Drug Testing policy, and

WHEREAS, the Workforce Investment Act funding is only available for the youth that are enrolled in the program, and be it



RESOLVED, that the cost of pre-employment drug screening for youth not able to be enrolled in the program, *not to exceed \$1,000.00* be paid by Cayuga County, and be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized to transfer *an amount not to exceed \$1,000.00* from the Contingency Account A1016454000 to the Employment & Training Employee Drug Screening Account CD637054054, and be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to make the journal and accounting entries to implement the intent of this resolution. Signed by Barski, Aikman, Chapman, Fearon, Lattimore, Pinckney and Whitman, all in favor.

Motion by Pinckney to table for one month, 2<sup>nd</sup> by Didio, **Motion defeated by roll call vote, all voting no except Didio and Pinckney voting yes and Bennett excused. Vote 724/110/49**

**Resolution as written, all in favor, except Didio and Pinckney voting no and Bennett excused.**

#### RESOLUTION NO. 212-1

5/22/12 PT DogParkCapReserve5 22 12rev

#### AUTHORIZING THE ESTABLISHMENT OF CAPITAL RESERVE FUND FOR THE PARKS DEPARTMENT TO COLLECT MONEY FOR A DOG PARK AT EMERSON PARK

By: Tucker Whitman, Chairperson, Public Works

David R. Axton, Chairperson, Ways & Means Committee

WHEREAS, many people enjoy walking their dogs at Emerson Park and have suggested there should be a dog park; and

WHEREAS, at the request of the Park Commission and the County Administrator a group was formed to develop a proposal for a dog park; and

WHEREAS, the group developed a proposal to construct a dog park in the area of the park between The Express Mart and Auburn High School; and

WHEREAS, this area of the park is currently vacant with no firm plans; and

WHEREAS, the current estimate to build the dog park is \$88,110; and

WHEREAS, the group believes there would be community financial support for this project; and

WHEREAS, the Park Commission supports the proposal; now, therefore be it

RESOLVED, the Cayuga County Treasurer is hereby authorized and directed to establish a Capital Reserve Fund for the Dog Park at Emerson Park so that donations can be accrued; and be it further

RESOLVED, that the Cayuga County Parks Department is hereby authorized to accept donations for the proposed Dog Park and send them to the Treasurer to be deposited in the Capital Reserve Account.

Signed by Whitman, Axton, Didio, Mahunik, Pecher, Runkle, Barski, Chapman, Fearon and Pinckney, all in favor, except Didio and Pinckney voting no and Bennett excused.



**RESOLUTION NO. 213-12**

**May 22, 2012 PT\_MusicTheatreSceneryFacility\_SEQR\_DterSignificance  
DETERMINING SIGNIFICANCE UNDER THE COORDINATED NEW YORK  
STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) REVIEW OF  
THE MUSIC THEATRE FESTIVAL, INC. 2012 SCENERY PRODUCTION  
FACILITY EXPANSION PROJECT, AND AUTHORIZING COUNTY STAFF  
TO PREPARE, FILE AND PUBLISH SUCH DETERMINATION IN  
COMPLIANCE WITH ARTICLE 8 OF THE NEW YORK STATE  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION LAW**

BY: Mr. Tucker Whitman, Chair, Public Works Committee

WHEREAS, the Cayuga County Legislature authorized the Music Theatre Festival and Merry-Go-Round Playhouse in Resolution No. 399-09 (July 28, 2009) to construct two new scene shops south of the current scene shops at Emerson Park contingent on their ability to pay all the costs associated with the project and appropriate approvals from the State, Local and Federal Authorities; and

WHEREAS, the Music Theatre Festival proposes the Music Theatre Festival, Inc. 2012 Scenery Production Facility Expansion Project ("Project), which is the addition of a single enclosed, heated structure for the year-round production of theatrical sets and props within an approximate 11,400 square foot footprint, to be located immediately adjacent to the their existing facilities at Emerson Park and integrated into existing operations; and

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

WHEREAS, on April 24, 2012 the Cayuga County Legislature, through approval and adoption of Cayuga County Legislative Resolution # \_\_\_-12, identified the Music Theatre Festival, Inc. 2012 Scenery Production Facility Expansion 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, other Involved Agencies have provided 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, a draft impact statement will not be prepared and a Negative Declaration-Notice of Determination of Non-Significance will be prepared;
  2. The Cayuga County Legislature authorizes and directs the Chairman of the Legislature to execute any documents necessary to publish, file and circulate this determination of significance;
  3. The Cayuga County Legislature authorizes and directs the staff to file the Notice of Determination of Significance with:
    - a. The Town Supervisor of the Town of Owasco as the chief elected officer of the political subdivision where the Project is located;
    - b. The Cayuga County Legislature as the Lead Agency;
    - c. All Involved Agencies;
    - d. Any person who has requested a copy; and
    - e. File and publish the Notice of Determination with the NYS Environmental Notice Bulletin, 625 Broadway, Albany, NY 12233-1750
  4. This Resolution shall take effect immediately upon approval.
- Signed by Whitman, Axton, Didio, Mahunik, Pecher and Runkle, all in favor.

### **RESOLUTION NO. 214-12**

#### **Date: May 22, 2012 HWY constinspErronHillbrdgREV AUTHORIZATION TO SIGN AGREEMENT FOR CONSTRUCTION INSPECTION FOR ERRON HILL BRIDGE REPLACEMENT**

By: Tucker Whitman, Chairman Public Works Committee  
David Axton, Chairman Ways and Means Committee

WHEREAS, Resolution # 520-09 authorized the replacement of Erron Hill bridge (BIN 3311610, PIN 3754.30); and

WHEREAS, construction inspection is required for Federal Aid projects and is reimbursed at 95% of the cost of construction inspection, 80% from federal aid and 15% state Marchiselli funding ; and

WHEREAS, the highway department currently does not have enough staff in the engineering department to provide full time construction inspection for this project; and

WHEREAS, Federal legislation 40 USC 541 (Brooks Bill) requires federally funded architectural and/or engineering projects to be awarded based on fair and open competitive negotiations, demonstrated competence and professional qualifications, where costs may not be used as a basis for selecting consultants; and

WHEREAS, of the available selection procedures for this project, the Locally Driven Selection Arrangement (LDSA) meets all state and federal requirements, and is the most efficient cost-effective manner for selecting an architectural/engineering consultant; and

WHEREAS, Barton and Loguidice designed the replacement bridge and is familiar with the needs of the bridge project; now therefore be it

RESOLVED, to hire Barton and Loguidice to perform construction inspection for the replacement of the Erron Hill bridge; and be it further

RESOLVED, to authorize the Chairman of the County Legislature to sign all contract documents (Supplement Agreement No. 1) not to exceed \$133,800.

Signed by Whitman, Axton, Didio, Mahunik, Pecher, Runkle, Barski, Chapman, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 215-12**

**Date: May 22, 2012 HWY constinspGroveStbrdgREV2**

**AUTHORIZATION TO SIGN AGREEMENT FOR CONSTRUCTION  
INSPECTION FOR GROVE STREET BRIDGE REPLACEMENT**

By: Tucker Whitman, Chairman Public Works Committee

David Axton, Chairman Ways and Means Committee

WHEREAS, Resolution #520-09 authorized the replacement of Grove Street bridge (BIN 3365820, PIN 3754.28); and

WHEREAS, construction inspection is required for Federal Aid projects and is reimbursed at 95% of the cost of construction inspection, 80% from federal aid and 15% state Marchiselli funding ; and

WHEREAS, the highway department currently does not have enough staff in the engineering department to provide full time construction inspection for this project; and

WHEREAS, Federal legislation 40 USC 541 (Brooks Bill) requires federally funded architectural and/or engineering projects to be awarded based on fair and open competitive negotiations, demonstrated competence and professional qualifications, where costs may not be used as a basis for selecting consultants; and

WHEREAS, of the available selection procedures for this project, the Locally Driven Selection Arrangement (LDSA) meets all state and federal requirements, and is the most efficient cost-effective manner for selecting an architectural/engineering consultant; and

WHEREAS, Barton and Loguidice designed the replacement bridge and is familiar with the needs of the bridge project; now therefore be it

RESOLVED, to hire Barton and Loguidice to perform construction inspection for the replacement of the Grove Street bridge; and be it further

RESOLVED, to authorize the Chairman of the County Legislature to sign all contract documents (Supplement Agreement No. 1) not to exceed \$116,900.

Signed by Whitman, Axton, Didio, Mahunik, Pecher, Runkle, Barski, Chapman, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 216-1**

**Date: May 22, 2012 HWY trkreplacerev**

**AUTHORIZATION FOR THE HIGHWAY SUPERINTENDENT TO REPLACE  
ONE CREW UTILITY TRUCK UTILIZING STATE CONTRACT PRICING**

BY: Tucker Whitman Chairman, Public Works Committee

David Axton, Chairman, Ways and Means Committee

WHEREAS, a 2012 Ford crew cab utility truck was involved in an accident in March 2012 and declared a total loss; and

WHEREAS, the Highway department will receive insurance proceeds in the amount of \$22,650 to cover the purchase of a new crew cab truck and can purchase this truck with necessary options for a total cost of \$22,650 from State bid award/contract #21910-PF/PC65030 thereby eliminating the need and cost of bidding; and

WHEREAS, this utility truck is a critical component of the Highway Department for materials and crew transportation for road maintenance, resurfacing, and reconstruction projects; now therefore be it

RESOLVED, the Highway Superintendent is authorized to accept insurance reimbursement in the amount of \$22,650 to account DM50100 42680 (Insurance Recovery) and by the same amount increase account DM51302 52002 (Trucks); and be it further

RESOLVED, to purchase one crew cab truck off of the State bid utilizing the appropriated using insurance proceeds; and be it further

RESOLVED, that the total cost of the cab and chassis is not to exceed \$22,650; and be it further;

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

Signed by Whitman, Axton, Didio, Mahunik, Pecher, Runkle, Barski, Chapman, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 217-12**

**Date: May 22, 2012 HWY fillMEOLrev**

**AUTHORIZATION FOR SUPERINTENDENT OF HIGHWAYS TO FILL  
TWO (2) MOTOR EQUIPMENT OPERATORS – LIGHT  
WITHIN THE HIGHWAY DEPARTMENT**

BY: Tucker Whitman, Public Works Committee

David Axton, Chairman, Ways & Means Committee

WHEREAS, two Motor Equipment Operator - Light positions (position control numbers — and —) will be vacated in May; and

WHEREAS, these MEO - Light positions are critical to the operation of the highway department's operations; and

WHEREAS, these positions have been budgeted for the entire year of 2012; now therefore be it

RESOLVED, that the Highway Superintendent is hereby authorized to fill these two open positions (position control numbers — and —); 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 Whitman, Axton, Didio, Mahunik, Pecher, Runkle, Barski, Chapman, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 218-12**

**5/22/2012 BLD Temp fill Maintenance Mechanicrev**

**AUTHORIZATION TO HIRE A TEMPORARY MAINTENANCE MECHANIC  
TO COVER A MEDICAL LEAVE OF AN EMPLOYEE IN THE BUILDINGS  
AND GROUNDS DEPARTMENT ASSIGNED TO THE NURSING HOME.**

BY: Hon., Tucker M, Whitman, Chairman, Public Works Committee, and

Hon. David R. Axton, Chairman, Ways & Means Committee.

WHEREAS, an employee filling a Maintenance Mechanic position in the Buildings and Grounds Department that is assigned to the Nursing Home is taking medical leave and will be out of work a minimum 4 months, and

WHEREAS, the Buildings and Grounds Department presently has 2 unfunded unfilled positions and another open position would severely tax the department's ability to service the County's facilities; and

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

WHEREAS, funding for this position will be scavenged from the 4 operating budgets in the Buildings and Grounds Department (see attached); and

WHEREAS, an appropriate candidate will be identified to fill the position; now therefore be it

RESOLVED, that funding for the temporary Maintenance Mechanics position be transferred from a list of accounts attached to this resolution to account A16201 51001 (Salaries fulltime) in the amount of \$12,155.00, and to account A16201 58001 (Social Security) in the amount of \$930.00 for a total of \$13,085.00 and be it further

RESOLVED, that the Superintendent of Buildings and Grounds be hereby authorized to temporary fill the position of Maintenance Mechanic in accordance with the Civil Service Rules and Regulations and the policies of the County of Cayuga, and be it further

RESOLVED, that the temporary position be limited to no more than 90 working days; and be it further

RESOLVED, that the Superintendent of Buildings and Grounds and Civil Service implement the intent of this resolution.

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 Whitman, Axton, Didio, Mahunik, Pecher, Runkle, Barski, Chapman, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 219-12**

**May 22, 2012 DA emendbdgtcompplnrev7**

**AUTHORIZING THE EMENDMENT OF THE 2012 CAYUGA COUNTY  
COMPENSATION PLAN AND EMENDING THE CAYUGA COUNTY  
DISTRICT ATTORNEY'S 2012 BUDGET TO REFLECT A SALARY INCREASE.**

BY: Paul Pinckney, Chairman of the Judicial & Public Safety Committee

David Axton, Chairman of the Ways & Means Committee

WHEREAS, salaries for New State Judges and District Attorneys have been stagnant for thirteen years; and

WHEREAS, the New York State Judiciary Law, section 183-a governs the salary of the Cayuga County District Attorney and provides that the District Attorney shall receive an annual salary equivalent to that of the county court judge; and

WHEREAS, the salary authorized by statute for county court judges since 1998 was \$122,700.00; and

WHEREAS, the recently adopted 2012-2013 State of New York budget, effective April 1, 2012, included a salary increase for county court judges for the next four years:

Commencing April 1, 2012 – March 31, 2013:\$143,559.00 (17.0% increase)

Commencing April 1, 2013 – March 31, 2014:\$150,737.00 (5.0% increase)

Commencing April 1, 2014 – March 31, 2015:\$158,274.00 (5.0% increase)

And

WHEREAS, the State of New York has agreed that in State Fiscal Year 4/1/2012-3/31/2013, to reimburse the county for the salary change from \$ 122,700.00 to \$ 143,559.00; and

WHEREAS, the 2012 Cayuga County Compensation plan and the 2012 Cayuga County Attorney's budget must be correspondingly emended to reflect the changes; now therefore be it

RESOLVED, that the 2012 Cayuga County Compensation Plan be emended to reflect the recently enacted changes as set forth above; and be it further

RESOLVED, effective April 1, 2012 and through March 31 2013, et seq. the salary for the Cayuga County District Attorney shall be set at the above levels; and be it further

Resolved, that the following emendments be made to the existing 2012 Budget:

Increase <u>Revenue</u> "DA SALARY"	A11650-43030	by \$15,644.00
Increase <u>Personal Services</u> "SAL-FT"	A11651-51001	by \$15,644.00
Increase <u>Personal Services</u> "Social Security"	A11651-58001	by \$ 1,199.00
Increase <u>Personal Services</u> "Retirement"	A11651-58002	by \$ 2,800.00
Decrease <u>Contingent Account</u>	A10164-54000	by \$ 3,999.00

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 Pinckney, Axton, Barski, Didio, Farrell, Whitman, Chapman, Pinckney and Runkle, all in favor.

**Discussion:** Legislator Farrell, shouldn't there be another resolution accepting funds from New York State? Legislator Fearon, I think it should have a "sunset clause" if the State doesn't bring the money forth for the additional 2 years for those increases, those are unfunded mandates. I would like the idea of us making it additional on those other 2 years and it sends a message related to mandates. Legislator Chapman, the information we received says the State sets forth the money for one year, Westphal replied yes, just for the one year. Legislator Axton, it is my fault for not doing a resolution asking us to pass a resolution, send it to the State telling them we can't support the State pushing off another mandate and I don't think you can put a "Sunset Clause" in this because it's tied to the Judges period, we don't have the power to adjust that. Legislator Farrell, should there be another resolution, Squires replied, I think the information is in here, the 5<sup>th</sup> Whereas references the State giving us money, reimbursing us for the first year, which is all they have committed to reimbursing and in the resolve it shows us increasing the revenue line in the DA's budget. Legislator Farrell, but what I'm saying on the resolution when we accept grant money, we will have a resolution where we adjusting in the budget, but somewhere there is a resolution where the Treasurer is accepting funds from the State, so should there be a resolution where we are accepting funds from the State, Squires, I don't think so, the information that is in this resolution does that, that's my opinion. Westphal, my opinion is the same, you can do a motion to amend, a resolve to accept the money, that could be done.

**Vote on resolution, all in favor.**

## RESOLUTION NO. 220-12

05/22/12) EMS COURSE SPONSORSHIP

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE, THE DIRECTOR OF EMERGENCY SERVICES AND THE EMS MEDICAL DIRECTOR TO RENEW THE NEW YORK STATE DEPT. OF HEALTH, EMERGENCY MEDICAL SERVICES' COURSE SPONSORSHIP CERTIFICATION.**

By: Mr. Paul Pinckney, Chairperson of Judicial and Public Safety Committee

Mr. David Axton, Chairperson of Ways & Means Committee

WHEREAS, Cayuga County Emergency Medical Services conducts training for

the County's Emergency Medical Training through New York State Dept. of Health, Bureau of EMS, EMT Course Sponsorship; and

WHEREAS, this EMT Course Sponsorship requires renewal application every 2 years to continue the training program; and

WHEREAS, the Cayuga County EMT Course Sponsorship is due for renewal June 2012; and

WHEREAS, the certification application requires the signature of the Cayuga County Chairman, the Director of Emergency Services and the EMS Medical Director for compliance with the New York State Dept. of Health, Bureau of EMS, procedures. Now, therefore, be it

RESOLVED, that the Cayuga County Chairman of the Legislature, Steven Cuddeback, the Director of Emergency Services, Brian Dahl, and the EMS Medical Director, Dr. Mary DiRubbo, be authorized to sign the NYS Dept. of Health, Bureau of EMS, EMT Course Sponsor Certification for the renewal period of June 2012 - 2014. Signed by Pinckney, Axton, Barski, Didio, Farrell, Whitman, Chapman, Fearon, Pinckney and Runkle, all in favor.

**RESOLUTION NO. 221-12**

**5/22/12 911 bidawardKAPLAN**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN A CONTRACT FOR THE PHASE 2**

**CONSTRUCTION OF THE NEW EMERGENCY COMMUNICATIONS SYSTEM**  
 BY: Paul Pinckney, Chairperson, Judicial & Public Safety Committee

David Axton, Chairperson, Ways & Means Committee

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

WHEREAS, Cayuga County released bids for the last three sites of Phase 2 of the project; and

WHEREAS, the bid opening was April 27, 2012, and the following bids were received:

Company	Address	Amount
Kaplan-Schmidt Electric, Inc.	Rochester, NY	\$443,300
Westower	Syracuse, NY	\$536,561
R.J. Schickler	Rochester, NY	\$497,900
Pyramid Network Services	Syracuse, NY	\$494,786
Midstate Communications and Electronics, Inc.	Oriskany, NY	\$566,700
Communications International	Forest, VA	\$775,867

; and

WHEREAS, Cayuga County is awarding the contract to the lowest responsible bidder; and

WHEREAS, Kaplan Schmidt Electric Inc is the lowest bidder; and

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

RESOLVED, that the Chairman of the Cayuga County Legislature be authorized to sign a contract for the Phase 2 construction of the new Emergency Communications Project in the amount of \$443,300; and be it further



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

Signed by Pinckney, Axton, Barski, Didio, Farrell, Whitman, Fearon, Pinckney and Runkle, all in favor.

**RESOLUTION NO. 222-12**

**5-22-12 911 colocate Verizon Spafford**

**AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO SIGN AN AGREEMENT WITH VERIZON ALLOWING CAYUGA COUNTY TO COLOCATE ON THEIR TOWER SITE IN THE TOWN OF SPAFFORD AS PART OF THE NEW EMERGENCY COMMUNICATIONS SYSTEM.**

BY: Mr. Paul Pinckney, Chairperson, Judicial and Public Safety Committee  
Mr. David Axton, Chairperson, Ways & Means Committee

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

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

WHEREAS, Cayuga County will be utilizing space on an existing Verizon tower site in the Town of Spafford, Onondaga County; and

WHEREAS, Verizon will allow Cayuga County to utilize space on their tower site at a cost of 21,000 annually; now therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to sign an agreement with Verizon for this purpose; and be it further

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

Signed by Pinckney, Axton, Barski, Didio, Farrell, Whitman, Fearon, Pinckney and Runkle, all in favor.

**RESOLUTION NO. 223-12**

**5/22/12 SHR NYSSA Traffic Grant**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO ACCEPT A GRANT FROM THE NEW YORK STATE SHERIFFS' ASSOCIATION'S SHERIFFS' COOPERATIVE TRAFFIC SAFETY INITIATIVE**

BY: Mr. Paul Pinckney, Chair, Judicial and Public Safety Committee, and  
Mr. David Axton, Chair, Ways & Means Committee

WHEREAS, monies were awarded from the New York State Sheriffs' Association's *Sheriffs' Cooperative Traffic Safety Initiative Grant* for the Cayuga County STEP (Selective Traffic Enforcement Program); and

WHEREAS, the New York State Sheriffs' Association's *Sheriffs' Cooperative Traffic Safety Initiative Grant* would aide in identifying traffic safety problems in the Cayuga County Jurisdiction and to develop and implement various countermeasures, with emphasis on selective enforcement; and

WHEREAS, the New York State Sheriffs' Association's, *Sheriffs' Cooperative Traffic Safety Initiative Grant*, would provide funding for supplemental traffic enforcement, educational activities, related training, and in some instances, equipment for the Cayuga County STEP; and



WHEREAS, the Cayuga County Sheriff's Department qualified for the Grant in the amount of \$9,000.00 for overtime wages only; and

WHEREAS, payroll taxes and the associated benefits are not covered by the grant and will remain the obligation of the County; now therefore be it

RESOLVED, that the Chairman of the Legislature be authorized to sign the necessary documentation to accept the New York State Sheriffs' Association's *Sheriffs' Cooperative Traffic Safety Initiative Grant*; and be it further

RESOLVED, the Sheriff's 2012 Operating Budget, Revenue Account Line A31100 44390 (Fed Aid – Traffic Enforcement Gr) needs to be increased in the amount of \$9,000.00, and be it further

RESOLVED, that the Salary Line A31101 51003 (Salary Overtime) be increased in the amount of the Grant (\$9,000.00), and modify benefits by the following amounts: increase Soc Sec A31101 58001 by \$689.00, increase Retirement A31101 58002 by \$2,142.00 decrease A31101 51009 Sick Bonus by \$800.00 and decrease A31101 51007 by \$2,031.00 and be it further

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

Signed by Pinckney, Axton, Barski, Didio, Farrell, Whitman, Chapman, Fearon, Pinckney and Runkle, all in favor.

#### **RESOLUTION NO. 224-1**

#### **5/22/12 SHR CPS Incentive Grant**

### **AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO APPLY FOR FUNDING FROM THE NEW YORK STATE CHILD PASSENGER SAFETY (CPS) GRANT PROGRAM IN ITS CONTINUING EFFORT TO PROMOTE CHILD PASSENGER SAFETY AWARENESS AND PROPER USE.**

BY: Mr. Paul Pickney, Chair, Judicial and Public Safety Committee, and

Mr. David Axton, Chair, Ways & Means Committee

WHEREAS, child safety seats reduce the risk of fatal injury by 71% when used correctly, however more than 90% of child safety seats are being used improperly; and

WHEREAS, the National Highway Traffic Safety Administration with a grant from the New York State Governor's Traffic Safety Committee has monies available for local communities to purchase child safety seats that will assist in conducting programs to promote child passenger safety awareness and proper use; and

WHEREAS, the Cayuga County Sheriff's Office has the potential of receiving \$6,500.00 in grant monies to purchase child safety seats and other related items if applied for in a timely manner to become a recipient of these available funds; and

WHEREAS, the New York State Child Passenger Safety Grant Program is a grant reimbursement program with 100% of the funds expended on allowable equipment reimbursable by New York State; now therefore be it

RESOLVED, that the Cayuga County Sheriff's Office is hereby permitted to apply for monies available through the New York State Child Passenger Safety Grant Program offered through the National Highway Traffic Safety Administration, New York State Governor's Traffic Safety Committee.

Signed by Pinckney, Axton, Barski, Didio, Whitman, Chapman, Fearon, Pinckney and Runkle, all in favor.

**RESOLUTION NO. 225-12****(5/22 /12) COA LL FoxLease911 Adopt****TO ADOPT LOCAL LAW NO. 3 FOR THE YEAR 2012 AUTHORIZING THE COUNTY OF CAYUGA TO LEASE PART OF THE PREMISES, COMMONLY KNOWN AS TAX MAP NO. 6.00-1.16, 1197 OLD STATE ROAD, STERLING, NEW YORK, FROM KATHLEEN OUELLETTE-FOX FOR A TERM OF 99 YEARS.**

BY: MR. PAUL PINCKNEY, Chairman, Judicial and Public Safety Committee.

MR. DAVID AXTON, Chairman, Ways and Means Committee.

MR. TUCKER WHITMAN, Chairman, Public Works Committee

WHEREAS, Local Law No. 3 for the year 2012 was presented to the Cayuga County Legislature on the 24 day of April 2012; 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 2012 on May 22, 2012 at 1:00 P. M.; now, therefore, be it

ENACTED, that the Cayuga County Legislature does hereby adopt Local Law No. 3 for 2012, entitled:

**LOCAL LAW NO. 3 FOR THE YEAR 2012 AUTHORIZING THE COUNTY OF CAYUGA TO LEASE PART OF THE PREMISES, COMMONLY KNOWN AS TAX MAP NO. 6.00-1.16, 1197 OLD STATE ROAD, STERLING, NEW YORK, FROM KATHLEEN OUELLETTE-FOX 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.

STATE OF NEW YORK: COUNTY OF CAYUGA

COA IIFoxlease911

**Local Law No. 3 of 2012****A local law authorizing the County of Cayuga to lease part of the premises commonly known as Tax Map No. 6.00-1.16, 1197 Old State Road, Sterling, New York from Kathleen Ouellette-Fox for a term of 99 years.****BE IT ENACTED:** by the County Legislature, as follows:**Section 1 - Intent:** Kathleen Ouellette-Fox owns property commonly known as Tax Map No. 6.00-1.16, 1197 Old State Road, Sterling, 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 Kathleen Ouellette-Fox for the premises commonly known as Tax Map No. 6.00-1.16, 1197 Old State Road, Sterling, 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

Signed by Pinckney, Axton, Barski, Didio, Farrell, Whitman, Mahunik, Pecher, Runkle, Chapman, Fearon, Pinckney, all in favor.

**RESOLUTION NO. 226-12**

**5/22/12 COLMayDay**

**RESOLUTION DECLARING MAY 22, 2012 TO BE “MAYDAY FOR MANDATE RELIEF” AND URGING THE MANDATE RELIEF COUNCIL TO TAKE SWIFT ACTION IN SUBMITTING A PACKAGE OF MANDATE RELIEF PROPOSALS TO GOVERNOR CUOMO AND THE STATE LEGISLATURE TO BE VOTED ON THIS SESSION**

WHEREAS, the State of New York mandates (requires) the delivery of State programs using local resources, causing some counties to dedicate more than 80 percent of their entire budget toward the funding of State mandated programs and fixed costs; and

WHEREAS, the New York State Association of Counties (NYSAC) has identified just 9 State mandates that equal 90 percent of all county property taxes levied in 2010 (outside of New York City), consuming \$4 billion of \$4.4 billion in county property taxes levied,. These mandates include: Medicaid, TANF/Public Assistance Safety Net, Child Welfare Protective and Preventive Care, Special Education Pre-School, Early Intervention, Probation, Indigent Defense, Youth Detention, and Pensions; and

WHEREAS, these State mandates are the root cause of high county property and sales taxes in New York and have led to a decline in the delivery of important local services; and

WHEREAS, these State imposed mandates continue to contribute to New York’s highest in the nation local tax burden for residents and businesses, severely damaging New York’s ability to attract, create and maintain good paying jobs, as well as contribution to population losses to other states; and

WHEREAS, when the State enacted a property tax cap in 2011, a Mandate Relief Council was established to review specific mandates and advance legislative proposals to reduce the statutory and regulatory burden on municipalities; now therefore be it

RESOLVED, that Cayuga County hereby declares May 22, 2012 to be “Mayday for Mandate Relief” to demonstrate that the decisions made in Albany have a direct impact on the property tax levy and local community services here in Cayuga County; and be it further

RESOLVED, that Cayuga County Legislature hereby calls on the Mandate Relief Council to take swift action in submitting a package of Mandate Relief proposals to Governor Cuomo and the State Legislature to be voted on by our State Representatives during the 2012 State Legislative Session; and be it further

RESOLVED, that NYSAC shall forward copies of this resolution to Governor Andrew M. Cuomo, members of the New York State Senate and all those deemed necessary and proper.

Signed by Cuddeback, Whitman, Chapman, Axton, Farrell, Pinckney, Runkle, Fearon, Pecher, Barski, Mahunik, Lattimore, Didio and Aikman, all in favor.

**MOTION NO. 227-12**

Motion by Pinckney – To help fund abstract of title from the County Clerk, property located at West Lake Rd. and Sand Beach Rd., 2<sup>nd</sup> by Mahunik, all in favor, except Lattimore voting no.

**MOTION NO. 228-12**

Motion by Didio to change GO-2 wording to take out agreement for consulting/Lobbying and change to Grant Writing Services only, 2<sup>nd</sup> by Pinckney.

Motion by Fearon to table. No 2<sup>nd</sup>.

Didio withdrew motion.

**Motion by Fearon to adjourn at 3:27PM, 2<sup>nd</sup> by Didio, all in favor.**

**Motion by Didio to approve minutes of 5-22-12, 2<sup>nd</sup> by Pinckney, all in favor.**

**MINUTES**  
**SPECIAL MEETING OF THE**  
**CAYUGA COUNTY LEGISLATURE**  
**THURSDAY, MAY 31, 2012, 7:00 PM, CHAMBERS**

**CALL TO ORDER:** Steven Cuddeback, Chairman at 7:03PM

**ROLL CALL:** Mary Jones, Clerk of the Legislature, all Legislators present, except Pinckney arriving at 7:19PM.

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**Stephen Lynch, Director of Planning and Economic Development and Terry Masterson Executive Director of the Cayuga Economic Development Agency Consolidated Funding Application Process at the State level, CFA process.**

When Governor Cuomo came into his administration, economic development, jobs and streamlining government were his goals, in that he created what is called the Consolidated Funding Application or CFA. It is basically taking all the agencies that have discretionary funds that would get distributed and most of them on an open window during the year. They take all the money from the different agencies and put them together in one pot and put that money up for competitive proposals in a single funding round in a single consolidated application. Last year was the first year; there were a lot of challenges, but the county did very well. They created an on line system for applying for those grants, which as it own difficulties, but there is no grant that you can open up and look at, because it is intuitive, you go from having one screen to 40 screens as the agencies funding opportunities align themselves with what your answers are. It is not just open to municipalities; company's can apply also, anyone one that is eligible for State funding you can apply. Last year we worked with Cayuga Ingredients to prepare their request for funding from Empire State Development that was 4 million, we applied through the Town of Aurelius for \$750,000 for sewer station to accommodate the Cayuga Ingredients Milk Plant Project that was awarded, we applied for infrastructure structure for the IDA site that did not get funded. This year there will be one funding round, the window started around the first week in May and ends July 16, 2012. Last year the plan for CNY Regional Economic Development Strategies was one of the four top plans and got the highest number of awards across New York State. We are in the CFA process now and know that there are some projects we may be working on and some that are not shovel ready. A project is scored on 100 points; the Regional Council will review all of the projects and decide whether that project aligns itself with their strategies, their goals, if you meet 100%, the value of their score is 20points, 80 points stays with the State Agencies. This year they are going to look at the regions and see and rate how each community that got projects, how they have moved those forward.

Legislator Aikman, I went to the meeting at the Aurora Inn and they indicated that our Regional Plan was the best, so as not to let other regions not be funded in the future, a certain part of the money will be eligible for separate from the regions that didn't do so

well, so there will be a new differentiation of the pot, so you won't have access to the whole thing, because we did so well, we have access to a portion of it. More competitive in a different way.

Terry Masterson, different ways of separating out the funding.

Steve Lynch, Competition is strong, it's a challenging process, because it's really trying to fit all these projects and getting them ready with one window of opportunity. These grants take a lot of time to put together, a lot of leg work goes into each grant.

Terry Masterson, there is less funding in the first round, it has become more complicated. If you have a job ready project then you have a good chance of being looked at favorably. Many of the important challenges we face as a county is legacy work, infrastructure work and cultivating sites.

Steve Lynch, most of my colleagues across the state that engage in this process agree that it shouldn't be Economic Development Projects and project specific things, that are moving through this CFA process, that the stakeholders would be much better served if those types of projects went through the same process they used to do.

Terry Masterson, CCEDA in cooperation with the Chamber and Community College, will hold on June 19, 2012 at the college, a half day event for all the manufacturers in the county to learn about, incentives, Regional Council, energy programs, workforce training. The results of this would be presented to the State Legislature the following week.

Legislator Aikman, Currier Plastics has already decided not to take their energy recharge, because the stipulation is such that the cost is going to be increased more than the incentive that was given, it is going to put their electricity demand at a new NYSEG designation and it is going to be a wash. They spent hours and hours of staff time to figure this out so they wasted a lot of time, energy and money to say no we don't want to take that, we are better off without it. They want that message to go back to the state to say this is not working for them, please ask them about this at that meeting.

Terry Masterson, we have two applicants in the county, Seward House, and the Abbott Inn, who have both said do we have to go through this process, 250 question application, and then find out that we are not eligible, if that's the case we are not going to file, they don't want to waste their time.

Legislator Axton, asked Terry to get information to him to attend the round table, Terry, I will get that information to you.

Legislator Fearon, the Governor made it seem like it was new money, it's not and how they look at school and funding, and basically the fact that we did well last time around means good stuff.

Legislator Pecher, how did the Howland House and Sherwood get on the list, there was \$400,000 granted for that, nobody that I spoke with finds any value in it, except for the few people that sponsored it.

Terry Masterson, anybody can apply.

Steve Lynch, I would say it was because it was a great application on the other hand if you apply for a project that you feel is valid and good and it didn't get funded, good luck trying to find out why.

Legislator Fearon, in related to Howland, they don't have a clue as to where they are going to come with \$400,000 to match, which is what they have to do.

Pecher, and they are looking for another \$600,000 State Grant to run it for the first few years.

Legislator Aikman, was there any indication that the cost benefit analyses was very important in this round?

Steve Lynch, that is part of it, but it was kind of a technical thing, because of the way the grant was set up, the way that it was set up between the college that owns the assets and the people that were applying for the money, were two different entities.

Terry Masterson, Tim Lattimore, Steve Lynch and members of the IDA will be going to Batavia NY to hear about their efforts to recruit Milk Plant Producers to the county.

Tom Squires, private companies can apply, does that have to go through the Regional Council?

Steve Lynch, yes, all applications submitted electronically go to the Regional Council.

Tom Squires, so the Regional Council gets together, gives thumbs up or down and creates the list that gets submitted?

Steve Lynch, no, there is an on line application, as long as you meet all the thresholds and say you are going to do all the things you're supposed to do and the application gets submitted on or before the deadline. What happens to those applications is the Regional Council reviews them and the result is they are given 0 to 20 points, simultaneously the applications have gone to the State Agencies and they get up to 80 points and the results are added together and goes to Albany.

Tom Squires, what do we do as a community/county to identify projects to help to corral projects and get them into the process?

Terry Masterson, what are we all applying for, what are our important projects and make sure they are at the top so we have our best foot forward.

Tom Squires, with support from the Legislature and the County we can help get those projects into the pipeline as far as the Regional Council goes, so who needs to do what now?

Steve Lynch, this funding round, there are a number of projects, one that has a good shot of getting funded. The County has put a high priority on the water quality for Owasco Lake, created a Water Quality Management Council, which is a consortium of municipality's and the Department of State has a local waterfront revitalization program that provides money for things like Watershed Management Strategy Plan that would be a good candidate for funding, it has all the things they support. My staff is investigating those programs so that we are ready to answer those programs. The IDA for infrastructure, I've add the application ready for a year, the problem is the timing, they are not going to even make a recommendation on mid fall and by the time you get contracts in your hands it might be December or after the new year. I would have to have the road built for Cayuga Ingredients by the time the asphalt plants close in November, so I'm not sure that's the best project. We are working with the Town of Brutus and helped them create a Main Street Application for the Village of Weedsport, it did not get funded, it was for \$500,000, it was an ok plan, it was supported by a strategic plan, that we helped them secure. They expressed an interest in bring that back up, but it is a challenge for a number of reasons.

Tom Squires, what should the Legislature be doing?

Steve Lynch, if there are business's that know that they are going to make significant economic improvements that will lead to job creation, they need to talk to us, Terry, and we will look at it to see whether or not the project is compelling enough through the CFA process, after we have been through it a few times, we would be able to advise them. If there is work out there that needs to be done, that you've already prepared a foundation for, you have to work with your communities well in advance of the CFA round.

Terry Masterson, would it help if every 10 days to 2 weeks we gave you list of what we think are our current pending projects and if you have projects let us know.

Steve Lynch, we generally did that last year during the CFA process, got together with the Chamber of Commerce, City Finance Staff and some other stake holders and discussed what projects each had.

Tome Squires, you anticipate doing something similar?

Steve Lynch, yes.

Legislator Chapman, have either of you said down with Andrew Fish, Peggy Morin or Mayor Quill yet?

Steve Lynch, in regards to this CFA round, no.

Terry Masterson, Andrew and I talk every day.

Legislator Chapman, being that this is an online application, is there any latitude to make our application more noticeable to those that might have to review it?

Steve Lynch, yes, it doesn't matter that it is online, you can go talk to someone and say we have an application in, you can print it out, and talk to that person.

Legislator Chapman, if you're the person that has to review a number of applications and you look at them and they are fairly bland, is there something that you could insert into the content that could make it more outstanding and attractive to the person that is conducting that review?

Steve Lynch, a positive is a positive, if it is an Economic Development Project and it's got 650 jobs it will stand out, whatever the selection criteria is, you hope that you are strong in the priority areas.

Legislator Fearon, a 10 day update so the circle doesn't get any wider.

Legislator, I worked on the Currier CFA, they give you the formulas, this question will put you higher up, you have to meet these qualifications and if you can meet 10 out of 10 then you are going to get a better chance at funding, if only 2 out of 10 you're not going to advance. It is really a very rational process and at the point when it looked like Currier was going to get 8 out of 10, then Andrew Fish, Peggy Morin, the Mayor, Chairman at the time and Robert Simpson were called every 5 to 7 days, but in terms of that online thing follow what it says and if you forget something, you're out, it has to be to the letter.

Legislator Lattimore, Joanna Mahoney just got appointed to the NYS Power Authority, we have always discussed giving us an allotment for the Industrial Park. One of the projects that I think we should hitchhike on is Madison/Onondaga Broad Band, getting Wi-Fi down in Popular Ridge, it will help the farmers, can go on existing poles.

Terry Masterson, the broad band issue is part of the strategic plan for CEDA, Steve has meet with a number of the towns in Southern Cayuga, our schedule is to come out with a document in early July/August that says here are all the current technologies that can deliver broad band to rural areas, here are the costs, here are the ones we think are workable, not workable and then trying to see what we can actually put into the county. I will come back in August with this with more information.

Legislator Fearon, if you have broad band it creates more jobs, because people can do a lot of stuff from their location.

Legislator Aikman, those conversations about NYSERDA and the highway garage roof, is that something we are moving forward with in this round?

Tom Squires, that is the indent, but I don't know who is doing what right now.



Legislator Aikman, part of reason we are having this meeting tonight is to choose priorities, what projects we want to get behind.

Tom Squires, George Wethey was the first one that identified that, I put him in touch with Leann and I think they have been conversing.

Chairman Cuddeback, would that be fit under the CFA?

Legislator Aikman, you would have to go through the CFA to get it.

Legislator Chapman, the green roof, I hope there will be some accompany numbers for maintenance.

Steve Lynch, I talked with Tucker Whitman and others and I know there is a great interest in getting funding for dredging for Little Sodus Bay and I just wanted to mention why that might not be right, right now for a CFA application. The Department of State Grant that goes from west of Rochester all the way to Oswego is looking at the economic impacts of not doing the dredging and the cost if the dredging was done. Until we have that information from the Department of State Grant, we really don't have good documentation and the second part of that grant if going to be the public's participation once those numbers come out. It is a Federal Harbor, so I would think that federal money might be money might be available.

Terry Masterson, Little Sodus Bay funding is very important and I have talked with Ann Marie Buerkle and will be speaking with Senator Schumer in the future. This harbor is not necessarily just a recreational harbor but there are a lot of business's there as well that will be affected.

Legislator Chapman, our water and sewer infrastructure is that something that we would include or consider asking for funding.

Steve Lynch, absolutely if the Water and Sewer Authority has projects lined up, our office in the past has been instrumental in getting CDBG applications funded, outside of the CFA process, so if similar projects are out there and are ready to go, but my take is the state wants to see shovels in the ground, buildings get built, sewers in the ground, it is really those types of projects. I haven't talked to Warren at Water and Sewer, but if they have projects that are ready they should be considering the application.

Legislator Chapman, would it be wise to send an e-mail to our various departments?

Chairman Cuddeback, good idea.

Legislator Lattimore, the meeting that we are going to in Batavia, we can see if the USDA has money available for infrastructure projects.

Legislator Farrell, in regards to Warren, there has been some conservation in regards to a secondary water supply from Onondaga County into the Town of Brutus also potential in the future for that development in Brutus for an industrial site. I think the magnitude of the plan he had on that, shovel ready, I don't know, but I do know there has been some research done on it. With our site in Aurelius, I understand that the roadway is not an option, is there anything that we are lacking for future development, the NYSEG substation getting beefed up, or anything else that we are lacking that we should be going for, for future development out there.

Steve Lynch, I wouldn't built more infrastructure than is already planned out there, because I think you want to wait and see what comes in the door. Looking long term down the road, we have Milk Plant; we have another 60 acre's out there of fine industrial land, zoned, with infrastructure in place, ready to support new economic development and we are hoping that park gets filled up.

Legislator Farrell, what is the conservation in regard to beefing up NYSEG substation, is this anything we should go after now?

Steve Lynch, that is a tough one to answer, NYSEG is charging the company for those improvements and will pass that cost all along to the company.

Legislator Didio, Water and Sewer around Owasco Lake, have you heard anything on this?

Steve Lynch, the Environments Facilities Corporation will put infrastructure funding into sewer districts and those types of things, I think you have to qualify. There is lot of ground work that has to be done put into place before you are ready for an application. Legislator Aikman, with the way the CFA works right now, two were successful and as part of their grant those jobs are counted, no more projects can happen in the park, we already gave you money for these jobs, so the way the CFA looks at it now is they can't give apply, because it looks like the same jobs and we are going to give the money to the company first rather than to the municipality when we are counting those jobs. Now that it is a CFA application we're actually in a less competitive position to get our infrastructure done through this program.

Steve Lynch, that is why it will be harder for me to get infrastructure based on Cayuga Ingredients.

Legislator Lattimore, that is one of the reasons we are going to Batavia, because they do have a milk plant, Yogurt Plant and several other plants.

Terry Masterson, 70% of the county is in a low cost power zone.

Chairman Cuddeback, so you are going provide us with a list of what current projects that you are working on?

Terry Masterson, yes.

Steve Lynch, I had an IDA meeting today and they authorized the water contract for engineering services for the road way infrastructure needed for the IDA site for Cayuga Ingredients to come in, I sent the notice to Engineer about 6:00 tonight, I hope when I get that back we can circulate bids and find out how much it is going to cost.

**Legislator Paul Pinckney arrived at 7:19PM.**

**Motion by Fearon to go into Executive Session at 8:02PM, re: matters leading to the employment of a particular corporation, 2<sup>nd</sup> by Pinckney, all in favor.**

**Motion by Pecher to come out of Executive Session at 8:35PM, 2<sup>nd</sup> by Chapman, all in favor.**

Legislator Farrell, no matter which way the vote goes, I would just like to know what direction we are going to go, if we keep them for the duration for the rest of the year, establish a committee to look at alternatives, and if we decide not to keep them do the same thing.

Legislator Lattimore, should negotiate downward at this point.

**MOTION NO. 229-12**

**Motion by Pinckney, to keep Wladis until the end of the year and to form a committee to discuss what direction we want to go in at that point, 2<sup>nd</sup> by Didio.**

**Discussion:**

Chairman Cuddeback, do you have any particulars on the fund?

Tom Squires, \$80,000 is what the amount would be for 6 months, \$5,000 a month for lobbying, \$8,000 a month for grant writing with an additional \$2,000 for expenses, it is what was budgeted for the first 6 months.

Chairman Cuddeback, and those funds would be drawn out of contingency?

Tom Squires, contingency or fund balance, the question earlier was there another source, un-appropriated fund balance might be a source as well.

Legislator Lattimore, the fees that are being charged presently, you said \$8,000 a month for grant writing?

Tom Squires, yes.

Legislator Lattimore, how many grants written in the time we've had Wladis and a what cost?

Tom Squires, an important point, it used to be we paid for grant writing on an hourly rate, so for a good part of last year it wasn't a flat fee.

Legislator Lattimore, makes the suggestion that we keep Wladis for lobbying purposes, but hire our own in house grant writing.

Legislator Pecher, I think we ought to separate the motion into 2 parts, fund or not fund Wladis.

Chairman Cuddeback, if you want to continue with the committee idea, that would be a good idea to bring up after. Would like to withdraw you motion, rephrase it?

Legislator Pinckney, withdraws his Motion.

Chairman Cuddeback, would you like to rephrase it?

**MOTION NO. 230-12**

**Motion by Pinckney to extend the contract with Wladis until the end of the year at current rate and take the money from the Contingency Account, 2<sup>nd</sup> by Didio**

**Discussion:**

Tom Squires, contingency takes 2/3, un-appropriated fund balance takes majority.

**Motion by Pinckney to amend his motion and take money from the Un-appropriated Fund Balance**

**Discussion:**

Legislator Pecher, I doubt that the legality of taking it out of the Un-appropriated Fund Balance, my understanding is un-appropriated becomes part of the General Fund period.

The only place you can take monies out of, if you haven't already budgeted for is another budget caption or Contingency Fund, Un-appropriated is already in the bag.

**Chairman Cuddeback calls for a brief recess for Fred Westphal to check on this, at 8:44PM.**

**Meeting called back into order by Chairman Cuddeback at 8:53PM**

Fred Westphal, I was asked if there could be appropriations out of the fund balance, the answer is yes, section 366, supplemental appropriation, the Board of Supervisor's during a fiscal year by resolution may make additional appropriation or increase existing appropriation, the funds therefore be provide from any unencumbered balances, the appropriation pursuant to section 364 can come out of the contingency fund pursuant to 365 for un-anticipated revenues and un-appropriated unreserved fund balances pursuant to section 366 or pursuant to local finance laws, so unlike the town it can be done and it does not take a 2/3 vote, simple majority.

Chairman Cuddeback, Mr. Pinckney would you like to withdraw your motion for having it come out of contingency?

Legislator Pinckney, yes, I withdraw motion.

Chairman Cuddeback, would you like to enter a new motion?

### **MOTION NO. 231-12**

**Motion by Pinckney, to amend motion to have money come out of the Un-appropriated Fund Balance until the end of the year, not to exceed \$80,000, 2<sup>nd</sup> by Didio.**

Fred Westphal, you should think about adding an amendment that would permit the Chairman to sign the contract for the consulting side and the grant writing side.

#### **Discussion:**

Legislator Lattimore, I am concerned about the amount of money we are spending on lobbyist and the production and the grant writing side of it, if we could somehow restructure that into production of some type or the number of applications that go in. I think right now we haven't submitted enough grants for the amount of money we've paid, I don't think we are getting the amount of production from that side.

Legislator Axton, I agree, but I don't think we can do this now, we should put out for an RFP before the end of the year, but continue this until the end of the year, but in the mean time let's not stand on our toes let's keep moving forward and try to find ways to restructure.

Chairman Cuddeback, basically what you are doing tonight is renewing their current contract for another 6 months.

Legislator Axton, but in the mean time, we shouldn't be sitting on that, we should be figuring out where we want to be, we need to make a plan.

Tom Squires, it had been discussed, one way to generate more business for them or to get more bang for our buck maybe to let the towns and villages in the county know that if they need assistance in writing grants, lobbying that we can make that resource available.

Legislator Lattimore, I think that is a great idea, but the Chamber of Commerce has said that small business grant writing is available from them to the county.

#### **Defeated**

**Motion by Pecher to amend motion to strike out 6 months and make it 3 months, 2<sup>nd</sup> by Fearon.**

**Vote defeated by voice vote.**

**Approved**

**Motion by Mahunik to amend motion to allow the Chairman to sign the contracts for lobbying and grant writing, 2<sup>nd</sup> by Chapman, approved by voice vote.**

Legislator Aikman, clarification, what the Chamber has set up is a data base where I can go and see where there is grants, the Chamber is not writing grants, you have to write them yourself, so there is no duplication of service.

**Motion as amended**

**Motion by Pinckney to extend the contract with Wladis until the end of the year, for lobbying and grant writing, not to exceed \$80,000 and to take the money from the Un-appropriated Fund Balance, and authorize the Chairman to sign, 2<sup>nd</sup> by Didio.**

Approved by majority vote, Ayes – Didio, Aikman, Chapman, Axton, Farrell, Pinckney, Runkle and Mahunik. Noes – Pecher, Whitman, Fearon, Barski, Lattimore and Cuddeback, Excused – Bennett.

Vote – 485/349/49

**Legislator Aikman, Mr. Bennett is excused, his vote goes in as an E, he can't be here by law, court order.**

**Motion by Aikman to go back into Executive Session at 9:03PM re: a particular person, 2<sup>nd</sup> by Pinckney, all in favor.**

**Motion by Aikman to come out of Executive Session at 9:13PM, 2<sup>nd</sup> by Fearon, all in favor.**

**Motion by Aikman to adjourn at 9:14PM, 2<sup>nd</sup> by Fearon, all in favor.**

**Motion by Didio to approve minutes of 5-31-12, 2<sup>nd</sup> by Pinckney, all in favor.**

**MINUTES**  
**SPECIAL LEGISLATURE MEETING**  
**THURSDAY, JUNE 14, 2012, 5:30 PM**  
**160 GENESEE ST, 6<sup>th</sup> FLOOR, CHAMBERS, AUBURN, NY 13021**

**CALL TO ORDER:** Hon. Steven Cuddeback, Chairman, at 5:32PM

**ROLL CALL:** Mary Jones, Clerk of the Legislature, all Legislators present, except Pinckney arriving at 6:05PM

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**TOPIC: 1. Amendment to NYS Law to define qualified Indian Reservation**

**2. 1-7 State Street, Auburn, NY**

County Attorney asked if they could adjourn to Caucus Room #2 for legal advice, Motion by Axton, 2<sup>nd</sup> by Didio at 5:35PM, all in favor.

Chairman Cuddeback, back in session at 5:50PM.

**1. Amendment to NYS Law to define qualified Indian Reservation**

**RESOLUTION**

Motion by Axton, 2<sup>nd</sup> by Fearon

**RESOLUTION NO. 232-12**

**6.14.12 COA emendqualifiedreservationrev3**

**RESOLUTION TO SUPPORT BILLS AMENDING NEW YORK STATE LAW  
 TO ACCURATELY DEFINE A “QUALIFIED INDIAN RESERVATION”  
 AND “INDIAN RESERVATION”**

WHEREAS, bills have been introduced in the New York State Senate and Assembly (S3866-C and A5151-B) to amend the definition of a “qualified (Indian) reservation in New York State law” and to reaffirm that a “qualified reservation” and an “Indian Reservation” must be lands within the State over which an Indian nation or tribe lawfully exercises tribal sovereignty; and

WHEREAS, Section 470 of the Tax Law, Section 6 of the Indian Law and Section 454 of Real Property Tax Law should be amended so that the definition of a “Qualified Reservation” and “Indian reservation” in those laws is consistent with each law; and

WHEREAS, New York State law should be amended accordingly in this session of the New York State Legislature; now therefore be it

RESOLVED, the Cayuga County Legislators call upon the Senate Committee on Investigations and Government Operations and the Ways and Means Committee of the Assembly to pass and forward for floor action in the current session of the Legislature, S3866-C and A51S1-B, respectively; and be it

FURTHER RESOLVED, that copies of this resolution be sent by overnight mail to:

Senator Michael Nozzolio, Sponsor

Senator Carl Marcellino, Chair, Investigations and Government Operations Committee  
Assembly Minority Leader Brian Kolb, Sponsor

Assemblyman Herman Farrell, Jr., Chair, Ways and Means Committee

Assemblyman Gary Finch

Assemblyman Robert Oaks

Senate Majority Leader Dean Skelos

Senator David Valesky

Assembly Speaker Sheldon Silver

Governor Andrew Cuomo

Signed by Cuddeback, Whitman, Chapman, Axton, Farrell, Pinckney, Runkle, Fearon, Pecher, Barski, Mahunik, Lattimore, Didio and Aikman, all in favor.

## **2. 1-7 State Street, Auburn, NY**

**County Attorney Fred Westphal, decision in the Camardo vs. the City of Auburn that decision did at least three things:**

1. Annulled SEQRA determination by the city.
2. It remanded the case to the trial judge and
3. There was language in there that Mr. Camardo had brought other subsidized challenges to the city's SEQRA determination the 4<sup>th</sup> Judicial Division found that they had no merit, no weight, that is a good thing for the next step. The next question is who is going to try to assume lead agency status, in my opinion that the city cannot assume lead agency status or continue lead agency status, because the demolition is done and the property has been transferred to the county. The college is interested in the project still; the County is going on record in support of the project. In my analyses the most likely lead agency or entity to request lead agency status is the Legislature. Is the County Legislature interested in being, applying for lead agency status on the project and if so do you want a resolution prepared for Ways & Means next Tuesday to move that process forward?

Axton, if we do agree to take lead agency status and something is found, some environmental issue, additional cost, we would obviously be liable for those.

Westphal, that would start several discussions, it's County owned property, if it is a mess, then the County would take control of that, but the testing to date has found only trace elements of volatile organic chemicals.

Axton, on the original resolution we made sure it was worded that we wouldn't take ownership until we were assured that all the environmental issues were none existent.

Westphal, that testing was done in May of 2011 and that report is available, it lists only minor trace amounts of

volatile organic chemicals. They did soil samples, is that a guarantee, no, unless you bore in every square inch you don't know.

Lattimore, the city said go with the short form, now the county and the college have to go with the long form?

Westphal, not necessarily, the present design includes the remediation measure identified by the city, so that may not require a long form, that is going to be part of the process to determine what type of form is required.

Pecher, isn't there some way it can be turned back to the city, it seemed like we were sold a bill of goods. The environmental impact study wasn't done correctly; we went forward on the basis that it was done correctly. It should be back in the city's ballpark, their game, not ours, shouldn't tie up your time again, you have other things to do.

Westphal, I see two separate issues, one is, what are the environmental factors on a piece of property, minor releases of volatile organic chemicals, none of which are off the chart, none of which appear to be dangerous, at least from the standpoint of the company that reviewed it. The issue of SEQRA is separate and apart from the environmental concern, the SEQRA is a process that has to predate, preapproved prior to the start of the construction. I don't think the city can do SEQRA at this point, they don't own the land, and the structure is down. There is case out of the court department that several months ago, the only ability the city could have would be to issue a building permit, that is under discussion as to whether the city has that ability, my analyses says they can't do it.

Pecher, why can't the college take it over?

Westphal, they are the applicant and generally the applicant is not the lead agency. The Dormitory Authority is the other agency that could possibly assume lead agency status. Fearon, my understanding, if we used a little bit different wording it would've applied. Westphal, I don't pretend to be able to get into the minds of the judges who make the decisions, so I really can't really answer what they were thinking.

Runkle, what do we stand to lose if we don't take lead agency?

Westphal, at some point if we continue with this we might want to adjourn for legal advice, we are close to that line.

Farrell, if we take this issue out of the equation, before this problem arose, who was lead agency?

Westphal, the City Council was lead agency.

Farrell, I'm talking about before this court ruling a week ago, ten days ago, who was lead agency on this project?

Westphal, the city was.

Farrell, they still were even though they gave the property to us?

Westphal, yes, the SEQRA was issued in May of 2011 and it has taken this long for the appeal process to work through.

Farrell, so you're saying they can't be lead agency now on the SEQRA?

Westphal, that is correct, they have no skin in the game so to speak, the best they could do is issue a building permit and that is not enough discretionary authority to apply for or be awarded lead agency status.

Farrell, you're telling me they were lead agency but you're saying they can't do the SEQRA review.

Westphal, go back in time, as the lead agency status, the city role was to demolish the building, transfer the property and instead of segmenting the SEQRA process it took the project all the way from demolition to construction to operation of the college. The County could have been lead agency back in the fall of 2010, the County decided not to. Farrell, so the city was going to be lead agency on construction?



Westphal, there is no reason for the city to be lead agency on construction, once SEQRA is done and it is done properly that subject goes away, there's no need for lead agency. Farrell, who had code authority over building it?

Westphal, the county and still does if the project goes forward, no matter who lead agency is the code, is done by the county.

Lattimore, if for some reason there are some issues with environmental, does the college have a back-up program, do we have money.

Chamberlin, from the testing that has been done by AECC, they did testing before the building was demolished and after, they recommended a system to be installed and we have been assured by them to suspect any problem. Prior to looking at this site we have looked across the city for sites and could not identify another site that was appropriate and we looked pretty thoroughly. We did look at the Shrine Theater and that project would probably be least 50% more.

Lattimore, I thought being on the National Registry it might have more Federal Funding. Chamberlin, Federal Funding is almost nonexistent for this type of project.

Mahunik, if we take lead agency on this and something does pop up, we can have a discussion with the city and we do have some legal foot hole there with the resolution that we passed, so we wouldn't be totaling liable for environmental issues.

Westphal, we shouldn't, it would cause a discussion between the county and the city as far as what needs to be done, if anything.

Mahunik, but we do have options and recourse?

Westphal, yes.

Pecher, why do we want lead agency status when the college could assume it through the Dormitory Authority, why do we want it, don't we have enough to do?

Westphal, the county is in a better position than the Dormitory Authority in Albany, we are closer to the ground, we know the players, we can get access to all the research that was done by the city, incorporate that into the Environmental Impact Statement and move the process through as it needs to be moved. Does the County Legislature want to request to assume lead agency status and if so do you want a resolution prepared for Ways and Means on the 19<sup>th</sup>.

Lattimore, I would assume lead agency.

Farrell, I would like to know more, when we accept lead agency what are the further responsibilities, implications of wearing that hat on the project.

Westphal, the process at the 60,000 foot level is an environment assessment form is prepared, documents are looked at, the city did a lot of work, the answers to all the questions are contained in the documents, somebody from the county, maybe have Planning go through the document and preparing form, which is the part 2 of the environmental assessment form, come back before the Legislature and say; hear is what we think and it could be a positive or a negative declaration, it could be a condition negative declaration, it would come back before this body, there would be a resolution that spells out all of the SEQRA related issues, this body would vote on it. If the county agrees to assume lead agency status, the county has to send all of those documents to any other involved agencies, they have 30 days to comment or may sign a consent, if they comment on it the comments are looked at and addressed, if no comments and they consent then the next stage is they come back before this body, 30 days latter and ask the legislature to adopt the findings, then the project could commence.

Farrell, once the project commences are we still going to wear that title hat of lead agency?

Westphal, yes, and the only time it would trigger any action by the county is if something environmental significant was found, if new information was discovered than the county as lead agency would have to address those issues.

Farrell, just those environmental issues as we go along?

Westphal, yes, and what happens after SEQRA is determined is anybody guess at this point.

Chairman Cuddeback, for the record, Mr. Pinckney arrived at 6:05PM.

Pecher, if we get sued again, which is quite possible, we have to defend the action?

Westphal, that is correct and I would add if the Dormitory Authority assumed lead agency status, I would suspect that the county would be sued as well.

Lattimore, the city is part of the county, I think that 99% of the heavy lifting has been done I hate to see the project stop.

Chapman, do you have any idea of the cost associated with us taking lead agency.

Westphal, only staff time.

Chairman Cuddeback, are you prepared to make a decision or do you need more time?

Westphal, the decision would be for me to present a resolution to Ways and Means; Authorizing the County to seek Lead Agency Status, so there would be another discussion point Tuesday of next week.

**Motion by Whitman to have Mr. Westphal prepare a resolution for Ways & Means for next Tuesday's meeting, 2<sup>nd</sup> by Didio, all in favor, except Aikman abstained and Pecher voting no.**

**Motion by Whitman to adjourn at 6:10PM, 2<sup>nd</sup> by Chapman, all in favor.**

**Motion by Didio to approve minutes of 6-14-12, 2<sup>nd</sup> by Pinckney, all in favor.**

**MINUTES**  
**CAYUGA COUNTY LEGISLATURE**  
**June 26, 2012 – 6:30PM**

**CALL TO ORDER:** Hon. Steven Cuddeback, Chairman at 6:30PM

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

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**DEATHS:** Russell (Buster) Van Dyke, long time Cayuga County Highway employee and council member of the Town of Mentz

**PROCLAMATION: Elder Abuse Awareness Day, June 15, 2012, title read by Mary Jones, Clerk of the Legislature.**

**Operation Enduring Gratitude, Auburn Knights of Columbus Council 207. 6-26-12, read in full by Mary Jones, clerk of the Legislature, presented by Chairman Steven Cuddeback to Dave Pappert, who thanked everyone for their support.**

**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 Tim Lattimore for Kevin M. Cox, Esq., Camardo Law Firm, Auburn, NY , handout attached to original minutes. Mr. Cox sets forth objections to W&M's-2, asks that this resolution not be passed and to follow the rules of the court.

**MINUTES:** For Approval: 4-24-12, **Motion by Didio to approve minutes, 2<sup>nd</sup> by Pinckney, all in favor.**

For Reading: 5-22-12, 5-31-12 and 6-14-12

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

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

**Legislator Mahunik,** thanked Tom Squires, Fred Westphal, Tim Lattimore, Mark Farrell, Dave Gould and Bernie Newcomb for participating in the St. Baldricks fundraiser to raise money for childhood cancer research, Cayuga County residence's raised \$91,000. **Legislator Lattimore,** recognized Chris DeAngelis and Elane Daly for their work on Medicaid Recovery, hopefully put money back into our budget.

**Legislator Chapman,** we have had two meetings so far with the Health & Human Services Committee, we have recognized the 21 Mental Health Employees that went above and beyond to collect \$275,000 for the county and we have also honored a member of

the Office for the Aging for individual efforts in solving a very life changing problem for one of her Senior's, we look forward to getting more nominations and hopefully the other committees will be receiving nominations as well and we can push the program forward.

**Legislator Lattimore**, the HEAL Grant received 19 million wish the hospital had continued with their side, it would have been an additional 10 million.

**COUNTY ADMINISTRATOR'S REPORT:** Tom Squires, attached to original minutes. Cayuga County Services Day will be held in Moravia on Saturday, July 7, 2012 from 10 to 2PM, the Munch and Mingle will be this Friday, June 29, 2012 from 11 to 2PM, the Employee Recognition Luncheon will be Thursday, July 19, 2012 at the Point at Sand Beach. We have also received a certificate from the US Dept. of Commerce for being re-recognized for being Storm Ready.

**Legislator Didio, Owasco Lake Day will be tomorrow at Emerson Park from 3:00PM to early evening**

**CHAIRMAN'S REPORT:** Steven Cuddeback, none

#### **APPOINTMENTS AND RE-APPOINTMENTS:**

##### **College Board of Trustees (Re-appointments)**

John Camardo, 12 Tubman Lane, Auburn, NY; term: 7/1/12 through 6/30/18)

John Karpinski, 22 Eastern Parkway, Auburn, NY; term 7/1/12 through 6/30/18)

##### **Cayuga-Cortland Workforce Investment Board**

Robin W. Sandwick, Director of Cayuga-Cortland Employment & Training, 99 Main St., Cortland,

NY term: 7/1/12 thru 6/30/15 (replaces Robert Fortier)

Donald D. Watson, NYS Ed. Dept. Statewide Coordinator, 333 E. Washington St., Room 230,

Syracuse, NY term: 7/1/12 thru 6/30/15 (reappointment)

Juanita Perez-Williams, Esq., Commissioner NYS Dept. of Labor: term 1/1/12 -12/31/14

##### **CCIDA**

Gina Speno, PO Box 445, Weedsport, NY 13166: term: 1/1/12 -12/31/13

##### **Cayuga County Planning Board:**

Members serve until the locality they represent submits a new nomination:

Dan George (Town of Conquest), 235 East Lake Road, Port Byron, NY (replaces Charles Knapp)

##### **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

Douglas Kierst, CPESC, CPSWQ, Dist Field Mgr., Co. House Rd, Auburn, NY (replaces Ron Podolak)

Vicky Murphy(City of Auburn) Memorial City Hall, 24 South St, Auburn, NY

**Fish & Wildlife Management Board:**

Dennis Zach, Sports Alternate, 97 N Lewis St., Auburn, NY term: 1/1/12-12/31/13

**Chairman Appointments to various boards:**

**Cayuga County Community Service Board:**

Hon. Patrick Mahunik, 2 Fredrick St., Auburn, NY, term, 1-1-12 to 12-31-2012

**Cayuga County Youth Board:**

Hon. Mark Farrell, 8497 Ball Rd., Weedsport, NY 13166, term, to serve at the pleasure of the board.

**Ward W. O'Hara Ag Museum Board of Commissioners:**

Hon Paul Pinckney, 2035 Pinckney Rd., Auburn, NY, to serve your legislative term.

**Ag & Farm Protection Board:**

Hon. Paul Pinckney, 2035 Pinckney Rd., Auburn, NY, coterminous with position.

**Cayuga County Tourism Board:**

Hon. Timothy Lattimore, 63 South St., Auburn, NY to serve your Legislative term

**Deferred Compensation Committee:**

Jim Orman, 160 Genesee St, Auburn, NY to serve at the pleasure of the Chairman.

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

5 minute recess to have Legislators and Jim Orman sign oath book.

**COMMUNICATIONS AND ANNOUNCEMENTS:**

1. Received acknowledgement of Resolution No. 226-12 "Mayday for Mandate Relief from Brian Kolb, State Assembly Minority Leader.

2. Received notification from Linda Lasch, state Records and Law Bureau, that Cayuga County Local Law # 3 has been filed by their Office.

3. Received a letter from Linda Alfieri, Director of Nursing Cayuga Community College thanking Legislator Timothy Lattimore for participating in the thirty-seventh Pinning ceremony for the nursing class of 2012.

4. Received a letter from J.D. Papis, Superintendent of Schools, thanking the Cayuga County Legislature for waiving the parking fee at Emerson Park for this year's graduation.

5. Received a copy of adopted Resolution "Opposing the Memorandum of Understanding between New York State and the Federal Government to Speed Development of Wind Towers in Lake Ontario's Eastern Basin" from the Town Board of Richland.

6. Received a invitation from David Larson, Auburn Ward Bishop The Church of Jesus Christ of Latter-day Saints, for the open house to view the new meeting house located at the corner of Grant Ave. and Miller Rd. in the Town of Sennett.

7. Received a certified copy of Resolution No. 182 from the Board of Supervisors of Fulton County, "Resolution calling upon the Governor's Mandate Relief Council to Submit a package of Mandate relief Proposals to State Legislators.

8. Received a copy of "Resolution approving Execution by the Auburn Industrial Development Authority (The "Authority") of an Agent Agreement, Lease Agreement, Leaseback Agreement, Pilot Agreement, and Related Documents with Respect to the JBJ Property, LLC Project, from Hancock Estabrook, Counselors at Law for the auburn Industrial Authority (AIDA).

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

**RESOLUTIONS 6-26-12****RESOLUTION NO. 233-12****06-26-12 AP Audit June 2012 (A)****AUTHORIZING THE COUNTY TREASURER TO PAY****MAY 8-29, 2012 AUDIT OF CLAIMS**

BY: Hon. David Axton, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on June 26, 2012 audit claims against the County of Cayuga in the aggregate sum of \$1,273,125.60 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, 2011.

Signed by Axton, Chapman, Fearon, Pinckney, Runkle and Whitman, all in favor.

**RESOLUTION NO. 234-12****06-26-12 AP Audit June 2012 (B)****AUTHORIZING THE COUNTY TREASURER TO PAY****MAY 30-JUNE 11, 2012 AUDIT OF CLAIMS**

BY: Hon. David Axton, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on June 26, 2012 audit claims against the County of Cayuga in the aggregate sum of \$1,993,199.23 therefore be it

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

RESOLVED, that the County Treasurer be and he hereby is authorized and directed to pay the several claims so audited and charge the amounts to the several appropriations made therefore in the County Budget finalized on December 13, 2011.

Signed by Axton, Chapman, Fearon, Pinckney, Runkle and Whitman, all in favor.

**RESOLUTION NO. 235-12****(6/19/12) COA SignMunCoopAgmt****AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO SIGN A****MUNICIPAL COOPERATION AGREEMENT WITH CAYUGA COUNTY****SOIL AND WATER CONSERVATION DISTRICT AND****THE CAYUGA COUNTY COMMUNITY COLLEGE**

BY: Hon. David Axton, Chairman Ways and Means Committee

WHEREAS, the Cayuga County Legislature authorized the creation of a County Health Consortium; and

WHEREAS, the purposes of the County Health Consortium are as follows:

1. Article 5G of the General Municipal Law authorizes municipal corporations to enter into cooperative agreements for the performance of those functions or activities in which they could engage individually;
2. Sections 92-a and 119-o of the General Municipal Law authorizes municipalities to purchase a single health insurance policy, enter into group health plans, and establish a joint body to administer a health plan;

3. Section 119-n of the General Municipal Law defines the term “municipal corporation” to include a county, city, town, village, school district and Board of Cooperative Educational Services;
4. The County of Cayuga Legislature has agreed by a duly authorized Resolution 81-256 to allow the Cayuga County Soil and Water Conservation District and Cayuga County Community College to participate in the Cayuga County Health Insurance Program;
5. The Participants in this Agreement have determined to their individual satisfaction that furnishing the health benefits for their eligible officers, eligible employees (as defined by the Internal Revenue Service codes, rules and regulations for federal tax purposes, such definition does not include independent contractors and/or consultants), eligible retirees, and the eligible dependents of eligible officers, employees and retirees (referred to collectively as “enrollees”) through a Consortium by acting in concert with one another is in their best interests as it is more cost-effective and efficient. Eligibility requirements are determined by each Participant’s collective bargaining agreements and/or their personnel policies and procedures;
6. The Participants desire to reflect the current relationship of the municipal corporations and the current terms of their participation in the Cayuga County Health Insurance Consortium; the County and the other participating municipalities are executing this agreement restating the terms of the existing Cayuga County Health Insurance Consortium, clarifying certain terms of previous Agreements they signed, amending the previous agreement to reflect changes required through compliance with certain New York State Laws;
7. The Participants hereby designate themselves under this agreement as the Cayuga County Health Insurance Consortium (the “Consortium”) for the purpose of providing health benefits to those enrollees that each Participant individually elects to include in the Cayuga County Health Insurance Consortium Medical Plan(s) (the “Plan(s)”); and

WHEREAS, Resolution No. 306-07 adopted May 22, 2007 authorized the Chairperson of the Cayuga County Legislature to execute a Municipal Cooperation Agreement with the Cayuga County Soil and Water Conservation District, the Cayuga Community College and the County of Cayuga; and

WHEREAS, said agreement expires in 2012; and

WHEREAS, Cayuga County wishes to enter into a Municipal Cooperation Agreement with the Cayuga County Soil and Water Conservation District and the Cayuga County Community College; now, therefore be it

RESOLVED, that the Cayuga County Legislature has agreed, by a duly authorized Resolution 81-256, to permit the Cayuga County Soil and Water Conservation District and the Cayuga County Community College to participate in the Cayuga County Health Insurance Program; and be it further

RESOLVED, that the Chairperson of the Cayuga County Legislature is authorized and directed to execute the attached Municipal Cooperation Agreement.

Signed by Axton, Chapman, Fearon, Pinckney, Runkle and Whitman, all in favor.

Motion by Axton to go into caucus room no. 1 for legal advice per Fred Westphal, regarding WM-2 at 7:05PM, back in at 7:21PM.

Legislator Axton moved WM-2 and asks for its support.

Legislator Pecher, I oppose this for 2 reasons, (1) it's not our problem, we didn't cause and we shouldn't have to solve it. (2) I think the college is spending way too much money, we pay part of the expenses of the college so our percentage goes up as the college expands, I'm going to vote no.

**RESOLUTION NO. 236-12**

**6.26.12 COA segrasswartzldagnyrev5**

**RESOLUTION OF THE CAYUGA COUNTY LEGISLATURE ACCEPTING PART 1 OF THE FULL ENVIRONMENTAL ASSESSMENT FORM AND ISSUING NOTICE OF INTENT TO ESTABLISH THE CAYUGA COUNTY LEGISLATURE AS "LEAD AGENCY" PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT RELATIVE TO THE CENTER FOR PERFORMING ARTS AND EDUCATION PROJECT**

By: Hon. David Axton, Chair, Ways and Means Committee

WHEREAS, the Cayuga Community College (hereinafter the "College") proposes to undertake the Center For Performing Arts and Education Project located at 1-7 State Street, in the Town of Auburn, County of Cayuga, New York (hereinafter the "Project"); and

WHEREAS, the Cayuga County Legislature has expressed its commitment to the College for funding the Project in Resolution No. 724-09 on December 17, 2009, which was amended on September 28, 2011; and

WHEREAS, the City of Auburn issued a Negative Declaration pursuant to the State Environmental Quality Review Act (hereinafter "SEQRA") for the Project on February 25, 2011, which Negative Declaration has been subject to subsequent litigation, and the validity of such Negative Declaration has been called into question; and

WHEREAS, it is necessary for the Project to be subject to a review pursuant to SEQRA before an agency may proceed with any discretionary approvals of such Project; and

WHEREAS, the Project requires a building permit be issued by the Cayuga County before construction can commence; and

WHEREAS, the College caused to be prepared Part 1 of a Full Environmental Assessment Form dated June 19, 2012 for the Project (hereinafter "EAF"); and

WHEREAS, the EAF, having been reviewed by the Cayuga County Planning Department, was deemed adequate and accurate relative to the Project; and

WHEREAS, the Project is an "Unlisted Action" pursuant to 6 NYCRR §617.2(ak) and therefore coordinated SEQRA review is optional; and

WHEREAS, the EAF will be provided to SEQRA Involved Agencies relative to the Project (hereinafter the "Involved Agencies"); and

WHEREAS, the Cayuga County Legislature intends to establish itself Lead Agency with respect to the Project in accordance with the SEQRA regulations at 6 NYCRR §617.6.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE CAYUGA COUNTY LEGISLATURE AS FOLLOWS:



1. Based upon a thorough examination of the EAF and review of the SEQRA regulations at 6 NYCRR Part 617, and based further on the Legislature's knowledge of the area surrounding the Project, the Cayuga County Legislature finds that the Project constitutes an Unlisted Action as defined by the SEQRA regulations at 6 NYCRR §617.2(ak).
  2. The Cayuga County Legislature accepts Part 1 of the Full Environmental Assessment Form dated June 19, 2012, prepared for the Project.
  3. The Chairperson of the Cayuga County Legislature is hereby authorized and directed to transmit a Notice of Intent to Assume Lead Agency to the Involved Agencies, along with a copy of Part 1 of the EAF, indicating that a Lead Agency must be agreed upon within 30 calendar days of the date the Notice is mailed to it, and that absent a written objection from the Involved Agencies, the Cayuga County Legislature will establish itself Lead Agency relative to the Project.
  4. The Chairperson of the Cayuga County Legislature is hereby also authorized and directed to transmit a copy of Part 1 of the EAF to all Interested Agencies and to solicit comments there from.
  5. This Resolution shall take effect immediately.
- Signed by Axton, Chapman, Fearon, Pinckney and Whitman, approved by roll call vote, all voting yes, except Aikman abstained, Pecher voting no and Bennett excused, vote 722/51/61/49.

**RESOLUTION NO. 237-12**

**(6/26/12) HS Fill PT Caseworker Services June 2012**

**AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES  
TO FILL A PT CASEWORKER VACANCY IN  
THE SERVICES UNIT OF HUMAN SERVICES**

BY: Michael Chapman, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, there is a part-time caseworker vacancy in the Services Unit of Human Services effective May 22, 2012 due to resignation of the incumbent to take a full-time caseworker position; and

WHEREAS, this work is mandated by the State and is reimbursed at 75% State and Federal funding; and

WHEREAS, this is a funded position in the Human Services Department's 2012 budget; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the vacated Part-Time Caseworker position, position control #006504, in the Services Unit of Human Services, in accordance with Civil Services Rules and Regulations and the policies of the County of Cayuga.

Signed by Chapman, Aikman, Lattimore, Mahunik, Pecher, Runkle, Axton, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 238-12**

**(June 26, 2012) HS PERS Contract 2012**

**AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH STAFKINGS HEALTHCARE SYSTEMS, INC. FOR THE PROVISION OF PERSONAL EMERGENCY RESPONSE SYSTEMS (PERS)**

BY: Michael Chapman, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, Personal Emergency Response Systems (PERS) units are provided to certain clients receiving services in our Medicaid funded PCA Program; and

WHEREAS, the Social Services Department is required to establish and negotiate a local contract with a PERS vendor so the vendor can bill Medicaid for the services we prior authorize; and

WHEREAS, Stafkings will become the County’s PERS provider at the following rates:

PERS Installation Charge .....	\$40.00
PERS Monthly Service Charge .....	\$34.95
(For Basic BOB 3600 Unit)	

NOW, THEREFORE, BE IT

RESOLVED, that Director of Health & Human Services be allowed to enter into a contract with Stafkings Healthcare Systems, Inc. for the Provision of Personal Emergency Response Systems Units at the negotiated rates as noted above, commencing June 1, 2012 and shall remain in effect unless terminated pursuant to the provisions of Article 16 of the agreement (i.e., by circumstances brought forth by the Social Services Department or by Stafkings Healthcare Systems, or terminated by mutual agreement).

Signed by Chapman, Aikman, Lattimore, Mahunik, Pecher, Runkle, Axton, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 239-12**

**(June 26, 2012) HS Child Welfare Placement Services 2012**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO CONTRACT WITH MULTIPLE SERVICE AGENCIES (LISTED) FOR THE PROVISION OF CHILD WELFARE PLACEMENT SERVICES**

BY: Michael Chapman, Chairman of the Health & Human Service Committee  
David Axton, 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, 2012 – June 30, 2013 with the following agencies *and any new providers that may come forward:*

Cayuga Centers  
Children's Home of Wyoming Conference  
Liberty Resources  
Elmcrest Children's Center  
George Junior Replublic  
Glove House  
Hillside Children's Center  
Hopevale, Inc.  
House of Good Shepard  
Green Chimney Children's Services  
Kinship Family & Youth Services  
Parsons Child & Family & Youth Center  
St. Anne's Institute  
Toomey Residential & Comm. Service

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 2012 Human Services Budget.

Signed by Chapman, Aikman, Lattimore, Mahunik, Pecher, Runkle, Axton, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 240-12**

**(June 26, 2012) HD Port Byron School District**

**TO AUTHORIZE THE CHAIRMAN OF THE LEGISLATURE AND THE  
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO  
A CONTRACT WITH THE BOARD OF EDUCATION OF PORT BYRON  
CENTRAL SCHOOL DISTRICT TO ASSIST THE HEALTH DEPARTMENT  
IN THE TRANSPORTATION OF A PRE-SCHOOL STUDENT  
WITH A DISABILITY (59.5% STATE FUNDED)**

BY: Michael Chapman, Chairman of the Health & Human Service Committee

David Axton, Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Health Department has a responsibility to transport eligible children attending an SED approved pre-school program, and Port Byron Central School District has a bus going to that location for a school age child; and

WHEREAS, the transportation schedule shall be jointly determined by the Superintendent of Schools for Port Byron and the Cayuga County Director of Health and Human Services, or her designee. Such schedule shall be arranged for the mutual benefit of both parties; and

WHEREAS, transportation shall be made from the pick-up point located at the Jowonio Preschool, Syracuse, NY to the drop-off point located at Compton Rd., Weedsport, NY for the period April 16, 2012 through June 30, 2012; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to contract with the Board of Education of Port Byron Central School District to assist the Cayuga County Health Department with the transport of a pre-school student with a disability for the period April 16, 2012 through June 30, 2012; and be it further

RESOLVED, that the Port Byron Central School District will invoice the County of Cayuga at the rate of \$25 per trip for transportation services that are provided; and be it further

RESOLVED, that payment for these services will be from Account #A40454 54306 of the 2012 Health Department Budget.

Signed by Chapman, Aikman, Lattimore, Mahunik, Pecher, Runkle, Axton, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 241-12**

**(June 26, 2012) HD Syracuse-OnonCo-CayCo**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH THE CITY OF SYRACUSE TO PURCHASE FOR THE CAYUGA COUNTY HEALTH DEPARTMENT WITH FUNDS FROM THE US DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AN EMERGENCY RESPONSE/PUBLIC HEALTH RESOURCE RESPONSE TRAILER**

BY: Michael Chapman, Chairman of the Health & Human Service Committee

David Axton, Chairman of the Ways & Means Committee

WHEREAS, it is the intention of the City of Syracuse to purchase an Emergency Response/Public Health Resource Response Trailer for the Cayuga County Health Department utilizing grant funds from the US Department of Homeland Security Federal Emergency Management Agency (FEMA); and

WHEREAS, these funds are granted to the City of Syracuse for the benefit of the Central New York Metropolitan Medical Response System Region (of which Cayuga County is part of); and

WHEREAS, the trailer will serve the needs of both the Cayuga County Health Department and the Central New York Metropolitan Medical Response System Region during public health emergencies; and

WHEREAS, other equipment including an on-board generator, computers, printer, and responder radios shall be purchased by the City of Syracuse and delivered to the Cayuga County Health Department for use in the Emergency Response/Public Health Resource Response Trailer; NOW, THEREFORE, BE IT

RESOLVED, that the City of Syracuse shall arrange to purchase said trailer in an amount not to exceed \$75,000, which shall be designed based upon consultations between the Cayuga County Health Department, Onondaga County Health Department, and other related parties; and be it further

RESOLVED, that upon completion of the trailer's fabrication, it shall be delivered to the Cayuga County Health Department which shall take official possession of the trailer. Cayuga County Health Department is responsible for registration, insurance, maintenance, storage, security, and repairs for the trailer, to the extent outlined in the contract; be it also

RESOLVED, that other equipment including an on-board generator, computers, printer, and responder radios shall be purchased by the City of Syracuse and delivered to the Cayuga County Health Department. The Cayuga County Health Department will be responsible for registration, maintenance, storage, security, and repairs for this equipment, to the extent outlined in the contract.

Signed by Chapman, Aikman, Lattimore, Mahunik, Pecher, Runkle, Axton, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 242-12**

**Date of Meeting: 6/26/12 NH agmntmeddir**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO RENEW AN AGREEMENT WITH SAUL ROSENBLUM, M.D.P.C. AS MEDICAL DIRECTOR OF CAYUGA COUNTY NURSING HOME.**

BY: David Axton, Chairman, Ways and Means Committee

BY: Michael Chapman, Chairman, Health and Human Services Committee

WHEREAS, Cayuga County Nursing Home is required to provide the residents of the facility with a medical director; and

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

WHEREAS, Cayuga County Nursing Home has been able to identify a medical doctor willing to provide the service as set forth in the attached agreement for provision of services; and

WHEREAS, the compensation for the services of Saul Rosenblum, M.D. shall be at a rate of \$2500.00 (Two Thousand Five hundred Dollars) on a monthly basis after submission of a voucher for services amounting to 3 (three) hours per each week of the calendar; employee physical examinations will be \$40.00 (Forty Dollars) per examination, separately invoiced to the Cayuga County Nursing Home monthly; Now therefore be it

RESOLVED that the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home be authorized to enter into an agreement with Saul Rosenblum, MD for a period of 2 years, from July 1, 2012 to June 30, 2014.

Signed by Chapman, Aikman, Lattimore, Mahunik, Pecher, Runkle, Axton, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 243-12**

**Date of Meeting: 6/26/12 NH agmntamt**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO RENEW AN AGREEMENT WITH AMERICAN MEDICAL TECHNOLOGIES FOR PART B SERVICES.**

BY: Michael Chapman, Chairman, Health and Human Services Committee

WHEREAS, the Cayuga County Nursing Home has the need to have an agreement for the provision of medical wound supplies that are billed by provider to Medicare; and,

WHEREAS American Medical Technologies has provided those services for many years satisfactorily; and,

WHEREAS there is no cost to the facility as items are only billed under this agreement directly to Medicare; and; Now therefore be it

RESOLVED that the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home be authorized to sign the agreement with American Medical Technologies.

Signed by Chapman, Aikman, Lattimore, Mahunik, Pecher and Runkle, all in favor.

**RESOLUTION NO. 244-12**

**Date of Meeting: 6/26/12 NH radsrvcagmnt**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO RENEW AN AGREEMENT WITH K & A RADIOLOGY SERVICES.**

BY: Michael Chapman, Chairman, Health and Human Services Committee

BY: David Axton, Chairman, Ways and Means Committee

WHEREAS, the Cayuga County Nursing Home has the need to have an agreement for the provision of radiology services; and,

WHEREAS K & A Radiologic Technology Services has provided those services for many years satisfactorily; and,

WHEREAS services are billed to third party payers whenever possible; and,

WHEREAS the services that are the responsibility of the facility are discounted at a rate of 20% of the allowable fee schedule if paid within 45 days of the invoice; and; Now therefore be it

RESOLVED that the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home be authorized to sign the agreement with K & A Radiologic Technology Services.

Signed by Chapman, Aikman, Lattimore, Mahunik, Pecher, Runkle, Axton, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 245-12**

**6/26/12 YB Resourceallocationagmt**

**AUTHORIZE THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN 2012 RESOURCE ALLOCATION AGREEMENT WITH THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES.**

By: Michael Chapman, Chairman, Health and Human Services Committee

David Axton, Chairman, Ways and Means Committee

WHEREAS, the County of Cayuga is eligible for \$64,570.00 in Special Delinquency Prevention funds and Youth Development Delinquency Prevention funds from the New York State Office of Children and Families, be it

RESOLVED, that the Chairman of the Cayuga County Legislature is authorized to sign the 2012 Resource Allocation Plan Agreement with the New York State Office of Children and Families.

Signed by Chapman, Aikman, Lattimore, Mahunik, Pecher, Runkle, Axton, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 246-12  
6/26/12 YB ExecuteAgrmt**

**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: Michael Chapman, Chairman, Health and Human Services Committee  
David Axton, Chairman, Ways and Means Committee

WHEREAS, the County of Cayuga is eligible for \$64,570.00 in 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 2012 budget and are paid contingent upon the County receiving 100% of the aforesaid amount from the New York State Office of Children and Family Services, now therefore be it

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

Cayuga Counseling Services: Pre-Trial Diversion Services \$14,519.00

Freedom Recreational Services: Freedom Camp \$4,790.00

Merry Go Round Playhouse: Park Playground Performances \$2,331.00

CHAD: DART Program \$3,030.00

Auburn YMCA: Y-Pals Program \$7,230.00

Booker T. Washington Center: AWESUM/SIMUKAI \$9,150.00

Signed by Chapman, Aikman, Lattimore, Mahunik, Pecher, Runkle, Axton, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 247-12**

**Action Date 6/26/12 MH ChgExecDir**

**AUTHORIZATION TO REVISE EXECUTIVE DIRECTOR TO  
THE COMMUNITY SERVICES BOARD TITLE WITHIN  
THE COMMUNITY MENTAL HEALTH DEPARTMENT.**

BY: David Axton, Chairman Ways and Means Committee

WHEREAS, the Director's position (position control # 6619) in the Community Mental Health Department is entitled Executive Director to the Community Services Board; and

WHEREAS, the Civil Service Commission has revised the job specification to reflect the current duties of the incumbent and has proposed a title change upon the adoption of said change by the Legislature; now, therefore be it

RESOLVED, that the title of Executive Director of the Community Service Board change to Director of Community Services to reflect the duties; and be it further

RESOLVED, that the above change will be effective July 11, 2012 and be incorporated into Part IV of the Cayuga County Compensation Plan as title change only with no change in compensation; and be it further

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

Signed by Chapman, Aikman, Lattimore, Mahunik, Pecher, Runkle, Axton, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 248-12**  
**6-26-12 VET DATABASE**

**AUTHORIZATION FOR THE COUNTY VETERANS OFFICE TO PURCHASE  
A LICENSE IN ORDER TO OBTAIN A CONTINUOUSLY UPDATED  
CAYUGA COUNTY VETERANS "READ-ONLY" DATABASE.**

Mr. George Fearon, Chairperson, Government Operations Committee

Mr. David Axton, Chairperson, Ways and Means Committee

WHEREAS, it is vital that the County Veterans Office have an updated list of veterans who file their Military Discharge Papers (Form DD214) in the County Clerk's Office; and

WHEREAS, the County Clerk maintains the Form DD214's in their office and has the ability to share this information to the County Veterans Office via electronic records in a read-only format; and

WHEREAS, the cost of getting this continuous updated information through Xerox is a one-time cost of \$800 for the license and \$160 per year for support of that database; and

WHEREAS, \$460 of the funding for the database will be needed from Contingency Fund Account #A10164-54000; now therefore be it

RESOLVED, that the County Veterans office is authorized to get the updated veterans information via electronic records; and be it further

RESOLVED that the County Treasurer transfer \$460 from the Contingency Fund to Account #A65104 54018; and be it further

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

Signed by Fearon, Aikman, Didio, Farrell, Lattimore, Pecher, Pinckney, Axton, chapman, Fearon, Runkle and Whitman, all in favor.

**RESOLUTION NO. 249-12**  
**(6.26.12) COA amndcdethicsrev3**

**AUTHORIZING THE AMENDMENT OF THE CODE OF ETHICS  
BOARD OF ETHICS FOR THE COUNTY OF CAYUGA.**

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

WHEREAS, Chapter 1019 of the laws of the State of New York for 1970 required that all municipalities adopt a code of ethics and a board of ethics; and

WHEREAS, by Resolution No. 217 passed on the 12<sup>th</sup> day of December 1970, the County of Cayuga established a Code of Ethics and a Board of Ethics for Cayuga County; and

WHEREAS, Resolution No. 70-06 emended the Code of Ethics Board of Ethics for Cayuga County;

WHEREAS, the Board of Ethics recommended to the Government Operations Committee certain emendments to the Code of Ethics Board of Ethics for Cayuga County; and



WHEREAS, the Government Operations Committee hereby recommends to the Cayuga County Legislature certain emendments to the Code of Ethics Board of Ethics for Cayuga County; now, therefore, be it

RESOLVED, that the following changes be made to the Code of Ethics for the County of Cayuga:

ARTICLE III, Section 2.

Powers and duties.

a) The Board shall render advisory opinions in writing to the officers or employees of the County regarding specific matters pertaining to potential conflicts of interest, filings and reporting requirements with respect to this Code and Article 18 of the General Municipal Law. Such opinions shall be rendered only upon written request by the officer or employee concerning only the subject of the inquiry as it pertains to the requesting person's own concerns, except that the County Administrator may request advisory opinions on matters of general concern.

b) The Board shall accept from any member of the general public or from its own members or from any officer or employee of the County and consider any complaint or allegation, except an anonymous complaint or allegation, of conflict of interest on the part of any officer or employee of the County or any other violation of the Code. All such complaints or allegations are to be kept in the confidential records of the Board. Should the Board determine that there is apparent merit in the complaint or allegation, it shall send a copy of the complaint or allegation and a written invitation to the officer or employee so charged to appear at a private meeting of the Board and explain the apparent conflict of interest or Code violation. Should such officer or employee fail to appear in response to such invitation or should he or she appear and fail to satisfy the Board that there is no conflict of interest or Code violation, the Board may commence an adjudicatory proceeding in accordance with the Regulations for Adjudicatory Proceedings annexed hereto and made a part hereof as Schedule A. At the conclusion of those proceedings the Board shall send a written report on the matter to the County *Legislature*. The report shall include findings of fact and conclusions of law and any *recommendation* as to penalties, including but not limited to fines or suspension, removal from office or employment. The report shall not be made public except by the unanimous vote of the board.

c) The Board shall render advisory opinions in writing to officers or employees regarding specific matters pertaining to potential violations of this Code. Such opinions shall be rendered only upon written request by the officer or employee concerning only the subject of the inquiry as it pertains to the requesting individual's own obligations under this Code. Such opinions shall be on the advice of counsel employed by the Board of Ethics or, if none, of the County Attorney.

d) The Board shall administer and enforce this Code and conduct any investigations necessary to carry out the provisions hereof. Pursuant to the powers and duties of the Board, the Board may administer oaths or affirmations, subpoena witnesses, compel their attendance and require the production of any books or records which it may deem relevant or material.

e) The Board may make recommendations with respect to amendments to this Code to the Legislature.

f) The Board, upon its formation, shall be governed by Regulations For Adjudicatory Proceedings in the form annexed hereto and made a part hereof as Schedule A. The Board shall maintain records of its opinions and proceedings *in the County Attorney's Office*.

g) Notwithstanding the provisions of article 6 of the Public Officers Law, the only records of the Board which shall be available for public inspection are:

- i. Written disclosures filed pursuant to this Code;
- ii. Notices of hearings or proceedings;
- iii. Notices of penalties imposed under section 7 hereof; and
- iv. Advisory opinions with names of individuals redacted

h) The Board may retain counsel admitted to practice in the State of New York subject to confirmation and funding approval by the Legislature.

i) The Board shall be empowered to request support staff and assistance from the Legislature in furtherance of its duties and responsibilities.

#### SCHEDULE A

#### REGULATIONS FOR ADJUDICATORY PROCEEDINGS

<u>Section</u>	<u>Title</u>
1	Intent and Purpose
2	Definitions
3	Notice of Hearing or Proceeding
4	Time and Place of Hearing or Proceeding
5	Evidence and Proof
6	Representation
7	Oaths
8	Adjournments
9	Time Limits
10	Decision after Hearing or Proceeding
11	Conduct of Hearings
12	Hearing Officer
13	Powers and Duties of Hearing Officer
14	Fines, Penalties
15	Record of Hearing or Proceeding
16	Privacy/confidentiality

#### 1. Intent and Purpose

The Board of Ethics of Cayuga County has statutory authority to follow rules and regulations governing the conduct of adjudicatory proceedings and appeals relating to compliance with the Cayuga County Code of Ethics, and the conduct of hearings held thereunder.

These rules and regulations shall apply to all proceedings undertaken by the Board. Persons subject to the requirements of the law shall be entitled to receive an adjudicatory hearing or proceeding as to every action or decision as to them taken by the Board, including but not limited to extensions of time, waivers and/or exemptions from the disclosure requirements.

2. Definitions

(a) "Board" shall mean the Board of Ethics established pursuant to the Cayuga County Code of Ethics.

(b) "Hearing Officer" shall mean the presiding officer in adjudicatory hearings or proceedings conducted pursuant to these regulations, who shall be independent of the Board and of the County of Cayuga and shall be appointed by the Board at the expense of the County as such hearing officer shall reside and conduct his or her principal business outside of the County.

3. Notice of Hearing or Proceeding

(a) Where the Board elects to go forward with a proceeding to determine compliance with the requirements of State and local law, or to take such other action as may be authorized by law, the Board shall serve a written notice, by certified mail or other appropriate method of service authorized under the Civil Practice Law and Rules, to the parties and their representatives of record at least twenty (20) calendar days prior to the date of any hearing or proceeding under these rules. The Notice of Hearing or Proceeding shall contain the following:

- i. A statement of the time and place of the hearing or proceeding;
- ii. A statement of the nature of the hearing or proceeding;
- iii. Reference to the particular statutes and rules relevant to the hearing or proceeding;
- iv. A short, plain language statement of the violations asserted, if any, including identification of all persons known to the Board as of the date of the Notice having knowledge or information concerning the alleged violation; and
- v. A statement for hearing impaired parties and participants concerning the provision of deaf interpretation services without charge.

(b) A copy of these regulations shall accompany each Notice of Hearing or Proceeding which is sent pursuant to these regulations.

(c) The Notice of Hearing or Proceeding shall contain information concerning circumstances under which an adjournment may be granted and the result of failure to appear for a scheduled hearing or proceeding.

(d) The Notice of Hearing or Proceeding shall inform the parties and their representatives of the right of each party to be represented, to testify, to produce witness, to present documentary evidence, and to examine opposing witnesses and evidence.

4. Time and Place of Hearing or Proceeding

(a) The time and place of the hearing or proceeding shall be contained in the Notice of Hearing or Proceeding.

(b) The time and place of the hearing or proceeding shall not be changed unless a party formally requests a change pursuant to the adjournment request procedure contained in Section 8 heretof.

(c) The time and place of the hearing or proceeding shall, as far as practicable, take into account the convenience of the parties and the availability of witnesses.

5. Evidence and Proof

(a) The formal rules of evidence do not apply to adjudicatory hearings or proceedings conducted pursuant to these rules. However, the rules of privilege recognized by law shall be given effect. Objections to evidentiary offers may be made and shall be a part of the record. Subject to these rules, any party may, for the purpose of

expediting the hearing or proceeding and when the interests of the parties will not be substantially prejudiced thereby, submit all or part of the evidence in written form.

(b) The hearing officer may exclude irrelevant or unduly repetitive evidence or cross-examination from any hearing or proceeding.

(c) The burden of proof shall be upon the Board of Ethics to establish by clear and convincing evidence the facts and findings which support its decisions, including but not limited to a finding that non-compliance with the requirements of law has had or will have a material bearing on the discharge of the official duties of the person subject thereto.

(d) No decision or determination by the hearing officer or the Board shall be made except on consideration of the record as a whole, or such portions thereof as may be cited by any party to the hearing or proceeding and as supported by and in accordance with substantial evidence.

(e) Each party shall have the right of cross-examination.

(f) Official notice may be taken of all facts of which judicial notice may be taken and of other facts within the specialized knowledge of the Board. When official notice is taken, every party shall be given notice thereof and shall, on timely request, be afforded an opportunity prior to decision to dispute the fact or its materiality.

(g) All findings of fact shall be based exclusively on the evidence in record and on matters officially noticed.

(h) In making its findings and decisions and carrying out its duties with regard to ensuring compliance with State laws and the Cayuga County Code of Ethics, the non-compliance has a material bearing on the discharge if the person's official duties and that such non-compliance was willful can the enforcement and punitive powers of the Board be exercised.

#### 6. Representation

Any person compelled to appear in person, or who voluntarily appears in any hearing or proceeding conducted according to these rules, shall be accorded the right to be accompanied, represented, and advised by counsel. Nothing herein shall be construed either to grant or to deny to any person who is not a lawyer the right to appear for or represent others in any hearing or proceeding herein.

#### 7. Oaths

(a) All oaths required by these rules may be taken before any person authorized to administer oaths within the State of New York

(b) Oaths shall be administered to all witnesses who testify or appear in any adjudicatory proceeding conducted pursuant to these rules.

#### 8. Adjournments

(a) Adjournment of any hearing or proceeding conducted pursuant to these rules shall be granted only for good cause.

(b) Written requests for adjournment shall be submitted to the hearing officer in the hearing or proceeding for which the adjournment is sought. The request must be accompanied by an affidavit which contains sufficient detail to allow the hearing officer to rule on the request.

#### 9. Time Limits

(a) Under these rules adjudicatory proceedings shall be conducted in an expeditious manner with all due regard for the rights of the parties concerned. Every effort should be made by the parties to effectuate a speedy disposition of the case.

(b) Parties to any hearing or proceeding are required to file all papers, statements, proofs, and other evidence with the hearing officer at a time to be designated by the officer. An extension of time for filing those items will be granted by the hearing officer only upon formal request.

#### 10. Decision after Hearing or Proceeding

(a) All final recommendations of the hearing officer, and all decisions and determinations of the Board shall be in writing or stated in the record and shall include findings of fact, conclusions of law, and reasons for the decision or determination and, when appropriate, shall direct that specific action be taken by the parties. The final decisions or determinations of the Board shall be binding upon the Board.

(b) A copy of all final decisions and determinations of the Board and recommendations of the hearing officer shall be made available to the parties to the hearing or proceeding, and shall be delivered or mailed forthwith to each party and to its representative of record.

(c) Except as provided in the Cayuga County Code of Ethics or as otherwise provided herein, members of the Board shall not communicate directly or indirectly with any party or representative thereof in connection with any pending adjudicatory proceeding.

(d) The Board shall maintain the final decision or determination in any adjudicatory proceeding in a file with an index by name of party and subject matter. The index and the notice of civil assessment, if any, shall not be made available for public inspection and copying except as provided in Section 16 of these rules. Each decision or determination shall be so filed and indexed within sixty (60) days after having been rendered.

#### 11. Conduct of Hearings

The hearing officer, exercising discretion, may elect to conduct any hearing or proceeding under these rules ex parte after a showing that the party who is the subject of the hearing and its representative of record have been notified by certified mail of the pending hearing or proceeding or otherwise served with notice of the hearing. The party who is the subject of the hearing shall at no time be deprived of the opportunity to appear. However, if a party has been served with two (2) written notices of a hearing and fails to appear after each notice, the hearing officer upon proof of service, shall have the authority to proceed with the scheduled hearing. Proof of service shall consist of a signed certified mail receipt or affidavit.

#### 12. Hearing Officer

All hearings or proceedings under these rules shall be conducted by a hearing officer, retained and provided by the County, who shall have the power and authority of presiding officers or hearing officers as defined by the State Administrative Procedure Act (SAPA), any other pertinent statute or local law, ordinance, or resolution, and these regulations. The hearing officer shall be an individual who has in no way been involved with the action or proceeding in question.

#### 13. Powers and Duties of Hearing Officer

A hearing officer is authorized to do the following in any hearing or proceeding to which he or she is assigned:

(a) Administer oaths and affirmations;

(b) At the request of any party, sign and issue subpoenas in the name of the Board requiring the attendance and giving of testimony by witnesses and the production

of books, papers, documents, and other evidence. Subpoenas shall be regulated by the Civil Practice Law and Rules. Nothing herein contained shall affect the authority of an attorney for a party to issue subpoenas under the provisions of the Civil Practice Law and Rules;

- (c) Provide for the taking of testimony by deposition;
- (d) Regulate the course of the hearings, set the time and place for continued hearings and the time for filing of briefs and other documents;
- (e) Direct the parties to appear and confer to consider the simplification or settlement of the issues by consent of the parties; and
- (f) Prepare findings of fact and recommendations.

#### 14. Fines, Penalties

(a) At the close of the hearing or proceeding, the hearing officer shall make findings of fact and a recommendation as to the appropriate penalty or fine to be assessed or any other action to be taken. The proposed findings of fact and recommendation shall be transmitted to the Board for approval and simultaneously mailed or delivered to the parties to the proceeding. The parties shall have an opportunity to respond in writing, in the form of a brief, to the findings of fact and recommendation of the hearing officer, and such written response shall be directed to the Board for its consideration within fifteen (15) days after the service of the hearing officer's findings and recommendations upon the parties. In their brief submitted in response to the findings of fact and recommendation of the hearing officer, the parties may not submit or discuss evidence which is not a part of the official record of the hearing or proceeding. The Board shall act on the findings of fact and recommendation as expeditiously as possible. The Board may affirm or reverse the findings of fact and recommendation of the hearing officer in whole or in part, or it may remand and/or dismiss the proceeding based upon the record produced at the hearing.

(b) The assessment of penalties under the Cayuga County Code of Ethics shall not preclude the referral of an appropriate violation to a prosecutor for prosecution of criminal charges.

(c) If the alleged violation has been established, and the Board determines in light of all the circumstances that the violation is not serious enough to warrant assessment of penalty, the Board in its discretion may take such other action as appropriate, including but not limited to a written admonition or a recommendation that disciplinary action be taken. The Board may forward a copy of such admonition or a recommendation for disciplinary action to the individual's appointing authority, as appropriate.

#### 15. Records of Hearing or Proceeding

- (a) The record in hearing or proceeding under these rules shall include:
  - i. All notices, pleadings, motions, and intermediate rulings;
  - ii. Evidence presented;
  - iii. A statement of matters officially noticed, except matters so obvious that a statement of them would serve no useful purpose;
  - iv. Questions and offers of proof, objections thereto, and rulings thereon;
  - v. Proposed findings and exceptions, if any;
  - vi. Any findings of fact, conclusions of law, or other recommendations made by the hearing officer; and
  - vii. Any decision, determination, opinion, order, or report rendered.

(b) The Board shall make a complete record of all hearings and proceedings conducted before it. For this purpose, unless otherwise required by statute, the Board may use whatever means it deems appropriate, including but not limited to the use of stenographic transcriptions or electronic recording devices. Within a reasonable time after the Board gives notice of its decision, determination, opinion, or order, but before commencement of judicial review, any party to the hearing or proceeding may request the Board to prepare the record or any part thereof, together with any transcript of the hearing or proceeding or any part thereof. The Board shall then prepare the requested portions of the record and transcript within a reasonable time and furnish a copy to the requesting party at no charge.

16. Privacy/confidentiality

(a) Notwithstanding the provisions of Article 6 of the Public Officers Law, the only records of the Board of which shall be available for public inspection are:

- i. Written disclosures filed under section 5 of the Cayuga County Code of Ethics,
- ii. Notices of hearings or proceedings;
- iii. Notices of penalties imposed under section 14 hereof; and
- iv. Advisory opinions with names of individuals redacted.

(b) Notwithstanding the provisions of Article 7 of the Public Officers Law, no meeting or proceeding of the Board shall be open to the public, except as expressly provided otherwise by the Board.

(c) Information which would reveal confidential material protected by Federal or State statute shall be deleted from any final decision, order, determination, or declaration issued by the Board.

RESOLVED, that each and every term and provision of Resolution No. 217 of the year 1970 and Resolution No. 70-06 not hereinabove altered shall remain the effect; and be it further

RESOLVED, the amendments to this Resolution shall take effect immediately. Signed by Fearon, Aikman, Lattimore and Pecher, all in favor.

**RESOLUTION NO. 250-12  
06-26-12 VET PT DRIVER**

**AUTHORIZATION TO FILL THE POSITION OF PART TIME DRIVER IN  
THE OFFICE OF VETERANS SERVICES DUE TO RESIGNATION.**

BY: HON. MR. GEORGE FEARON, Chairman, Government Operations Committee, and

HON. MR. David Axton, Chairman, Ways & Means Committee.

WHEREAS, the Office Veterans Services is currently without a PT Driver (PC#6736) due to a resignation effective May 31, 2012; and

WHEREAS, in order to continue to provide transportation services to the Veterans of Cayuga County is it necessary to hire an replacement part-time Driver to fulfill this duty; and

WHEREAS, sufficient funding exists in the Veteran's Office 2012's budget account number A65101-51002 to support this hiring; NOW, THEREFORE BE IT

RESOLVED, that the Director of Veterans Service Agency be hereby authorized to fill position of PT Driver (PC#6736), and be it further;

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

Signed by Fearon, Pecher, Pinckney, Aikman, Axton, Chapman, Runkle and Whitman, all in favor.

**RESOLUTION WAS PULLED AT LEGISLATURE MEETING BY LEGISLATOR FEARON (PULLED)**

**RESOLUTION NO. 251-1**

**6/26/2012 COL Temp fill Leg Asstrev3**

**AUTHORIZATION TO HIRE A TEMPORARY LEGISLATIVE ASSISTANT TO COVER A MEDICAL LEAVE OF AN EMPLOYEE IN THE CLERK OF THE LEGISLATOR'S OFFICE.**

BY: Hon. George Fearon, Chairman, Government Operations Committee, and Hon. David R. Axton, Chairman, Ways & Means Committee.

WHEREAS, the Legislative Assistant in the Clerk of the Legislator's Office is taking medical leave and will be out of work a minimum 10 weeks; and

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

WHEREAS, funding for this position is available in account A10101 58003 due to lowers than anticipated health insurance costs being charged to the Legislative Board; and

WHEREAS, an appropriate candidate has been identified to fill the position and is ready, willing and able to begin on the 6<sup>th</sup> day of August on a part time basis for training purposes, or a date to be determined when employee is notified of the date of initial procedure; and

WHEREAS, it is estimated that the temporary employee will work on a temporary full time basis commencing when the permanent employee will be released from work duties by her physician for a period of 6 to 8 additional weeks; now therefore be it

RESOLVED, that the Clerk of the Legislature is hereby authorized to temporary fill the position of Legislative Assistant in accordance with the Civil Service Rules and Regulations and the policies of the County of Cayuga, and be it further

RESOLVED, that the following budget transfer be made in order to fund the temporary Legislative Assistant position:

Increase	A10401 51001	Salary	\$7,284
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Increase	A10401 58001	FICA	\$557
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Decrease	A10101 58003	Health Ins.	\$7,841; and be it further
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RESOLVED, that the temporary position be limited to no more than 50 working days; and be it further

RESOLVED, that the Clerk of the Legislature and Civil Service Commission 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.

**(PULLED) (PULLED) (PULLED)**



**Motion by Fearon to bring GO-7 to the floor, 2<sup>nd</sup> by Axton.**

**Discussion:**

Mahunik, why are we not putting this through committee as well?

Westphal, the resignation is effective July 3, 2012, so I would have to go a month without someone in that position and it is a critical position in the office.

Mahunik, position are held open throughout the county, which I would think every department would view as critical. Unless there is a difference here with grant money or something that would make this position have to filled immediately, I would like to offer a motion to table.

**Motion by Mahunik to table resolution, 2<sup>nd</sup> by Farrell.**

**Discussion:**

Fearon, my understanding is that person handles a lot of stuff for Social Services.

Westphal, Social Services Contracts, Medicaid applications, yes.

Mahunik, I would just like to point out that we try to hold every other department head to have their resolutions run through committee, I know George pulled his, but we are sending a mixed message, you guys do this, but we do our own thing, that is my concern. Fearon, the one that I pulled, was no longer needed until August and I felt it was no longer an urgent matter and could go through committee.

**Vote on motion to table, all voting no, except Barski, Farrell, Aikman and Mahunik, Motion defeated.**

**RESOLUTION NO. 252-12**

**6.26.10 COA FILLASSTCOATTYrev**

**AUTHORIZATING THE COUNTY ATTORNEY TO FILL A VACANT ASSISTANT COUNTY ATTORNEY POSITION WITHIN THE COUNTY ATTORNEY'S OFFICE AND SETTING THE SALARY FOR THE SAME.**

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

HON. David Axton, Chairman, Ways & Means Committee

WHEREAS, there will be one vacant position in the County Attorney's Department effective July 3, 212; and

WHEREAS, the position of Assistant County Attorney (position control number SYS 0037) is important to the continued operation of the office; and

WHEREAS, there is existing money budgeted in the A14201-51001 line of the 2012 County Attorney budget, now therefore be it

RESOLVED, that the salary for the Assistant County Attorney be set at \$64,741.00 for 2012 and for the salary to be added to the 2012 Cayuga County Compensation Plan Part IV under position control number SYS 0037; and be it further

RESOLVED, that the County Attorney is hereby authorized to fill the position of Assistant County Attorney (Position control SYS-0037), in accordance with the Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Fearon, Aikman, Lattimore, Pecher, Axton, Chapman and Whitman.

Motion as written, all in favor, except Barski, Aikman and Mahunik voting no. Passed

**RESOLUTION NO. 253-12****(6-26-12) COA LLWgtdVoteforBdgtChgsFIXrev2  
FIXING DAY AND NOTICE OF PUBLIC HEARING  
ON ADOPTING LOCAL LAW NO. \_\_\_\_\_**

**FOR THE YEAR 2012, "A LOCAL LAW WHICH REQUIRES THAT AFTER ADOPTION OF A COUNTY BUDGET, A TWO-THIRDS (2/3) WEIGHTED VOTE IS REQUIRED TO APPROPRIATE FUNDS FROM THE UNRESERVED, UNRESTRICTED, UNAPPROPRIATED FUND BALANCE INTO ANOTHER BUDGETARY ACCOUNT AND TO REQUIRE A TWO-THIRDS (2/3) WEIGHTED VOTE TO TRANSFER MONIES FROM THE CONTINGENCY ACCOUNT INTO ANOTHER BUDGETARY ACCOUNT."**

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

WHEREAS, there has been duly presented and introduced at a meeting of this County Legislature held on June 26, 2012, a proposed local law entitled:

**"A LOCAL LAW WHICH REQUIRES THAT AFTER ADOPTION OF A COUNTY BUDGET, A TWO-THIRDS (2/3) WEIGHTED VOTE IS REQUIRED TO APPROPRIATE FUNDS FROM THE UNRESERVED, UNRESTRICTED, UNAPPROPRIATED FUND BALANCE INTO ANOTHER BUDGETARY ACCOUNT AND TO REQUIRE A TWO-THIRDS (2/3) WEIGHTED VOTE TO TRANSFER MONIES FROM THE CONTINGENCY ACCOUNT INTO ANOTHER BUDGETARY ACCOUNT."**

Now, therefore, be it

RESOLVED, that a public hearing shall be held concerning the proposed local law before the Cayuga County Legislature on July 24<sup>th</sup>, 2012, at 6:00 P.M., at the Chambers of the Cayuga County Legislature, County Office Building, 160 Genesee Street, Auburn, New York, and the Clerk of the Cayuga County Legislature is hereby directed to give due legal notice of said public hearing as provided by statute. Signed by Fearon, Aikman, Lattimore, Pecher, Axton, Chapman, Runkle and Whitman, all in favor.

**RESOLUTION NO. 254-12****(6/26/12) E&T wibagmnt****AUTHORIZE AGREEMENT BETWEEN THE CAYUGA-CORTLAND  
WORKFORCE INVESTMENT BOARD (WIB) AND THE CHIEF ELECTED  
OFFICIALS OF CAYUGA AND CORTLAND COUNTIES**

By: Stephen Barski, Chairman, Planning & Economic Development Committee  
David Axton, Chairman Ways and Means 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, 2012 and ending June 30, 2013.

Signed by Aikman, Chapman, Farrell, Fearon, Mahunik, Axton, Barski, Fearon, Pinckney, Runkle and Whitman, all in favor.

**RESOLUTION NO. 255-12**

**June 26, 2012 PB Auth\_CntyAgPlan\_Grant\_Acceptance**

**AUTHORIZING THE ACCEPTANCE OF A GRANT FROM  
THE NEW YORK STATE DEPARTMENT OF AG & MARKETS  
FOR PREPARATION OF A COUNTY-WIDE AGRICULTURE AND  
FARMLAND PROTECTION GRANT BY THE CAYUGA COUNTY  
DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT**

BY: Stephen Barski, Chair, Planning and Economic Development Committee

David R. Axton, Chair, Ways and Means Committee

WHEREAS, Cayuga County has an existing county-wide Agriculture and Farmland Protection Plan duly adopted in 1996 (the "Existing Ag Plan"); and

WHEREAS: Agriculture and its related industries are among the strongest economic engines and the dominate land uses in Cayuga County and are key elements in maintaining the beautiful working landscapes that draw visitors from around the state and around the world while enhancing the quality of life for Cayuga County residents; and

WHEREAS the future viability of farming is tied to the maintenance of a strong agricultural economy and requires the establishment of sound land use planning and the cultivation of a robust farming ethic that will continue to produce generations of world-class farmers, farm neighbors, farm businesses and farm-friendly government; and

WHEREAS, in the years since the adoption of the Existing Ag Plan, there has been significant changes in New York State's farmland protection programmatic framework and parallel changes in the scope, operations and methods of agriculture in Cayuga County and changes to the pattern and trends of rural land use throughout Cayuga County that have created a distance between the County's current needs and the policy recommendations of the 1996 Plan; and

WHEREAS, The County passed Resolution #307-10 of 2010, authorizing the submittal of a grant application and funding request to the New York State Department of Agriculture and Markets (NYSDAM) for the preparation of a County-wide Agriculture and Farmland Protection Plan through the State's Farmland Protection Planning Grant (FPPG) Program; and

WHEREAS: The grant application made to NYSDAM for \$50,000 to support a substantial revision of the 1996 Cayuga County Agriculture and Farmland Protection Plan requires \$100,000 in expenditures with a \$50,000 grant award from NYSDAM, a local match of \$10,000 in cash and \$40,000 in in-kind staff time; and

WHEREAS: On May 8, 2012, the Cayuga County Department of Planning and Economic Development received a notice from NYSDAM asking it to reaffirm the County's interest in receiving the FPPG award by providing documentation of the availability of county funds to match state funds as required by the planning grant program; and

WHEREAS, the Cayuga County Legislature wishes to have the Department of Planning & Economic Development prepare a new County-wide Agriculture and Farmland Protection Plan and wishes to leverage the \$50,000.00 in NYS funding available with an allocation of in-kind staff time and budgeted funds; and

WHEREAS: the preparation of the Agriculture and Farmland Protection Plan is expected to last 18 months and will likely span the budget years of FY2012, FY2013 and FY2014, therefore the local cash match will be made in the following way: \$2,500 will be transferred from the Contingency Account A10164 54000 to the Ags & Markets Grant Expense #A80224 54157 in FY2012 and the Department of Planning and Economic Development are directed to propose \$5,000 and \$2,500 in their FY2013 and FY2014 budgets, respectively. Now,

THEREFORE, BE IT RESOLVED, by the Cayuga County Legislature, as follows:

Section 1. The Chair 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 if awarded by the state;

Section 2. The Cayuga County Treasurer is hereby authorized and directed to increase State Aid AGS & Markets Account #A80220-43510 by \$50,000.00 and increase AGS & Markets Grant Expense Account #A80224 54157 Ag Grant Expense Account by \$ 50,000.00;

Section 3. That the County Treasurer is hereby authorized and directed to transfer up to \$2,500 from Contingent Account Fund A10164 54000 to AGS & Markets Grant Expense Account #A80224 54157 and to make the journal and accounting entries necessary to accomplish the administration of the Project: and be it further

Section 4. The Department of Planning and Economic Development is directed to propose the inclusion of \$5,000 and \$2,500 in their FY2013 and FY2014 budgets, respectively, for the purpose of meeting the local cash match requirements of the grant award. And be it further,

RESOLVED, that this resolution shall take effect immediately.

Signed by Aikman, Chapman, Farrell, Fearon, Mahunik, Axton, Barski, Fearon, Pinckney, Runkle and Whitman, all in favor.

**RESOLUTION NO. 256-12**

**6/26/12 BLD Amending Agreement with NYSID 2012rev2**

**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. Tucker M Whitman, Public Works Committee, and  
Hon. Axton, Chairman, Ways & Means Committee.

WHEREAS, Resolution No. 264-10 authorized the Chairperson to enter into an agreement with New York State Industries for the Disable for cleaning services and resolution No. 319-11 amended the agreement when Mental Health vacated the Historic Post Office and moved into their new building; and

WHEREAS, Resolution No. 372-11 extended the agreement with New York Industries of the Disable for cleaning services; and

WHEREAS, on May 17<sup>th</sup> 2012 the Board of Elections will moved into the basement of the Historic Post Office that was vacated by the Mental Health Department and the Historian will be moving into the old Board of Election space and vacating 850 sq ft on the 3<sup>rd</sup> floor of the historic post office; and

WHEREAS, There is funding in the Historic Post Office budget A16234 to cover this increase; 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 2150 square feet at a contracted cost of \$1.81 per square feet for a total addition of \$3,891.50 to Historic Post Office portion of the cleaning contract for a new total yearly cost to \$88,897.50 to be prorated from May 17<sup>th</sup> 2012 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 \$3891.50 for a total of \$407,768.50 and be prorated from May 17<sup>th</sup> 2012 for 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 Chairperson 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 Whitman, Axton, Didio, Mahunik, Pecher, Runkle, Barski, Chapman, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 257-12**

**June 26, 2012**      **BLD Carpeting basement Hardenburg building**  
**AUTHORIZING THE COUNTY TREASURER TO AMEND THE**  
**2012 COUNTY BUDGET IN ORDER TO PURCHASE CARPETING**  
**FOR THE BASEMENT OF THE HARDENBURG BUILDING**

BY: Tucker Whitman, Chairman of the Public Works Committee

David Axton, Chairman of the Ways and Means Committee

WHEREAS, the Health Department will be re-locating its Environmental Health Division to the Hardenburg Building and consolidating most of the staff in one location; and

WHEREAS, during the preparation of the building for the move, it has been determined that the 2/3<sup>rds</sup> of the carpeting in the basement of the Hardenburg building is damaged beyond repair and is currently a safety hazard; and

WHEREAS, the most optimal time to install a new carpet is before the additional staff is relocated to the Hardenburg building; and

WHEREAS, in order to keep the purchase price of the new carpet as low as possible, the Buildings and Grounds department and the CORE Work Crew will remove the old rug and move the furniture in order for the new rug to be installed; and

WHEREAS, funds have been identified in the Health Department and the Building and Grounds Department budgets that can be made available for this purchase; and

WHEREAS, after the receipt of 3 quotes for new carpeting, the purchase price is \$12,128 of which \$2,000 of this cost will be funded with grant funds; Now therefore be it

RESOLVED, that the County Treasurer is authorized and directed to make the following transfers within the 2012 Cayuga County Budget:

Accounts:

Increase #A40102	52000	Equipment	\$10,128
Decrease #A40101	58005	Workers Comp	\$5,000
Decrease #A40104	54019	Computer Sup	\$1,500
Decrease #A40104	54049	Office Supp	\$1,000
Decrease #A16224	54012	Building Maint	\$2,628

RESOLVED, that the Cayuga County Superintendent of Buildings and Grounds and the Director of the Health Department be authorized and directed to implement the intent of this resolution; Be it further

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

Signed by Whitman, Axton, Didio, Mahunik, Pecher, Runkle, Barski, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 258-12**

**Date: June 26, 2012**      **HWY purchswrclnrrev**  
**AUTHORIZATION FOR SUPERINTENDENT OF HIGHWAYS**  
**TO PURCHASE SURPLUS SEWER CLEANER**

BY: Tucker Whitman Chairman, Public Works Committee

David Axton, Chairman Ways and Means Committee

WHEREAS, there is need on an annual basis for cleaning sediment from culverts to help prevent erosion and maintain the County's highway infrastructure; and

WHEREAS, the Village of Union Springs owns a surplus 1992 Augutech sewer cleaner and is willing to sell to the County not to exceed \$7000.00 ; and

WHEREAS, the Highway department has funds budgeted in account DM51302 52002 for the purchase of equipment; and

WHEREAS, under General Municipal Law Section 103, surplus and second-hand supplies, material or equipment may be purchased from any other political subdivision without competitive bidding; therefore now be it

RESOLVED, to allow the Superintendent of Highways to purchase a second-hand sewer cleaner from the Village of Union Springs at a cost not to exceed \$7000.00.

Signed by Whitman, Axton, Didio, Mahunik, Pecher, Runkle, Barski, Chapman, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 259-12**

**6.26.12 HWY glnhvnrtdmprprrev4**

**AUTHORIZING THE COUNTY HIGHWAY SUPERINTENDENT TO OBTAIN QUOTES FOR REPAIR WORK TO BE COMPLETED AT THE SOUTH PARCEL OF THE PROJECT ON GLEN HAVEN ROAD; AUTHORIZING THE CHAIRPERSON OF THE CAYUGA COUNTY LEGISLATURE AND THE COUNTY HIGHWAY SUPERINTENDENT TO EXECUTE CONTRACTS; AUTHORIZING THE TRANSFER OF \$40,000.00 FROM THE CONTINGENCY ACCOUNT TO CAPITAL “H” PROJECT NO. 11-04; AND AMENDING CAPITAL “H” PROJECT NO. 11-04**

BY: Tucker Whitman, Public Works Committee

David Axton, 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, Resolution 325-11 established Capital “H” Project No. 11-04 which is comprised of stabilization work which will be completed on a north parcel and a south parcel among others (hereinafter the “Glen Haven Rd slope stabilization project” or “the Project”) and authorized the Chairman of the Cayuga County Legislature and Highway Superintendent to contract with a consultant engineer for additional work on undertaking the Project, including providing an estimate of the cost of same, identifying any permits or authorizations which must be obtained to complete the Project etc; and

WHEREAS, the Cayuga County Highway Superintendent recommends that certain emergency repair work associated with the south parcel of the Project commence now in order to address discrete areas of the road and associated structures so as to prevent further undermining of the road and to stabilize same (the “emergency work”)

WHEREAS, the outside engineering and consulting firm retained by the County, Barton & Loguidice, concurs in the determination by the County Highway Superintendent that the emergency work should be undertaken now ; and

WHEREAS, based on the advice and recommendations it has received from the County Highway Superintendent and the County’s outside consulting engineering firm, and based on its own evaluation of the situation, the Cayuga County Legislature hereby identifies the emergency work as an action that is immediately necessary to prevent potential property damage or prevent potential damage to natural resources or prevent

potential injury and therefore Type II action under the New York State Environmental Quality Review Act (“SEQRA”) and/ or the emergency work constitutes work on existing roads under 6 NYCRR Section 617.5 (c) (33), (4) and therefore the emergency work is deemed to have no impact on the environment or is otherwise precluded from review under SEQRA ; and amending Capital “H” Project No. 11-08.

WHEREAS, prior to commencing any work under the Project, and prior to commencing any of the emergency work, the County will secure any required approvals or exemptions from agencies including municipalities having jurisdiction over the work referenced herein, including potentially from the New York State Department of Environmental Conservation, the United States Army Corps of Engineers or other agencies, but only as applicable and necessary for commencing any work, including the Emergency Work; and

WHEREAS, portions of the work to be undertaken under the Project, including the emergency work that may need to be bid and monies are required to be transferred; now therefore be it

RESOLVED, that the recitals set forth above are specifically incorporated herein; and be it further

RESOLVED, that for the reasons set forth above, the emergency work is a Type II Action under SEQRA and no review or additional findings are required to comply with SEQRA; and be it further

RESOLVED, that the County Highway Superintendent to hereby authorized and directed to obtain quotes for repair work at the south parcel of the Project (General Municipal Law, Section 103); and be it further

RESOLVED, that the Cayuga County Highway Superintendent is authorized and directed to execute public works agreements that are thirty –five thousand ( \$35,000.00) or less to implement the intent of this resolution and involve the south parcel of the Project; and be it further

RESOLVED, that the Chairperson of the Cayuga County Legislature is authorized and directed to execute any contracts or agreements required to implement the intent of this resolution.; and be it further

RESOLVED, that the sum of \$40,000.00 be transferred from the Contingency Account, A1016, into Capital “H” Project No. 11-04; and be it further

RESOLVED, that Capital “H” Project No. 11-08 be increased to \$ 108,000.00; and be it further

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

Signed by Whitman, Axton, Pecher, Runkle, Barski, Chapman, Fearon and Pinckney, all in favor.

### **MOTION NO. 260-12**

**6-26-12**

Motion by Pinckney to have the Clerk of the Legislature work with the County Attorney’s Office to clear title for Sand Beach Point Property, 2<sup>nd</sup> by Didio, all in favor, except Lattimore abstained.



**RESOLUTION NO. 261-12**

**6/26/12 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. Paul Pinckney, Chair, Judicial and Public Safety Committee, and Mr. David Axton, 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 years 2012 and 2013; and be it further

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

Signed by Pinckney, Axton, Barski, Didio, Farrell, Whitman, Chapman, Fearon, Pinckney and Runkle, all in favor.

**RESOLUTION NO. 262-12**

**6/26/12 SHR GovNetPay**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND THE SHERIFF OF CAYUGA COUNTY TO RENEW AN AGREEMENT WITH GOVERNMENT PAYMENT SERVICES INC. PERMITTING THE POSTING OF BAIL BY CREDIT CARD**

BY: Mr. Paul Pinckney, Chair, Judicial and Public Safety Committee, and Mr. David Axton, Chair, Ways & Means Committee

WHEREAS, the County of Cayuga entered an Agreement with Government Payment Services, Inc. pursuant to Resolution No. 421-07 to permit the posting of bail through the use of credit cards in an effort to reduce the number of pre-sentenced inmates housed in the Cayuga County Jail at an approximate cost of \$75.00 per day per inmate; and

WHEREAS, almost 300 inmates have been bailed out of the Cayuga County Jail by credit card since the implementation of the services provided by Government Payment Services, Inc.;

WHEREAS, the Agreement is due to expire on June 27, 2012 and Government Payment Services, Inc. has submitted a renewal Agreement for their continued services and the County of Cayuga is desirous of renewing said Agreement; and

WHEREAS, these services and the necessary equipment will be provided by Government Payment Services, Inc. at no cost to the County of Cayuga; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature and the Sheriff of Cayuga County are hereby authorized to execute the necessary documents to effect the renewal of this Agreement to become effective upon the date it is fully executed and continue for one year, automatically renewing for additional one-year periods for up to five years unless terminated earlier pursuant to the terms of said renewal Agreement; 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 Pinckney, Axton, Barski, Didio, Farrell, Whitman, Chapman, Fearon, Pinckney and Runkle, all in favor.

**RESOLUTION NO. 263-12**

**6/26/12 PRO createfillPTClerkrev**

**AUTHORIZATION TO CREATE AND FILL ONE CLERK PT POSITION  
IN THE CAYUGA COUNTY PROBATION DEPARTMENT  
DUE TO A RETIREMENT**

Stephen Barski, Chairman, Judicial & Public Safety Committee

Mr. David Axton, Chairman, Ways & Means Committee

WHEREAS, the Probation Director submitted a New Position Duty Statement for a Clerk PT position to the Civil Service Commission on May 9, 2012; and

WHEREAS, the Civil Service Commission approved and recommended that the positions be classified as Clerk PT; and

WHEREAS, the current Account Clerk Typist (PC#6450) will retire on June 29, 2012; and,

WHEREAS, the Probation Director wishes to abolish the Account Clerk Typist (PC#6450) position upon the retirement of the current staff member, and replace that position with a Clerk PT, saving money to the County; and

WHEREAS, there is existing money budgeted in the A31401-51001 line of the Probation Department budget to fund the Clerk PT, now therefore be it

RESOLVED, that the Clerk PT position be created in the Probation Department, and that the Probation Director be authorized to fill the Clerk PT, and be it further;

RESOLVED, that the Account Clerk Typist (PC#6450) position be abolished effective June 29, 2012, and be it further;

RESOLVED, that the Treasurer's office transfer the following funds within the Probation department to cover the salary for the Clerk PT position

Increase A31401-51002 Salary PT \$7,081

Decrease A31401 - 51001 Salary FT \$7,081

, and be it further;

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

Signed by Pinckney, Axton, Barski, Didio, Farrell, Whitman, Chapman, Fearon, Pinckney and Runkle, all in favor.

**RESOLUTION NO. 264-12**

**6/26/12 PRO createfill3positions**

**AUTHORIZATION TO CREATE AND FILL TWO SR. TYPIST POSITIONS  
AND ONE PRINCIPAL TYPIST POSITION IN THE CAYUGA COUNTY  
PROBATION DEPARTMENT**

Stephen Barski, Chairman, Judicial & Public Safety Committee

Mr. David Axton, Chairman, Ways & Means Committee

WHEREAS, the Probation Director submitted New Position Duty Statements for 2 Sr. Typist positions and 1 Principal Typist position to the Civil Service Commission on April 18, 2012; and

WHEREAS, the Civil Service Commission approved and recommended that the positions be classified as 2 Sr. Typist and 1 Principal Typist; and

WHEREAS, the duties of the current 2 Typists and 1 Sr. Typist have increased and with the addition of duties the Civil Service Commission has recommended reclassification of the positions to 2 Sr. Typists and 1 Principal Typist: and,

WHEREAS, the Probation Director would like to promote existing staff to these newly established Sr. Typists and Principal Typist roles to ensure the continued efficient operation of the Probation Department; and

WHEREAS, said staff have agreed to accept the provisional appointments of Sr. Typist and Principal Typist respectively, and

WHEREAS, there is existing money budgeted in the A31401-51001 line of the Probation Department budget to accomplish the increases due to the promotions, now therefore be it

RESOLVED, that 2 Sr. Typist positions and 1 Principal Typist position be created in the Probation Department, and that the Probation Director be authorized to fill the 2 Sr. Typist positions and the 1 Principal Typist position by promoting existing staff effective July 1, 2012, and be it further;

RESOLVED, that once the newly promoted Sr. Typists and Principal Typist have become permanently appointed and have successfully completed probation that their existing positions (PC#1943-SYS, PC# 3407-SYS and PC#1939-SYS) be abolished, and be it further;

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

Signed by Pinckney, Axton, Barski, Farrell, Whitman, Chapman, Fearon, Pinckney and Runkle, all in favor.

**RESOLUTION NO. 265-12**

**June 26, 2012 COL homeruleres**

**RESOLUTION IN SUPPORT OF SENATE BILL NO. S5629-B AND  
ASSEMBLY BILL NO. A6575 TO AMEND THE TAX LAW, IN RELATION TO  
AUTHORIZING CERTAIN COUNTIES, CITIES AND SCHOOL DISTRICTS  
TO IMPOSE UP TO A FOUR PERCENT RATE OF SALES AND  
COMPENSATING USE TAXES PURSUANT TO THE AUTHORITY OF**

**ARTICLE 29 OF SUCH LAW AND TO PRESERVE THE AUTHORITY OF CERTAIN COUNTIES AND A CITY TO IMPOSE SUCH TAXES AT RATES IN EXCESS OF FOUR PERCENT; AND TO REPEAL CERTAIN PROVISIONS OF SUCH LAW RELATING THERETO**

WHEREAS, the Cayuga County Legislature strongly supports this home rule legislation as it provides mandate relief and enhanced fiscal management tools for local governments; and

WHEREAS, County and State legislative staff, along with elected officials, currently spend significant time and energy in order to deal with the renewals of existing local sales tax rate legislation every two years under the current State legislative model; and

WHEREAS, the proposed legislation would end the practice of requiring state approval and renewal for local sales tax rate changes, up or down, that do not exceed four percent; and

WHEREAS, this will also allow county officials to manage their local sales tax rates in a way that is most efficient for local tax payers, and will reduce waste and redundancy in state and local legislative procedure; and

WHEREAS, County leaders make home rule requests out of necessity, as they are necessary in order to finance, implement and deliver state and federally mandated programs, ensure local public health and safety, foster economic development and enhance local quality of life services demanded by county residents; and

WHEREAS, these home rule requests allow local officials to manage their budgets and pay for state mandated and other services in the least intrusive and burdensome way for local taxpayers and are often requested to limited or prevent property tax increases; and

WHEREAS, this legislation would also provide counties with an important local fiscal management tool consistent with similar financial management flexibility granted to New York City a few years ago; now therefore be it

RESOLVED, that the Cayuga County Legislature hereby supports the Senate Bill No. S5629-B and Assembly Bill No. A6575 to amend the tax law and it be further

RESOLVED, that certified copies of this Resolution be forwarded to Governor Cuomo, the New York State Association of Counties, Inter County Association of Western New York, and any others deemed necessary.

Signed by Cuddeback, Whitman, Chapman, Axton, Farrell, Pinckney, Runkle, Fearon, Pecher, Barski, Mahunik, Lattimore, Didio and Aikman, all in favor.

Chairman Cuddeback, reminder the July and August Legislature Meeting will be held at 6:00PM instead of 6:30PM.

**OTHER BUSINESS:**

**County Attorney Fred Westphal, re: Waldbillig Proposal, I previously e-mail to this body 2 e-mails on the Waldbillig property. I am asking tonight for permission to settle claims by payment of \$12, 923.28 to the Attorney General's Office to relieve certain bills that are on the property, this will make it so the property can be sold at auction and get it back in taxes, is there anybody that objects to the settlement? Cuddeback, no vote required this evening, no objections, is there anybody that would like to discuss it further?**

Fearon, we have a mural in the hall way now, Tom could you give us some information on that?

Squires, Connie Riley, Director of BID, reached out to me, they had the mural in their office and were looking for a home for it. The mural has some nice features of Cayuga County, it was done by a resident of Cayuga County that lives in Union Springs and it brightens the hallway.

Farrell, I would like to reiterate that as time goes by, development of a committee to look at the lobbying options before we run out of the 6 months that we extended Wladis at this point in time.

Cuddeback, I am working on it.

Lattimore, the Dedication for Emerson Park was very nice, there used to be a mural that had the rural history of the Island, does anybody know where that history went, it should be placed somewhere in the park.

Duckett, I can try to find out if they left it there.

Lattimore, in regards to the Industrial Park are we out to bid now for the road program. Squires, the bid specks are being developed now, we are waited for the bid specifications from the Engineering firm and then we can go out to bid.

Lattimore, is the road going to be built this season?

Squires, there will be a resolution for the July Planning meeting, to propose setting up a Capital "H" project to fund the building of the road and related infrastructure at the Aurelius IDA Park, so I can't answer that yet as the Legislature hasn't been presented with the resolution yet.

Lattimore, if we need to have a special meeting to get this done, let's get it done.

Axton, we had a meeting last week and talked about it, gave our opinion of getting it done as quickly as possible.

Cuddeback, if we have something tangible, have a special meeting and get the job done. Lattimore, I would like to thank everyone that went to Batavia to check out their industrial site, it is a great site. I would this Legislature to send a letter to Mr. Hyde thanking him for all the time he devoted.

Cuddeback, very well.

**Motion to adjourn by Aikman at 7:32PM, 2<sup>nd</sup> by Didio, all in favor.**