



**MINUTES**  
**SPECIAL LEGISLATURE MEETING**  
**THURSDAY, JULY 5, 2012, 7:00 PM**  
**160 GENESEE ST, 6<sup>th</sup> FLOOR, CHAMBERS,**  
**AUBURN, NY 13021**

**CALL TO ORDER:** Hon. Steven Cuddeback, Chairman at 7:25PM

**ROLL CALL:** Mary Jones, Clerk of the Legislature, all Legislators present, except excused Bennett and Aikman and absent Mahunik.

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**TOPIC: Hiring a consultant for the H.E.A.L. Grant**

**Motion by Fearon to bring Resolution 7-5-12-HH-1 to the floor, 2<sup>nd</sup> by Pinckney Discussion:**

Squires, this resolution is to hire a consultant to come in and give us information. The County, Mercy and the Hospital had been talking for about 18 months now about long term care, the challenges, and had been working towards hiring a consultant that would look at the 3 different entities and give us some guidance and options on how we might work together to continue to provide long term care services to the community in a way that is economically viable. Health & Human Services Committee passed a resolution several months ago to engage a consultant and the three entities were going to pay for it, but the hospital dropped out of the process, so the resolution did not go forward. Mercy applied for a HEAL (Healthcare Efficiency and Affordability Law for New Yorkers) Grant, the HEAL money general provides for closing, merging, downsizing, restructuring, reconfiguring health care system delivery to become more efficient more effective in communities. Mercy was successful in being awarded HEAL Grant money, but we don't have a lot of information on what the money is going to be for yet, we are still waiting for the GDA (Grant Disbursement Agreement) that will be the finer details from NYS that outlines what it is they expect the community to spend 19.9 million on. We believe that money is going to be dedicated to assisting the County and Mercy in some sort of a consolidation of beds and facilities to deliver long term services to the community. The GDA should be here eminently, along with that the Legislature could be asked to make a decision about the Nursing Home. We have a consultant that we have used to work with us at the Nursing Home, so what we are asking tonight is for the Legislature to approve a contract with the consultant to come and take a look at the County Nursing Home in the context of the HEAL money that has been awarded and deliver product that will give a overview of how the County Nursing Home fits into the community and essential lays out what the pros and cons would be for the County to participate with Mercy in whatever plan the State is willing to fund at this time.

Cuddeback, there is two main items of concern; (1) in order for this Legislature to make a decision about the Nursing Home, we must have as much information as possible available, so that we can make a informed decision. (2) for the County to make a decision that is transparent as possible, so that the residents, staff, families and public are informed as well. If we stick to these two guidelines and use them every time we speak to this, I think it will be to our advantage.

Squires, yes, information and transparency and we think working with Deb, her staff and engaging the consultant we can flush out all the relevant information for the Legislature, so you are informed.

Barski, there is a huge discrepancy in dollars, \$90,000 to \$15,000, are we sure we're being represented well at \$15,000.

Squires, I would say yes we are, this is a consultant that we have experience with in working with the Nursing Home to help us develop a corrective action plan. The other prices you see were prices for proposals that were given for a more thorough and in-depth project, so when we asked for proposals before, there were multiple phases, so they gave us pricing on each individual phase, right now we are carving out just the phase 1 work, for a specific course of action. The prices are very different; they were across the board on the different phases.

Barski, but the \$90,000, that's for phase 1?

Squires, yes.

Didio, all prices are plus expenses, could it be 10%, 20%, 30%, what expense did they tell you?

Squires, travel, overnight stays, I don't know if there is any standard percent.

Didio, I would hate to get a bill for \$20,000 on top of this at the end.

Squires, I wouldn't expect that.

Didio, I wouldn't either, but it has happened before.

Chapman, I don't have a problem in gathering the information and want it to be as transparent as possible. In reading over the background that was provided, in regards to the vendor that we desire, there is a range of \$12,000 to \$15,000, so therefore in light of polices that we have set for our employees and in dealing with other vendors, I'm going to move a amendment that (all prices are plus expenses), to a generous 10% cap on the \$12,000, so a \$1,200 cap, on any expenses for this vendor if we go forward.

Cuddeback, could you hold your amendment until after some of the others have voiced their opinions.

Chapman, absolutely.

Runkle, this study that is being done Tom, strictly involves our Nursing Home, does not involve Mercy?

Squires, it would involve Mercy to the extent that it would at the 19.9 million grant given to Mercy by the State, is for something, we don't have the finer details of that, so this would look at what those finer details are, what is the plan that is proposed, and what are the pros and cons for the county, for the community, if we move forward, so there would be some cross over with Mercy.

Runkle, would Mercy be involved with this initial phase?

Squires, sure.

Runkle, we are going to spend \$12,000 to \$15,000, Mercy is not going to take any of that?

Squires, no.

Lattimore, the Health Care System is changing very rapidly, we don't know what is coming up. I would like to thank Deb for doing a terrific job with the grant and helping Mercy put it together. At one time the Nursing Home was a cash cow, we were making money, but with the rates changing, I would like to know what this new legislation is going to do for our beds, we could get a higher rate.

Deb English Director of the Cayuga County Nursing Home, it's a hot plate.

Barski, I just want to see them to come back and say well there is more work involved, we can't do it for \$15,000, it just doesn't seem right, and there is just such a big difference.

Squires, an important piece of this is when the GDA shows up Mercy has 30 days to sign and send back to the state, to say ok we're in we will accept your money. There is a short period of time where you can negotiate the finer details with the state. We don't have a whole lot of time to get good information to fit within that 30 day time frame, so we can have an informed conversation with Mercy about how we feel about having them returning that GDA signed, if we sign it and I'm not sure if we are required to sign it, so the timing is an issue. Deb has spoken with the consultant a couple of times and has flushed out what the scope of work would be. We don't expect that they will come back and say they need more money or time, they are well aware of our time-frames and what we are trying to get done.

English, when the original RFP went out to a lot of consultants, the beginning phase was very general, to look at what long term care services are needed. The two that are at \$75,000 and \$90,000 range, were going to bring a team of people to do a lot of work that had already been done. What we did with the consultant that we reached out to now said, we are going to narrow that scope of work, what we really want you to is focus on our operation of our Nursing Home, look at what is happening at Mercy, look at what the HEAL Grant has to offer to the community and help us decide if it makes sense, so her scope of work is much narrowing than in the beginning.

Barski, so these aren't true numbers, the \$90,000 and \$75,000.

English, they are true numbers in the sense of how they interpreted what we were asking for. We haven't reached out to them to say, you know what we narrowed our scope.

Barski, pretty much what I am asking is, the bottom one we want you to do this and the top one do this.

English, it is the same task, except the scope is narrower.

Barski, so why haven't we reached out to these other groups.

English, time.

Axton, when we went to RFP, it probably not worded in there that there may be a possibility of a cap, can we now just through that in there.

Westphal, the Legislature can, it is just a matter of whether the particular vendor would agree or not agree to the cap.

Fearon, the HEAL Grant itself might provide funding to look at the feasibility of the different groups on how to provide appropriate services to the clients of our county. The HEAL Grant might fund what we are trying to do now.

Squires, we don't think it will, we think the HEAL Grant is going to be a fairly specific plan that the state has in mind, we think it will say here is the money and here is what you can spend it on.

**Amendment:**

Chapman, at this time I would like to reintroduce the amendment, under the \*, where it says “all prices are plus expenses” I would like to strike that and with regards to the Reds Group, offer a generous 10% cap of \$1,200 for expenses, 2<sup>nd</sup> by Didio.

**Discussion:**

Farrell, 10% cap is \$1,200 or \$1,500?

Chapman, based on the figures we were supplied this vendor said there was a variance of \$12,000 to \$15,000, the resolution is taking the higher number that was offered, that’s why I said \$1,200.

Fearon, one concern I have is if we do approve the amendment and adopt the amended resolution, with the technicality of the signatures, this is timely it needs to move without all the signatures on the document.

Westphal, if the amended resolution is passed it will move forward quickly, the Chairman is authorized to sign, Deb has been in touch with the vendor and she is ready to go, so it would move fairly quickly, I wouldn’t worry about the signature page.

Fearon, technically we need the signatures somewhere in a file.

Westphal, the full Legislature is here, there has been a first and second, an amendment, I don’t think we need to get signatures, but if you are more comfortable, it is the whole body that is making the decision.

Cuddeback, you don’t need any signature, you get a second on the floor.

Runkle, if we accept this resolution and the amendment, how much money are we going to pay The Reds Group, \$15,000 plus \$1,200?

Cuddeback, not to exceed \$16,200.

Axton, where are they located?

English, Akron, NY.

**Vote on the amendment, all in favor.**

**Resolution as amended, \$15,000 plus the \$1,200 for expenses, not to exceed \$16,200, motion by Didio, 2<sup>nd</sup> by Pinckney, all in favor.**

**RESOLUTION**

Motion by Chapman to amend last Whereas, strike “\*all prices are plus expenses” and change the expenses for The Reds Group to a 10% cap of \$1,200 and the total cost not to exceed \$16,200, 2<sup>nd</sup> by Didio, all in favor. Motion as amended by Didio, 2<sup>nd</sup> by Pinckney, all in favor.

**RESOLUTION NO. 266-12**

**July 5, 2012 NH hirerdgrpconsultantrev4**

**AUTHORIZING THE CHAIRPERSON OF THE CAYUGA COUNTY  
LEGISLATURE TO EXECUTE A CONSULTING AGREEMENT  
WITH THE REDS GROUP.**

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

WHEREAS, the Cayuga County Legislature has been discussing the delivery of long term health care by the Cayuga County Nursing Home; and

WHEREAS, a request for proposals, restructuring long term care services in Cayuga County was issued December 20, 2011; and

WHEREAS, proposals were received and analysis and a resolution was presented to the Health and Human Services Committee in February 2012; and

WHEREAS, Auburn Community Hospital elected to not participate; and

WHEREAS, a HEAL NY Phase 21 Restructuring Initiative became available; and

WHEREAS, Mercy Health and Rehabilitation Center Nursing Home applied for and received HEAL NY Phase 21 funds; and

WHEREAS, the Cayuga County Legislature believes that it is desirable to hire a consultant to perform an analysis of the County Nursing Home and its delivery of services in this community;

WHEREAS, in addition to the three top responders to the restructuring RFP outreach was made to The Reds Group to provide consulting services; and

WHEREAS, the quotes for the consulting services are as follows:

Roush & Associates, Inc.*	\$90,000.00
GCD New York, LLC (Greystone)	\$75,000.00
Bonadio & Co., LLP	\$25,000.00
The Reds Group	\$15,000.00

now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute a contract with The Reds Group to analysis the Cayuga County Nursing Home and to report to the Cayuga County Legislature on its analysis of the County Nursing Home, the HEAL NY 21 funds and the delivery of long term health care in this community.

**Chapman**, as we go forward, I don't think it is a good business practice, based on policies that we have set for employees and in working with other vendors to take or consider these contracts when they have a \$3,000 or \$4,000 variance or \$300, the price should be the price and that's it. This sets a bad example, we're not going to hire a contractor to build us anything and give them a \$3,000 window to work out of, we know there might be some cross over that we need to budget for, but we need to have a set price and that's it.

**Lattimore**, the health bill for the county is very large, and at one time we were profitable at the Nursing Home, and we gave up a valuable asset which were our nurses. The health business is changing with the Obama care, I want to make sure we don't give up any resources that could be beneficial to the county. I would like to have some long range view on what's going to happen the health care.

**Motion by Pinckney to adjourn at 7:50PM, 2<sup>nd</sup> by Farrell, all in favor.**

**Minutes approved on August 28, 2012, motion made by Didio, seconded by Runkle, as written. All in favor.**

**MINUTES**  
**CAYUGA COUNTY LEGISLATURE**  
**JULY 24, 2012 – 6:00PM**

**CALL TO ORDER:** Hon. Steven Cuddeback, Chairman at 6:03PM

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

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**DEATHS:** Gary R. Stayton, beloved father of Denise Stayton, he served in Vietnam and was the owner of operator of Stayton Excavation and an exempt member of the New Hope Fire Department.

Anne Marie Cosentino, beloved mother of Guy Cosentino, former Mayor of Auburn, her children came first she took great love in teaching them, she became an integral part of Cosentino's Florist, and helped design flowers for four presidential inaugurations.

Dorothy S. (Dot) Loomis, she was co-chairman of the County Republican Party, past president of the Cayuga County Woman's Republican Club, an elected delegate for the Republican State Convention and served as administrative assistant to both Senator John Terry and William Walsh.

Gerald L. Pettigrass, owned and operated Pettigrass Funeral Home for more than 40 years, he was in the Army reserve, former member of Knights of Columbus, Sons of Italy, and charter member of Dutch Hollow Country Club.

Mary Ann Vasile Piscioti, she was a past national and state president of the Italian-American War Veterans, member of Zonta International, Big Brother and Big Sister, American Heart Association, Sons of Italy and she always found time to help wherever she was needed.

Bill Dove, father in law of Ed Eberhardt, former owner of Springside Inn.

**PUBLIC HEARING: 6:00PM – To Adopt a 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, Un-appropriated 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". Opened at 6:05PM**

**PROCLAMATION: None****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 Deb McCormick, on behalf of Joseph Bennett, handout attached to original minutes.

Legislator Cynthia Aikman, for Sharon Bennett, on behalf of her husband Joseph Bennett, handout attached to original minutes.

Legislator Timothy Lattimore for Tim Donovan on synthetic drugs, handout attached to original minutes.

**MINUTES: For Approval: 5-22-12, 5-31-12 and 6-14-12, Motion to approve minutes by Didio, 2<sup>nd</sup> by Pinckney, all in favor.**

For Reading: 6-26-12 and 7-5-12, attached to packet

**CCC REPORT:** Dr. Daniel Larson: will discuss the college's 2012-2013 budget, report attached to original minutes.

**Discussion:**

Lattimore, the school aid formula, how does this work?

Larson, according to New York State Law, the formula was 1/3 students, 1/3 State, and 1/3 local sponsor. About 40 years ago New York State would validate each year that we were full opportunity college, fund up to 40% of the college's operating budget, they did that exactly once and that was 40 years ago. The local sponsor contribution was set at 26.7%, the county has met that, the student tuition should continue to be no more than 1/3, because the state has not followed through on their promise, the only recourse has been to increase student tuition.

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

Pinckney, the Judicial & Public Safety Committee would like to recognize the following employees of the Sheriff's Department for going above and beyond their regular duties; Evelyn Goodman, Fiscal Officer/Payroll, Melissa Field, Confidential Secretary to the Sheriff and Valerie Powers, Accounts Payable. More a period of about 6 months they took on additional duties, Evelyn Goodman for 6 months worked ½ day at the Sheriff's Office and ½ day as acting Human Resources Director, saving the County taxpayers a large amount of money by not hiring another person to do the day to day work, during that same time period Melissa Field not only did her normal job, but also the entire Sheriff's Office payroll and 911 payroll, Valerie Powers not only did all the accounts payable for the Sheriff's Office, but 911 Department as well. The Judicial & Public Safety Committee commends these individuals for a job well done; these truly dedicated County employees should definitely be included in our newly formed "County Extra Mile Club", for their dedication, un-selflessness and willingness to help the County, their fellow employees.

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

**Discussion:**

Chapman, throughout this process it is our hope that we keep everything very transparent and everyone is available to answer any questions and we await the arrival of the agreement so we will know what the next step will be.

Didio, the report mentions stakeholders, does that include current employees?

Squires, I am told yes, I'm not sure who specifically, it references 12 community stakeholders, several of the entities and agencies involved in long term care services around the county, I will follow up with additional information.

Didio, it also mentions that without Mercy, residents could not be served, why?

Squires, Mercy is the big player in long term beds, 237 beds, the County is 80 beds, hospital is 80 beds, so if those 237 beds were not in the community we would have a shortage of skilled nursing beds.

Fearon, you might want to interview some of the residents.

Lattimore, we should reach out to AMH, have we done that?

Squires, a little bit and that will continue.

Lattimore, we have loaned the hospital millions of dollars, our representation on that board, are we at all the meetings, who is our representative on that board?

Squires, Elane Daly is the Legislative appointment to that board.

Lattimore, with the HEAL Grant, I want to make sure we have good representation going forward. You indicated that our sales tax is going well, how is the state doing.

Squires, the state is not up as much as the county.

Lattimore, how much do they contribute to the day to day operation.

Squires, Medicaid is about 70 to 75% of the total revenue of the nursing home and I think the rates just went up a little bit. I don't think sales tax is going to have a big impact on what the Medicaid rates are.

Fearon, this body in the past has had a non-voting representative to keep us informed.

Squires, the consultant is working to finalize this report, will be looking at the GDA when it arrives, if you have further questions or thoughts, please e-mail to Deb or myself so we can pass them to the consultant and keep the Legislature and the public informed.

**CHAIRMAN'S REPORT:** Steven Cuddeback, attached to original minutes

**APPOINTMENTS AND RE-APPOINTMENTS:**

**People with Developmental Disabilities Subcommittee**

Diane Dolcemascolo – 2360 East Lake Rd., Skaneateles 13152 – Term 1/1/12-12/31/15

**Alcohol and Substance Abuse Subcommittee**

Michael V. Didio – 6 Clymer Street, Auburn 13021 – Term 1/1/11 – 12/31/14

**Motion by Aikman to approve both appointments, 2nd by Pinckney, all in favor.**

**COMMUNICATIONS AND ANNOUNCEMENTS:**

1. Received resignation letter from Bernard Newcomb Director Cayuga county Probation Department, effective 8-31-12.

2. Received acknowledgment of receipt from Brian Kolb State Assembly Minority Leader for Resolution No. 265-12 "in support of Senate Bill S5629-B, Assembly Bill A6575", Resolution No. 232-12 "in support of Senate Bill S3886-Cand and Assembly Bill A5151-B.

3. Received copy of Resolution No.228 “Resolution Supporting S.5509B/A.8489A to Revise the Sharing Formula for Wireless E911 Surcharge Monies from the Board of Supervisors of Fulton County.

4. Received a letter from the State of New York Dept. of Ag & Markets, re: Resolution No. 207-12 a plan to modify Cayuga County Ag District No. 5, certifying that the land as proposed is feasible and shall serve the public interest by assisting in maintaining a viable agricultural industry within the District.

5. Received a copy of the Cayuga Lake Watershed Net Work News.

6. Received letter from J.D. Pabis, Superintendent of Schools thanking the Cayuga County Legislature for allowing the school district to hold the Auburn High School’s Class of 2012 Graduation on Deauville Island at Emerson Park.

7. Received letters from Gary Finch Member of Assembly and Brian Kolb State Assembly Minority Leader, re: Cayuga County Statewide Interoperable Communications Grant, offering their support.

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

#### RESOLUTIONS 7-24-12

##### **RESOLUTION NO. 267-12**

**7-24-12 AP Audit July 2012 (A)**

##### **AUTHORIZING THE COUNTY TREASURER TO PAY JUNE 12-25, 2012 AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on July 24, 2012 audit claims against the County of Cayuga in the aggregate sum of \$548,763.08 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, Pinckney, Runkle and Whitman, all in favor.

##### **RESOLUTION NO. 268-12**

**7-24-12 AP Audit July 2012 (B)**

##### **AUTHORIZING THE COUNTY TREASURER TO PAY JUNE 25-JULY 9, 2012 AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on July 24, 2012 audit claims against the County of Cayuga in the aggregate sum of \$1,423,620.14 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. 269-12**

**7/24/2012 RP signcontractfortaxsale2012**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO SIGN  
AN AGREEMENT WITH AUCTIONS INTERNATIONAL TO AUCTION  
CAYUGA COUNTY TAX FORECLOSED PROPERTY**

By: David Axton, Chairman, Ways & Means Committee

WHEREAS, pursuant to Resolution 517-11, Policies and Procedures for the Sale and Disposition of Real Property Acquired by Cayuga County through Tax Foreclosure, section 2b, the same auctioneer may conduct the auction again upon authorization of the Ways & Means Committee; now, therefore, be it

RESOLVED, that the Chairman of the Legislature is authorized to sign an agreement with Auctions International to dispose of certain Cayuga County owned real property.

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

**RESOLUTION NO. 270-12**

**7/24/12 TRE CreatefillRPclerk**

**AUTHORIZATION TO CREATE AND FILL THE POSITION OF REAL  
PROPERTY CLERK AND ABOLISH A REAL PROPERTY CLERK POSITION  
IN THE CAYUGA COUNTY TREASURER'S OFFICE**

Mr. David Axton, Chairman, Ways and Means Committee

WHEREAS, the Cayuga County Treasurer wishes to maximize the opportunities for the current staff by promotional movement; and

WHEREAS, creating a new position will allow for current staff to make a lateral move from an encumbered position to an unencumbered position; and

WHEREAS, movement of staff will result in professional growth opportunities while realizing a financial savings; and

WHEREAS, this position will be filled via an open competitive exam; now therefore be it

RESOLVED, that the Treasurer is hereby authorized to create and fill a position of Real Property Clerk while a current position in that title (001809-SYS) is unfunded; and be it further

RESOLVED, that when the Administrative Assistant in the Treasurer's office has completed the probationary period, the position of Real Property Clerk (001809-SYS) be abolished; and be it further

RESOLVED, that this change be accomplished and 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. 271-12****7/24/12 TRE fillprinacctlkrev****AUTHORIZING THE CAYUGA COUNTY TREASURER TO FILL  
A PRINCIPAL ACCOUNT CLERK POSITION DUE TO A RETIREMENT**

By Mr. David Axton, Ways and Means Committee

WHEREAS, the current Principal Account Clerk in the County Treasurer's Office is retiring on August 31, 2012, and her last day of work will be August 6, 2012; and

WHEREAS, this position is crucial for the continuity of accounting services in the Treasurer's Office; and

WHEREAS, funding is available in the 2012 budget, A13251-51001, position control number 06391 now, therefore, be it

RESOLVED, that the County Treasurer be authorized and directed to fill the Principal Account position in a manner consistent with the rules and regulations of the County Civil Service Commission and the policies of Cayuga County.

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

**RESOLUTION NO. 272-12****(July 24, 2012) HS Fill Temp HSE PA/Employment****AUTHORIZING THE DIRECTOR OF HEALTH AND HUMAN SERVICES  
TO FILL A HUMAN SERVICES EXAMINER POSITION IN THE PUBLIC  
ASSISTANCE UNIT OF HUMAN SERVICES ON A TEMPORARY BASIS  
BEHIND A LEAVE OF ABSENCE OF AN  
UNDETERMINED LENGTH OF TIME**

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

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

WHEREAS, there is a Human Services Examiner vacancy (position control #002254) in the Public Assistance Unit of Human Services due to the incumbent being on a leave of absence since May 7, 2012; and

WHEREAS, the incumbent, having exhausted all of her benefit time, is now on an unpaid leave of absence; and

WHEREAS; we have been notified by the incumbent's physician that at this time due to the condition of the incumbent, the amount of leave needed until the incumbent may return to work is undetermined; and

WHEREAS, this Human Services Examiner works with a caseload of TANF applicants and recipients who are employable and makes assignments to work experience and referrals to Employment and Training; and

WHEREAS, this is a budgeted position in the 2012 Human Service's budget and is funded at 100%; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the Human Services Examiner position on a temporary basis behind a leave of absence until the incumbent returns to work in a manner consistent with the rules and regulations of the Cayuga County Civil Service Commission and the policies of the County of Cayuga.

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

**RESOLUTION NO. 273-12**

**July 24,2012 HS Amend 2012 Human Services Budget  
AUTHORIZING THE COUNTY TREASURER TO AMEND  
THE 2012 CAYUGA COUNTY HUMAN SERVICES BUDGET**

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

WHEREAS, in May of 2011 per resolution #220-11 we entered into a contract with Nancy Rose Stormer for the purpose of recovering Medicaid reimbursements that the County paid that should have been costs picked up by New York State; and

WHEREAS, as a result of her work, appropriate claims were identified and submitted to New York State in the amount of \$1,571,195; and

WHEREAS, per the contract Nancy Rose Stormer is entitled to 1/3 of all recoveries related to these overburden claims within 15 days of the County receiving payment;  
NOW, THEREFORE BE IT

RESOLVED, that the County Treasurer be authorized and directed to make the following budget adjustments in the 2012 Human Services Budget to meet our contractual obligation of paying her 1/3 of the recoveries:

Increase Revenue Acct. #A61010 43602 in the amount of \$523,732

Increase Expenditure Acct. #A61014 54000 in the amount of \$523,732

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

**RESOLUTION NO. 274-12**

**July 24, 2012 HS Catholic Charities Supervised Visitations 2012  
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE  
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO  
A CONTRACT WITH CATHOLIC CHARITIES OF THE FINGER LAKES  
TO PROVIDE SUPERVISED VISITATION SERVICES FOR CLIENTS  
REFERRED TO THEM BY THE DEPARTMENT OF SOCIAL SERVICES**

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

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

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

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

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

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

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services enter into a contract with Catholic Charities of the Finger Lakes for the period August 1, 2012 to July 31, 2013 for the provision of supervised visitation services at the following rates:

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

Special Billing Considerations:

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

and; be it further

RESOLVED, that these services be paid from Account #A60104 54059 of the 2012 Human Services Department’s Budget.

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

**RESOLUTION NO. 275-12**

**July 24, 2012 HS Cayuga Centers Preventive Respite 2012**

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

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

David Axton, Chairman of the Ways & Means Committee

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

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

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

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

Diagnostic Services:

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

NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to renew the contract with Cayuga Centers to provide the above services for the contract period of July 1, 2012 through June 30, 2013; and be it further

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

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

**RESOLUTION NO. 276-12**

**July 24, 2012) HS Cayuga Counseling Diagnostics 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 COMMUNITY, DETENTION OR RESPITE BASED MENTAL  
HEALTH DIAGNOSTIC ASSESSMENTS TO CHILDREN AND  
TO MAKE RECOMMENDATIONS FOR TREATMENT**

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

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

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

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to enter into a contract with Cayuga Counseling Services, Inc. to provide these services for the contract period August 1, 2012 through July 31, 2013 at the following costs:

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

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

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

**RESOLUTION NO. 277-12**

**July 24, 2012 HS Clinical Psychologists Contracts  
 AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE  
 DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO  
 CONTRACTS WITH VARIOUS CLINICAL PSYCHOLOGISTS TO  
 CONDUCT CLINICAL PARENTAL AND CHILD ASSESSMENTS  
 FOR CHILD WELFARE CASES**

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

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

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

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

Dr. Robert Kohlbrenner @ \$125/hr.

Dr. Richard Hoyt @ \$110/hr.

Dr. Santo Bentivagnia @\$100/hr.

and

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

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services be authorized and directed to enter into contracts with the clinical psychologists listed above for the period August 1, 2012 through July 31, 2013 at the scheduled rates; and be it further

RESOLVED, that these services be paid from Account #A60104 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. 278-12**

**7/24/12 NH sidewlkprpsl**

**AUTHORIZING THE ADMINISTRATOR OF CAYUGA COUNTY NURSING  
 HOME TO ACCEPT A PROPOSAL FOR SIDEWALK/PATIO  
 AT THE NURSING HOME.**

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

BY: David Axton, Chairman, Ways & Means Committee

WHEREAS, an extension to the sidewalk and patio would enhance the residents' experience at the Nursing Home, and

WHEREAS, quotes have been received from vendors who install sidewalks/patios; and,

WHEREAS, three (4) firms responded with proposals; and,

WHEREAS, the following proposals were received:

Edmunds & Son for \$5,000;

Thomas A. Pilat for \$4,876; and

Steve DePalma Construction for \$9,450; and

Upstate Paving for \$8,658; and

WHEREAS, a comparison was made of the proposals considering the quality of the products, installation and delivery; and

WHEREAS, the proposal submitted by meets anticipated requirements; now therefore be it,

RESOLVED, that the proposal be awarded to Thomas A. Pilat for \$4,876(Four thousand eight hundred seventy-six dollars)

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

**RESOLUTION NO. 279-12**

**7.24.12 MH BudAdjust7.2012**

**AMENDING THE MENTAL HEALTH 2012 BUDGET TO INCREASE STATE AID FUNDING FOR UNITY HOUSE, INC. AND CONFIDENTIAL HELP FOR ALCOHOL AND DRUGS, INC.**

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 Federal and State Aid funding for programs to serve adults, children, and families with disabilities who reside in Cayuga County; and

WHEREAS, the State of New York has allocated additional state aid for Unity House, Inc. and Confidential Help for Alcohol and Drugs, Inc. as an adjustment to funding which has been 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 Unity House, Inc. and Confidential Help for Alcohol and Drugs, Inc.; now, therefore, be it

RESOLVED, that 2012 budget be modified as follows:

Increase line	A43460-43497	Unity House (OMH).	Revenue by	\$17,332
Increase line	A43464-54317	Unity House	Expense by	\$17,332
Increase line	A43500-43501	Unity House (OASAS)	Revenue by	\$15,855
Increase line	A43504-54316	Unity House	Expense by	\$15,855
Increase line	A43500-43492	CHAD	Revenue by	\$33,530
Increase line	A43504-54315	CHAD	Expense by	\$33,530

and be it further

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

Legislator Aikman disclosed that she has an interest in the building.

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

**RESOLUTION NO. 280-12**

**7/24/12 MH Agreement RHIO 7.12**

**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 HEALTH ADVANCEMENT COLLABORATIVE OF CENTRAL NEW YORK, INC.**

BY: Mr. Michael Chapman, Chair, Health and Human Services Committee  
Mr. David Axton, Chair, Ways and Means Committee.

WHEREAS, the Cayuga County Community Mental Health Center has determined

that participation in a Regional Health Information Organization (RHIO) would be beneficial to the Mental Health Department and the patients that it serves; and

WHEREAS, the Health Advancement Collaborative of Central New York, d/b/a HealthConnections, is organizing a RHIO to facilitate the sharing of health information for treatment; 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 Health Advancement Collaborative of Central New York. Signed by Chapman, Aikman, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

## **RESOLUTION NO. 281-12**

### **7.3.12 ADM Co Support OTB Gaming**

#### **CAYUGA COUNTY LEGISLATURE RESOLUTION TO SUPPORT FULL CASINO GAMING AT THE NINE EXISTING RACINOS IN NEW YORK STATE**

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

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

WHEREAS, in September 1973, eleven western New York counties and 2 cities established the Western Regional Off-Track Betting Corporation, they being Cattaraugus, Chautauqua, Erie (and the City of Buffalo), Genesee, Livingston, Monroe (and the City of Rochester), Niagara, Orleans, Seneca, Steuben, and Wayne, as enabled by state law; and

WHEREAS, these municipal "stockholders" chose to exercise that local option to form such a corporation that dictated local control by those municipalities over such gaming activities in their respective communities; and

WHEREAS, the start-up costs of this enterprise were funded solely by these initiating counties from their own treasuries of taxpayer money and represented no state money nor allowed for any state sharing of this purely local venture; and

WHEREAS, since those eleven counties voted to form Western Regional Off-Track Betting corporation, an additional four western New York counties INCLUDING Cayuga, have joined them in the local control of such gaming activities that has since 1973 generated over \$209 Million in operating and surcharge revenues to the taxpayers of those participating municipalities; and

WHEREAS, now, the Governor and State Legislature are considering a Constitutional Amendment to allow casino gaming in the State of New York; and

WHEREAS, the participating municipalities of Western OTB as its shareholders have a *pro-rata* financial interest in the \$39 million of net equity re-invested in its 30-plus corporately-owned branch facilities and the track and casino at Batavia Downs; and

WHEREAS, Batavia Downs Casino (WROTB) has proven to be a successful Public Benefit Corporation to Cayuga County returning over \$4.6 million dollars to Cayuga since its inception, with enhanced casino gaming allowed at Batavia Downs Casino it will provide over \$86 million dollars in capital construction spending resulting in 552 direct construction jobs, increases in impact of the first full year of operation will result in over 449 jobs at an output of over \$20.5 million dollars; and

WHEREAS, the nine New York State Racino's have proven to be a successful business partner with New York State and have provided gaming in a socially responsible and economically sensible manner; NOW THEREFORE, BE IT

RESOLVED, that the Cayuga County Legislature, support Batavia Downs Casino and the eight racino facilities presently licensed for video gaming to be authorized for full Casino gaming, and BE IT FURTHER

RESOLVED, that each member of the New York State Legislature and Governor be urged to join this Legislature in support for full casino gaming at Batavia Downs and further support the other New York State Video Gaming Licensees.

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

**RESOLUTION NO. 282-12**

**7-24-12 CC XEROX/ACS contract**

**AUTHORIZES THE CAYUGA COUNTY CLERK TO TAKE ADVANTAGE OF  
A FOUR YEAR OPTION IN THEIR CURRENT SERVICE CONTRACT  
BETWEEN XEROX (formerly ACS) AND CAYUGA COUNTY**

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

MR. DAVID AXTON, Chairperson, Ways and Means Committee

WHEREAS, The County Clerk presently has a contract with Xerox (formerly ACS), a computer service company which provides the County Clerk Fee/Recording System; and

WHEREAS, The County Clerk currently had a one year extension option with Xerox (formerly ACS) which expired in May, 2012 and there are four(4), one (1) year extensions remaining in the contract; and

WHEREAS, the County Clerk would like to take the remaining four year extension option; and

WHEREAS, the four year extension will include a reduction of \$650 a month, installation of new hardware for all Xerox work stations to be implemented in the first quarter of 2013, and no additional fee for electronic recording capability; now be it

RESOLVED, that the Cayuga County Legislature, approve the four year extension option to the contract, which will expire on June 1, 2016 at a new monthly fee of \$5,458.00 and authorize the Treasurer to make payment from (Account # A-10-13-1410-4-54073 - Contracts).

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

**RESOLUTION NO. 283-12**

**7/25/2012 ADM AuctionIntlagreementrev**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO ENTER  
INTO AN AGREEMENT WITH AUCTIONS INTERNATIONAL  
TO SELL CAYUGA COUNTY'S PERSONAL SURPLUS ITEMS**

By: Mr. Fearon, Chairman, Government Operations

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

WHEREAS, the County Administrator's Office received five proposals for Auction services to sell Cayuga County's surplus items; and

WHEREAS, the following proposals were received:

Municibid – Pennsylvania, 8% buyers premium (No clients in NYS)

Teitsworth, Inc. – Geneseo, NY 6%-15% buyers premium (depending on amount of each item sold)

Public Group – Utah, 18% buyers premium

Auctions International – Buffalo, 10% buyers premium (Sales Rep located in Cayuga County)

Gov Deals, Alabama, 12.5% buyers premium

;and

WHEREAS, the County Administrator's Office evaluated each of the proposals received and is recommending that Auctions International's services are in the best interest for the taxpayers of Cayuga County with a 10% buyers premium that the buyer will pay upon the completion of the sale; and

WHEREAS, it is the intent of the Cayuga County Legislature to have the most professional auction service company to conduct the auctions and at the most reasonable cost to the participants, now, therefore be it

RESOLVED, that the Chairman of the Legislature is authorized and directed to enter into an agreement with Auctions International for a three year term beginning August 1, 2012 and ending July 31, 2015.

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

**Resolution No. 284-1 Motion by Axton to approve resolution, 2<sup>nd</sup> by Aikman.**

**Motion by Fearon to amend** first Resolved to effective date of **August 1, 2012** and third Resolved, **change 2012 budget amounts to reflect new start date, 2<sup>nd</sup> by Axton,**

**Discussion:**

Cuddeback, if this had gone through committee we would have those numbers in front of us and have time to discuss everything; there was a different resolution that went through committee and was hopeful that we would have this one at Ways & Means so we could discuss it.

Fearon, you wouldn't have the change of numbers, because I just introduced something that will change the numbers.

Cuddeback, if you're at committee, you would have time to get them before Ways & Means.

Aikman, I won't support the amendment, because I understand that if happens after June 3<sup>rd</sup>, then for the next year this person won't be eligible for their step and they have already been working out of title for a number of years, this corrects that I will vote as it is.

Cuddeback, the numbers that are here before us?

Aikman, passed as written, I won't support the amendment.

Lattimore, our HR Director is here, could you please explain the out of title pay and the start date and I agree with the chairman, it should go through the proper steps.

Mike Russell, Director Human Resources, the way it works is; once you are appointed, after October you would have to wait until the following year to get that step. In this particular case, because this is a competitive position the appointment would have to be provisional, so the employee would not be eligible for a step until after that competitive exam was given and there appointed off the list.

Cuddeback, probationer, then 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup>, are those steps?

Russell, yes.

Cuddeback, occur annually?

Russell, they occur at probation, get to the first step and then annually.

Cuddeback, how long is probation?

Russell, up to a year.

Lattimore, is this an increase in job duties?

Russell, steps or current position to new position?

Lattimore, change in position.

Russell, it actually represents an accurate description of the job that is being preformed, she has been working in one title but has been performing in another title, and this corrects that.

Fearon, if we do retro on this it could set a president where others might expect us to do the same, you could have someone who has been working out of title for 3 years and go back to retro.

Chapman, I couldn't support the original resolution, because of the retro-active date, I appreciate the fact that we have an employee working out of title and employees do that from time to time. I think with the amendment that is offered we will correct that situation, but to go back at this time, I don't think it is fair to all the other employees that work for Cayuga County to send this message. I think we correct it tonight with the amendment, voting it up or down and go forward.

Lattimore, the former secretary to the Legislature, how are we changing those chairs?

Squires, that position was abolished.

Lattimore, so that saved us money?

Squires, yes, her salary was in excess of \$60,000.

Lattimore, we are in the mist of labor negotiations, I don't know if this sets a president and we don't have a labor lawyer with us tonight.

Westphal, we are not setting a president, we correcting an issue, the issue is working out of title, this resolution is to correct that, it does not have any impact on negotiations.

Farrell, I would agree that I would like to see this procedure followed, go through committee so we could have more discussion, but in light of the fact that it has been reviewed by the Civil Service Commission and recommends that we move forward with it, I can see supporting it.

Chapman, I disagree with Mr. Westphal, if we took action and allowed this to go through as the original resolution as stated, then we are creating a historical fact that somebody will rely on in the future, so I do think we are creating a policy that someone will rely on. Westphal, maybe I misunderstood the question, I thought it had to do with did it impact on labor negotiations, not whether it set a policy.

**Motion** approved by majority vote, all voting yes, except voting no Aikman and excused Bennett.

## **RESOLUTION NO. 284-12**

**7/24/12 ADM createfillconf.sec.**

### **AUTHORIZATION TO CREATE AND FILL A CONFIDENTIAL SECRETARY POSITION IN THE COUNTY ADMINISTRATOR'S DEPARTMENT**

Mr. David Axton, Chairman, Ways & Means Committee

WHEREAS, the County Administrator submitted a New Position Duty Statement for a Confidential Secretary position to the Civil Service Commission on May 9, 2012; and

WHEREAS, the current Account Clerk Typist (PC#6449) has been performing the duties of a Confidential Secretary, and essentially working out of title; and

WHEREAS, the Civil Service Commission reviewed the job duties of the Account Clerk Typist and recommended that the position be classified as Confidential Secretary to the County Administrator; and

WHEREAS, the Civil Service Commission recommends that the County Legislator create the position of Confidential Secretary to the County Administrator to ensure that the current Account Clerk Typist is not working out of title, and to continue the efficient operation of the County Administrator's Department; and

WHEREAS, funding for the change in title and increased responsibilities will need to be established in the 2012 Cayuga County Budget, and

WHEREAS, the position of Confidential Secretary needs to be created and placed within the Cayuga County 2012 Compensation Plan, now therefore be it

RESOLVED, that the position of Confidential Secretary to the County Administrator be created in the County Administrator Department, and that the County Administrator be authorized to fill the Confidential Secretary to the County Administrator position by provisionally appointing the existing Account Clerk Typist (PC#6449) effective **August 1, 2012**, and be it further;

RESOLVED, that the position of Confidential Secretary to the County Administrator be added to the Cayuga County 2012 Compensation Plan Part II, under the County Administrator's Department as follows:

GRADE 16

<u>Prob</u>	<u>First</u>	<u>Second</u>	<u>Third</u>	<u>Fourth</u>
\$38,021	\$38,371	\$39,739	\$41,183	\$42,629

And be it further;

RESOLVED, that the Cayuga County Treasurer be authorized to amend the Cayuga County 2012 budget in the following manner to effectuate the increase in salary for this newly created position:

<u>Increase</u>	<u>Decrease</u>
<b>A1230-51001- \$2,862</b>	<b>A14304-54074- \$3,578</b>
<b>A12301-58001- \$215</b>	
<b>A12301-58002- \$501</b>	

And be it further;

RESOLVED, that once the newly promoted Account Clerk Typist becomes permanently appointed and has successfully completed probation that the existing position (PC#6449) be abolished, and be it further;

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

**Resolution as amended, all in favor, except Cuddeback voting no and Bennett excused.**

### RESOLUTION NO. 285-12

7/24/2012 COL vendingcontract

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

BY: George Fearon, Chairman of Government Operations Committee

WHEREAS, Resolution No. 404-08 authorized the County to enter into an agree-

ment for vending Services with Ace Automatics from Seneca Falls, NY at the rate of 12% commission with renewal options for a period of five years; and

WHEREAS, Resolution No. 309-11 renewed the agreement until June 30, 2012; and

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

RESOLVED, that the Chairman of the Legislature be authorized and directed to sign the renewal agreement with Ace Automatics, Seneca Falls, New York for the term of July 1, 2012 through June 30, 2013.

Signed by Fearon, Didio, Farrell, Lattimore, Pecher and Pinckney, all in favor.

**RESOLUTION NO. 286-12**

**July 24, 2012 COL standardworkweek**

**RE: STANDARD WORK DAY AND REPORTING RESOLUTION  
FOR ELECTED AND APPOINTED OFFICIALS**

By: George Fearon, Chairman, Government Operations Committee  
David Axton, Chairman Ways and Means Committee

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

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

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

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

Title	Name	Standard Work Day	Term Begin/End (Y/N)	Participates in Employer's Time Keeping System Record of Activities	Tier 1	Not Submitted
<b>ELECTED:</b>						
<b>Legislator</b>	Tucker Whitman	6	1/1/2012 thru 12/31/2015	N	20	
<b>Legislator</b>	Joseph Bennett	6	1/1/2012 thru 12/31/2015	N		X (per Court Order)
<b>Legislator</b>	Mark D. Farrell	6	1/1/2012 thru 12/31/2015	N	22	
<b>Legislator</b>	Patrick Mahunik	6	1/1/2012 thru 12/31/2015	N		X
<b>Legislator</b>	Joseph Runkle	6	1/1/2012 thru 12/31/2015	N	22	
<b>District Attorney</b>	Jon Budelmann	7	1/1/2012 thru 12/31/2015	Y	20	
<b>County Clerk</b>	Susan Dwyer	7	1/1/2012 thru 12/31/2015	Y	20	
<b>APPOINTED:</b>						
Assigned Counsel	Lloyd Hoskins	2	1/1/2012 thru 12/31/2012	Y	2	
Clerk/Legislature	Mary T. Jones	7	1/1/2012 thru 12/31/2012	Y	20	
County Administrator/ Administrative Assistant/	Thomas Squires	7	1/1/2011 thru 12/31/2013	Y	20	
County Adm,	Kimberly Taggerty	7	6/1/2010-continuous	Y	20	
DDWI Co-ordinator	Lloyd Hoskins	1 hr/week	1/1/2012 thru 12/31/2012	Y	0	
Human Services	Jennifer Marshall	7	2/10/2010 thru 6/11/2012	Y	20	
Administrator	Kelly Wahl Anderson	7	5/23/2011-12/31/2013	Y	20	Director Mental
Property Health	Raymond Bizzari	7	1/16/2012 - continuous	Y	20	
Director Employment and Training	Ann Kubarek	7	12/31/11-continuous	Y	20	

Director of Health & Human Services	Elane Daly	7	8/28/2011 thru 9/27/2016	Y	20
DA's OFFICE					
Chief Asst. DA	Christopher Valinda	7	1/1/12 - 12/31/15	Y	20
Assistant DA	Diane Adsit	7	1/1/12 - 12/31/15	Y	20
Assistant DA	Romolo Canzano	7	1/1/12 - 12/31/15	Y	20
Assistant DA	Heather DeStefano	7	1/1/12 - 12/31/15	Y	20
Assistant DA	Brian Bauersfield	7	1/1/12 - 12/31/15	Y	20
Confidential					
Secretary	Tina Smith	7	1/1/12 - 12/31/15	Y	20
Adm. Assistant	Katherine Button	7	1/1/12 - 12/31/15	Y	20
DA Stenographer	Karen Vasteno	7	1/1/12 - 12/31/15	Y	20
County Clerk's Office					
1st Deputy Clerk	Paula Capocefalo	7	1/1/12 - 12/31/15	Y	20
2nd Deputy Clerk	Nancy Proper	7	1/1/12 - 12/31/15	Y	20
3rd Deputy Clerk	Dawn Wolff	7	1/1/12 - 12/31/15	Y	20
Historian PT	Linda Frank	7	10/27/2011-continuous	Y	8
County Attorney's Office:					
Asst. Co. Atty	Christopher Palermo	7	2/1/11 - 7/3/12	Y	20
Dep Co Fire/EMS					
Coordinator	Deanna L. Gates	7	1/1/2012-12/31/2012	N	1.47
Dep Co Fire/EMS					
Coordinator	Samuel Giannettino, Jr.	7	1/1/2012-12/31/2012	N	1.26
Coordinator	Jason Green	7	1/1/2012-12/31/2012	N	X
Dep Co Fire/EMS					
Coordinator	David Newert	7	1/1/2012-12/31/2012	N	1.44
Dep Co Fire/EMS					
Coordinator	Travis Poole	7	1/1/2012-12/31/2012	N	X
Dep Co Fire					
Coordinator	Begley, Thomas	7	1/1/2012-12/31/2012	N	3.3

Fire Investigator PT	Bloss, Scott	7	1/1/2012-12/31/2012	N	3.21
Fire Investigator PT	Brown, Edward	7	1/1/2012-12/31/2012	N	2.42
Dep Fire Investigator PT	Deyneka, Michael	7	1/1/2012-12/31/2012	N	1.73
Fire Equipment Examiner PT	Foster, Kevin W	7	1/1/2012-12/31/2012	N	1.14
Dep Co Fire Coordinator	James, David M	7	1/1/2012-12/31/2012	N	1
Fire Investigator PT	Nalley, Joshua D	7	1/1/2012-12/31/2012	N	1.04
Dep Co Fire Coordinator	Pelc, William F	7	1/1/2012-12/31/2012	N	1.23

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

**RESOLUTION NO. 287-12**

**7/24/2012 COL Temp fill Leg Asstrev4**

**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
Increase	A10401 58001	FICA	\$557

Decrease A10101 58003 Health Ins. \$7,841; and be it further

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.

**Discussion:**

**Mahunik, I have some concerns as to why I can’t support this resolution, we continually ask our Department Heads to do more with less and yet again we are going to fill a another position. Mr. Pinckney here with the Sheriff of 3 employees that stepped up and solved the problems they had out there.**

**Fearon, it is a 2 women department and I don’t think without serious out-side help that this will work out, to have the skills to walk in and do that without a little bit of training.**

Signed by Fearon, Pinckney, Didio, Farrell, Lattimore, Pecher, Axton, Chapman, Runkle and Whitman, all in favor, except Aikman, Axton and Mahunik voting no.

**Discussion: Resolution No. 288-12**

Aikman, I will abstain.

Didio, as presented the Cayuga Community College's budget shows that we have a investment in the future of Cayuga County to enhance the Cayuga Community College, I will support this.

Pecher, I will oppose it, because the college spends way too much money on way too many projects, starts another one before the last is close to being finished. I don't believe anyone should be asking for a 3% increase when we are looking at a 2% tax increase.

**Motion by Chapman** to amend sponsor's share, from \$2,841,515 to \$2,898,345, a 2% increase, 2<sup>nd</sup> by Fearon.

Discussion:

Farrell, Tom can you gives us an overview prior to going into the budget where you feel a 2% or 3% increase here or is it too early for us to reflect on that yet?

Squires, 2% or 3% increase in the County budget?

Farrell, no, increase in the college by \$85,000.

Cuddeback, what percent of the levy would that be?

Squires, .24% increase in the levy, if all else was flat in the county budget and we added \$85,000 to the levy it would be about a .2% increase.

Farrell, is it too early to indicate where we are going to be in the budget in its entirety.

Squires, with any degree of accuracy, yes. We know that retirement is up we know that Medicaid is going to be up and we know the debt is going to be up a little bit. The departments are now submitted their budgets requests for next year, there are due by August 10, it is premature for me give you any kind of numbers.

Farrell, I realize that Mr. Chapman has an amendment on the floor, I don't know, if in past years, is it practical to have an amendment that would approve the Community College's budget at last year's rate and any increase what so ever would be appropriated for when County's budget is approved? There are Department Heads in this room tonight that are going to come in and get a 2 or 3 guarantee before we start the budget process.

Squires, that would make it difficult for the college, because they have to submit the budget to the State, their fiscal year starts September 1<sup>st</sup>, so no we couldn't do that. Whatever is passed tonight, they are going to have to go back and adjust their budget for, and so if we then latter appropriate more money, but I'm not sure it helps them right now in developing their budget.

Farrell, but it hinders us in developing ours.

Cuddeback, we would have that much less buying or budgeting power in the fall.

Runkle, what type of increases has the County given the college in the last 2 years?

Cuddeback, flat

Squires, I think it has been flat for 3 years.

Larson, 3 years.

Lattimore, Mr. Pecher's point is well taken, on how we borrow money within this organization. Public Safety and Educated the youth is very important, how much more does a person with a 2 year associate degree earn?

Larson, about 1/2 million dollars.

Lattimore, sales tax is a big part of our budget, if we could get everybody to spend another ½ million dollars are budget would be that much better off.

Cuddeback, Dr. Larson, how many capital projects is the college in at this time?

Larson, the Fulton Capital Project will be wrapped up in the early part of August, we are looking at the outdoor athletic facility, but we have not started that, also engaged in the theater project, the Musical Theater Festival is raising the total local share of their funds, but no college funds associated with that, we are looking at student housing, with an outside entity so there would be no college funds associated with that.

Cuddeback, let's say that 4 of them go forward and any incidentals or payments after State Aid, those 4 capital projects have to come out of the same cash flow program that you outlined when you decided to go ahead with these capital projects?

Larson, the student housing does not, it will be self supporting by the revenue that would be generated by those students that would be living there. The other 3 projects we have looked carefully at our capital revenue, which is separate from the college operating budget, with the capital revenue we can support those projects. The college currently has a credit balance in capital funding with the County of about \$500,000, we believe that the additional FTE's generated with the Fulton project and with the other projects will increase capital revenue as well.

Lattimore, all we have to do is look to the south, Ithaca has 2 universities and their economy is doing well. The formula that is proposed by the State, satellites are going to produce more income to us.

Cuddeback, any hiccup or anything that might happen, the responsibility is on the County, is that correct?

Larson, ultimately as the local sponsor for the college, yes, but the college back-stops all of these projects.

Cuddeback, but any increase in contribution by the County is forever, it can never go the other way.

Pecher, I would like to remind people that Auburn Hospital is in dire straits once again and we are backing 14 million of their bonds, which we may have to fund in the future, we need to be extremely careful with our spending.

**Vote on amendment**, all in favor, except voting no, Farrell, Didio, Mahunik and Barski, abstaining Aikman, excused Bennett, motion carried.

**Further Discussion:**

Mahunik, what happens if this gets voted down as amended?

Cuddeback, it would go back to the original budget item, which is flat.

Larson, actual what the Legislature needs to do then is to approve or take action with the budget totally, that is separate from what you contribution may be. The college budget is proposed at \$32.56 you take action with that separate from what your increase in contribution is.

Fearon, I believe in not acting on this, we are looking at 4 years at zero, I believe the college does more than anything else in the County to enhance wages, workforce, I don't think there is anything we can do that's greater than this in the community that helps all the people in our county.

**RESOLUTION NO. 288-12****7/24/12 COA CCC2012-2013bdgtrev****APPROVING 2012-2013 BUDGET FOR CAYUGA COMMUNITY COLLEGE**

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

MR. DAVID AXTON, Chairperson, Ways and Means Committee

WHEREAS, Cayuga Community College has presented its budget for the 2012-2013 academic year to the Ways & Means and Government Operations Committees of the Cayuga County Legislature; and

WHEREAS, said Cayuga Community College budget for the 2012-2013 academic year totals \$32,359,572; and

WHEREAS, the sponsor's share of Cayuga County in said budget is the amount of **\$2,898,345**; now, therefore, be it

RESOLVED, that the said 2012-2013 Budget of Cayuga Community College is hereby approved in accord with a 2013 County Contribution of **\$2,898,345**.

**Resolution as amended, approved by majority vote. Ayes – Didio, Chapman, Axton, Pinckney, Runkle, Fearon and Lattimore. Noes – Pecher, Whitman, Farrell, Barski, Mahunik and Cuddeback, abstaining Aikman and excused Bennett. Vote – 452/331/51/49**

**Chairman Steven Cuddeback closed the Public Hearing at 7:20PM**

**RESOLUTION NO. 289-12****7/24/12 COA-LLWgtdVoteforBdgtChgsADP**

**TO ADOPTING LOCAL LAW NO. 6 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. GEORGE FEARON, Chairman, Government Operations Committee.

MR. DAVID AXTON, Chairman, Ways and Means Committee.

WHEREAS, Local Law No. 6 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; and

WHEREAS, pursuant to law and after proper notice having been given, the County Legislature held a public hearing on said Local Law No. 6 for the year 2012 on July 24<sup>th</sup>, 2012 at 6:00 P.M.; now, therefore be it

ENACTED, that the Cayuga County Legislature does hereby adopt Local Law No. 6 for 2012, requiring 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; and be it further

RESOLVED, that the Clerk of the County Legislature publish notice of the adoption of the proposed 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 Fearon, Didio, Farrell, Lattimore, Pecher, Pinckney, Axton, Barski, Runkle and Whitman, all in favor.

COUNTY OF CAYUGA  
LOCAL LAW NO. 6 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.

BE IT ENACTED by the Cayuga County Legislature as follows:

Section 1: Authorization: County Law §153 expressly recognized that other voting proportions may be prescribed.

Section 2: The Local Law requiring 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.

Section 3: Severability: If any section of this local law shall be held unconstitutional, invalid or ineffective, in whole or in part, such determination shall not deemed to affect, impair, or invalidate the remainder.

Section 4: Effective: This Local Law shall be subject to a mandatory referendum as set forth at Municipal Home Rule Law, Section 23 and shall take effect immediately upon completion of the procedural requirements for Local Law subject to a mandatory referendum.

**RESOLUTION NO. 290-12**  
**7/24/12 E&T Access-VR**

**AUTHORIZING THE CAYUGA COUNTY EMPLOYMENT AND TRAINING DEPARTMENT TO ENTER INTO A SUB-LEASE AGREEMENT WITH NEW YORK STATE EDUCATION DEPARTMENT/ACCES-VR 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 approximately 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 \$5,780.16 rent per year during the term of this lease, payable in equal monthly installments of \$481.68 in advance of the first of each and every month, or as a one-time payment of \$5,780.16; 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 New York State Department of Education /ACCESS-VR; 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, Chapman, Farrell, Fearon, Lattimore, Axton, Pinckney, Runkle and Whitman, all in favor.

### **RESOLUTION NO. 291-12**

#### **7-24-12 PB localwaterfrontregrant**

#### **AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION AND FUNDING REQUEST TO THE NEW YORK STATE LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP) BY THE CAYUGA COUNTY DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT AND THE TOWN OF OWASCO AS CO-APPLICANT TO REVIEW AND UPDATE THE OWASCO LAKE WATERSHED MANAGEMENT PLAN**

BY: Mr. Stephen Barski, Chair, Planning and Economic Development Committee

Mr. David Axton, Chair, Ways and Means Committee

WHEREAS, Owasco Lake is an important scenic asset in Cayuga County, offers a wide variety of recreational opportunities which contribute to the local economy, and provides drinking water for nearly 50,000 people; and

WHEREAS, therefore the water quality of Owasco Lake is important to Cayuga County and its residents; and

WHEREAS, the State of the Owasco Lake Watershed report, developed in 1998 and 1999, described past and current conditions of the lake and its watershed, and discussed issues that affect or will affect the lake and its watershed; and

WHEREAS, the State of the Owasco Lake Watershed report was utilized in the development of the Owasco Lake Watershed Management Plan that was accepted by the Cayuga County Legislature by Resolution #380-01 on July 24, 2001, and which reflected community priorities and recommendations regarding the various issues affecting Owasco Lake and the surrounding communities; and

WHEREAS, the current Owasco Lake Watershed Management Plan is out of date and needs to undergo a review and update; and

WHEREAS, Cayuga County and the Town of Owasco desire to update the Owasco Lake Watershed Management Plan; and

WHEREAS, to this end, Cayuga County together with the Town of Owasco seek to apply for a grant from the New York State Local Waterfront Revitalization Program (LWRP) to assist with funding a study to review and update the State of the Owasco Lake Watershed report, assess the various issues affecting Owasco Lake and the surrounding communities, and update the Owasco Lake Watershed Management Plan; and

WHEREAS, the NYS LWRP grant requires a fifty percent match and these funds can be in-kind staff and volunteer time and services which can be made over the three-year term of the grant stretching over four fiscal years; now,

THEREFORE BE IT RESOLVED by the Cayuga County Legislature, as follows:

Section 1: that the Cayuga County Department of Planning and Economic Development is hereby authorized along with the Town of Owasco to submit an application through the LWRP for purposes of conducting a study and formulating a plan affecting the Owasco Lake Watershed;

Section 2: that Cayuga County shall act as Lead Applicant and the Town of Owasco shall act as Co-applicant, and that the Chairman of Cayuga County Legislature as Lead Applicant shall execute all financial and/or administrative documents relating to the grant program;

Section 3: that the maximum amount of money to be applied for in the grant application shall be \$160,000 with \$80,000 in grant funds and \$80,000 to be provided in staff and volunteer in-kind services making up the local share of fifty percent of the study/plan; and, be it further

Section 4: that the Chairman of the Legislature and the Director of the Planning Department are hereby authorized to accept said Grant if it should be awarded and to sign any and all documents necessary for acceptance and implementation of the grant; and, be it further

Section 5: that the Chairman of the Cayuga County Legislature, hereby is authorized to enter into agreements with the Town of Owasco to further define the rights and obligations of the participants in connection with the study and plan and to provide that the local share or match for the grant funds shall be made; and, be it further

RESOLVED, that this resolution shall take effect immediately.

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

#### **RESOLUTION NO. 292-12**

**July 24, 2012 PB CCIDA-FundsIDA SectyTreasrev4**

#### **AUTHORIZING FILLING THE VACANT POSITION OF CCIDA SECRETARY/TREASURER AND PAY WITH 100% REIMBURSEMENT FROM CCIDA ON THE PAYROLL FOR THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT AND SETTING THE SALARY AND DEPARTMENTAL REIMBURSEMENT FOR THE POSITION**

BY: Mr. Stephen Barski, Chair, Planning and Economic Development Committee

Mr. David Axton, Chair, Ways and Means Committee

WHEREAS, Cayuga County supports the allocation of staff and technical resources to implement a robust and effective Economic Development Program that results in community investment, job creation, economic opportunity and an improved quality of life for Cayuga County residents and businesses; and

WHEREAS, the Cayuga County Industrial Development Agency ("CCIDA"), staffed by the Cayuga County Department of Planning & Economic Development, is an essential economic development resource fundamental to Cayuga County economic development efforts associated with business expansion, retention and attraction; and

WHEREAS, the incumbent in the 100% funded County position of CCIDA Secretary-Treasurer, filled by County Resolution No. 29-06 on January 20, 2006, has retired from County employment leaving the critical CCIDA Secretary-Treasurer position vacant, and creating an immediate need to fill the 100% CCIDA-funded position of Secretary-Treasurer with an individual versed in CCIDA operations, accounting, auditing, statutory and administrative procedures; and

WHEREAS, the full-time Administrative Assistant in the Department of Planning and Economic Development has been designated by the CCIDA as the Assistant CCIDA Secretary-Treasurer since 2006, performing the administrative and accounting functions of the position when the CCIDA Secretary-Treasurer was not available; and

WHEREAS, at the June 19, 2012 CCIDA meeting, the CCIDA Board of Directors asked the Assistant CCIDA Secretary/Treasurer to fill the vacant CCIDA Secretary-Treasurer position pending legislative approval and the Administrative Assistant in the Department of Planning and Economic Development accepted the position; and

WHEREAS, the CCIDA has set the annual funding of the CCIDA Secretary/Treasurer at \$10,000, with 100% reimbursement to Cayuga County to fully cover the position's salary and fringe benefits, and this 100%-funded salary was incorporated into the County position of CCIDA Secretary/Treasurer via County resolution 180-10 on April 27, 2010; and

WHEREAS, Cayuga County understands that this work and ongoing County support is essential to the continued functioning and efficiency of the CCIDA and the economic work it is engaged in for the benefit of Cayuga County residents and therefore supports the filling of this fully funded position, which will be paid 100% by the CCIDA with funding passed through the County; NOW, THEREFORE BE IT

RESOLVED, by the Cayuga County Legislature as follows:

1. Effective May 1, 2012, the position of CCIDA Secretary/Treasurer (position control number 6172) is authorized to be filled at an annual salary of \$5,860 and \$1,640 allocated for fringe benefits, to be 100% reimbursed annually to the County from CCIDA, in accordance with the Civil Service Rules and Regulations and the policies of the County of Cayuga;
2. That this position shall be transferred, within Part II of the Cayuga County Compensation Plan, from the Treasurer's Department to the Planning Department;
3. That the salary for this position will be set at \$5,860 in Part II of the Compensation Plan;
4. That the Treasurer's office is authorized to make the following transfer:

From –	A13251	5101	Salary	\$4,995
	A13251	58001	FICA	\$381
	A13251	58005	Wkrs' Comp	\$172
	A13251	58002	NYS Ret	\$788
To —	A80201	5101	Salary	\$4,995
	A80201	58001	FICA	\$381
	A80201	58005	Wkrs' Comp	\$172
	A80201	58002	NYS Ret	\$788

5. The \$2,500 balance of the \$10,000 CCIDA annual payment to the County will be received as departmental revenue in the Department of Planning & Economic Development's annual budget beginning in FY 2013;

6. The services to be provided to the CCIDA will be completed outside and in addition to the services currently provided by the Planning & Economic Development Administrative Assistant;

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

**RESOLUTION NO. 293-12**

**7.24.12 PB CCINDPARK INFRA CAP-H rev7**

**AUTHORIZING THE ESTABLISHMENT OF CAPITAL “H” PROJECT  
NO. 12 -02 (CONSTRUCTION OF NEW COUNTY ROAD) AND  
THE EXECUTION OF NECESSARY AGREEMENTS THERETO.**

BY: Mr. Stephen Barski, Chair, Planning & Economic Development Committee  
Mr. David Axton, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Legislature supports the allocation of resources to establish an effective Economic Development Program that will result in community investment, job creation, economic opportunity, an increase in the tax base and an improved quality of life for Cayuga County residents and businesses; and

WHEREAS, the Cayuga County Legislature believes that investing in and securing “shovel ready” business and industrial development sites with sufficient infrastructure to support the expansion or retention of existing Cayuga County businesses and industries and/or provide competitive development sites for attracting targeted business and industry to Cayuga County is a necessary and appropriate investment of Cayuga County resources; and

WHEREAS, Cayuga County Department of Planning & Economic Development, in coordination with the Cayuga County Industrial Development Agency (CCIDA), have attracted Cayuga Marketing, Inc., a cooperative of Cayuga County and regional dairy farmers, to develop the Cayuga Ingredients Project - an approximately \$90MM, 106K Square Foot Milk Processing Facility to locate on a 25+/- Acre development parcel within the Cayuga County Industrial Park in the Town of Aurelius (the “Milk Facility Project”), that is projected to result in the creation of a minimum fifty-two, full-time, high-end manufacturing jobs, contribute an estimated \$236MM annually to the Cayuga County economy, support the County and region’s farming and agricultural base and act as a catalyst for the attraction of new manufacturing and support businesses to Cayuga County and the Cayuga County Industrial Park; and

WHEREAS, the CCIDA has worked with Cayuga Marketing Inc. to draft a Land Development Agreement (LDA) between the CCIDA and Cayuga Marketing Inc., which, upon execution, will require and commit Cayuga Marketing to build the Cayuga Ingredients Milk Processing Plant and create a minimum of fifty-two, full-time, high-end manufacturing jobs and will commit the CCIDA to sell Cayuga Marketing an approximate 25-Acre development site in the Park and construct or have constructed certain roadway, utility and related infrastructure within the Park to accommodate the Milk Plant; and

WHEREAS, the CCIDA, acknowledging that the Park requires the immediate construction of additional roadway, water, sewer and related infrastructure necessary to accommodate the 25-Acre Cayuga Ingredients Project as required by the proposed LDA, that will also provide an additional 78+ Acres of shovel ready sites for future development (the “Infrastructure Project”), has secured final Bid Specifications and Bid Documents ready for immediate municipal bidding (the “Bid Documents”); and

WHEREAS, the CCIDA will provide these Bid Documents to Cayuga County to be used to solicit competitive public works bids for the construction of the Infrastructure Project and, further, that the CCIDA will provide a license for Cayuga County or its agents to occupy the CCIDA land for the purposes of constructing the Infrastructure Project and, upon completion of the Infrastructure Project, the CCIDA will transfer ownership of the CCIDA lands upon which the Infrastructure Project is built (the roadways and easements necessary to own and maintain such infrastructure) to the County at no cost to the County; and

WHEREAS, the professional engineering firm preparing the Bid Documents for the CCIDA have prepared detailed and conservative cost estimates for the construction of the Infrastructure Project required by the LDA, and have provided a total estimated cost of \$1,217,000, including prevailing wage rates and a ten percent (10%) contingency; and

WHEREAS, the Cayuga County Legislature wishes to support the development of shovel ready industrial sites within the Cayuga County Industrial Park in general and specifically wishes to secure the development of the Milk Facility Project and the community investment, agricultural support, related development and job creation is represents;

WHEREAS, CCIDA has requested the County to undertake a certain project (the "Project") consisting of construction of an access road and related connector roads at the Cayuga County Industrial Park, including curbs, landscaping, grading and related improvements in connection therewith, such roads to consist of pavement with penetration macadam or plant mix bottom course and heavy duty, bituminous concrete wearing surface; and

WHEREAS, the Project is a subcomponent of the Infrastructure Project in that utility work (water laterals) are not included in the scope of the Project; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act ("SEQRA"), ECL Section 8-0101, et seq., and implementing regulations, 6 NYCRR Part 617 (the "Regulations") the County is required to make a determination with respect to the environmental impact of any "action" (as defined by SEQRA) to be taken by the County and the approval of this resolution constitutes such an action; and

WHEREAS, by adoption of a Bond Resolution presented herewith, the County ratified a previous SEQRA determination made by Town and further determined that (i) the Project will result in no major impacts and, therefore, is one which will not cause significant damage to the environment; (ii) the Project will not have a "significant effect on the environment" as such quoted terms are defined in SEQRA; and (iii) no "environmental impact statement" as such quoted term is defined in SEQRA, need be prepared for this action; and

NOW, THEREFORE BE IT RESOLVED, by the Cayuga County Legislature as follows:

1. The County Administrator is hereby directed to accept the Bid Documents from the CCIDA, to advertise and circulate the Bid Documents for the Industrial Park Infrastructure Project, on behalf of the County, as soon as they are available, and to have the County solicit and review sealed competitive municipal bid proposals for the Infrastructure Project;

2. Subject to, and contingent upon, the execution of the LDA between the CCIDA and Cayuga Marketing Inc., whereby Cayuga Marketing will commit to the construction and subsequent operation of the planned Milk Processing Plant at the Cayuga County Industrial Park in the Town of Aurelius and hiring a minimum of fifty-two full time employees, the Legislature hereby authorizes and directs the following:
  - a. The County Treasurer be and he is hereby authorized and directed to create Capital "H" Project No. 12-02 (Construction of New County Road) in an amount not to exceed \$1,217,000.00 source of funding to be in-house borrowing, or by the issuance of up to \$1,217,000.00, of serial bonds or any bond anticipation notes in anticipation of the issuance and sale of the bonds of said County and the levy of a tax to pay interest on said obligations, bond anticipation notes, serial bonds;
  - b. The County Administrator is hereby authorized and directed to seek sealed bids for the Project based upon the bid documents prepared for and submitted by the CCIDA to the County; and
  - c. Subject to review and approval by the County Attorney, the Chairman of the Legislature will thereby be authorized and directed to execute the necessary documents between the CCIDA and the County pertaining to a license authorizing the County to access and construct the Infrastructure Project on certain CCIDA lands within the Park and to execute the documents necessary to transfer this CCIDA real property to Cayuga County at the conclusion of the Agency Infrastructure Project;
  - d. Subject to review and approval of the County Attorney, the Chairman of the Legislature is hereby authorized to award a construction contract or contracts for the Infrastructure Project to the lowest, qualified bidder(s) responding in compliance to the Bid Documents circulated by the County;

and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute any and all documents required to purchase the property and implement this resolution; and be it further

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

RESOLVED, that this Resolution shall take effect immediately.

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

**RESOLUTION NO. 294-12**  
**7.24.12 PB PB ccidaindparkinfrabondrev3**  
**COUNTY OF CAYUGA, NEW YORK**

**July 24, 2012**

A regular meeting of the County Legislators of the County of Cayuga, New York (the "County") was held at the Legislature Chamber on the 6<sup>th</sup> floor of the Cayuga County Office Building, 160 Genesee Street, Auburn, New York on July 24, 2012, at 6:00 P.M. (Prevailing Time).

**There were present:** (County Legislators)

Steven Cuddeback, Chair

Cynthia Aikman

David Axton

Stephen Barski

Michael Chapman

Michael Didio

Mark Farrell

George Fearon

Timothy Lattimore

Patrick Mahunik

Hans Pecher

Paul Pinckney

Joseph Runkle

Tucker Whitman

**There were Absent:** (County Legislators)

Joseph Bennett, excused

**Also Present: Fred Westphal, Tom Squires, Paul Lattimore, George Wethey, Sue Dwyer, Elane Daly, Kelly Anderson, Jim Orman, Sistina Giordano, Dr. Daniel Larson, Diane Hutchinson, Timothy Donovan, Deb McCormick, Sharon Bennett, David Gould, Stephen Lynch, Gary Duckett, Mike Russell, Deb English, Ray Bazzari, Mary Jones and Sheila Smith.**

The following resolution was offered by Legislator Stephen Barski, who moved its adoption, and second by Legislator Michael Didio to wit:

**RESOLUTION NO. 294-12****7.24.12 PB ccidaindparkinfrabondrev3**

**BOND RESOLUTION OF THE COUNTY OF CAYUGA, NEW YORK,  
ADOPTED ON JULY 24, 2012 AUTHORIZING THE ISSUANCE OF UP TO  
\$1,217,000 BONDS OF THE COUNTY OF CAYUGA TO FINANCE THE  
COSTS OF A CERTAIN ROAD CONSTRUCTION PROJECT AT THE  
CAYUGA COUNTY INDUSTRIAL PARK IN THE TOWN OF AURELIUS. (2/3)**

BY: Mr. Stephen Barski, Chair, Planning & Economic Development Committee

Mr. David Axton, Chair, Ways & Means Committee

WHEREAS, the County Legislators of the County have determined that it is necessary for the County to undertake a certain project (the "Project") consisting of construction of an access road and related connector roads at the Cayuga County Industrial Park located in the Town of Aurelius, New York (the "Town"), including curbs, landscaping, grading and related improvements in connection therewith, such roads to consist of pavement with penetration macadam or plant mix bottom course and heavy duty, bituminous concrete wearing surface; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act (“SEQRA”), ECL Section 8-0101, *et seq.*, and implementing regulations, 6 NYCRR Part 617 (the “Regulations”) the County is required to make a determination with respect to the environmental impact of any “action” (as defined by SEQRA) to be taken by the County and the approval of this resolution constitutes such an action; and

WHEREAS, in 2009 the Cayuga County Industrial Development Agency submitted an application for site plan approval to the Town of Aurelius, New York (the “Town”) for certain roadway and utilities infrastructure (the “Infrastructure Project”) within an existing Planned Development District for the Cayuga County Industrial Park; and

WHEREAS, the Town thereafter classified the Infrastructure Project as an Unlisted Action within the meaning of SEQRA and thereafter concluded that the Infrastructure Project will not result in any significant adverse impacts to the environment, and issued a Negative Declaration with respect to the Infrastructure Project on July 31, 2009; and

WHEREAS, the County’s Department of Planning & Economic Development, in coordination with the Cayuga County Industrial Development Agency, have since attracted Cayuga Marketing, Inc., a cooperative of the County and regional dairy farmers, to pursue development of an approximately 108,000 square foot milk processing facility (the “Milk Facility Project”) to be located on a 25+/- acre development parcel within the Cayuga County Industrial Park and serviced by the roadway and utilities comprising the Infrastructure Project; and

WHEREAS, in January of 2012 Cayuga Marketing, Inc. submitted an application for site plan approval to the Town for the Milk Facility Project; and

WHEREAS, the Town thereafter classified the development of the Milk Facility Project as a Type I Action within the meaning of SEQRA and the Regulations, conducted a coordinated environmental review of the proposed action, conducted a public hearing, and after carefully considering the nature and scope of the Milk Facility Project, by resolution adopted in April of 2012, the Town (1) declared itself lead agency with respect to the environmental review, (2) concluded that the Milk Facility Project will not result in any significant adverse impacts to the environment, and (3) issued a Negative Declaration with respect to the Milk Facility Project; and

WHEREAS, the Project is a subcomponent of the Infrastructure Project in that utility work (water laterals) are not included in the scope of the Project; and

WHEREAS, the County’s Department of Planning & Economic Development has thoroughly reviewed the environmental assessment forms and related supporting documentation considered by the Town in connection with both the Infrastructure Project and the Milk Facility Project such that the County has taken into account the entire set of activities associated with the Project; and

WHEREAS, the County’s Department of Planning & Economic Development has recommended that the County ratify the Town’s negative declaration relative to the Infrastructure Project; and

NOW, THEREFORE BE IT RESOLVED ON JULY 20, 2012 BY THE COUNTY LEGISLATORS OF CAYUGA COUNTY, NEW YORK (by favorable vote of not less than two thirds of said Legislature), AS FOLLOWS:

Section 1. The County hereby ratifies the SEQRA determination made by Town and the County further finds that (i) the Project will result in no major impacts and, therefore, is one which will not cause significant damage to the environment; (ii) the Project will not have a “significant effect on the environment” as such quoted terms are

defined in SEQRA; and (iii) no “environmental impact statement” as such quoted term is defined in SEQRA, need be prepared for this action. This determination constitutes a negative declaration in connection with the County’s involvement with the Project for purposes of SEQRA.

Section 2. For the specific object or purpose of undertaking the Project, including all related environmental studies, architectural, legal and engineering fees, and all other necessary costs incidental to the Project there are hereby authorized to be issued \$1,217,000 bonds of said County pursuant to the provisions of the Local Finance Law. Undertaking the Project, at a maximum estimated cost of \$1,217,000 is hereby approved.

Section 3. The plan for the financing of the aforesaid specific object or purpose is by the issuance of up to \$1,217,000, or such amount less than \$1,217,000 as may be necessary, of serial bonds or any bond anticipation notes in anticipation of the issuance and sale of the bonds of said County, hereby authorized to be issued pursuant to the Local Finance Law and the levy of a tax to pay principal and interest on said obligations, and by the application of state and/or federal assistance available or to any revenues available for such purpose from any other source.

Section 4. The faith and credit of said County of Cayuga, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such years and such debt service payments may be made in substantially level or declining amounts as may be authorized by law. All the taxable real property within said County shall be subject to the levy of ad valorem taxes sufficient to pay the principal of and interest on said bonds.

Section 5. Pursuant to Sections 30.00, 50.00 and 56.00 to 60.00, inclusive, of the Local Finance Law, the power to authorize the issuance of and to sell the serial bonds and any bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such bonds or notes shall be of such form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. The County Treasurer is hereby further authorized, at his sole discretion, to execute all agreements and instruments in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of said County.

Section 7. The intent of this resolution is to give the County Treasurer sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and/or notes without resorting to further action of this County Legislature.

Section 8. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the

County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 9. Such bonds shall be in fully registered form and shall be signed in the name of Cayuga County, New York, by the manual or facsimile signature of the County Treasurer and a facsimile of its corporate seal shall be imprinted or impressed thereon and maybe attested to by the manual or facsimile signature of the County Clerk. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent.

Section 10. The County hereby covenants and agrees with the holders from time to time of the Bonds and any bond anticipation notes issued in anticipation of the sale of the Bonds, that the County will faithfully observe and comply with all provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and any proposed or final regulations issued pursuant thereto unless, in the opinion of bond counsel, such compliance is not required by the Code and regulations to maintain the exclusion from gross income of interest on said obligations for federal income tax purposes.

Section 11. The following additional matters are hereby determined and declared:

- (a) The period of probable usefulness of the class of objects or purposes herein authorized and for which \$1,217,000 of said serial bonds are herein authorized to be issued within the limitations of Section 11.00, Subsection 20(c) of the law, is 15 years; and
- (b) Current funds are not required by the Local Finance Law to be provided prior to the issuance of the bonds and any notes issued in anticipation thereof authorized by this resolution; and
- (c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.
- (d) The County reasonably expects to reimburse itself for expenditures made out of the County's General Fund for the Project from the proceeds of the bonds or notes herein authorized.
- (e) This resolution is a declaration of official intent to reimburse for purposes of Treasury Regulation Section 1.150-2.
- (f) The bonds authorized herein are not being issued for an assessable improvement.

Section 12. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

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

Section 13. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 14. This resolution, which takes effect immediately, shall be published in summary form in the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

**WHEREFORE**, the foregoing Resolution was put to a vote of the members of the County Legislators of the County on July 20, 2012, the result of which vote was as follows:

Signed by Barski, Chapman, Farrell, Fearon, Axton, Pinckney, Runkle and Whitman.

**COUNTY LEGISLATOR**

**VOTE**

Approved by 2/3 vote, all Legislators voting yes, except excused Joseph Bennett

**DATED:** JULY 24, 2012

**CERTIFICATE**

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

That I have compared the annexed extract of the minutes of a meeting of the County Legislators of said County including the resolution contained therein, held on July 20, 2012, with the original thereof on file in my office, and that the same is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relates to the subject matters therein referred to.

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

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

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the corporate seal of the Cayuga County, New York, this \_\_ day of July, 2012.

**Susan M. Dwyer, County Clerk**

**NOTICE OF BOND RESOLUTION**

The resolution, a summary of which is published herewith, was adopted on July 20, 2012. The validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Cayuga, New York is not authorized to expend money or if the provisions of law which

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

**Susan M. Dwyer, County Clerk**

### **SUMMARY OF BOND RESOLUTION**

A Resolution adopted by the County Legislators of the Cayuga County, Cayuga County, New York (the "County") on July 20, 2012 authorizes the issuance of bonds and other obligations to finance a project consisting of the construction of an access road and related connector roads at the Cayuga County Industrial Park, including curbs, landscaping, grading and related improvements in connection therewith, such roads to consist of pavement with penetration macadam or plant mix bottom course and heavy duty, bituminous concrete wearing surface, including all related environmental studies, architectural, legal and engineering fees, and all other necessary costs incidental to the Project, and to pay for such project by the levy of a tax for the foregoing object or purpose in an amount not to exceed \$1,217,000, which shall be levied and collected in annual installments in such years and in such amounts as may be determined by the County Legislators and that in anticipation of the collection of such tax, bonds and notes of the County are hereby authorized to be issued at one time, or from time to time, in the principal amount not to exceed \$1,217,000 and a tax is authorized to pay the principal and interest on said obligations when due. Under the Local Finance Law, the Project has a period of probable usefulness of 15 years. Such resolution shall be kept available for public inspection in the County Clerk's Office during regular business hours for twenty days following this publication.

### **RESOLUTION NO. 295-12**

**7/25/12 PT EmersonParkFees 7 12**

### **APPROVING CHARGING THE SAME PARKING FEE FOR TOMATOFEST THAT IS CHARGED FOR ALL OTHER EVENTS AT EMERSON PARK EXCEPT THE JULY THIRD FIREWORKS AND REVISING RESOLUTION 93-12 TO REFLECT THIS CHANGE**

By: Tucker Whitman Chairperson, Public Works  
David Axton Chairperson, Ways & Means Committee

WHEREAS, the fees at Emerson Park were established by Resolution 93-12 following much discussion and revision on the floor of the legislature; and

WHEREAS, the park department noticed the fee for Tomatofest parking was increased from \$2.00 to \$3.00 while the fee was left unchanged for all other events at Emerson Park; and

WHEREAS, the park department recommends that the legislature consider returning the parking fee for Tomatofest back to prior rate of \$2.00; now therefore be it

RESOLVED, that the Cayuga County Legislature does hereby revise Resolution 93-12 establishing the fee for Tomatofest parking at \$2.00/car.

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

**RESOLUTION NO. 296-12****Date: July 24, 2012 HWY wintertemp2012rev****AUTHORIZATION TO HIRE PART TIME SEASONAL  
LABORERS FOR 2012/2013 SNOW SEASON**

BY: Tucker Whitman, Chairman, Public Works Committee

David Axton, Chairman, Ways &amp; Means Committee

WHEREAS, during the past several winter seasons individuals have been hired to cover the phones and radios during weekends and holidays; and

WHEREAS, it is more cost effective to staff the weekends and holidays with temporary personnel as compared to paying permanent personnel overtime; and

WHEREAS, seasonal laborers required from mid-November to the middle to end of April for weekends and holidays; now therefore be it

RESOLVED, that the County Highway Superintendent be authorized to hire seasonal Laborer employees for the mid-November to the end of April time frame, and be it further

RESOLVED, that these personnel be paid at an hourly rate of \$10.00 for 1<sup>st</sup>&2<sup>nd</sup> shift and not to exceed \$10.50 per hour for 3<sup>rd</sup> shift, without benefits; from Accounts D51421 51005 & D51441 51005 (Seasonal Salaries); and be it further

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

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

**RESOLUTION NO. 297-12****7.24.12 COA emendcapt "H" 11-04 rev2****EMEND CAP "H" FUND FOR GLEN HAVEN ROAD PROJECT 11-04**

BY: Hon., Tucker M, Whitman, Chairman, Public Works Committee, and

Hon. David R. Axton, Chairman, Ways &amp; Means Committee.

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"); and

WHEREAS, it is necessary and desirable to utilize the assistance of outside counsel on the project; and

WHEREAS, the Capital "H" Project No. 11-04 does not contain sufficient funds to pay for legal expenses associated with the project; and

WHEREAS, monies are budgeted in the Casualty and Liability Account for just such an occurrence; now therefore be it

RESOLVED, that the sum of \$30,000.00 be transferred from the Casualty and Liability Account into Capital "H" Account No. 11-04 and that Capital "H" Account No. 11-04 be increased to \$ 138,000.00; 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, Didio, Mahunik, Pecher, Runkle, Barski, Chapman, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 298-12**

**Date: July 24, 2012 HWY acctpbidgrovebrdgrev**

**AUTHORIZATION TO ACCEPT BID FOR GROVE STREET BRIDGE REPLACEMENT AND INCREASE CAPITAL "H" PROJECT NO. 10-07 USING A GENERAL FUND LOAN**

By: Tucker Whitman, Chairman Public Works Committee  
David Axton, Chairman Ways and Means Committee

WHEREAS, resolution #520-09 authorized the implementation and funding in the first instance 100% of the federal-aid and state Marchiselli program-aid eligible cost for Grove Street bridge (BIN 3365820) replacement project; and

WHEREAS, resolution #597-10 authorized the establishment and funding of Capital "H" Project No. 10-07 in the amount of \$868,000 for the replacement of Grove Street bridge using estimated Design, Construction, and Construction Inspection costs and funding Cayuga County's share of the project; and

WHEREAS, a bridge was designed and bid for the replacement of the existing structure; and

WHEREAS, the bids were opened on June 18, 2012 with the following results

<u>Company</u>	<u>Amount of Bid</u>
Tioga Construction	\$ 897,057.50
Vector Construction	\$1,038,626.50
WD Malone Trucking & Excavating	\$ 929,335.20
R. DeVincentis Construction	\$ 855,000.00

; and

WHEREAS, the current total estimate to complete the project is \$1,132,400; comprised of \$160,500 for Design, \$855,000 for Construction, and \$116,900 for Construction Inspection; now therefore be it

RESOLVED, to accept the bid from R. DeVincentis Construction for \$855,000.00 for the replacement of the Grove St Bridge; and be it further

RESOLVED, to increase Capital "H" Project No. 10-07 by \$264,400 for a total of \$1,132,400; the source of said funds for the increase will be up to an additional \$264,400 loan to be transferred as needed from the General Fund (A) to cover federal and state aid portions pending monthly reimbursement; and be it further

RESOLVED, to authorize the Chairman of the County Legislature to sign all contract documents needed to execute the bridge replacement; and be it further

RESOLVED, to authorize the Highway Superintendent to proceed with the bridge replacement and pay for it utilizing funds in Capital "H" 10-07 Grove Street Bridge.

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

**RESOLUTION NO. 299-12**  
**7-24-12 HWY acptbiderronhillbrdgREV 2**  
**AUTHORIZATION TO ACCEPT BID FOR ERRON HILL BRIDGE**  
**REPLACEMENT AND INCREASE CAPITAL "H" PROJECT**  
**NO. 10-06 USING A GENERAL FUND LOAN**

By: Tucker Whitman, Chairman Public Works Committee

David Axton, Chairman Ways and Means Committee

WHEREAS, resolution #520-09 authorized the implementation and funding in the first instance 100% of the federal-aid and state Marchiselli program-aid eligible cost for Erron Hill bridge (BIN 3311610) replacement project; and

WHEREAS, resolution #598-10 authorized the establishment and funding of Capital "H" Project No. 10-06 in the amount of \$1,200,000 for the replacement of Erron Hill bridge using estimated Design, Construction, and Construction Inspection costs and funding Cayuga County's share of the project; and

WHEREAS, a bridge was designed and bid for the replacement of the existing structure; and

WHEREAS, the bids were opened on June 18, 2012 with the following results

<u>Company</u>	<u>Amount of Bid</u>
Tioga Construction	\$1,178,205.00
Vector Construction	\$1,300,888.00
WD Malone Trucking & Excavating	\$1,190,199.60
R. DeVincentis Construction	\$1,138,000.00
Tuscarora Construction	\$1,449,441.00
Silverline Constructors	\$1,096,532.00

; and

WHEREAS, the current total estimate to complete the project is \$1,402,832; comprised of \$172,500 for Design, \$1,096,532 for Construction, and \$133,800 for Construction Inspection; now therefore be it

RESOLVED, to accept the bid from Silverline Constructors for \$1,096,532 for the replacement of the Erron Hill Bridge; and be it further

RESOLVED, to increase Capital "H" Project No. 10-06 by \$202,832 for a total of \$1,402,832; the source of said funds for the increase will be up to an additional \$202,832 loan to be transferred as needed from the General Fund (A) to cover federal and state aid portions pending monthly reimbursement; and be it further

RESOLVED, to authorize the Chairman of the County Legislature to sign all contract documents needed to execute the bridge replacement; and be it further

RESOLVED, to authorize the Highway Superintendent to proceed with the bridge replacement and pay for it utilizing funds in Capital "H" 10-06 Erron Hill Bridge.

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

**OTHER BUSINESS:**

Lattimore, regarding public to be heard, discussion of Mr. Bennett, lawsuit, what is the difference between Mr. Bennett's case and Ms. Aikman's excusing herself on the college?

Westphal, that is a matter that should be discussed in Executive Session.

Lattimore, I think the public would like to know the difference.

Westphal, there is a difference between conflict of interest and incompatibility of office.

**Motion by Axton to go into Executive Session at 7:25PM, re: Pending Litigation, 2<sup>nd</sup> by Pinckney, all in favor.**

**Motion by Aikman to come out of Executive Session at 8:45PM, 2<sup>nd</sup> by Axton, all in favor.**

**Motion to adjourn by Didio at 8:45PM, 2<sup>nd</sup> by Aikman, all in favor.**

**Minutes approved September 25, 2012, motion made by Didio, seconded by Pinckney. All in favor.**

**SPECIAL JOINT MEETING  
CAYUGA COUNTY LEGISLATURE  
AND  
AUBURN CITY COUNCIL  
WEDNESDAY, AUGUST 15, 2012, 7:00 PM  
CAYUGA COMMUNITY COLLEGE, AUBURN, NY 13021**

Welcome to tonight's Special Meeting of the Cayuga County Legislature and City of Auburn, Wednesday, August 15, 2012, CCC, 1st Floor – Student Lounge.

**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:**

**TOPIC: Economic Development**

**DISCUSSION:**

**Cuddeback** opens stating this evening we are know we are here to speak to economic development and how we can manage with City and County efforts to come up with a plan for positive forward movement with growth and expansion. Chairman call upon Jennie Haines, Director of Planning, City of Auburn would you speak first please.

**Jennie Haines**, Director of Planning, City of Auburn: "It's an honor to be here to speak among the elected officials of the City of Auburn and Cayuga County. I would like to thank you for having me here as you discuss economic development consolidation truly a critical and important topic for our community. I was asked to give a brief outline of services and resources that have been developed by the City of Auburn Office of Planning and Economic Development. At your tables I had left a one page outline of that and had e-mailed that ahead to both to City Council and to county staff to be forwarded to the Cayuga County Legislature. Business retention these days obviously this is important to us. Statistics show that the majority of new jobs are created by our companies that are here so we need to make sure that we give great attention to them. I am not going to go through every single bullet just a few highlights here. We do site visits, respond to inquiries from our companies, establish partnerships that are needed in order to understand resources, work with our companies that are expanding. You might have seen this week that we are working with Currier Plastics on their 20 million dollar expansion 50 new jobs with the potential of 100 jobs that is a great project and it has been a pleasure

to provide Also partnering with the Cayuga Economic Development Agency and the County with some joint software that we are working on to tract and business to our companies. Under New Business Development or requests for sites we respond to leads that come from numerous channels including State and each other. We do work with CEDA and the County trying to work on developing a business attraction program that uses resources in the most effective way while targeting industries identified in the CEDA Strategic Plan. Our planning initiatives on economic development did work with/on the Strategic Plan and kudos go to board for getting that done and we have a document to work from there. Available is something that is very important so that we can. The City Council has heard me say many times that Brownfield is especially for the City of Auburn is extremely important for the future of economic development and we are working diligently with many developers and are working to do environmental studies and trying to work through some changes that were made to our zoning in order to provide easier opportunities to developer those sites.

Downtown development is extremely important but the heart of our community and we are consistently trying to work with developer's downtown. Owner of the Gregory Picciano Building to see what he is doing right now and trying to get him assistance for the improvements he is making there. City of Auburn has a business park called Technology Park we have available sites there that we are working to market and making sure that we have resources and information available for folks that are interested in that. Always looking to make sure that our policies are sound and ready to go for developers. We have been working with the Auburn Industrial Development Authority to discuss a broad range of goals and objectives for economic development in Auburn. We are going to be meeting again on August 27th to finalize some policy discussion that we are going to doing a trying to put a little more in place in order to make that Zoning ordinance needs some updates in order to make our development process move a little easier so economic development

Promotion I have worked with County and CIDA that we are looking forward to rolling our soon. Website revamping and created a section of that. Economic Development program for resources one of our major resources that we have available is the AIDA with the two members of council sit on that board

Currently AIDA is most recent one is

We also have programs – low costs low financing – \$940,000.00 Small business such as Gould Pumps. Downtown Façade Program Empire Zone Program 120 companies responsible for administration of the program

We also staff the local BOCES facility training. Partnership with BOCES.

Quick overview we have services in four other areas Planning, Building Construction, Grants and Code Enforcement.

My department is available Any questions for me.

**Stephen Lynch**, Director of Planning for Cayuga County.

Thank you members of the Legislature and members of City Council. I appreciate your speaking live and allowing me to providing you some background information with you and talk with you and getting together to discuss some important policies about economic development. As requested I provided you with a single sheet that outlines some economic development and services delivered by the County. I tried to outline it in parallel with what Jen provided you with but if you look closely you will see where are phases were we have delegated some responsibility to CEDA and CEDA take the lead role in some of those areas. My comments tonight are really about what happens after economic development. You might be in the front of the train were everything is very visible or you might be in back of the train just powering the train forward. I wanted you to have that picture of that section of economic development as you are going to get tonight. Most people think ED works as an individual or group of individuals whose sole responsibility day to day is engaging in economic activities, meeting with businesses, coordinating the delivery of incentives, problem solving and bringing value to our companies in helping them expand, grow, create jobs and investments. People tend to think that individuals consistently help us out marketing their assets and resources tracking companies and development and certainly that it apart of that. The Cayuga County Department of Planning and Economic Development does not have a single individual with that sole responsibility and if you add up all of the staff time and resources you are going solely define Economic Development including my time as Director of Planning and Economic Development I and my staff simple supply administration to IDA. Our plan is help and assist the County to grow and develop the Community Block Grant Programs more likely will add up to about 75% of a single full time employee position. We do provide on an ongoing basis and this is difficult to qualified to terms of hours and individuals because the work is in constant screening of paths handled across an entire professional staff and actual for Economic Development. \$90 million dollar Cayuga Ingredient Milk Plant Project is one example and this example would ring true no matter what entity was running the project. On any given day, the entire Planning staff may be engage to support the \$90 million dollars, for example contracts for surveys and engineering for the project contracting archeological services through the State Preservation Office will now build an obstacle into the project. To attract the project and negotiations and securing grant funds for the industrial infrastructure as we did with the in the Town of Aurelius. Environmental Review project moving forward. Helping companies with zoning ordinances to accompany secure, negotiating both water and sewer rates to allow projects to advance. Preparing funding applications for companies that are financing. These are only a small snapshot of many tasks that are happening in the department. These activities take place to support whole department or putting together as a team. No, there is not a single individual who is out knocking on doors. Fundamentals needed when that door opens and leads to a project and making sure you are prepared. These are essential resources and however you decide to coordinate the front end of economic development we will continue to work the back end to having these projects move forward. Thank you.

**Terry Masterson** – Executive Director of CEDA

Engage in some conversation of what is best for the County. I have handed out a worksheet on what is CEDA. We are a 501C3 organization chartered with a mission to “foster a sustainable quality of life in Cayuga County through job retention, expansion and attraction. We are funded thanks to your budgetary generosity budgetary for 3 years at about \$225,000 annually, \$175,000 from the Legislators and \$50,000 from the Cayuga County IDA, some members are here this evening. Individually we receive donations of \$15,000 from Auburn citizens and businesses which we are very grateful for and from the City of Auburn \$5,000.00 and we are grateful for that. CEDA completed month 24 of operations for a what would be a 36 month contract. Two years of operation. Our staff is of myself and as Executive Director and Administration Assistance. We have a board of about 15 people who are comprised of the public and private sectors of the City of Auburn and Cayuga County. Definition of CEDA operations is chartered to be “First Stop” to assist businesses in a way that we can give them a unified vertical line of service not dealing with a client head on – sitting down with them and figuring out what they need and giving them those choices. In regard to “First Stop” I just thought I would put out first things that it has accomplished so far: Completed Cayuga Counties First Strategic Plan since 1999 in 7 months 35% below cost estimates and I would also like to point out to you that probably 35% below normal. Strategic Plan contains almost 45 action steps for which 20 are now either completed or well on the way. We achieved the goal of the first obligation secured alongside the Chamber, SCORE, Small Business Development Corporation and the Stardust Foundation in Auburn at 2 State Street. We are developing the first County level Micro Loan program to assist start up businesses and we are well on our way to creating the first ever County funded Job Training Fund to assist job. In addition first Cayuga County Economic Index with 40 data points to give everybody a clear idea of how Cayuga Counties economy from tax base, to hotel, to tourism and manufacturing employment and also issued a new development list which lists over 10 projects in Cayuga County with a value of over \$ 200 million dollars which has generated a lot of regional press in the last few weeks. We are about to issue the first ever research report on Rural Broadband Access which we hope to issue in September and if I might also add the first regional report on this very critical important issue. Many regional individuals just in brief conversation look forward to this report as we go forward because no one has even analyzed this issue to date. We also supported the first ever New York State Regional Council Process lead by the Cayuga County Chamber and some of the legislative interest here today and do know in the first round our regional did very well winning a lot of awards for critically important projects. We look forward to the second round now. We are the first County in New York State, I believe is not the first but probably the second, to implement the Synchronist Business Software Visitation Program which Jen and Steve has mentioned and I think that is a very good credit to us. It’s a very popular program in the Midwest and we have support and new improvement in cooperation with other partners in securing the first new Milk Plant and we are now taking the lead on potential milk users inquiries for the milk plant. That will be a very important next goal for us is to handle those inquiries for the users to belong to the Milk Plant and to expand, more jobs. I want to just finish with one quick end comment is that the primary goal at least for the next year or two for the County not the exclusion

of any other goal is infrastructure we need to address water infrastructure, road infrastructure, sewer infrastructure and regional infrastructure. We do that so we continue to build business sites to accommodate the retention and expansion for those businesses in this County and hopefully we can attraction and as well focus on the milk industry. We need business parks to do that tracking if we build the business parks the companies grow the job and grow our tax base. We are going to get closer to the typical model that ever County in New York State, any IDA any CDA that makes a lot of sense. the model policy in New York State. Look at some of the models across in New York State on how they make economic development Business Park, generate the revenue. I do not know if that is the only way to achieve our goal but I will leave with that thought. Thank you.

**Chairman Cuddeback:** “Mr. Squires, would you like to introduce our honored guests tonight and what their role is going to be?”

**Squires states:** “Facilitators came here to help us have a conversation about economic development. Couple of thoughts to get us going. As you all know no one can tell electives what to say or not to day or what to do. This conversation is for the elected, counselors and legislators to get together facility that. We need to figure out a way to facilitate that, how do we help you guys out put everybody in a room that’s what we are here for tonight. We are not trying to tell you what to think, we are not trying to lock you down in any one conversation but we thought we gotta start with the basic again at some point it gonna go where it goes. With all that being said Martha and Tina are here from the Maxwell School, they agreed to come out. We didn’t tell them before they got here what they were really in for so with that I am going to let them tell you guys a little bit about themselves and what we talked about earlier and here we go”

**Natbathi:** “Welcome everybody we are very happy to be here tonight. My name is Tina Nabatchi, I am an Assistant Professor at the Maxwell School here at Syracuse University and also a Facility Research Associate with the Program for the Advancement of Research on Conflict and Collaboration, otherwise known as PARCC, much easier to say. This is my colleague”.

**Ketcham:** “Hi I’m Martha Ketcham and I am a PARCC Associate and also work at the Maxwell School. “

**Nabatchi :** “We are here tonight to help facilitate a conversation among all of you about economic development and before we get into that we want to say congratulations to all of you. We think this is a really important topic and we understand this is the first time the City Council and the County Legislature have come together to talk about this. We have no stakes in the outcome of tonight, we are mutual outsiders here this is all about you and our job is to just to make sure that everybody has a chance to speak on this issue. We work through a basic agenda with Mr. Squires and Mr. Selby and put out four basic discussion questions, although we’re happy to adjust that as necessary. The first thing

we thought we would do is hear from all of you very quickly about what your hopes are for tonight's meeting, what you would like to walk out of here initial conversation, it's a start. We are not going to walk out of here with a plan for economic development and changing economic development We thought it would be good to get some ideas. What your goals are for tonight.

Philosophy on economic development, relationship between growth and economic development and what success would look like to you. Our goal is to get you out of here by about 8:45 tonight. So there are a lot of people we have a couple basic ground rules for you. The first one is if you have the floor stay on topic we know there are a lot of problems and related issues her here but we want to stay as focused as we can. If you do not have the floor please do not interrupt. You will have an opportunity to make a comment. No personal attacks, I'm sure I don't need to say that one. And then finally if somebody has made a point that you agree with then there is no need given our limited time to re that point completely. Flip charts and we will be capturing everything that you say. And then finally we would like to see at the last ten minutes of the meeting seeing if we could identify points of common ground among all of you but things that all of you agree on economic development. Make sense? One more thing If there are really important topics related to economic development that we have a parking lot make sure we capture it and we know that it is something important that needs to be addressed in the future. Did I miss anything else? Let's get started.

So, I would love to open it up and go around to hear from everybody in 30 seconds, I know that's a short time frame, what your goals are for tonight, what your hopes are for when this meeting closes. We can just open that up to whoever wants to start.

*Questions and Answers segment begins. Meeting taped - DVD available, upon request.*

**Motion to adjourn made by Didio at 8:52 pm, seconded by Pinckney. All in favor.**

**MINUTES  
CAYUGA COUNTY LEGISLATURE  
AUGUST 28, 2012 – 6:00PM**

**CALL TO ORDER:** Hon. Steven Cuddeback, Chairman at 6:08 PM

**ROLL CALL:** Mary Jones, Clerk of the Legislature, all Legislators present except Mahunik arrived at 6:20pm

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**DEATHS:**

**Ursula Bartnik**, beloved mother of Legislator Hans Pecher, married to Herman Bartnik and spent 35 years as a farm wife which were the happiest days of her life. Ursula enjoyed traveling and presiding over the annual family Oktoberfest.

**John Giardina**, Town Justice for the Town of Montezuma for eight years, Supervisor for the Town of Montezuma, member of the Montezuma Democratic Committee, and life member of the Montezuma Fire Department.

**Mary Reilly Franchina**, employed by the Auburn Enlarged School District for 17 years as a Teacher's Aide. Director of volunteers at Mercy Health and Rehabilitation Center served on the board of directors of Cayuga Counseling Services and the Cayuga County United Way.

**David A. Farrell**, long time Cayuga County Treasurer and Legislator Mike Farrell's Uncle. David was elected to his first term as Cayuga County treasurer in 1972 and was re-elected numerous times to hold the treasurer's post for more than 30 years. David was also an original member of the Cayuga County Industrial Developmental Authority.

**PUBLIC HEARING:**

**FIXING DAY AND NOTICE OF PUBLIC HEARING ON ADOPTING LOCAL LAW NO. \_\_\_\_ FOR THE YEAR 2012 A LOCAL LAW PROHIBITING THE POSSESSION AND SALE OF DANGEROUS SUBSTANCES, WHICH ARE MISLABELED OR UNLABELED, WHOSE INTENDED PURPOSE IS TO BE INGESTED TO MIMIC THE EFFECTS OF CONTROLLED SUBSTANCES AND/OR MARIHUANA AND WHICH HAVE NO OTHER LEGITIMATE USE OR PURPOSE.**

**Public Hearing Opened at 6:17pm Closed at 7:17pm.**

**PRESENTATION:** Sharon Carlo of the Reds Group  
"Opportunities and Challenges Presented by Participating in the HEAL NY 21 Grant" – Nursing Home. **Presentation attached.**

**PROCLAMATIONS: Bridget Kennedy Day in Cayuga County  
Motion to waive the Reading**

Deputy Thomas Cordway/ Navigational Assistant Terry Lozier. **Read in its entirety by Clerk of the Legislature, Mary Jones, attached to original minutes.**

Theodore Medad Pomeroy (The Pomeroy Anvil Trail). **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. All three parties spoke in regards to the Cayuga County Nursing Home.

**1. Dori Scialdone (Employee of Cayuga County Nursing Home- 3 Bradford Street, Auburn. Speech attached.**

**2. Carol Dodge (Not an Employee of the Cayuga County Nursing Home)-North Fulton Street, Auburn. Her dad lives there. As a citizen of the County we should be taking care of the elderly and our kids. If we merge we relinquish the responsibility of helping these people who can't get help anywhere else. I rather have you raise my taxes then there is some assurance the county that people will have somewhere to go. Mercy Rehabilitation is in very poor shape. 19.9 million dollars is a drop in the bucket.**

**3. Nelsa Selover (Employee of Cayuga County Nursing Home) – Speech Attached**

**4. Catherine Lamanna (Head Nurse of Cayuga County Nursing Home -49 Logan Street, Auburn. She is the head nurse on Unit (Regular Nurse). There are 70 + who live there and consider that there home. She discussed that it would be hard on the seniors to remove them. She indicated that she can find another job but it's the seniors that would make it hard on them to find somewhere else to live. It's a community within a community and when a natural disaster comes thru and wipes out a community you deal with it but human disaster comes thru I can't see how that is okay. We don't have to do this.**

**MINUTES:** For Approval: 6-26-12 and 7-5-12, attached to packet

For Reading: 7-24-12, attached to packet

**MOTION BY Didio, 2<sup>nd</sup> by Runkle, All in Favor.**

**The floor was open to the public till 7:44pm.**

**CCC REPORT: Dr. Larson.**

Three things I would like to discuss with you. I would like to recognize two of our Trustees who are with us tonight George Fearon who you know is a member of this body and John Klink who probably all of you know as Supervisor for the Town of Owasco, John was appointed to the College as Board of Trustees by the Governor. Gentlemen

thank you for your service. It was a pleasure working with you. You have a written copy of my report. Let me talk about some changes that have taken place since last week. In the last week we have registered more than 500 more students for the Fall Semester. We are very pleased about the progress that has taken place during those days. Currently we have more than 3,400 students registered for the Fall and we are at a ratio of 2 to 1 full time as compared to part time students that is not the norm for American Community Colleges typically it's just the opposite typically we see just about twice as many part timers as we do full time students. We are pleased with that number. Currently there are nearly 2,400 student registered for the Fall Semester and well over 1,100 Part time students. Classes begin tomorrow. We have 8 different versions for the Fall Semester so even though we start our 15 week classes tomorrow we still have classes that start later on in September and October and we anticipate that those numbers will continue to grow. For the Auburn Campus we are at 92% of our goal for the Fall as compared to last year and for the Fulton Campus we are at 97% of our goal this Fall as compared to last year and for on line we are 100% so the numbers continue to look positive. Second thing I would like to discuss is which it is in my report the Fulton Campus opened 2 weeks ago which is a spectacular addition to the College. We will have the official ribbon cutting and dedication on Friday, September 14<sup>th</sup>, and invitations will be sent out in the next couple of days. Dr. Larson introduced some members of the delegation from North Maharashtra University:

- Dr. Dilip Hundiwale, Professor and Director, Board of College and University Development
- Dr. Vijaykumarl Maheshwari, Professor and Director, School of Life Sciences
- Dr. Bhausashebv Pawar, Professor and Director, School of Computer Sciences
- Dr. Rajkishorh Gupta, Professor and Principal, Arts and Commerce College, Muktainager

Public hearing is still open

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

### **Chapman -**

I would like to recognize an employee who has given many years of faithful services who have been our WIC Coordinator that would be Mary Beth Hogan who will be retiring on August 3<sup>rd</sup> and we will be celebrating her retirement from the County and moving onto another chapter in her life. We would like to thank her for her services.

### **Lattimore -**

We had a meeting with a perspective business that Hydroponic Agriculture business that has its own generation system and hopefully we can bring it to Mr. Bariski's Committee on exploratory see if it fits into our Industrial Park. We would like to put on Barski agenda for further discussion.

**COUNTY ADMINISTRATOR'S REPORT:****Squires:**

Discussed Sales Tax we have been trending very nicely for us. We are almost close to a million dollar over budget on the year. We are 7 months thru the year but we don't have August's numbers final yet. The Sales tax collection over the back 2007 had dipped over the market crashed and has been trending up each year since then. Assigned counsel is under budget it does not reflect a big voucher we had recently so it might not look so rosy when we will look at next month Ways and Means but continues to do well for us. Federal Inmates are not doing so well. We are forecasting to be remember this is revenue less is not good we budgeted a one million nine we are shy by a million three so we are off by 700 thousand on the Federal Inmate Revenue. We talked about this at Ways and Means meeting regarding the revenue of Emerson Park Pavilion to date. We discussed how many events we had and compare the revenue of what we had each year when the Pavilion was rented out by much different model. We have projections of what we thought we would I will have more data for the next Ways and Means Meeting. 2012 will be a little different because there wasn't must in the ways of projection it wasn't a full year. We were not sure of the bookings would be and how many people would take that leap of faith in booking. The contingency account we started out with 350,000 the balance after the salary saving sweep stands at 386,000.00. Bernie Newcomb has retired from the County as Probation Director and Tom wanted us to wish him well.

**Lattimore:**

Wanted Tom to check with the City's Sales Tax Revenue is less – The last numbers Tom saw were in April which the numbers were down. The city's calendar is in July 1 to June 30 and he hasn't seen the number yet. Tim said it was 180,000 down.

**Chapman:**

Wanted to know Tom's new budget if he was utilizing any of the salary dollars from the salary savings to put into accounts for Professional Enhancement for next year. As for this year's budget I will be putting for training in the tentative budget. This is will be for the Leadership Program. Departments have money in the budget. Chapman said the MH had reached its max of their budget. The Leadership Program is great but we should offer to have them go to seminars. We should offer our people a chance to go to training and leadership programs.

**Squires:** He indicated you can't put money from last year into this years' budget. Tom's intention is to put monies in for training Leadership Program.

**Chapman:** He discussed that Mental Health had no more funds – due to one (1) member attending a conference. We need to offer the employees the chance to go to Seminars.

**Fearon:**

He discussed about the Sales Tax issues - State get 1/2 and we get 1/2 of the remainders and the rest get divided by Towns and Villages. Solution on how City get out of pre-redemption. He discussed about setting a fix number were which it wouldn't fluctuate in the Towns and Villages. Everyone would benefit equally.

**CHAIRMAN'S REPORT:**

Discussed about NYSAC Convention will be on Sept 12<sup>th</sup> in Syracuse. All are encouraged to attend.

Cuddeback declared the public hearing to be closed. 7:44 pm

**APPOINTMENTS AND RE-APPOINTMENTS:**

**Motion made by Pinckney to accept appointments, 2<sup>nd</sup> by Whitman. All in Favor.**

**Cayuga County Youth Board****Term**

Elane Daly, 160 Genesee Street, 2 <sup>nd</sup> Floor – Auburn	9/01/12 – 8/31/15
Ann Kubarek, 199 Franklin Street – Auburn	9/01/12 – 8/31/15
Sam Giacona, 9 Court Street – Auburn	9/01/12 – 8/31/15
Betty Deluna, PO Box 136 – Locke 13034	9/01/12 – 8/31/15
Edward Herrling, 6529 Beach Tree Road – Auburn	9/01/12 – 8/31/15
Raymond Bizzari, 146 North Street – Auburn	9/01/12 – 8/31/15
Bernie Newcomb, Cayuga County Court House – Auburn	9/01/12 – 8/31/15
Liam Grzasko, 149 Curtis Place – Auburn	9/01/12 – 8/31/15
Tracie Coulson, 7445 County House Road – Auburn	9/01/12 – 8/31/15

**Cayuga County Planning Board:**

Robert Amerman Jr., 13473 State Rte. 90, Locke, NY 13092      1-1-12 to 12-31-12

**COMMUNICATIONS AND ANNOUNCEMENTS:**

**Axton waived the reading second Didio of correspondence, 2<sup>nd</sup> by Didio. All in Favor.**

1. Received notice of a public hearing from the Town of Lysander to be held on August 27, 2012 at 7:00pm, proposed amendment to the Zoning Law.
2. Received from State of New York Office of Real Property Tax Services listing 2012 Certified State Equalization Rates.

Bundled 1A-1B

**RESOLUTION NO. 300-12**

**08-28-12 AP Audit August 2012 (A)**

**AUTHORIZING THE COUNTY TREASURER TO PAY  
JULY 10-30, 2012 AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on **August 28, 2012** audit claims against the County of Cayuga in the aggregate sum of \$1,126,452.57 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. 301-12**  
**08-28-12 AP Audit August 2012 (B)**  
**AUTHORIZING THE COUNTY TREASURER TO PAY**  
**JULY 31-AUGUST 13, 2012 AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on **August 28, 2012** audit claims against the County of Cayuga in the aggregate sum of \$2,151,335.37 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.

Bundled (8-12-WM1, 3, 4) 8-12-WM-2 Defeated

**RESOLUTION NO. 302-12**  
**8/28/12 COA CCSWCDsept2012PMNT**  
**AUTHORIZING, PURSUANT TO RESOLUTION NO. 65-12, PAYMENT TO**  
**THE CAYUGA COUNTY SOIL AND WATER CONSERVATION DISTRICT**  
**OF THE THIRD AND FINAL 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 third and final payment to Cayuga County Soil & Water Conservation District the amount of, \$241,119.32 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 \$241,119.32 installment; now, therefore, be it

RESOLVED, that the third and final payment of \$241,119.32, is hereby authorized to be made on September 21, 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.

**Bundled 8-12-WM-5 to 11**

**RESOLUTION NO. 303-12**  
**8/28/12 RP repuchasetaxparcels2012rev**  
**AUTHORIZING THE REPURCHASE OF TAX-DELINQUENT**  
**PROPERTY OWNED BY CAYUGA COUNTY**

By David Axton, Chairman, Ways & Means Committee

WHEREAS, policies and procedures have been established for the sale, disposition and use of certain real property owned by Cayuga County, as approved in Resolution No. 517-11; and

WHEREAS, the Director of Real Property Tax Services has received a request to repurchase foreclosed property and, in accordance with said policies and procedures, is presenting the same for consideration by the Ways and Means Committee of the Cayuga County Legislature; and

WHEREAS, as required by policy, certified funds are being held in trust with the County Treasurer; all title search documentation has been updated and items listed under mortgages, judgments and liens have been satisfied or reinstated where applicable; and

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

TM#	LOCATION	NAME	AMOUNT DUE

NOW, THEREFORE BE IT,

RESOLVED, that the Ways & Means Committee hereby approves the recommendations as set forth above and directs the Office of Real Property Tax Services and the Chairman of the County Legislature to take whatever steps necessary to fully execute the sale of real property.

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

**RESOLUTION NO. 304-12**  
**8/28/12 RP SESRImaintenanceREV1**  
**AUTHORIZING THE OFFICE OF REAL PROPERTY TAX SERVICES**  
**TO RENEW A MAINTENANCE AGREEMENT WITH ESRI**  
**FOR MAPPING AND GIS RELATED SOFTWARE**

By: David Axton, Chairman, Ways & Means Committee

WHEREAS, the County has several software programs to facilitate online tax mapping and coordinating GIS databases; and

WHEREAS, the annual maintenance agreement allows for technical support and the latest upgrades to these software programs and the agreement term will run through October 30, 2013; and

WHEREAS, without this software the labor to accurately update tax maps and allow for online viewing, along with the labor involved in coordinating the GIS database layers would be extensive; and,

WHEREAS, the total cost for the maintenance being \$7,550.00, which is presently budgeted in account A13554-54018, computer software, of the 2012 Cayuga County Budget; now therefore, be it

RESOLVED, that the Office of Real Property department is authorized to purchase the software and maintenance agreement through ESRI for a cost not to exceed \$7,550.00. Signed by: Axton, Barski, Chapman, Fearon, Pinckney, Runkle, and Whitman, All in favor.

**RESOLUTION NO. 305-12**  
**8/28/12 RP Srepuchasetaxparcels2012**  
**AUTHORIZING THE REPURCHASE OF TAX-DELINQUENT**  
**PROPERTY OWNED BY CAYUGA COUNTY**

By David Axton, Chairman, Ways & Means Committee

WHEREAS, policies and procedures have been established for the sale, disposition and use of certain real property owned by Cayuga County, as approved in Resolution 517-11; and

WHEREAS, the Director of Real Property Tax Services has received a request to repurchase foreclosed property and, in accordance with said policies and procedures, is presenting the same for consideration by the Ways and Means Committee of the Cayuga County Legislature; and

WHEREAS, as required by policy, certified funds are being held in trust with the County Treasurer; all title search documentation has been updated and items listed under mortgages, judgments and liens have been satisfied or reinstated where applicable; and

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

<b>TM#</b>	<b>LOCATION</b>	<b>NAME</b>	<b>AMOUNT DUE</b>
87.00-2-9.211	8389 King Street Road	Danny Morris	\$6,985.04

NOW, THEREFORE BE IT,

RESOLVED, that the Ways & Means Committee hereby approves the recommendations as set forth above and directs the Office of Real Property Tax Services and the Chairman of the County Legislature to take whatever steps necessary to fully execute the sale of real property.

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

**RESOLUTION NO. 306-12**  
**8/28/12 RPS nilsrepuchasetaxparcels2012**  
**AUTHORIZING THE REPURCHASE OF TAX-DELINQUENT**  
**PROPERTY OWNED BY CAYUGA COUNTY**

By David Axton, Chairman, Ways & Means Committee

WHEREAS, policies and procedures have been established for the sale, disposition and use of certain real property owned by Cayuga County, as approved in Resolution 517-11; and

WHEREAS, the Director of Real Property Tax Services has received a request to repurchase foreclosed property and, in accordance with said policies and procedures, is presenting the same for consideration by the Ways and Means Committee of the Cayuga County Legislature; and

WHEREAS, as required by policy, certified funds are being held in trust with the County Treasurer; all title search documentation has been updated and items listed under mortgages, judgments and liens have been satisfied or reinstated where applicable; and

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

TM#	LOCATION	NAME	AMOUNT DUE
156.00-1-47	4502 State Route 38A	Robert Dunham	\$7,762.33

NOW, THEREFORE BE IT,

RESOLVED, that the Ways & Means Committee hereby approves the recommendations as set forth above and directs the Office of Real Property Tax Services and the Chairman of the County Legislature to take whatever steps necessary to fully execute the sale of real property.

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

#### RESOLUTION NO. 307-12

8/28/12 RPS catorepuchasetaxparcels2012

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

By David Axton, Chairman, Ways & Means Committee

WHEREAS, policies and procedures have been established for the sale, disposition and use of certain real property owned by Cayuga County, as approved in Resolution 517-11; and

WHEREAS, the Director of Real Property Tax Services has received a request to repurchase foreclosed property and, in accordance with said policies and procedures, is presenting the same for consideration by the Ways and Means Committee of the Cayuga County Legislature; and

WHEREAS, as required by policy, certified funds are being held in trust with the County Treasurer; all title search documentation has been updated and items listed under mortgages, judgments and liens have been satisfied or reinstated where applicable; and

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

TM#	LOCATION	NAME	AMOUNT DUE
45.20-1-20	11373 South St.	Concetta Gilbert	\$2,397.11

NOW, THEREFORE BE IT,

RESOLVED, that the Ways & Means Committee hereby approves the recommendations as set forth above and directs the Office of Real Property Tax Services and the Chairman of the County Legislature to take whatever steps necessary to fully execute the sale of real property.

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

**RESOLUTION NO. 308-12**  
**8/28/12 RPS throoprepuchasetaxparcels2012**  
**AUTHORIZING THE REPURCHASE OF TAX-DELINQUENT**  
**PROPERTY OWNED BY CAYUGA COUNTY**

By David Axton, Chairman, Ways & Means Committee

WHEREAS, policies and procedures have been established for the sale, disposition and use of certain real property owned by Cayuga County, as approved in Resolution 517-11; and

WHEREAS, the Director of Real Property Tax Services has received a request to repurchase foreclosed property and, in accordance with said policies and procedures, is presenting the same for consideration by the Ways and Means Committee of the Cayuga County Legislature; and

WHEREAS, as required by policy, certified funds are being held in trust with the County Treasurer; all title search documentation has been updated and items listed under mortgages, judgments and liens have been satisfied or reinstated where applicable; and

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

<b>TM#</b>	<b>LOCATION</b>	<b>NAME</b>	<b>AMOUNT DUE</b>
93.00-1-53	Off Rufus Rd.	Walter Kolczynski	\$733.97

NOW, THEREFORE BE IT,

RESOLVED, that the Ways & Means Committee hereby approves the recommendations as set forth above and directs the Office of Real Property Tax Services and the Chairman of the County Legislature to take whatever steps necessary to fully execute the sale of real property.

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

**RESOLUTION NO. 309-12**  
**8/28/12 RPS morviarepuchasetaxparcels2012**  
**AUTHORIZING THE REPURCHASE OF TAX-DELINQUENT**  
**PROPERTY OWNED BY CAYUGA COUNTY**

By David Axton, Chairman, Ways & Means Committee

WHEREAS, policies and procedures have been established for the sale, disposition and use of certain real property owned by Cayuga County, as approved in Resolution 517-11; and

WHEREAS, the Director of Real Property Tax Services has received a request to repurchase foreclosed property and, in accordance with said policies and procedures, is presenting the same for consideration by the Ways and Means Committee of the Cayuga County Legislature; and

WHEREAS, as required by policy, certified funds are being held in trust with the County Treasurer; all title search documentation has been updated and items listed under mortgages, judgments and liens have been satisfied or reinstated where applicable; and

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

<b>TM#</b>	<b>LOCATION</b>	<b>NAME</b>	<b>AMOUNT DUE</b>
210.10-2-18	42 E. Cayuga Street	Justin Perkins	\$9,035.44

NOW, THEREFORE BE IT,

RESOLVED, that the Ways & Means Committee hereby approves the recommendations as set forth above and directs the Office of Real Property Tax Services and the Chairman of the County Legislature to take whatever steps necessary to fully execute the sale of real property.

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

### **RESOLUTION NO. 310-12**

**8/28/12 RPS mentsrepuchasetaxparcels2012**

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

By David Axton, Chairman, Ways & Means Committee

WHEREAS, policies and procedures have been established for the sale, disposition and use of certain real property owned by Cayuga County, as approved in Resolution 517-11; and

WHEREAS, the Director of Real Property Tax Services has received a request to repurchase foreclosed property and, in accordance with said policies and procedures, is presenting the same for consideration by the Ways and Means Committee of the Cayuga County Legislature; and

WHEREAS, as required by policy, certified funds are being held in trust with the County Treasurer; all title search documentation has been updated and items listed under mortgages, judgments and liens have been satisfied or reinstated where applicable; and

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

<b>TM#</b>	<b>LOCATION</b>	<b>NAME</b>	<b>AMOUNT DUE</b>
87.00-2-42.62	Halsey Road	Virgil Hobby, Sr.	\$822.71

NOW, THEREFORE BE IT,

RESOLVED, that the Ways & Means Committee hereby approves the recommendations as set forth above and directs the Office of Real Property Tax Services and the Chairman of the County Legislature to take whatever steps necessary to fully execute the sale of real property.

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

### **RESOLUTION NO. 311-12**

**8/28/12 RPSrepuchasetaxparcels2012**

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

By David Axton, Chairman, Ways & Means Committee

WHEREAS, policies and procedures have been established for the sale, disposition and use of certain real property owned by Cayuga County, as approved in Resolution 517-11; and

WHEREAS, the Director of Real Property Tax Services has received a request to repurchase foreclosed property and, in accordance with said policies and procedures, is presenting the same for consideration by the Ways and Means Committee of the Cayuga County Legislature; and

WHEREAS, as required by policy, certified funds are being held in trust with the County Treasurer; all title search documentation has been updated and items listed under mortgages, judgments and liens have been satisfied or reinstated where applicable; and

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

<b>TM#</b>	<b>LOCATION</b>	<b>NAME</b>	<b>AMOUNT DUE</b>
26.00-1-17	Victory	Homer & Vera Rice	\$8,871.82

NOW, THEREFORE BE IT,

RESOLVED, that the Ways & Means Committee hereby approves the recommendations as set forth above and directs the Office of Real Property Tax Services and the Chairman of the County Legislature to take whatever steps necessary to fully execute the sale of real property.

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

**Bundled 8-12-HH-1 thru 6**

**RESOLUTION NO. 312-12**

**8/28/12 HD Fill WIC Program Coordinator**

**AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO  
FILL THE WIC PROGRAM COORDINATOR POSITION  
DUE TO RETIREMENT**

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

David Axton, Chairman of the Ways & Means Committee

WHEREAS, there will be a WIC Program Coordinator vacancy (position control #001782) in the Health Department’s Women, Infants and Children’s Program due to retirement effective August 31, 2012; and

WHEREAS, the WIC Program Coordinator manages the 100% grant funded program. WIC (Women, Infants and Children’s Program) provides supplemental nutritious food, nutrition education, breastfeeding promotion, and referrals to other agencies. It is for low-income pregnant, post-partum, or breastfeeding women and their children, up to age five. The program provides short term help to participants. WIC works with other health programs to better help participants, affording health care professionals in the delivery of a nutrition education program for the targeted group; and

WHEREAS, this position is 100% federally funded position through the WIC Program Grant; NOW, THEREFORE, BE IT

RESOLVED, that the Director of the Health & Human Services be authorized and directed to fill the 100% funded, full-time WIC Program Coordinator position when vacated, in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by: Axton, Barski, Chapman, Fearon, Pinckney, Runkle, Whitman, Aikman, Lattimore, Mahunik, Pecher and Kunkle. All in favor.

**RESOLUTION NO. 313-12****8/28/12 HD WIC Contract 2012****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ACCEPT WIC AWARD AND CONTRACT WITH THE NYS DEPARTMENT OF HEALTH**

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

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

WHEREAS, the NYS Department of Health administers the federally funded WIC program for the State of New York; and

WHEREAS, funding has been made available for the Cayuga County Health Department in an amount up to \$474,063 to continue to run the WIC program for the period October 1, 2012 through September 30, 2013; and

WHEREAS, this funding has already been budgeted in the Health Department's 2012 budget in accounts #A40821 and #A40824; NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to renew the contract with the NYS Department of Health for the time period October 1, 2012 through September 30, 2013 in an amount up to \$474,063 to continue to run the federally funded WIC program and to accept any additional unallocated funds and COLA's relative to this Program.

Signed by: Axton, Barski, Chapman, Fearon, Pinckney, Runkle, Whitman, Aikman, Lattimore, Mahunik, Pecher and Kunkle. All in favor.

**RESOLUTION NO. 314-12****8/28/12 HS Fill HSE PA****AUTHORIZING THE DIRECTOR OF HEALTH AND HUMAN SERVICES TO FILL A HUMAN SERVICES EXAMINER POSITION IN THE PUBLIC ASSISTANCE UNIT OF HUMAN SERVICES DUE TO RESIGNATION OF INCUMBENT**

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

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

WHEREAS, there will be a Human Services Examiner vacancy (position control #002149) in the Public Assistance Unit of Human Services (temporary assistance) due to retirement of the incumbent effective July 28, 2012; and

WHEREAS, the Human Services Examiner in Temporary Assistance determines eligibility for a subset of Public Assistance Clients and address clients who have an emergency; and

WHEREAS, this is a budgeted position in the 2012 Human Service's budget and is partially funded at approximately 62%; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the vacated Human Services Examiner position #002149 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: Axton, Barski, Chapman, Fearon, Pinckney, Runkle, Whitman, Aikman, Lattimore, Mahunik, Pecher and Kunkle. All in favor.

**RESOLUTION NO. 315-12**

**8/28/12 MH ContractPhD8.12**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF COMMUNITY SERVICES TO ENTER INTO A CONTRACT FOR CLINICAL PSYCHOLOGICAL ASSESSMENTS AND TO ABOLISH THE POSITION OF ASSOCIATE PSYCHOLOGIST (CMH)**

By: Hon. Michael Chapman, Chair, Health and Human Services Committee  
Hon. David Axton, Chair, Ways and Means Committee

WHEREAS; under Part 599 of the New York State Codes, Rules, and Regulations, psychological services must be provided by a licensed psychologist in order to be eligible for reimbursement; and

WHEREAS; the Mental Health Department has been unable to recruit a licensed clinical psychologist for a number of years, and, while some services have been provided by an unlicensed Associate Psychologist I (CMH), position code 6626, that individual will be leaving the department; and

WHEREAS; there continues to be a need for psychological evaluations in order to complete mental health assessments and treatment planning; and

WHEREAS; the Department desires to contract with Richard Hoyt, Ph.D., a licensed clinical psychologist at the rate of \$110 per hour; now, therefore, be it

RESOLVED, that the position of Associate Psychologist I (CMH), position code 6626, as reflected in the budget line A43101-51002, Salaries-PT, be abolished and the remaining 2012 budgeted funds for that position be moved to Professional Services; and be it further

RESOLVED, that the Director of Community Mental Health Services be authorized and directed to contract with Richard Hoyt, Ph.D. for a period of September 1, 2012 through December 30, 2013 at the rate of \$110 per hour; and be it further

RESOLVED, that the Cayuga County Treasurer be directed and authorized to make the necessary accounting entries to accomplish this as follows:

From A43101-51002 Sal PT	Position 6626	\$11,500
To A43104-54059 Professional Services		\$11,500

Signed by: Axton, Barski, Chapman, Fearon, Pinckney, Runkle, Whitman, Aikman, Lattimore, Mahunik, Pecher and Kunkle. All in favor.

**RESOLUTION NO. 316-12**

**8/28/12 NH acpthvacagmnt REV**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ACCEPT A PROPOSAL FOR REPLACEMENT OF HEATING, VENTILATION AND AIR CONDITIONING 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 multiple regional firms; and,

WHEREAS, three (3) firms responded with proposals; and,

WHEREAS, the following proposals were received:

Airtech Heating and Air Conditioning for \$247,470;  
 Climate Control Technologies for \$257,900;  
 Siracusa Mechanical for \$291,340; and,

WHEREAS, comparison was made of the three proposals considering the services to be performed and costs; and

WHEREAS, the proposal submitted by Airtech Heating and Air Conditioning contains all of the elements anticipated in the specifications; now therefore be it,

RESOLVED, that the proposal be awarded to Airtech Heating and Air Conditioning for \$247,470 (Two Hundred Forty-Seven thousand Four Hundred Seventy dollars) and be it further,

RESOLVED, that the project be paid through the fund balance of the nursing home. Signed by: Axton, Barski, Chapman, Fearon, Pinckney, Runkle, Whitman, Aikman, Lattimore, Mahunik, Pecher and Kunkle. All in favor.

**RESOLUTION NO. 317-12**

**8/28/12 NH socwkragmnt**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ENTER INTO AN AGREEMENT WITH LYNN MCLEAN, LMSW AS SOCIAL WORK CONSULTANT 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 master's prepared social worker as consultant; and

WHEREAS, it is necessary to contract with a licensed master of social worker when the facility does not have one employed; and

WHEREAS, Cayuga County Nursing Home has been able to identify a social worker willing to provide the service; and

WHEREAS, the compensation for the services of Lynn McLean, LMSW shall be at a rate of \$75.00 (Seventy-five Dollars per hour) with no more than 3 (three) hours per month; Now therefore be it

RESOLVED, that the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home be authorized to enter into an agreement with Lynn McLean, LMSW for a period of 2 years, from September 1, 2012 to August 31, 2014.

Signed by: Axton, Barski, Chapman, Fearon, Pinckney, Runkle, Whitman, Aikman, Lattimore, Mahunik, Pecher and Kunkle. All in favor.

**RESOLUTION NO. 318-12**

**8/28/12 ADM COPIER AWARD rev**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO SIGN LEASE AGREEMENTS WITH TOSHIBA BUSINESS SOLUTIONS FOR THE REPLACEMENT OF COPIERS FOR VARIOUS COUNTY DEPARTMENTS**

By: Mr. George Fearon, Chair of the Government Operations Committee

Mr. David Axton, Chair of the Ways & Means Committee

WHEREAS, the County Administrator's Office advertised and received sealed proposals, for the lease of Multi functioning Devices for various County Departments; and

WHEREAS, five proposals were received and after careful review by the Administrator's Office, County Auditor and the Information Technology Department it has been recommended that three of the vendors submitted responsible proposals; and

WHEREAS, after careful consideration Toshiba Business Solutions proposal is in the best interest of the county; and

WHEREAS, the leases for the current copy machines expire in September 2012; and

WHEREAS, bid results are below for the different machines, now therefore be it

<b>Manuf./Model</b>	<b>36 Mo. Cost</b>	<b>Purchase</b>	<b>Cost per Copy</b>	<b>Options 4/yr</b>
Toshiba Business Solutions				
Estudio 206L	\$63.54	\$2,132.00	0.0059	\$52.48
Estudio 206L w/finisher	\$87.22	\$2,927.00	0.0059	\$72.00
Estudio 206L w/finisher & punch	\$85.14	\$3,005.00	0.0059	\$70.28
Estudio 206L w/finisher & LCT & punch	\$89.55	\$3,784.00	0.0059	\$75.60
Estudio 256	\$64.19	\$2,195.00	0.0059	\$52.99
Estudio 256 w/finisher	\$79.36	\$2,663.00	0.0059	\$65.51
Estudio 256 w/finisher/punch	\$85.79	\$2,226.00	0.0059	\$70.82
Estudio 306 w/finisher	\$86.03	\$2,887.00	0.0059	\$71.02
Estudio 306 w/finisher/punch	\$91.37	\$3,066.00	0.0059	\$75.42
Estudio 456 w/finisher/punch	\$115.36	\$3,871.00	0.0059	\$93.01
Estudio 556 w/finisher & punch	\$162.30	\$5,446.00	0.0059	\$133.97
Estudio 3040C	\$186.49	\$6,258.00	.0059 B/W	\$153.95
			.05 COLOR	
Ricoh				
Ricoh MP2352SP	\$103.00	\$3,386.00	0.0068	\$82.00
Ricoh MP3352SP	\$140.00	\$4,606.00	0.0068	\$111.00
Ricoh MP4002SP	\$144.00	\$4,766.00	0.0051	\$116.00
Ricoh MP5002SP	\$167.00	\$5,534.00	0.0044	\$134.00
Ricoh MPC3002 - COLOR	\$156.00	\$5,150.00	.0069 B/W	\$125.00
			.059 COLOR	
Xerox				
WC5325P- no scanning	\$147.20	n/a	0.0056	\$118.86
WC5325P	\$153.64	n/a	0.0056	\$123.89
WC5335P	\$157.20	n/a	0.0056	\$128.86
5745APT	\$208.87	n/a	0.0056	\$172.29
W7535P	\$195.59	n/a	0.0056	\$152.71

RESOLVED, that the Chairman of the Legislature is hereby authorized to sign various lease agreements with Toshiba Business Solutions, Incorporated for four years at a base cost not to exceed the costs above. The lease price shall include complete maintenance service and supplies, excluding paper. The source of funding for said lease agreements shall be in the annual appropriated budget accounts.

Signed by: Axton, Barski, Chapman, Fearon, Pinckney, Runkle, Whitman, Aikman, Lattimore, Mahunik, Pecher and Kunkle. All in favor.

**8-12GO-2 Authorizing the County Legislature to adjust the Fixed Asset Policy. Was tabled – Cuddeback – Lattimore had issues of where the computers are – All in Favor – Nay – Fearon and Farrell**

**Bundled 1-3.**

**RESOLUTION NO. 319-12**

**8/28/12 ET wiaagmntrev**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN THE LOCAL PLAN FOR PROGRAM YEAR 2012 FOR THE WORKFORCE INVESTMENT ACT TITLE I-B AND WAGNER PEYSER PROGRAMS**

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

WHEREAS, pursuant to the Workforce Investment Act of 1998 (20 USC 9201 et, Seq, Public Law 105-220, 112 Stat.936) a Local Plan is required to be submitted for the Cayuga Cortland Workforce Investment Area (WIA) for the Title I-B and Wagner Peyser programs; and

WHEREAS, said Local Plan must be signed by the Workforce Invest Board Chairman and the Chief Elected Officials in Cayuga and Cortland Counties; and

WHEREAS, said plan is due to be submitted to the New York State Department of Labor by September 14, 2012; and

WHEREAS, this Legislature has been informed that there are no local funds involved in the program; Now, Therefore Be It

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute the Local Plan for WIA Title I-B and Wagner Peyser programs and related documents upon review and approval of the County Attorney.

Signed by: Barski, Aikman, Chapman, Farrell, Lattimore, Axton, Fearon, Pinckney, Runkle and Whitman

All in Favor.

**RESOLUTION NO. 320-12**

**8/28/12 PB FLOWPAGS**

**AUTHORIZING THE SIGNING OF A CONTRACT WITH THE UNITED STATES GEOLOGIC SURVEY FOR OPERATION AND MAINTENANCE OF A SATELLITE LINKED FLOW GAGING STATION ON THE OWASCO INLET.**

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

WHEREAS, the water quality of Owasco Lake is important to Cayuga County and its residents; and

WHEREAS, the Owasco Lake Watershed Management Plan recommended that the water quality of Owasco Lake and its tributaries be monitored; and

WHEREAS, Cayuga County Department of Planning and Economic Development (“CCPED”) has monitored the Owasco Inlet since the late 1980’s through a flow gage station and sampling program; and

WHEREAS, CCPED had the opportunity to have the United States Geologic Survey (USGS) upgrade the flow gage station on the Owasco Inlet, which was reaching the end of its useful life, to a satellite linked continuous discharge gaging station utilizing Finger Lakes-Lake Ontario Watershed Protection Alliance (FOLLOWPA) grant funds; and

WHEREAS, the USGS has requested that CCPED sign a new Joint Funding Agreement for the operations and maintenance of the gage station from October 1, 2012 to September 30, 2014 at a total cost of \$29,540; and

WHEREAS, the funds to operate and maintain the gaging station is to be taken yearly from the County’s annual FOLLOWPA grant funds; and

WHEREAS, the County of Cayuga has received SFY09-10 FOLLOWPA funding with \$15,223 of that budgeted to operate and maintain the gage station, and Cayuga County Planning plans to utilize these funds to pay for the operations and maintenance of the gaging station from October 1, 2012 to September 30, 2013; and

WHEREAS, the County of Cayuga is scheduled to receive \$38,250.00 in FOLLOWPA funding for SFY10-11 with \$14,540 of that budgeted to operate and maintain the gage station; and

WHEREAS, once these funds are received, Cayuga County Planning plans to utilize these funds to pay for the operations and maintenance of the gaging station from October 1, 2013 to September 30, 2014; and

WHEREAS, if these FOLLOWPA funds are not received by July 31, 2013, the County of Cayuga will terminate this agreement with the USGS in writing or find funds elsewhere; now, therefore be it

RESOLVED, the Chairman of the Legislature is hereby authorized and directed to execute any and all contract documents needed to complete the operations contract for the USGS gaging station; and be it further

RESOLVED, that upon receipt of these FOLLOWPA funds, the Chairman of the Legislature is hereby authorized and directed to execute any and all contract documents needed to complete the operations contract for the USGS gaging station; and be it further

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

Signed by: Barski, Aikman, Chapman, Farrell, Lattimore, Mahunik, Axton, Fearon, Pinckney, Runkle and Whitman

All in Favor.

**RESOLUTION NO. 321-12**

**8/28/12 PB AgDistConsol\_01**

**AUTHORIZATION TO CONSOLIDATE CAYUGA COUNTY AGRICULTURAL DISTRICTS 1, 2, 3, 4, 5 AND 6 INTO CONSOLIDATED AGRICULTURAL DISTRICT NUMBER 5 AS RECOMMENDED BY THE AGRICULTURE AND FARMLAND PROTECTION BOARD**

By: Stephen Barski, Chair, Planning and Economic Development Committee

WHEREAS, the Cayuga County Department of Planning & Economic Development and the Agriculture & Farmland Protection Board have been authorized to conduct Eight-Year Reviews of each of the county’s six (6) Agricultural Districts pursuant to Agriculture & Markets Law §303-a; and

WHEREAS, the purpose of such reviews is to assess the economic viability of the districts, and to determine boundary modifications that are beneficial to the agricultural integrity of the districts; and

WHEREAS, each of the county's Agricultural Districts are currently due to undergo the Eight-Year Review process, with the review of Agricultural District 5 scheduled to be completed in 2013; and

WHEREAS, the authority to consolidate Agricultural Districts exists pursuant to Agriculture & Markets Law, Article 25-AA, which provides for the reasonable consolidation of existing agricultural districts with other existing districts; and

WHEREAS, an Agricultural District Consolidation Plan that combines Agricultural Districts 1, 2, 3, 4, 5 and 6 into Consolidated Agricultural District No. 5, using District 5 as the parent district, will make it procedurally and operationally more efficient to review such districts, with no adverse impacts on farming operations or property owners within the districts; and

WHEREAS, the proposed plan to consolidate said districts has been deemed appropriate by the Agricultural District staff at the New York State Department of Agriculture and Markets, and has been approved by a unanimous vote of the members of the Cayuga County Agriculture and Farmland Protection Board; NOW THEREFORE, BE IT

RESOLVED, by the Cayuga County Legislature as follows:

1. That the Cayuga County Department of Planning & Economic Development to is hereby authorized to proceed with the Agricultural District Consolidation Plan that combines Agricultural Districts 1, 2, 3, 4, 5 and 6 into Consolidated Agricultural District No. 5, using District 5 as the parent District.

2. That the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute any and all documents necessary to effect such consolidation.

3. That this Resolution shall take effect immediately.

Signed by: Barski, Aikman, Chapman, Farrell, Lattimore, Fearon and Mahunik. All in Favor.

**8-12-PW-1 Tabled. All in Favor**

Approving the Chairman of the Cayuga County Legislature to sign the Local Plan for Program Year 2012 for the Workplace Investment Act Title 1-B and Wagner Peyser Programs.

**8-12-PW-2 Tabled – All in Favor.**

Authorizing the Chairperson of the Cayuga County Legislature to extend an agreement with New York State Industries for the Disabled (Rochester Rehabilitation) a preferred provider in New York State, to provide cleaning services for Cayuga County Buildings.

**Bundled 8-12 PW-3-4**

**RESOLUTION NO. 322-12**

**8/28/12 HWY TVsnowcontract12/13**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND  
HIGHWAY SUPERINTENDENT TO ENTER INTO A ONE YEAR  
AGREEMENT FOR SNOW AND ICE REMOVAL WITH  
TOWNS AND VILLAGES OF CAYUGA COUNTY**

BY: Tucker Whitman Chairman, Public Works Committee

David Axton, Chairman Ways and Means Committee

WHEREAS, the towns and villages within Cayuga County provide snow and ice removal for the county; and

WHEREAS, the current agreement was for one year and expires on June 30, 2012; and

WHEREAS, the county and towns desire to continue this operating procedure; and  
WHEREAS, town and county officials met and discussed the contract, and agreed upon a 1.75% increase in labor and non-fuel equipment plus salt and fuel index adjustment for 2012/13, and to negotiate annually the remaining seasons; now therefore be it

RESOLVED, to authorize the Chairman of the Legislature and the Highway Superintendent to enter into agreement with municipalities within the county to provide snow and ice removal for Cayuga County; be it further

RESOLVED, a 1.75% raise over the 2011/12 contract totaling \$1,264,426 plus salt and fuel index adjustment estimated at \$45,000 for a total of \$1,309,426 to be paid to the towns and villages for the 2012/2013 snow removal season; and be it further

RESOLVED, the County Attorney is to review agreements before signing.

Signed by: Whitman, Axton, Didio, Mahunik, Pecher, Runkle, Barski, Chapman, Fearon and Pinckney. All in Favor.

**RESOLUTION NO. 323-12**

**8/28/12 HWY GlenHvnbidacctconttransREV**

**AUTHORIZATION TO ACCEPT BID FOR GLEN HAVEN ROAD SLOPE  
STABILIZATION; AUTHORIZING THE TRANSFER OF MONIES FROM  
THE CONTINGENCY ACCOUNT TO CAPITAL "H" PROJECT NO. 11-04;  
AND AMENDING CAPITAL "H" PROJECT NO. 11-04**

BY: Tucker Whitman Chairman, Public Works Committee

David Axton, Chairman Ways and 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 No. 371-11 established Capital "H" Project No. 11-04 for the stabilization of Glen Haven Rd 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; and

WHEREAS, Resolution No. 259-12 authorized the Highway Superintendent to obtain quotes for temporary repair work; authorized the Chairman of the Legislature and the Highway Superintendent to execute contracts and amended Capital "H" No. 11-04; and

WHEREAS, Resolution No. 297-12 amended and increased Capital "H" No. 11-04 to \$138,000; and

WHEREAS, the permanent replacement of the retaining wall is broken into 2 sites at 6897 Glen Haven Rd (Site 1) and 6975 Glen Haven Rd (Site 2) along the western shore of Skaneateles Lake; and

WHEREAS, bids for the individual sites were opened on August 13, 2012 with the following results:

Contractor	SITE 1		SITE 2
	PreCast Option	Gabion Option	
Procon Contracting	\$310,000	\$326,000	\$22,000
Slate Hill	\$310,000	\$315,000	\$29,000
Siteworx	\$197,350	\$186,380	\$17,660

;and

WHEREAS, the current total estimate to complete the project is \$285,010; now therefore be it

RESOLVED, to accept the bid for SITE 1 from Siteworx for in the amount of \$197,350 for the stabilization at or around 6897 Glen Haven Rd; and be it further

RESOLVED, to accept the bid for SITE 2 from Siteworx in the amount of \$17,660 for the stabilization at or around 6975 Glen Haven Rd; and be it further

RESOLVED, that the sum of \$147,010 be transferred from Contingency Account A1016, into Capital "H" Project No. 11-04; and be it further

RESOLVED, that Capital "H" Project No. 11-04 be increased to \$285,010; and be it further

RESOLVED, that the Chairman of the Legislature and Highway Superintendent are authorized and directed to execute any contracts or agreement required to implement the intent of this resolution; and be it further

RESOLVED, the County Attorney is to review agreements before signing; and be it further

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

Signed by: Whitman, Axton, Didio, Pecher, Runkle, Barski, Chapman, Fearon and Pinckney. All in Favor.

### **Bundled 8-12-JP-1 thru 9.**

#### **RESOLUTION NO. 324-12**

**8/28/12 911 useragencyagree**

#### **AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO SIGN AN AGREEMENT WITH ALL USER AGENCIES AND MUNICIPALITIES OPERATING ON 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, all Fire / EMS / Police agencies in Cayuga County will operate on the new Emergency Communications System effective November 2012; and

WHEREAS, Cayuga County will provide limited equipment to all user Cayuga County user agencies to operate on the New Emergency Communications System; and

WHEREAS, the Cayuga County Policy Review and Over-site Committee has created an Interoperable Communications System Agreement outlining proper usage of the system and equipment provided to agencies; and

WHEREAS, prior to receipt of county equipment, all user agencies / municipalities will be required to sign such document ensuring the proper use of the New Emergency Communications System as well as proper care of equipment provided; now therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to sign an agreement with each user agency/ municipality receiving equipment to operate on the new Emergency Communications System.

Signed by: Whitman, Axton, Didio, Pecher, Runkle, Barski, Chapman, Fearon and Pinckney. All in Favor.

**RESOLUTION NO. 325-12**

**8/28/12 911ftESDfillrev2**

**AUTHORIZATION TO FILL TWO VACANT**

**EMERGENCY SERVICES DISPATCHER POSITIONS**

BY: Mr. Paul Pinckney Chairperson, Judicial and Public Safety Committee

Mr. Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County 911 Center currently has two vacant Full-Time Emergency Services Dispatcher position; and

WHEREAS, it is necessary to fill the Emergency Services Dispatcher positions for continuity of services; now therefore be it

RESOLVED, that the positions (#001921, #001893) be filled, and that the 911 Administrator be hereby authorized to fill the vacant Emergency Services Dispatcher positions from the existing Civil Service list; and be it further

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

Signed by: Pinckney, Axton, Barski, Didio, Farrell, Whitman, Chapman, Fearon and Runkle. All in Favor.

**RESOLUTION NO. 326- 12**

**8/28/12 SHR-DCJS Grant.rev**

**AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO APPLY FOR FUNDING FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR LAW ENFORCEMENT'S CONTINUING EFFORTS IN ANTI-DRUG, ANTI-VIOLENCE, CRIME CONTROL AND PREVENTION.**

BY: Mr. Paul Pinckney, Chair, Judicial and Public Safety Committee, and

Mr. David Axton, Chair, Ways & Means Committee

WHEREAS, the State of New York Division of Criminal Justice Services Office of Program Development and Funding has monies available for Law Enforcement for Anti-drug, Anti-Violence, Crime Control & Prevention Programs for 2012-2013 year ; and

WHEREAS, the Cayuga County Sheriff's Office has the potential of receiving \$30,000.00 in grant monies to purchase equipment and other related items if justifiable and applied for in a timely manner, to become a recipient of these available funds; and

WHEREAS, the Grant Program is a reimbursement program with 100% of the funds expended 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 State of New York State Division of Criminal Justice Services Office of Program Development and Funding.

Signed by: Pinckney, Axton, Barski, Didio, Farrell, Whitman, Chapman, Fearon and Runkle. All in Favor.

**RESOLUTION NO. 327- 12**

**8/28/12 SHR BlackCreekAgmnt**

**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, Chair, Judicial and Public Safety Committee, and  
Mr. David Axton, Chair, 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 due to expire December 31, 2012; 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 will be budgeted in the Sheriff's 2013 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 \$17,096.25 covering the period of 1/1/13 to 12/31/13; 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, Chapman, Fearon and Runkle. All in Favor.

**RESOLUTION NO. 328- 12**

**8/28/12 SHR PeaceOfficerStatus**

**RESOLUTION OF SUPPORT BY THE CAYUGA COUNTY LEGISLATURE TO NEW YORK STATE SENATOR MICHAEL NOZZOLIO, 54<sup>th</sup> DISTRICT, ALLOWING FOR AN AMENDMENT IN THE NYS CRIMINAL PROCEDURE LAW TO INCLUDE THE CAYUGA COUNTY SHERIFF'S OFFICE EMPLOYEES IN THE MARINE UNIT PEACE OFFICER STATUS AND TO CARRY FIREARMS WHILE ON DUTY.**

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

WHEREAS, the Sheriff is in need of qualified and trained Police and Peace Officers in the Marine Patrol Unit of the Cayuga County Sheriff's Office to effectively and safely patrol the waterways of Cayuga County; and

WHEREAS, the Cayuga County Sheriff's Office Marine Patrol requires Peace Officer status in order to effectively patrol Cayuga County waterways, and due to the nature of, and increased calls for service which has increased the danger for the Marine Patrol, it is recommended that there be a change in the law allowing for Peace Officer status and the carrying or possessing of firearms while on duty for employees appointed to the Cayuga County Sheriff's Office Uniformed Marine Patrol Unit; and

WHEREAS, at the request of the Sheriff of Cayuga County, New York State Senator Michael Nozzolio of the 54<sup>th</sup> District has introduced to the Senate Local Government Committee, under measure S.3119, a Bill amending Section 2.10 of the New York State Criminal Procedure Law by adding a new subdivision # 83, would give Peace Officer status to employees appointed by the Sheriff to the Marine Patrol Unit as well as authorize them to carry and possess firearms while on duty and the Sheriff is asking the assistance of all the State Representatives in approving this Bill; and

WHEREAS, Senator Michael Nozzolio has requested the support by Resolution, of the Cayuga County Legislature for this Bill in order for it to be moved out of Committee; NOW therefore be it further

RESOLVED, that the Cayuga County Legislature does hereby support Senator Michael Nozzolio's Bill to amend the current New York State Criminal Procedure Law thus allowing employees appointed by the Sheriff to the Uniformed Marine Patrol to be allowed Peace Officer status and to carry or possess firearms while on duty.

Signed by: Pinckney, Axton, Barski, Didio, Farrell, Whitman, Chapman, Fearon and Runkle. All in Favor.

**RESOLUTION NO. 329- 12**

**8/28/12 SHR ExtendCanteenAgmnt**

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

By: MR. PAUL PINCKNEY, Chairman, Judicial & Public Safety Committee

MR. DAVID AXTON, Chairman, Ways & Means Committee

WHEREAS, Cayuga County entered into an Agreement with Canteen Correctional Services pursuant to Resolution No. 723-07 to provide food services for the inmates housed at the Cayuga County Jail until December 31, 2010; and

WHEREAS, said Agreement was amended pursuant to Resolution No. 55-11 to extend the services provided by Canteen Correctional Services until December 31, 2012; and

WHEREAS, the Cayuga County Sheriff's Office is satisfied with the services provided from Canteen Correctional Services and together with Canteen, is desirous in extending said Agreement until December 31, 2014; and

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

RESOLVED, that the Chairman of the Legislature and the Sheriff are hereby authorized to execute the necessary documents to effect an extension of this Agreement for the period of January 1, 2013 through December 31, 2014; and be it further

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

Signed by: Pinckney, Axton, Barski, Didio, Farrell, Whitman, Chapman, Fearon and Runkle. All in Favor.

### **RESOLUTION NO. 330-12**

**8/28/12 COA-LL Misdangersubban FIXREV.**

**FIXING DAY AND NOTICE OF PUBLIC HEARING ON ADOPTING LOCAL LAW NO. \_\_\_\_ FOR THE YEAR 2012 A LOCAL LAW PROHIBITING THE POSSESSION AND SALE OF DANGEROUS SUBSTANCES, WHICH ARE MISLABELED OR UNLABELED, WHOSE INTENDED PURPOSE IS TO BE INGESTED TO MIMIC THE EFFECTS OF CONTROLLED SUBSTANCES AND/OR MARIHUANA AND WHICH HAVE NO OTHER LEGITIMATE USE OR PURPOSE.**

BY: MR. PAUL PINCKNEY, Chairman, Judicial and Public Safety Committee.

MR. DAVID AXTON, Chairman, Ways and Means Committee.

WHEREAS, there has been duly presented and introduced at a meeting of this County Legislature held on August 28, 2012, a proposed local law entitled:

**"LOCAL LAW NO. \_\_\_ FOR THE YEAR 2012, A LOCAL LAW PROHIBITING THE POSSESSION AND SALE OF DANGEROUS SUBSTANCES, WHICH ARE MISLABELED OR UNLABELED, WHOSE INTENDED PURPOSE IS TO BE INGESTED TO MIMIC THE EFFECTS OF CONTROLLED SUBSTANCES AND/OR MARIHUANA AND WHICH HAVE NO OTHER LEGITIMATE USE OR PURPOSE."**

Now, therefore, be it

RESOLVED, that a public hearing shall be held concerning the proposed local law before the Cayuga County Legislature on September 25, 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: Pinckney, Axton, Barski, Didio, Farrell, Whitman, Chapman, Fearon and Runkle. All in Favor.

**RESOLUTION NO. 331-12**

**8/28/12 SHR rpl175-12Purchase 2012 Chevy Tahoeev4**

**REPEALING RESOLUTION NO. 175-12 AND AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO PURCHASE A 2012 CHEVROLET TAHOE TO REPLACE AN EXISTING 2005 FORD CROWN VICTORIA POLICE INTERCEPTOR 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, Chairman, Ways and Means Committee.

WHEREAS, the title to Resolution No. 175-12, AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO PURCHASE A 2012 CHEVROLET TAHOE TO REPLACE AN EXISTING 2005 FORD CROWN VICTORIA POLICE INTERCEPTOR THAT IS IN NEED OF NUMEROUS MECHANICAL REPAIRS AND HAS ACCUMULATED HIGH MILEAGE, is inconsistent with the body of said Resolution, see attached; and

WHEREAS, Resolution No. 175-12 should be repealed; and

WHEREAS, the Cayuga County Sheriff's Office, Law Enforcement Division, presently has a 2005 Ford Crown Victoria Police Interceptor, VIN 2FAHP71W05X114931, assigned to a Member of the Criminal Investigation Division that is in need of numerous mechanical repairs and has accumulated mileage exceeding 118,000; and

WHEREAS, Hoselton Automall, Rochester, New York, pursuant to NYS Contract No. PC64892, can provide a new 2012 Chevrolet Tahoe SSV 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 Law Enforcement Equipment Trackable Line A31102 52100 to purchase a new vehicle; and

WHEREAS, the existing 2005 Ford Crown Victoria Police Interceptor, VIN 2FAHP71W05X114931, 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 Resolution No. 175-12 is hereby repealed; and be it further

RESOLVED, that the Cayuga County Sheriff is authorized to purchase a 2012 Chevrolet Tahoe SSV 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 SSV, the 2005 Ford Crown Victoria Police Interceptor will be delivered to the Clerk of the Cayuga County Legislature for disposal; and it is further

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, Farrell, Whitman, Chapman, Fearon and Runkle. All in Favor.

**RESOLUTION NO. 332-12**

**8/28/12 911 ptESDfill**

**AUTHORIZATION TO FILL A VACANT PART – TIME EMERGENCY SERVICES DISPATCHER POSITION.**

WHEREAS, the Cayuga County 911 Center currently has a vacant Part-Time Emergency Services Dispatcher position; and

WHEREAS, it is necessary to select a candidate and fill the Part-Time Emergency Services Dispatcher position for continuity of services; now therefore be it

RESOLVED, that the 911 Administrator be hereby authorized to fill the vacant Emergency Services Dispatcher PT position #1912; and be it further

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

Signed by: Pinckney, Axton, Barski, Didio, Farrell, Whitman, Chapman, Fearon and Runkle. All in Favor.

Lattimore wanted to talk about major invest on weapons system – Tom Squires said we borrowed 5 million dollars more than a year ago. One year borrowing. Interest rates are low

Chapman – regarding the bonding we got boxed in – we can't turn the pagers and walkie talkies – are we not going to bump in. Chapman was informed by Westphal that we couldn't turn over the equipment. MORE...

### **RESOLUTION NO. 333-12**

**8/28/12 COL publicassistance**

#### **RESOLUTION OF THE CAYUGA COUNTY LEGISLATURE IN SUPPORT OF SENATE BILL S-7671 AND ASSEMBLY BILL A-10758 A/K/A THE PUBLIC ASSISTANCE INTEGRITY ACT.**

WHEREAS, public assistance is designed to help needy families provide care for their children, promote job preparation and achieve self-sufficiency; and

WHEREAS, Food Stamp benefits provide help to low-income working people, seniors, the disabled and others to feed their families; Temporary Assistance programs, like Family Assistance, which is federally funded through Temporary Assistance for Needy Families, provides additional cash assistance to help pay for housing and energy costs, paper products, school supplies and other expenses; and

WHEREAS, taxpayers support public assistance programs to help their fellow citizens get back on their feet and have food, clothing and shelter during their hard times; and

WHEREAS, the majority of families and individuals receiving public assistance use the assistance responsibly, but it is also evident that abuse does occur and is on the increase; and

WHEREAS, a recent report from WNYT-TV in Albany examined records from 11 Counties and showed tens of thousands of dollars in cash assistance has been withdrawn from ATMs located at adult entertainment clubs, OTBs, liquor stores and tobacco retailers; and

WHEREAS, the Public Assistance Integrity Act would protect the use of public assistance benefits by prohibiting the sale or purchase of alcoholic beverages, tobacco products or lottery tickets with public assistance benefits and the electronic withdrawal of public assistance benefits in casinos, liquor stores and establishments providing adult oriented entertainment; and

WHEREAS, the Public Assistance Integrity Act, sponsored by Senator Thomas W. Libous, has already passed the New York State Senate with over whelming support and currently sits in the Assembly Rules Committee; now therefore be it

RESOLVED, that Cayuga County Legislature commends the introduction and the passage of Senate Bill S-7671 and companion Assembly Bill A-10758 a/k/a the Public Assistance Integrity Act by the New York State Senate and urges the New York State Assembly to follow the Senate's leadership and pass said legislation; and be it further

RESOLVED, that the Clerk of the Legislature shall forward a copy of this Resolution to Governor Andrew M. Cuomo, Senate Majority Leader Dean G. Skelos, Senator Michael Nozzolio, Senator David Valeski, Assembly Speaker Sheldon Silver, Minority Leader Brian Kolb, Assemblyman Gary Finch, Assemblyman Robert Oaks, New York State Association of Counties and all those deemed necessary and proper.

Signed by: Cuddeback, Whitman, Chapman, Axton, Farrell, Pinckney, Runkle, Fearon, Pecher, Barski, and Mahunik. Lattimore and Didio. All in Favor.

**RESOLUTION NO. 334-12**

**8/28/12 LEG BV7PLANrev**

**CAYUGA COUNTY LEGISLATURE REQUEST TO  
THE INTERNATIONAL JOINT COMMISSION TO REJECT  
THE PROPOSED BV7 PLAN IN ITS ENTIRETY.**

WHEREAS, the International Joint Commission (IJC) has announced consideration of a New Plan that will replace the current regulation plan (58DD) that controls water levels of Lake Ontario; and

WHEREAS, the stated purpose of the new plan, known as BV7, is to reverse environmental damage caused by the current regulation plan (55D), particularly with regard to the restoration of 65,000 acres of Lake Ontario shoreline meadow marsh; and

WHEREAS, BV7 will increase the current range of water levels that private and public riparian property owners relied on for the last 50 years; and

WHEREAS, according to a peer reviewed report conducted by the National Academy of Sciences, the potential environmental benefits of the BV7 Plan are based upon faulty research methods; and

WHEREAS, projected Ontario Lake levels under the proposed plan will result in increased duration and frequency of high and low water, significantly increasing the potential for damages to Lake Ontario riparians (estimated at over \$3.1 million per year) and negatively impacting sport fishing and recreational boating economics across the entire region (estimated at over \$30million per year); and

WHEREAS, BV7 removes all protections that exist in the current plan, replacing them with a plan that basically transfers prosperity from Wayne County to Hydropower (NYPS) and Commercial Navigation entities who will realize a benefit of approximately \$6million per year on average, and

WHEREAS, Cayuga County residents who own property or businesses along the Lake Ontario shore, including its bays, tributaries and ponds, have voiced their concern about a proposed change in the lake levels that would result in significant damage to their properties, and a corresponding decrease in revenues from recreational boaters and fishermen, both locally-based and those traveling internationally; and

WHEREAS, Cayuga County residents and elected officials are resolute in protecting the waters, streams, and harbors of Lake Ontario, the home for some of the best sport fishing, pleasure sailing and power-boating in the world; and

WHEREAS, modifying the current range of operation by Plan BV7 further hinders boating access and when combined with the protracted absence of federal funding for maintenance dredging of our federal shallow draft harbors, will cause significant and measurable negative financial impacts to the local and regional economy; now, therefore, be it

RESOLVED, the Cayuga County Legislature does herewith respectfully request that the International Joint Commission reject in its entirety all current plans for the implementation of the BV7 Project; and be it further

RESOLVED, that the IJC immediately enact a moratorium on the development of any future proposals to modify the range of water levels on Lake Ontario until the completion of a thorough, objective and all inclusive analysis of the potential economic damages on tourism, recreation, business and residences along the south shore of Lake Ontario (including properties located along harbors, rivers and streams) with a specific section dedicated to the thorough evaluation of damages in Wayne County where impacts have been identified as the most acute; and be it further

RESOLVED, that as part of this study, Cayuga County recommends the Commission also assess the amount of civil work and financial assistance required to mitigate the damage of any future plans, and identify funding sources available to offset said actions; and be it further

RESOLVED, that this study must also evaluate the environmental impacts of repeated flooding of the built environment, to include the identification of the constituents of point and non-point source runoff and the impacts of sediment and nutrient loading on the quality of water in the impacted areas; and be it further

RESOLVED, that the Cayuga County Legislature respectfully requests a formal response to this resolution by the International Joint Commission at their earliest convenience; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the International Joint Commission, the New York Department of State, the New York State Department of Environmental Conservation, the New York State Environmental Facilities Corporation, U.S. Senator Charles E. Schumer, U.S. Senator Kirsten E. Gillibrand, Congresswoman Ann Marie Buerkle, Congressman Richard Hanna, Governor Andrew M. Cuomo, Senate Environmental Conservation Committee Chairman Mark Grisanti, Assembly Environmental Conservation Committee Chairman Robert Sweeney, U.S. EPA Region II Administrator Judith Enck, and all others deemed necessary and proper. Signed by: Cuddeback, Whitman, Chapman, Axton, Farrell, Pinckney, Runkle, Fearon, Pecher, Barski, Mahunik. Lattimore and Didio. All in Favor.

### **RESOLUTION NO. 335-12**

**8/28/12 LEG thruwaytollsrev**

### **RESOLUTION OPPOSING THE PROPOSED 45 PERCENT THRUWAY TOLL INCREASE ON COMMERCIAL VEHICLES**

WHEREAS, the New York State Association of Counties (NYSAC) has created the Blue Ribbon Task Force on the Future of Farming in New York State to support the long-term economic viability of farms and the agriculture industry in our state, and

WHEREAS, this group of dedicated county leaders continues to advocate in favor of actions that help farmers and in opposition to actions that will negatively impact farms, and

WHEREAS, public policy decisions by leaders in State government over the last few decades have put the long-term economic viability of farms at risk, and

WHEREAS, the New York State Thruway Authority is now proposing a 45% increase in tolls on commercial vehicles, and

WHEREAS, toll increases will directly impact the cost of doing business for farmers and all business owners in New York, and

WHEREAS, toll increases will likely increase the price of food, fuel, feed and other staples, and

WHEREAS, the State's economic development decisions should be focused on increasing the transportation of produce and goods on our roadways to further promote New York products, and

WHEREAS, NYSAC opposes the proposed 45% toll increase on commercial vehicles, now therefore be it

RESOLVED, that the Cayuga County Legislature supports NYSAC's opposition and calls on the NYS Thruway Authority to employ cost control measures that would stave off the need for toll increases that will stifle economic activity such as moving New York produce to market, and the transportation of other goods and services on New York State's Thruway, and it is further

RESOLVED, that the Clerk of the Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Association of Counties, Inter County Association of Western New York, and all others deemed necessary and proper. Signed by: Cuddeback, Whitman, Chapman, Axton, Farrell, Pinckney, Runkle, Fearon, Pecher, Barski, and Mahunik. Lattimore and Didio. All in Favor.

Axton Move into Executive Session @ 7:45pm. Moved by Axton, 2<sup>nd</sup> by Runkle regarding pending ligations and CSEA matters.

Out of Executive Session 9:10 pm by Whitman, 2<sup>nd</sup> by Didio

Back in Regular Meeting 9:11 pm by Aikman, 2<sup>nd</sup> by Didio

Adjournment 9:12pm by Aikman, 2<sup>nd</sup> by Didio

Minutes approved October 23, 2012, motion made by Runkle, seconded by Pinckney, as written, All in favor.

**MINUTES**  
**CAYUGA COUNTY LEGISLATURE**  
**SEPTEMBER 25, 2012 – 6:30PM**

**CALL TO ORDER:** Hon. Steven Cuddeback, Chairman at 6:30 PM

**ROLL CALL:** Mary Jones, Clerk of the Legislature, all Legislators present, except Joseph Bennett -excused

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**DEATHS:**

**Mary Margaret (Chris) Pinckney** passed away on Friday, August 31<sup>st</sup>. Chris was the assistant County Historian for 19 years. Chris also served on the Board of Directors for the Merry-Go-Round Playhouse.

**Margaret G. (Peg) Lewis** passed away on Sunday, September 2, 2012. Peg retired after 36 years of service from the Cayuga County Lab and was a volunteer for the Owasco Watershed Association.

**John “Jack” Coulson** who passed away on Saturday, September 15, 2012. Jack owned and operated the Coulson Oil Company, served on the Board of Supervisors from 1965 to 1971 where he held the title of Chairman in 1969. Jack also served as County Legislator for District 9 in 1972. In 1973 he was head of the Cayuga County Emergency Management Office. After retirement he continued working as a Court Security Officer and Grand Jury Security Officer. Jack was a veteran of the US Air Force. Jack is Chairman Cuddeback’s father-in-law and his daughter Tracey is a long-time employee of the Cayuga County Sheriff’s Department.

**Jane K. Smith** passed away on Monday, September 17, 2012. Jane retired from the Cayuga County Human Services Department as coordinator of the support collection unit.

**James Kirby** of Port Byron passed away on Friday Sept 21<sup>st</sup>. Jim was employed at the highway department starting in Feb of 2000 and worked in the mechanical shop. Calling hours are at Jewell Funeral Home 8886 S. Seneca St. Weedsport from 2-4 and 7-9.

**PUBLIC HEARING: Open to the Public to discuss 2 local laws**

**A LOCAL LAW PROVIDING FOR AN EXEMPTION FROM REAL PROPERTY TAXES FOR QUALIFIED RESIDENTIAL-COMMERCIAL URBAN REAL PROPERTY LOCATED IN THE CITY OF AUBURN, NEW YORK AS AUTHORIZED BY SECTION 485-A OF NEW YORK REAL PROPERTY TAX LAW.**

**FIXING DAY AND NOTICE OF PUBLIC HEARING ON ADOPTING LOCAL LAW NO. \_\_\_\_ FOR THE YEAR 2012 A LOCAL LAW PROHIBITING THE POSSESSION AND SALE OF DANGEROUS SUBSTANCES, WHICH ARE MISLABELED OR UNLABELED, WHOSE INTENDED PURPOSE IS TO BE INGESTED TO MIMIC THE EFFECTS OF CONTROLLED SUBSTANCES AND/OR MARIHUANA AND WHICH HAVE NO OTHER LEGITIMATE USE OR PURPOSE.**

**Public Hearing Opened at 6:17pm Closed at 7:17pm.**

**PRESENTATION:** Sheriff Gould introduced Oswego County Sheriff Reuel Todd and Deputy Matthew Pritchard to honor the 2 officers that have saved the lives of the people on the boat. Just one day after his police academy graduation, disaster struck for Oswego County Sheriff's Office Deputy Matthew Pritchard. July 29 was a beautiful day on Lake Ontario. Pritchard, his girlfriend, Ashlie Crawford, and his brother, Christopher Pritchard, went out on a leisurely boat ride. But when the boat malfunctioned and spun out of control, it left Crawford unconscious, Christopher Pritchard thrown from the boat and Matthew Pritchard within inches of losing his foot. Cayuga County Deputy Tom Cordway and Navigational Assistant Terry Lozier were patrolling Lake Ontario that day when they noticed the odd movement of the boat. Their quick thinking and gut instincts lead them to the scene and helped to save those three lives. At Tuesday night's meeting of the Cayuga County Legislature, Deputy Pritchard and Oswego County Sheriff Reuel Todd recognized Cordway and Lozier for their heroic efforts that day. "If it hadn't been for your two alert deputies in Cayuga County to come over, see the boat and for just some reason instinctively react, he could have gone into shock," Sheriff Todd said. "And we wanted to come down here not just to honor you but to say thank you." Both men received a standing ovation for their efforts and though Pritchard wasn't prepared to speak, he offered a heartfelt thanks to Lozier and Cordway. "I just want to say thank you," Pritchard said. "If it wasn't for them I don't know if I'd be here today." Friends, family members and deputies from the Oswego County Sheriff's Office attended the meeting in thanks and support. The presentation brought on a lot of emotion for many in the room. Cayuga County Sheriff David Gould was proud of the work done that day and the heroism displayed in their actions. "Being a hero is all part of being at the right place at the right time and these guys were there and did their job and were able to really save some lives," he said. "This is the result of our professionalism and the hard work that these guys do every day." It was all in a day's work and part of the job for Lozier and Cordway. "We're just here to do our job," Cordway said. Lozier also expressed that sentiment: "I love my job and working on the lake and I am glad I could make a difference." Deputy Pritchard remained quiet as he hobbled out of the meeting on crutches, but as he came to Lozier and Cordway, he paused to express one last gesture of gratitude. "I owe my life to you," he said.

**PRESENTATION: (Cont'd)**

United Way – 2012 Campaign

Interim Executive Director: Gail Homick

Campaign Chairs: James Courtney and Lon Fricano

They thanked us for the Proclamation on September 12, 2012. The Campaign will run through the middle of December. Their goal is to reach 1,332,000.00. They are looking for a quarter of a million dollars. New donor challenge will match dollar for dollar for new contributions. Anyone wants to donate 1,000.00 the Emerson foundation will match dollar to dollar. The second part the step up challenge anyone that continued in the past and they increase their donations by whatever it may be the Emerson Foundation will match that dollar for dollar up to 50,000.00 and the third part is once we get one million two hundred and eighty two thousand dollars they will kick the rest so we can reach our goal.

**PROCLAMATIONS:** Chamber of Commerce Week, September 10<sup>th</sup>, 2012 through September 14<sup>th</sup>, 2012

United Way Day in Cayuga County, Wednesday, September 12, 2012

Booker T. Washington Community Center “Courts 4 Kids”, September 14, 2012

Constitution Week, September 17, 2012 through September 23, 2012

Timothy Donovan, September 25<sup>th</sup>, 2012 was presented an award by Options for Independence for his dedication on behalf of people with disabilities.

**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. All three parties spoke in regards to the Cayuga County Nursing Home.

Patrick Mahunik

1. Dori Scialdone (Employee of Cayuga County Nursing Home- 3 Bradford Street, Auburn Yes you've heard me at the last meeting and not because I like to hear my own voice but because I've learned that if there's something that you care about and you don't speak about it then you can't be the one who complains afterward because you never did anything. I'm speaking as a resident of the county. My mother is 72. She's in this county and I've spoken with a lot of her friends and I've listened to a lot of them and what they have to say. And what they're saying - a lot of them are scared. What we're seeing in the US today is that we're in a real financial crisis and it seems that the working people - we're the ones that are supporting those that are unable to support themselves. Taxes are raised. We just had a new mental health center built. The county put thousands of dollars into the pavilion at the lake and all we see is that the taxpayers are - we keep getting stuff taken away. So do our elderly, our mentally ill. We're supporting our county in other ways and the county is taking everything away from other things and now they

want to take away the county nursing home and I think it's a wonderful service that our county nursing home offers. I don't know if there is or how far it's been looked into or if there is anything that our nursing home could do to bring in more money. I don't know how well that's been looked at. I know that the county is in financial- there are financial problems but a lot of the people I've talked to are upset. We're tired of having things taken away from us from people who have worked their whole lives. And people who are in the nursing home now and those who are coming up in the next coming years, they're tax payers. They were tax payers their whole life and now a place that they love that has become home may be taken away. And the people who don't work in a nursing home - you don't understand what it takes to get residents adjusted. There's an adjustment period that takes place when these people come in, especially when they have dementia. It could take a couple of months. We might see behaviors, crying, anger depression. But after they get adjusted they're okay, so this new adjustment is going to take more from them and I know that at the last meeting one of the nurses got up and said that this is sort of like a disaster and there was an article in the paper of someone saying that that might have been a little exaggerated but actually it's not. To these people it will be. It is a disaster to them because a lot of them don't understand what's going on. We can't even explain it to them because they don't understand. But they will feel it. I'm realistic. I'm educated. I'm the head nurse at the nursing home. I do understand financial problems and I just hope that everything is being looked at to keep the nursing home open but if that can't happen at all then I think a lot of us are just waiting for more information because depending on what that information is, if a lot of us plus maybe our administration get to go over to the Mercy building and take part in this union then a lot of us may follow because we care about the care of these elderly and we all really work together. We really are a family. And I know a lot of people say that, but we really are. Some of us, we have our disagreements but then we make up. We spend more time with our coworkers than our own families. We would just like to be given something once in a while instead of everything taken away to pay for everybody else. Thanks.

2. Sharon Lupini - 231 Genesee Garden Apartments, Auburn NY, the Assistant Registered Nurse for the Nursing home imagine once you are old and nobody can't take of you and you need to go into a nursing home all your furniture your own bed is taken away from you except for small clothes to come into this nursing home. They lost a part of their life. This is a difficult adjustment and we provide excellent care for them. If we uproot them and put into a new home can be severely damaging. The Nursing home is the best in the community for all the elderly. Closing the nursing home and merging with Mercy would be a mistake. Our residents are so well loved and taken care of. We spend more time with our coworkers and the elderly. I just believe the nursing should remain open because we feel that we do provide excellent care to our elderly.

#### **MINUTES:**

For Approval: 7-24-2012

For Reading: 8-28-2012

**MOTION BY Didio 2<sup>nd</sup> by Pinckney. All in Favor.**

The floor was open to the public till 7:44pm

**CCC REPORT:** Dr. Larson

He handed out the Fulton Campus Booklet and Cayuga County Thumbnail drives. He discussed about the dedication and ribbon cutting that took place on Sept 14<sup>th</sup>, 2012 and also discussed about upcoming events such as Enrollment, Completion Day which will be held on October 3<sup>rd</sup> and Sustainable Agriculture Symposium on November 1<sup>st</sup> and 2<sup>nd</sup>. We were notified an award \$630,000.00 to the College by the US Department of Labor which was part of a 14.6 million dollar grant to the State University NY that is part of the Trade Act adjustment program there were 5 hundred million dollar across the country. We are going to establish a plastic technology program. In upstate New York there are about 30-40 plastic companies that are in place already. Plastic industry is something that most people don't recognize but if you know Currier Plastic or Tessa Plastic so you know plastic is important industry for us. The nearest plastic Training program is in Pennsylvania. None in New York State. This program will allow us to set up one here in Auburn. Good paying jobs who are interested in that work. High skill and very excited to see take place.

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

Michael Chapman - Thanked everyone at the SCAT Van Organization. He attended the volunteer dinner well attend it's worthy to know that they transport over 9,000 individuals on various appointments and hope to continue in the near future.

Sheriff Gould - Handed out a memo regarding Federal Inmate Revenue problems. See attached.

**COUNTY ADMINISTRATOR'S REPORT:** He discussed Sales Tax, Cayuga County Sales Tax, Assigned Counsel, Federal Inmate Revenue, 2012 Contingent Account, and Pavilion Impact. See attached report.

Michael Chapman - discussed Federal Inmate Revenue - it's not something we can count or plan on – not real revenue it's a bonus.

Timothy Lattimore – Sales tax are up one million more. City is closing 100,000. Press coverage from the city councils but I would like to see the chairman, city manager, mayor meet each month to discuss issues that arise. We are gaining a million dollars and the city is losing might be good to talk to the City. We talk about different issues. Water and Sewer issues what we have to charge at the industrial park, it's a mix that we share we need a dialogue with all our towns. We have common issues that need to be resolved. We are all in this together.

**CHAIRMAN'S REPORT:** no reports

**APPOINTMENTS:**

**MOTION BY PINCHNEY 2<sup>ND</sup> BY RUNKLE. ALL IN FAVOR**

Cayuga-Cortland Workforce Investment Board:

**Diane Piscotti –**

Currier Plastics – HR Manager, 101 Columbus Street, Auburn NY 13021 (residence -2 Hidden Brook Way, Auburn, NY 13021),

term 9/1/12 – 8/31/15 (replaces William McVea)

**Christine M. Czarnecki-**

Elder-Choice, Inc., Direct Care Recruiting Specialist, 208 West Main St, Elbridge, NY 13060

(Residence -3223 Henneberry Rd, Jamesville, NY 13078), term 9/1/12-8/31/15 (replaces Nancy Wise)

**WAIVED READINGS BY AXTON, 2<sup>ND</sup> BY RUNKLE. ALL IN FAVOR.**

**COMMUNICATIONS AND ANNOUNCEMENTS:**

1) Letter from State Assemblyman Minority Leader Brian Kolb acknowledging receipt of Resolution No. 333-12 in support of Senate Bill S7671-B and Assembly Bill A10758, the Public Assistance Integrity Act.

2) Letter from State Assemblyman Minority Leader Brian Kolb acknowledging receipt of Resolution No. 334-12, requesting that the International Joint Commission reject BV7 plan in its entirety.

3) Letter from State Assemblyman Minority Leader Brian Kolb acknowledging receipt of Resolution No. 335-12, opposing the proposed 45 percent NYS Thruway Toll hike.

4) Resolution from Orange County Legislature No: 216 of 2012 “Urging the Governor of the State of New York and the New York State Legislature to Restore State Aid to Community Colleges at the levels required by New York State Education Law.

5) Card from Chapel House acknowledging donation in Memory of David Farrell.

Bundled (1A& 1B)

**RESOLUTION NO. 336-12-12**

**9/25/12 AP Audit September 2012 (A)**

**AUTHORIZING THE COUNTY TREASURER TO PAY**

**AUGUST 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 **September 25, 2012** audit claims against the County of Cayuga in the aggregate sum of \$842,094.26 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 & Whitman.

**MOTION BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.**

**RESOLUTION NO. 337-12****9/25/12 AP Audit September 2012 (B)****AUTHORIZING THE COUNTY TREASURER TO PAY  
AUGUST 27-SEPTEMBER 10, 2012 AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on **September 25, 2012** audit claims against the County of Cayuga in the aggregate sum of \$1,315,926.32 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 &amp; Whitman.

MOTION BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.**Bundle WM1-2. All Favor.****RESOLUTION NO. 338-12****9/25/12 AUD Windstream****AUTHORIZING THE COUNTY LEGISLATURE TO ENTER INTO AN  
AGREEMENT WITH OUR CURRENT TELEPHONE SERVICE PROVIDER**

By: David Axton, Chairman, Ways and Means Committee

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

WHEREAS, staying with, our current carrier, Windstream will give the county better cost; and

WHEREAS, with the present carrier, has provided excellent service; and

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

WHEREAS, Windstream will be paid \$2,909.00 monthly (\$34,908.00 annually) for said services; now therefore, be

WHEREAS, staying with our current carrier Windstream with a monthly cost of \$2,909.00 monthly

(\$34,908.00 annually) will bring a cost savings of \$11,009.52 to the County annually.

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

Signed by: Axton, Barski, Chapman, Fearon, Pinckney, Runkle &amp; Whitman.

MOTIONED BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.**RESOLUTION NO. 339-12****9/25/12 RPS deletetaxlien108.00-1-2.21****RESOLUTION TO DELETE TAX LIENS ON COUNTY OWNED PARCEL**

By: David Axton, Chairman, Ways &amp; Means Committee

WHEREAS, there are two liens in the Cayuga County Clerk's Office as follows, for the 2011 tax year in the amount of \$99.11, and for the 2012 tax year in the amount of

\$166.36 against property located in the Town of Aurelius, identified as Tax Map # 108.00-1-2.21 and assessed to Cayuga County on the 2011 and 2012 Tax Rolls for said Town; and

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

WHEREAS, this parcel should have been placed in the wholly exempt section of the assessment roll once the county determined that it was in its best interest to retain this parcel due to its proximity to the Owasco outlet, other county owned lands, and a potential gas well; and

WHEREAS, the parcel has now been appropriately placed in the wholly exempt portion of the assessment and tax roll so that it will no longer generate tax bills; and

WHEREAS, the 2011 and 2012 liens are still in effect and require action of the Cayuga County Legislature to extinguish them and, Now, Therefore Be It

RESOLVED, that all previously mentioned liens filed in the Cayuga County Clerk's Office under tax map numbers 108.00-1-2.21 be deleted.

Signed by: Axton, Barski, Chapman, Fearon, Pinckney, Runkle & Whitman.

MOTIONED BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.

Bundled 9-1-12-HH-1,2,3,4,5,7,8 & 9. All Favor. 9-12-HH-6 PULLED BEFORE COMMITTEE

**RESOLUTION NO. 340-12**

**9/25/12 HS HEAP/Catholic Charities 2012**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH AND HUMAN SERVICES TO ENTER INTO A CONTRACT WITH CATHOLIC CHARITIES OF THE FINGERLAKES, INC., TO PERFORM ANY OUTREACH ACTIVITIES FOR THIS STATE MANDATED HEAP PROGRAM (100% FEDERALLY FUNDED), FOR THE PERIOD OF SEPTEMBER 1, 2012 THROUGH APRIL 30, 2013**

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

David Axton, Chairman of the Ways & Means Committee

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

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

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

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

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

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

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services be authorized to enter into a contract (100% federally funded) with Catholic Charities of the Fingerlakes, Inc., in the amount of \$81,026; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the County's Human Services 2012 Budget when the administrative allocation is received from the State; and make any necessary journal & accounting entries to reflect additional HEAP funding upon receipt of notification and documentation from the County's Human Services Department.

Signed by: Chapman, Aikman, Lattimore, Pecher, Runkle, Axton, Barski, Chapman, Fearon, Pinckney & Whitman.

MOTIONED BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.

### **RESOLUTION NO. 341-12**

#### **9/25/12 HD Abolish Sr. Nutritionist & Create/Fill Nutritionist WIC AUTHORIZING THE CAYUGA COUNTY LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ABOLISH A SR. WIC PROGRAM NUTRITIONIST POSITION AND CREATE/FILL A WIC PROGRAM NUTRITIONIST POSITION**

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

David Axton, Chairman of the Ways & Means Committee

WHEREAS, upon retirement of the Health Department's WIC Coordinator effective August 31, 2012, the Sr. WIC Program Nutritionist was promoted to fill that position; and

WHEREAS, with the Sr. WIC Program Nutritionist position, Grade 19, position control #001776 being vacated, the Department reviewed the job duties performed by the incumbent and has determined that WIC Program Nutritionist would be an appropriate title; and

WHEREAS, the Department has submitted a New Position Duties Statement to the Civil Service Commission for their review and classification; and

WHEREAS, this position is 100% funded; NOW, THEREFORE, BE IT

RESOLVED, that the Cayuga County Legislature create a WIC Program Nutritionist position (Grade 17) with the jurisdictional class allocation being Competitive; and be it further

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

RESOLVED, that the Sr. WIC Program Nutritionist position (control #001776) is abolished upon creation of the WIC Program Nutritionist position and the successful completion of the probationary period of the WIC Coordinator.

Signed by: Chapman, Aikman, Lattimore, Pecher, Runkle, Axton, Barski, Chapman, Fearon, Pinckney & Whitman.

MOTIONED BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.

**RESOLUTION NO. 342-12**

**9/25/12 HD Fill Principal Acct. Clerk 2012**

**AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES  
TO FILL A PRINCIPAL ACCOUNT CLERK POSITION IN  
THE HEALTH DEPARTMENT'S ACCOUNTING DIVISION**

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

David Axton, Chairman of the Ways & Means Committee

WHEREAS, there is a Principal Account Clerk vacancy (position control #004640) in the Accounting Division of the Health Department due to resignation of the incumbent effective August 31, 2012; and

WHEREAS, the Principal Account Clerk works on grants, insurance billing, purchase orders, payables, revenue, whereabouts (orders for nursing visits), and is back-up for payroll functions behind the Jr. Accountant. This position is critical for maintaining the smooth and effective functioning of the Accounting Division in the Health Department; NOW, THEREFORE, BE IT

RESOLVED, that the Director of the Health & Human Services be authorized and directed to fill the Principal Account Clerk's position in the Health Department in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by: Chapman, Aikman, Lattimore, Pecher, Runkle, Axton, Barski, Chapman, Fearon, Pinckney & Whitman.

MOTIONED BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.

**RESOLUTION NO. 343-12**

**9/25/12 HS Fill Caseworker Child Welfare Sept 2012**

**AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO  
FILL A CASEWORKER VACANCY IN CHILD WELFARE UNIT DUE TO  
RETIREMENT OF INCUMBENT**

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 #002169) due to retirement of incumbent effective September 29, 2012; and

WHEREAS, this position is responsible for managing a caseload of open preventive and foster care cases in the Child Welfare Unit of Human Services and the services provided are mandated services; and

WHEREAS, this position is reimbursed at a minimum of 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 upon retirement of the incumbent effective September 29, 2012, the Director of Health & Human Services is authorized and directed to fill the 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, Pecher, Runkle, Axton, Barski, Chapman, Fearon, Pinckney & Whitman.

MOTIONED BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.

**RESOLUTION NO. 344-12**  
**9/25/12 HS FFFS Funding 2012**  
**AMENDING THE HUMAN SERVICES 2012 BUDGET TO ACCEPT**  
**100% FEDERAL FUNDING FROM THE FLEXIBLE FUND**  
**FOR FAMILY SERVICES (FFFS)**

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 received 100% Federal FFFS funding (Flexible Fund for Family Services) and of this funding \$279,000 will be used to support employment related services and supportive services for TANF eligible applicants and recipients in order to assist them to stay off of public assistance or enable them to reduce the amount of assistance they are receiving; and

WHEREAS, it is necessary to amend the 2012 Human Services Budget in order to accept this funding; NOW, THEREFORE BE IT

RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the Human Services Department's 2012 Budget in the following manner, and make the necessary journal and accounting entries to accept the new FFFS funds:

Increase Acct. #A60604 54000 .....	\$279,000
Increase Acct. #A60600 44615 .....	\$279,000

and be it further

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

Signed by: Chapman, Aikman, Lattimore, Pecher, Runkle, Axton, Barski, Chapman, Fearon, Pinckney & Whitman.

MOTIONED BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.

**RESOLUTION NO. 345-12**  
**9/25/12 MHFillSocWkr9.12**  
**AUTHORIZE THE FILLING OF A VACANT STAFF SOCIAL WORKER**  
**POSITION AT THE COMMUNITY MENTAL HEALTH CENTER**

By: Hon. Michael Chapman, Chair Health and Human Services Committee, and  
 Hon. David Axton, Chair Ways and Means Committee.

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

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

WHEREAS, the position (3404) is reflected in the 2012 County Budget, line A43131-51001, 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 in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by: Chapman, Aikman, Lattimore, Pecher, Runkle, Axton, Barski, Chapman, Fearon, Pinckney & Whitman.

MOTIONED BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.

**RESOLUTION NO. 346-12**

**9/25/12 NH rprgntr REV**

**AUTHORIZING THE ADMINISTRATOR OF THE NURSING HOME  
TO ARRANGE FOR THE REPAIR OF THE GENERATOR  
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 a generator for use at the nursing home in the event of a power outage, and

WHEREAS, the switching mechanism has not been functional without manual override therefore needs to be replaced; and

WHEREAS, the current generator vendor (Kraft Power) can provide the switches, temporary generator and labor at a cost of for \$4,278.50, \$300 (estimate) and \$500 (estimate), respectively for a maximum total of \$5,078.50 ; and

WHEREAS, electrical contractors have been asked to submit quotes for the work with 2 firms responding:

J & E Electric for \$4,895.00 and

L & E electric for \$4,854.00; now therefore be it

RESOLVED, that the generator at the nursing home be repaired for no more than \$9,932.50 (Nine thousand nine hundred thirty-two dollars and fifty cents) by Kraft Power and L & E Electric.

Signed by: Chapman, Aikman, Lattimore, Pecher, Runkle, Axton, Barski, Chapman, Fearon, Pinckney & Whitman.

MOTIONED BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.

**RESOLUTION NO. 347-12**

**9/25/12 HS Create/Fill Temp Caseworker Child Welfare**

**AUTHORIZING THE COUNTY LEGISLATURE TO CREATE  
A TEMPORARY CASEWORKER POSITION (90 DAYS OR LESS) IN THE  
CHILD WELFARE UNIT OF HUMAN SERVICES (75% FUNDED) AND  
AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES  
TO FILL THE NEWLY CREATED POSITION**

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

David Axton, Chairman of the Ways & Means Committee

WHEREAS, the Child Welfare Unit of Human Services is experiencing staffing issues which impact the ability to manage the current caseloads. Currently, there are two caseworkers on leave of absence; and in October and December two more caseworkers will be out on leave; and

WHEREAS, we have an opportunity at this time to provide some temporary assistance to the unit with a temporary hire; and

WHEREAS, this position is reimbursed at minimum of 75% State and Federal funding; NOW, THEREFORE, BE IT

RESOLVED, that the Cayuga County Legislature be authorized and directed to create one temporary caseworker (Grade 17) for a period of 90 days or less to help manage the caseload in the Child Welfare Unit of Human Services, and that the Director

Tuesday, September 25, 2012

of Health & Human Services be authorized and directed to fill the newly created position in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by: Chapman, Aikman, Lattimore, Pecher, Runkle, Axton, Barski, Chapman, Fearon, Runkle Pinckney & Whitman.

MOTIONED BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.

**BUNDLED GO-1 and 3. All in Favor**

**GO-2 may look at it again**

**GO – 5 All in Favor.**

**GO—6 TABLED, MAY BRING IT BACK TO COMMITTEE. ALL IN FAVOR**

**RESOLUTION NO. 348-12**

**9/25/12**

**AUTHORIZING THE AMENDMENT OF THE RULE OF ORDER  
– CAYUGA COUNTY LEGISLATURE.**

BY: GEORGE FEARON, CHAIRMAN, GOVERNMENT OPERATIONS COMMITTEE

Signed by: Fearon, Aikman, Pinckney Lattimore, Didio, Farrell and Pecher.

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 Section III Committees-Rule No. 9 Attendance; now therefore be it resolved.

RESOLVED, that the Rules of Order-Cayuga county Legislature shall be amended as follows:

Section III-Committee, revision of RULE NO. 9 ATTENDEANCE

1. Every member of the Legislature shall have the right to attend the meetings of any committee, whether regular, special or executive session, unless otherwise prohibited by the rules.

2. Every member of the Legislature shall inform their Committee Chairman and the Clerk of the Legislature in the event that such member is unable to attend a meeting of a committee to which such member is assigned. Failure to do so shall cause such absence to be recorded as an unexcused absence.

MOTIONED BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.

**RESOLUTION NO. 349-12**

**9/25/12**

**EXPRESSING THE INTENTION OF THE CAYUGA COUNTY  
LEGISLATURE THAT THE PROPERTY COMMONLY KNOWN  
AS 1-7 STATE STREET, AUBURN, NEW YORK, TAX MAP 115.60 2-47 IS,  
PURSUANT TO NEW YORK STATE EDUCATION LAW 6306(4) IS VESTED  
IN AND HELD BY THE COUNTY OF CAYUGA IN TRUST FOR USES  
AND PURPOSES OF THE CAYUGA COMMUNITY COLLEGE.**

BY: GEORGE FEARON, CHAIRMAN, GOVERNMENT OPERATIONS COMMITTEE

WHEREAS, the City of Auburn by Resolution No. 63 of 2011, authorized the sale

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of the City owned parcel of property commonly known as 1-7 State Street, Auburn, NY Tax 115.60 2-47 (herein after "parcel") to the County of Cayuga; and

WHEREAS, by Resolution No. 724-09 and Resolution No. 396-11 expressed the commitment of the Cayuga County Legislature to support the performing Arts Center Project to be located at the parcel; and

Signed by: Fearon, Didio, Farrell , Lattimore, Pecher, Pinckney, Axton, Barski, Chapman, Runkle and Whitman.

WHEREAS, by the City of Auburn conveyed the parcel to the County of Cayuga Clerk's Office on May 24, 2011 in Book of Deeds

MOTIONED BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.

**RESOLUTION NO. 350-12**  
**9/25/12 AUD FIXED ASSETS**  
**AUTHORIZING THE COUNTY LEGISLATURE**  
**TO ADJUST THE FIXED ASSET POLICY**

BY: GEORGE FEARON, CHAIRMAN, GOVERNMENT OPERATIONS COMMITTEE

WHEREAS, Resolution No. 339-10 adopted the Cayuga County Purchasing Policy and Procurement Manual; and

WHEREAS, Resolution No. 228-11 amended the Purchasing Policy; and

WHEREAS, the County desires to omit all computer related equipment from its Fixed Asset policy; and

WHEREAS, the County will track any items that are \$5,000.00 or greater and any inventoriable assets-items less than \$5,000 which are susceptible to theft or are vital to county operations; and

WHEREAS, a copy of the amended Cayuga County Purchasing Policy and Procurement Manual is attached; and

WHEREAS, the County will track any grant related equipment if the grant specifications require that the equipment be tracked or may need to be returned to the grantor at the end of the grant period, or any equipment given to the County by the State or other source that meets the same specifications required for County purchased equipment; now therefore be it

RESOLVED, that the Cayuga County Purchasing Policy and Procurement Manual is amended as set forth above.

Signed by: Fearon, Aikman, Didio, Farrell, Pinckney and Lattimore

MOTIONED BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.

**BUNDLED PL-1,2 & 4. ALL IN FAVOR. 9-12-PL-3 PULLED SEE 9-12-GO-4**

**RESOLUTION NO. 351-12**  
**9/25/12 PB BRUTUS\_WDSPRT CPLAN AGRMNT**  
**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE**  
**DIRECTOR OF PLANNING AND ECONOMIC DEVELOPMENT TO**  
**EXECUTE A THREE-PARTY MEMORANDUM OF AGREEMENT BETWEEN**

**CAYUGA COUNTY, THE TOWN OF BRUTUS AND THE VILLAGE OF WEEDSPORT FOR THE CAYUGA COUNTY DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT TO PREPARE A JOINT TOWN OF BRUTUS - VILLAGE OF WEEDSPORT COMPREHENSIVE PLAN**

Stephen A. Barski, Chairman, Planning & Economic Development

David R. Axton, Chairman, Ways and Means Committee

WHEREAS, the Town of Brutus (the "Town") and the Village of Weedsport (the "Village") have formally requested that the Cayuga County Department of Planning & Economic Development (Planning Department) provide the full staff support and technical assistance to work with the Town and Village Joint Comprehensive Plan Commission, the Town and Village Boards and the community to prepare, present and adopt a Joint Town of Brutus-Village of Weedsport Comprehensive Plan (the "Plan"); and

WHEREAS, the Director of Planning has worked with the Town and Village on a three-party Memorandum of Agreement between Cayuga County and the Town and Village outlining the Scope of Work, Roles and Responsibilities, Deliverables for the planning process and defining the reimbursement from the Town and Village to the Planning Department as contribution for the department's significant allocation of staff resources and time associated with the Plan (the Agreement); and

WHEREAS, the County Legislature supports this allocation of Planning Department Staff and wished to authorize the Chairman of the Legislature to execute the Agreement; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Planning be hereby authorized to execute the Agreement between the County and the Town and Village; and be it further

RESOLVED, that this resolution shall take effect immediately.

Signed by: Barski, Aikman, Chapman, Farrell, Lattimore, Mahunik, Axton, Pinckney, and Whitman.

MOTIONED BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.

**RESOLUTION NO. 352-12**

**9/25/12 PB plannersvacanciesv3**

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

Stephen A. Barski, Chairman, Planning & Economic Development

David R. Axton, Chairman, Ways and Means Committee

WHEREAS, the position of Planner (position control #6718) within the Planning and Economic Development Department has become vacant due to the resignation of the current employee effective August 14, 2012; and

WHEREAS, the position of Senior Planner (position control #86) within the Planning and Economic Development Department has become vacant due to the resignation of the current employee effective October 23, 2012, and

WHEREAS, these positions provide essential services for the department and is necessary for the efficient operation of the Planning and Economic Development Department; and

WHEREAS, sufficient funding exists in the 2012 Planning and Economic Development Department’s Budget to support these positions; and

WHEREAS, the Planner position (position control #4937) formerly held by a promoted Senior Planner was abolished by resolution number 65-08 and needs to be created so the Senior Planner vacancy can be filled by a Planner; now, THEREFORE BE IT

RESOLVED, that the Director of Planning be hereby authorized to fill the fully funded position of Planner (#6718) 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 position of Planner be hereby created in the Planning and Economic Development Department be funded within the Planning Department utilizing funds from the Senior Planner position (#86); and be it further

RESOLVED, that the Director of Planning be hereby authorized to fill the fully funded position of Planner 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 position of Senior Planner (#86) be hereby vacated and unfunded until such time as the legislature by resolution determines otherwise; 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, Lattimore, Fearon, Mahunik, Axton, Pinckney, Runkle and Whitman.

MOTIONED BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.

**RESOLUTION NO. 353-12**

**9/25/12 PB designate CCCVB\_as TPA\_2013**

**DESIGNATING THE CAYUGA COUNTY CONVENTION AND VISITORS BUREAU (“CCCVB”) AS THE CAYUGA COUNTY TOURISM PROMOTION AGENCY (“CCTPA”) FOR NEW YORK STATE GRANT FUNDING FOR THE 2013 STATE PROGRAM YEAR AND DESIGNATING THE PROGRAM PROJECT DIRECTOR**

BY: Stephen A. Barski, Chairman, Planning & Economic Development

David R. Axton, Chairman, Ways and Means Committee

WHEREAS, the Cayuga County Convention and Visitors Bureau (“CCCVB”) is the not-for-profit corporation designated by the Cayuga County Legislature to develop and implement a comprehensive tourism promotion and marketing program for the County; and

WHEREAS, an New York State requires that an agency must be designated by resolution of the Cayuga County Legislature as the “Cayuga County Tourism Promotion Agency” or “CCTPA” for the specific purpose of making application to and receiving grants from most New York State grant programs; NOW THEREFORE, BE IT

RESOLVED, by the Cayuga County Legislature, that the Cayuga County Convention and Visitors Bureau is hereby designated as the Cayuga County Tourism Promotion Agency (“CCTPA”) and is authorized to make application to receive grants on behalf of Cayuga County pursuant to the New York State Tourism Act for the 2013 Program Year; and be it further

RESOLVED, that Meg Vanek, Executive Director of the Cayuga County Convention and Visitors Bureau is hereby designated as the CCTPA Program Project Director. Signed by: Barski, Aikman, Chapman, Farrell, Lattimore, Fearon, Mahunik, Axton, Pinckney, Runkle and Whitman.

MOTIONED BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.

**BUNDED JP-1 -11. ALL IN FAVOR. 9-12-JP-12 MOVED FORWARD**

**RESOLUTION NO. 354-12**

**9/25/12 PT SterlingNatureCentCapReserve 9 12**

**AUTHORIZING FUNDS IN THE AMOUNT OF \$69,027.10 (ONCE RECEIVED FROM THE ESTATE OF MARJORIE L. BARROWS) TO BE DEPOSITED INTO THE CAPITAL RESERVE ESTABLISHED THE STERLING NATURE CENTER**

By: Tucker Whitman, Chairperson, Public Works

David Axton, Chairperson Ways & Means Committee

WHEREAS, by Resolutions 727-08, 706-09, 104-10, 46-11, 318-11, 544-11 and 89-12 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 approximately \$118,389 and

WHEREAS, the STERLING NATURE CENTER is to receive \$69,027.10 from the estate of Marjorie L. Barrows; and;

WHEREAS, The Cayuga County Parks and Trails Department would like to place that money in the capital reserve for the Sterling Nature Center; now therefore be it

RESOLVED, that the Cayuga County Treasurer is hereby directed to deposit the \$69,027.10 check from the estate of Marjorie L. Barrows, when received, into the capital Reserve for 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, Didio, Mahunik, Pecher, Runkle, Barski, Chapman, Farrell, Lattimore, Fearon, and Pinckney.

MOTIONED BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.

**RESOLUTION NO. 355-12**

**9/25/12 PT Dog Park 9 26 12 rev2**

**AUTHORIZING THE PARKS DEPARTMENT TO APPLY FOR GRANTS TO FUND A DOG PARK AT EMERSON PARK**

By: Tucker Whitman, Chairperson, Public Works

David R. Axton, Chairperson, Ways & Means Committee

WHEREAS, Resolution No. 212-12 authorized the establishment of a reserve fund for the Dog Park at Emerson Park; and

WHEREAS, the resolution also authorized the County Parks Department to accept donations for the proposed Dog Park and deposited into the reserve account; and

WHEREAS, there are potential funding sources for this purpose; and

WHEREAS, there are several grant opportunities to obtain funds for this purpose; now therefore be it

RESOLVED, that the Cayuga County Parks Department and the volunteer group are hereby authorized to seek donations for the proposed Dog Park at Emerson Park; and

RESOLVED, that the Cayuga County Parks Department and the volunteer group are hereby authorized to apply for any available grants for the proposed Dog Park at Emerson Park.

Signed by: Whitman, Axton, Didio, Mahunik, Pecher, Runkle, Barski, Chapman, Farrell, Lattimore, Fearon, and Pinckney.

MOTIONED BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.

**RESOLUTION NO. 356-12**

**9/28/12 BLD Extending Cleaning agreement NYSID 2012rev4**

**AUTHORIZING THE CHAIRPERSON OF THE CAYUGA COUNTY LEGISLATURE TO EXTEND AN AGREEMENT WITH NEW YORK STATE INDUSTRIES FOR THE DISABLED (ROCHESTER REHABILITATION), A PREFERRED PROVIDER IN NEW YORK STATE, TO PROVIDE A CLEANING SERVICE FOR CAYUGA COUNTY BUILDINGS.**

BY: Hon. Tucker M Whitman, Public Works Committee, and Hon. David 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 Disabled 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 Disabled for cleaning services and Resolution No. 256-12 amended the agreement when Board of Elections move into the Historic Post Office and the Historian office moved out; and

WHEREAS, the present agreement is to expire on September 17<sup>th</sup> 2012; and

WHEREAS, with the most recent amendment to the agreement, with Resolution No. 256-12, the total yearly cost of the cleaning agreement is \$407,768.50 and the County will entertain a CPI increase of 1.4% for a total of \$413,477.26; now therefore be it

RESOLVED, that the Chairperson of the Cayuga County Legislature is authorized and directed to sign any and all documents to extend the agreement with New York State Industries for the Disabled for the cleaning of County owned buildings for a total cost not to exceed \$413,477.26 for the period September 18, 2012 through September 17, 2013; and be it further

RESOLVED, this agreement may be extended for successive one (1) year periods for a maximum of one (1) more year; and be it further

RESOLVED, that the Superintendent of Buildings and Grounds will be responsible for the implantation of the agreement, review all purposed staff, review all weekly and monthly reports, review all monthly invoices for payment and all necessary issues to implement the intent of the proposal; and be it further

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

Signed by: Whitman, Axton, Didio, Mahunik, Pecher, Runkle, Barski, Chapman, Farrell, Lattimore, Fearon, and Pinckney.

MOTIONED BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.

**RESOLUTION NO. 357-12****9/28/12 BLD Extend Temp fill Maintenance position****AUTHORIZATION TO EXTEND THE 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, resolution 218-12 authorized the temporary filling of a Maintenance Mechanic position in the Buildings and Grounds Department assigned to the Nursing Home taking medical leave for 90 days, and

WHEREAS, the employee is extending their medical leave and the temporary position needs to be extended; and

WHEREAS, the employee is now on unpaid leave and funding for this temporary position can be funded from account A16201 51001(salaries fulltime) and A16201 58001(social security) in the Buildings and Grounds Department; now therefore be it

RESOLVED, that there is funding for the temporary Maintenance Mechanics position due to the unpaid medical leave; and be it further

RESOLVED, that the Superintendent of Buildings and Grounds be hereby authorized to extend the temporary 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, Farrell, Lattimore, Fearon, and Pinckney.

MOTIONED BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.

**RESOLUTION NO. 358-12****9/28/12 HWY fill automechdshelp****AUTHORIZATION FOR SUPERINTENDENT OF HIGHWAYS TO FILL AN AUTO MECHANIC DIESEL HELPER POSITION WITHIN THE HIGHWAY DEPARTMENT**

BY: Tucker Whitman, Public Works Committee  
David Axton, Chairman, Ways & Means Committee

WHEREAS, an Auto Mechanic Diesel Helper position was vacated on 8/3/12 due to retirement; and

WHEREAS, this Auto Mechanic Diesel Helper position is critical to the operation of the highway department's equipment maintenance division; and

WHEREAS, this position (Position Control #002401) 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, Runkle, Barski, Chapman, Farrell, Lattimore, Fearon, and Pinckney.

MOTIONED BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.

**RESOLUTION NO. 359-12**

**9/28/12 2012 HWY amendbdgtsignplotr**

**AUTHORIZATION TO AMEND THE 2012 CAYUGA COUNTY  
HIGHWAY BUDGET FOR REPAIRS TO A SIGN PLOTTER**

BY: Tucker Whitman, Chairman, Public Works Committee

David Axton, Chairman, Ways & Means Committee

WHEREAS, the Highway department owns a sign plotter for the purpose of producing signage for the county highways, in addition to other departments and towns and villages; and

WHEREAS, the plotter is in need of repairs and replacement parts costing approximately \$5,600; and

WHEREAS, the highway department has available funds in account D51134 54107 Bridge; now therefore be it

RESOLVED, that appropriations account D50104 54045 Machine Maintenance be amended and increased by \$5,600; and be it further

RESOLVED, that appropriations account D51134 54107 –Bridge be amended and decreased by \$5,600; and be it further

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

Signed by: Whitman, Axton, Didio, Mahunik, Pecher, Runkle, Barski, Chapman, Farrell, Lattimore, Fearon, and Pinckney.

MOTIONED BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.

**RESOLUTION NO. 360-12**

**9/28/12 2012 HWY amendbdgttrafmrk**

**AUTHORIZATION TO AMEND THE 2012 CAYUGA COUNTY  
HIGHWAY BUDGET FOR TRAFFIC MARKING**

BY: Tucker Whitman, Chairman, Public Works Committee

David Axton, Chairman, Ways & Means Committee

WHEREAS, \$76,000 was budgeted in Account D51104 54092 – Traffic marking for the striping of county highways in 2012; and

WHEREAS, the cost of striping has increase dramatically due to price of material; and

WHEREAS, the highway department has available funds in account D51134 54107 Bridge; now therefore be it

RESOLVED, that appropriations account D51104 54092 – Traffic Marking be amended and increased by \$22,000; and be it further

RESOLVED, that appropriations account D51134 54107 –Bridge be amended and decreased by \$22,000; and be it further

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

Signed by: Whitman, Axton, Didio, Mahunik, Pecher, Runkle, Barski, Chapman, Farrell, Lattimore, Fearon, and Pinckney.

MOTIONED BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.

**RESOLUTION NO. 361-12**

**9/28/12 2012 HWY FLmudrunrev**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE  
TO SIGN AN AGREEMENT AND WAIVER OF LIABILITY  
FOR THE FINGERLAKES MUD RUN**

By: Tucker Whitman, Chairman of Public Works

WHEREAS, the Brian Bisgrove House of Courage located on North road in the Town of Owasco is having a mud run on September 29, 2012; and

WHEREAS, all proceeds from the event will benefit the Brian Bisgrove Home of Courage; and

WHEREAS, the Brian Bisgrove House of Courage has requested to borrow six (6) culvert pipe from the County for this event; now therefore be it

RESOLVED, to allow the Chairman to sign an agreement and waiver of liability (attached).

Signed by: Whitman, Axton, Didio, Mahunik, Pecher and Runkle.

MOTIONED BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.

**Bundled JP-1-11 except 6. ALL IN FAVOR. JP-12 Tabled for review and would like to move forward. Motion Pinckney 2<sup>ND</sup> Axton. All in Favor. JP-13 TABLE AND BE BROUGHT BACK FOR THE OCTOBER MEETING.**

**RESOLUTION NO. 362-12**

**9/28/12 911 GenMaintAgrservice12**

**AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO SIGN  
A THREE YEAR CONTRACT RENEWAL WITH SERVICE EXPERTS  
FOR THE HVAC SYSTEM AT THE BACK UP E-911 CENTER.**

BY: Mr. Paul Pinckney, Chairperson, Judicial and Public Safety Committee

Mr. David Axton, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County 911 Center utilizes Service Experts to maintain and support the HVAC System at the back-up Cayuga County E-911 Center; and

WHEREAS, the HVAC System at the back-up Cayuga County E-911 Center is proprietary in nature; and

WHEREAS, it is critical that this system functions properly twenty-four hours per day, seven days per week without interruption; and

WHEREAS, Service Experts has submitted an annual contract renewal for this equipment with prices effective for a three (3) year period; and,

WHEREAS, there is money in the 911 Communication System Budget Account number 3020.4.0019 specifically for this purpose; now,

RESOLVED, that the Chairman of the Legislature is hereby authorized to sign a three year contract renewal, to be billed annually, with Service Experts for the amount of \$1568.00 for the period of August 1, 2012 through July 31, 2015; 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, Barski, Farrell, Whitman, Chapman, Fearon, Axton, Mahunik, and Runkle.

MOTIONED BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.

**RESOLUTION NO. 363-12**

**9/28/12 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. 004709-SYS) left employment with the Cayuga County Sheriff's Office on March 18, 2012 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 in October; 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, Barski, Farrell, Whitman, Chapman, Fearon, Axton, Mahunik, Didio, and Runkle.

MOTIONED BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.

**RESOLUTION NO. 364-12****9/28/12 SHR GrantSLETPP****AUTHORIZING THE TREASURER'S DEPARTMENT TO AMEND THE 2012 SHERIFF'S GRANT BUDGET TO ACCEPT THE 2012 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 \$28,250.00 from the Division of Homeland Security and Emergency Services towards the purchase of approved equipment; and

WHEREAS, all expenditures under this Grant have been approved and are 100% funded by the Division of Homeland Security and Emergency Services; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature be authorized to sign the necessary documentation to accept the 2012 State Law Enforcement Terrorism Prevention Program Grant; and be it further

RESOLVED, that the 2012 Sheriff's Grant Budget be amended to increase Revenue Line A31130 44505 DHSES SLETPP 12 Account by \$28,250.00, and increase the following expenditure line: Equipment Trackable Account A31132 52100 by \$28,250.00; 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 affect 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, Farrell, Whitman, Chapman, Fearon, Didio, Axton, Mahunik, and Runkle.

MOTIONED BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.

**RESOLUTION NO. 365-12****9/28/12 ShrNYStateBoat****AUTHORIZATION TO ENTER AN INTERGOVERNMENTAL AGREEMENT WITH THE NEW YORK STATE OFFICE OF PARKS, RECREATION, AND HISTORIC PRESERVATION FOR THE USAGE OF A STATE-OWNED MOTORIZED BOAT FOR MARINE LAW ENFORCEMENT PURPOSES**

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

WHEREAS, the New York State Office of Parks, Recreation, and Historic Preservation wishes to allow the Cayuga County Sheriff's Office to use a state-owned Boston Whaler Center Console Outboard-Driven Patrol Boat with trailer (WCG0015D212 & 5KTBS2620CF004875) for marine law enforcement purposes; and

WHEREAS, the Cayuga County Sheriff's Office wishes to utilize the aforementioned motor boat in its effort to patrol the lakes, rivers and canals of Cayuga County; and

WHEREAS, New York State Office of Parks, Recreation, and Historic Preservation is providing this motor boat to the County at no cost, with the exception of insurance the County is responsible to secure; and

WHEREAS, the New York State Office of Parks, Recreation, and Historic Preservation has submitted an Intergovernmental Agreement setting forth the terms and conditions under which the above arrangement shall be conducted; now therefore be it

RESOLVED, that the Chairman of the Legislature and the Sheriff of Cayuga County is hereby authorized to sign the Intergovernmental Agreement with New York State Office of Parks, Recreation, and Historic Preservation for usage of a state-owned Boston Whaler Center Console Outboard-Driven Patrol Boat with trailer (WCG0015D212 & 5KTBS2620CF004875); and it is further

RESOLVED that the Intergovernmental Agreement shall commence upon the execution of the Agreement by all parties and shall terminate at such time as the Cayuga County Sheriff's Office ceases to use the motor boat for marine law enforcement purposes; 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, Barski, Farrell, Whitman, Chapman, Fearon, Didio, Axton, Mahunik, and Runkle.

MOTIONED BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.

**RESOLUTION NO. 366-12**

**9/28/12 PRO createfillactprodir**

**AUTHORIZATION TO CREATE & FILL ONE ACTING PROBATION  
DIRECTOR AT THE CAYUGA COUNTY PROBATION DEPT.  
DUE TO A RETIREMENT**

By: Paul Pinckney, Chairman, Judicial & Public Safety Committee

David Axton, Chairman, Ways & Means Committee

WHEREAS, the Probation Director II has retired effective August 31, 2012; and

WHEREAS, the Probation Department needs an Acting Probation Director II to manage the Department until such time that the vacancy can be filled with a full-time Probation Director II and

WHEREAS, the Acting Probation Director II should be compensated for the duties and responsibilities for maintaining the efficiency of operations in the Probation Department; and

WHEREAS, the funding for the position already exists in the A31401-51001 budget line of the 2012 Adopted Budget; now, therefore, be it

RESOLVED, that the Acting Probation Director II position be created and filled in the Probation Department and that the Cayuga County Legislature authorize the Acting Probation Director II position at the established annual salary of \$68,997.00 beginning 10/01/12; and it further be

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

Signed by: Pinckney, Barski, Farrell, Whitman, Chapman, Fearon, Didio, Axton, Mahunik, and Runkle.

MOTIONED BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.

**RESOLUTION NO. 367-12****9/28/12 DA.vacancyadapt****AUTHORIZING THE DISTRICT ATTORNEY TO FILL THE PT  
ADA VACANCY IN THE DISTRICT ATTORNEY'S OFFICE**

BY: Hon. Paul W. Pinckney, Chairman, Judicial &amp; Public Safety; and

Hon. David R. Axton, Chairman, Ways and Means

WHEREAS, District Attorney Jon Budelmann will soon have a vacancy in the part-time Assistant District Attorney Position Control #001788 in the District Attorney's office (effective October 1, 2012) as a result of the resignation of our current part-time Assistant District Attorney; and

WHEREAS, the part-time Assistant District Attorney position is a critical position in the District Attorney's office, responsible for prosecutorial duties in all areas, and particularly involved in Welfare Fraud & Public Assistance Abuse case prosecutions; and

WHEREAS, the Legislature is desirous of enforcing Public Assistance Fraud and Abuse cases, as well as continuing to enforce all other criminal laws, and is supportive of the important prosecutorial work done by the District Attorney's Office; and

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

RESOLVED, that the District Attorney be hereby authorized to fill this vacancy immediately; 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: Pinckney, Barski, Farrell, Whitman, Chapman, Fearon, Didio, Axton, Mahunik, and Runkle.

MOTIONED BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.

**RESOLUTION NO. 368-12****9/28/12 DA.vacancyada.12****AUTHORIZING THE DISTRICT ATTORNEY TO FILL  
FT ADA VACANCY IN THE DISTRICT ATTORNEY'S OFFICE**

BY: Hon. Paul W. Pinckney, Chairman, Judicial &amp; Public Safety; and

Hon. David R. Axton, Chairman, Ways and Means

WHEREAS, District Attorney Jon Budelmann has a vacancy in full-time Assistant District Attorney Position Control Nos. 001795 and 004895 (EFPP) within the District Attorney's office (effective August 3, 2012) as a result of the resignation of a full-time Assistant District Attorney; and

WHEREAS, the full-time Assistant District Attorney position is a critical position in the District Attorney's office responsible for the prosecution of serious felony cases; and

WHEREAS, the Legislature is desirous about continuing this important prosecutorial position in the District Attorney's Office; and

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

RESOLVED, that the District Attorney is authorized to fill this vacancy immediately, by either an outside applicant or by promotion from within the department; and be it further

RESOLVED, that the District Attorney be hereby authorized to backfill any positions created by upward promotion from within the department; and be it further

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

Signed by: Pinckney, Barski, Farrell, Whitman, Chapman, Fearon, Didio, Axton, Mahunik, and Runkle.

MOTIONED BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.

**RESOLUTION NO. 369-12**

**9/28/12 AC sgnagmntnys**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY  
LEGISLATURE TO SIGN CONTRACT WITH THE NEW YORK STATE  
OFFICE OF INDIGENT LEGAL SERVICES**

BY: MR. PAUL W. PINCKNEY, Chairman, Judicial & Public Safety Committee

MR. DAVID AXTON, Chairman, Ways & Means Committee

WHEREAS, the New York State Office of Indigent Services has been authorized to distribute \$131,409 in funding to Cayuga County; and WHEREAS, these monies will be utilized for the purpose of improving the quality of legal services provided by the Assigned Counsel Office pursuant to article 18-B of the county law; now, therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature is authorized to sign a contract with the New York State Office of Indigent Services, and be it further

RESOLVED, that 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: Pinckney, Barski, Farrell, Whitman, Chapman, Fearon, Axton, Mahunik, and Runkle.

MOTIONED BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.

**RESOLUTION NO. 370-12**

**9/28/12 EMO-Accept2012HazMatGrant**

**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 2012 HAZARDOUS MATERIALS GRANT TO  
BE UTILIZED FOR SUSTAINMENT AND MAINTENANCE OF THE  
REGIONAL PARTNERSHIP HAZARDOUS MATERIALS RESPONSE  
CAPABILITIES, AND TO SUPPORT HAZARDOUS MATERIALS REGIONAL  
INTEROPERABILITY WITH EQUIPMENT AND SUPPLIES DEEMED  
APPROPRIATE FOR CBRNE (CHEMICAL, BIOLOGICAL,  
RADIOLOGICAL, NUCLEAR, & EXPLOSIVE) EQUIPMENT FOR CAYUGA  
COUNTY AND OUR REGIONAL PARTNERS (CORTLAND COUNTY &  
TOMPKINS 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 and our Regional Partners, Tompkins and Cortland County have been awarded a non-competitive, formula based grant for \$36,000.00 from the Division of Homeland Security & Emergency Services (DHSES) 2012 Hazardous Materials Grant Program to implement a local program of Hazardous Materials Equipment sustainment and maintenance; and,

WHEREAS, Cayuga County has been named by the New York State Division of Homeland Security & Emergency Services and the Office of Fire Prevention and Control Hazardous Materials Bureau as the fiduciary agent for this these Grant funds; and,

WHEREAS, The New York State Division of Homeland Security & Emergency Services has specified that these grant funds be utilized to establish and maintain a local mechanism for regional maintenance and sustainment program; 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 is authorized to advertise for bids for equipment not listed on NYS OGS Contract; and be it further

RESOLVED, that the Chairman of the Legislature be authorized to enter into contracts with vendors in order to accomplish the goals and objectives set forth in the Grant Contract without further Legislative Action; and be it also

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

RESOLVED, the Cayuga County Treasurer's Office is hereby authorized and directed to create and amend the 2012 Emergency Management A3640 Budget in the following manner:

Create Revenue Account

A36470 44317 ..... HOMELAND SECURITY HAZMAT 12 ..... \$36,000.00

Create Contractual Account

A36474 54522 ..... HOMELAND SECURITY HAZMAT 12 ..... \$36,000.00

Signed by: Pinckney, Barski, Farrell, Whitman, Chapman, Fearon, Didio, Axton, Mahunik, and Runkle.

MOTIONED BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.

**RESOLUTION NO. 371-12**

**9/28/12 EMO 2012SHSPGRANT**

**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 **\$84,750.00** for a 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 is authorized to advertise for bids for equipment not listed on NYS OGS Contract; and be it further

RESOLVED, that the Chairman of the Legislature be authorized to enter into contracts with vendors in order to accomplish the goals and objectives set forth in the Grant Contract without further Legislative Action; and be it also

RESOLVED, the Cayuga County Treasurer’s Office is hereby authorized and directed to create and amend the 2012 Emergency Management A3640 Budget in the following manner:

Create Revenue Account

A36470 44318 ..... FED AID - Homeland Security 12 ..... \$84,750.00

Create Contractual Account

A36474 54523 ..... Homeland Security 12 ..... \$84,750.00

Signed by: Pinckney, Barski, Farrell, Whitman, Chapman, Fearon, Axton, Mahunik, and Runkle.

MOTIONED BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.

**RESOLUTION NO. 372-12**

**9/28/12 EMO AdptCompEmrgecyPlnrev**

**APPROVING THE REVISIONS OF CAYUGA COUNTY 2003 COMPREHENSIVE EMERGENCY MANAGEMENT PLAN AND AUTHORIZING THE DATE OF REVISION TO BE SET TO THE DATE OF ADOPTION BY THE LEGISLATURE THROUGH THIS RESOLUTION.**

BY: MR. PINKNEY, Chairman, Judicial & Public Safety Committee

WHEREAS, in accordance with New York State Executive Law Article 2-B., Cayuga County has in effect a County Comprehensive Emergency Management Plan to ensure continuity of Emergency Planning, Mitigation, Preparedness, Response, and Recovery; and

WHEREAS, the County Comprehensive Emergency Management Plan was previously approved and adopted by the Cayuga County Legislature per Resolution No. 647-03; and

WHEREAS, the Cayuga County Office of Emergency Services undertook major revisions and update, re-titled the Mutual Aid Plan during the 2009 / 2012 years to meet changing and emerging needs of the Comprehensive Emergency Management Plan of Cayuga County;

WHEREAS, periodically, minor revisions (attached) such as dates, personnel, titles and minor spelling errors may need to be updated and corrected without returning to the Cayuga County Legislature for further action, unless a change to the actual body of the plan requires revisions: now therefore be it

RESOLVED, that the Cayuga County Legislature approves the revision (attached) of the Cayuga County Comprehensive Emergency Management Plan, and endorses the attached revised Cayuga County Comprehensive Emergency Management Plan for adoption.

Signed by: Pinckney, Barski, Didio, Farrell and Whitman.

MOTIONED BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.

Take 8-10 minute break –

Called meeting back at 7:39pm

Cuddeback declared the public hearing to be closed. 7:44 pm

**GO 4 PASSED AT COMMITTEE, CHAPMAN – QUANTRIUM. AIKMAN IN FAVOR. LATTIMORE IS FAVORING IN PASSING. FEARON THINKS WE SHOULD STUDY MORE AND NOT PULL IT. FARRELL**

**RESOLUTION NO. 373-12**

**9/28/12 COA-LL 485aExemptionCityAuburn REV FIX**

**FIXING DAY AND NOTICE OF PUBLIC HEARING ON ADOPTING LOCAL LAW NO. \_\_\_\_ FOR THE YEAR 2012 A LOCAL LAW PROVIDING FOR AN EXEMPTION FROM REAL PROPERTY TAXES FOR QUALIFIED RESIDENTIAL-COMMERCIAL URBAN REAL PROPERTY LOCATED IN THE CITY OF AUBURN, NEW YORK AS AUTHORIZED BY SECTION 485-a OF NEW YORK REAL PROPERTY TAX LAW**

BY: MR. GEORGE FEARON, Chairman, Government Operations Committee  
MR. DAVID AXTON, Chairman, Ways and Means Committee.

WHEREAS, there has been duly presented and introduced at a meeting of this County Legislature held on September 25, 2012, a proposed local law entitled:

“LOCAL LAW NO. \_\_\_\_ FOR THE YEAR 2012, A LOCAL LAW PROVIDING FOR AN EXEMPTION FROM REAL PROPERTY TAXES FOR QUALIFIED RESIDENTIAL-COMMERCIAL URBAN REAL PROPERTY LOCATED IN THE CITY OF AUBURN, NEW YORK AS AUTHORIZED BY SECTION 485-a OF NEW YORK REAL PROPERTY TAX LAW”

therefore, be it

RESOLVED, that a public hearing shall be held concerning the proposed local law before the Cayuga County Legislature on October 30, 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: Pinckney, Barski, Farrell, Whitman, Axton, Mahunik, Aikman and Runkle.

MOTIONED BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.

**RESOLUTION NO. 374-12**

**9/28/12 COA-LL Misdangersubban ADP**

**TO ADOPT LOCAL LAW NO. \_\_\_ FOR THE YEAR 2012, A LOCAL LAW PROHIBITING THE POSSESSION AND SALE OF DANGEROUS SUBSTANCES, WHICH ARE MISLABELED OR UNLABELED, WHOSE INTENDED PURPOSE IS TO BE INGESTED TO MIMIC THE EFFECTS OF CONTROLLED SUBSTANCES AND/OR MARIHUANA AND WHICH HAVE NO OTHER LEGITIMATE USE OR PURPOSE.**

BY: MR. PAUL PINCKNEY, Chairman, Judicial and Public Safety Committee.

MR. DAVID AXTON, Chairman, Ways and Means Committee.

WHEREAS, Local Law No. \_\_\_\_ for the year 2012, a Local Law prohibiting the possession and sale of dangerous substances, which are mislabeled or unlabeled, whose intended purpose is to be ingested to mimic the effects of controlled substances and/or marihuana and which have no other legitimate use or purpose; and

WHEREAS, pursuant to law and after proper notice having been given, the County Legislature held a public hearing on said Local Law No. \_\_\_\_ for the year 2012 on September 25, 2012 at 6:30 P.M.; now, therefore be it

ENACTED, that the Cayuga County Legislature does hereby adopt Local Law No. for 2012, prohibiting the possession and sale of dangerous substances, which are mislabeled or unlabeled, whose intended purpose is to be ingested to mimic the effects of controlled substances and/or marihuana and which have no other legitimate use or purpose; and be it further

RESOLVED, that the Clerk of the County Legislature publish notice of the adoption of the proposed 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: Pinckney, Barski, Farrell, Whitman, Chapman, Fearon, Axton, Mahunik, and Runkle.

MOTIONED BY AXTON 2<sup>ND</sup> BY PINCKNEY/ ALL IN FAVOR.

**EXECUTIVE SESSION:**

**Into Executive Session: 7.53pm re: Personnel Issues.**

Motion to End Executive Session made by Aikman and 2<sup>nd</sup> by Pinckney at 8:41pm.

Motion to adjourn made by Fearon, and 2<sup>nd</sup> by Pinckney at 8:42pm.

**MINUTES  
SPECIAL JOINT MEETING  
Cayuga County Legislature  
Auburn City Council**

**WEDNESDAY, October 17, 2012 @ 6:00 PM to 7:30 PM  
Cayuga County Office Building  
6<sup>th</sup> Floor, Chambers**

**CALL TO ORDER:** Hon. Steven Cuddeback, Chairman at 6:00PM.

**ROLL CALL:** Mary Jones, Clerk of the Legislature, all Legislators present, except excused Hans Pecher and Joseph Bennett.

**CALL TO ORDER:** Mayor Michael Quill at 6:03PM

**ROLL CALL:** Deborah McCormick, Auburn City Clerk, all councilmen present.

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**TOPIC: Economic Development**

**Facilitator: Greg Munno,**

**Speakers: Kelley Gridley, Chairperson, Cayuga Economic Development Agency  
Jim Dacey, Chairperson, Auburn Industrial Development Agency  
Vijay Mital, Chairperson, Cayuga County Industrial Development Agency**

**Presenter: Mike Stamm, Chairman, Tompkins County Economic Development Corp.**

**Facilitator: Greg Munno, opening statement: handout attached to original minutes**

**Question and answer segment available on CD**

**Motion by Whitman to go into Executive Session at 8:44PM, re: the employment history of a particular person, 2<sup>nd</sup> by Pinckney.**

**Motion by \_\_\_\_\_ to come out of Executive Session at \_\_\_\_\_, 2<sup>ND</sup> by \_\_\_\_\_, all in favor.**

**Motion by \_\_\_\_\_ to adjourn at \_\_\_\_\_, 2<sup>nd</sup> by \_\_\_\_\_, all in favor.**

**MINUTES  
CAYUGA COUNTY LEGISLATURE  
OCTOBER 23, 2012**

**CALL TO ORDER:** Hon. Steven Cuddeback, Chairman at 8:00 AM

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

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**EXECUTIVE SESSION:**

**Motion to enter Executive Session made a Motion by Legislator Chapman at 8:32am, 2<sup>nd</sup> by Legislator Pinckney.**

**All in favor. Regarding Employment of a Specific Person**

**Motion to come out of Executive Session made by Chapman 10:00am, seconded by Pinckney, all in favor**

**Motion to adjourn meeting made by Legislator Runkle and 2<sup>nd</sup> by Legislator Fearon. Legislator Lattimore arrived at 8:37am.**

**STUDENT GOVERNMENT DAY  
OCTOBER 23, 2012**

**CALL TO ORDER:** Hon. Steven Cuddeback, Chairman at 10:00 AM

**ROLL CALL:** Mary Jones, Clerk of the Legislature turns meeting over to Colton Dennis, Student Legislative Clerk, all Legislators present, except Bennett excused.

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**DEATHS: NONE**

**STUDENTS ASSIGNED TO LEGISLATORS:**

<u>Legislator</u>	<u>Student</u>	<u>School</u>
Steven Cuddeback, Chairman, District 9	Kirsten Greenwood	Moravia High School Tucker
Whitman, District 1	Aliza Fields	Red Creek High School
Michael Chapman, District 2	John Knapp	Cato Meridan High School
David Axton, District 3	Zack Recckio	Port Byron High School
	Michael Vitale	Port Byron High School

Mark Farrell, District 4	Biz Chirco	Weedsport High School
Paul Pinckney, District 5	Justin Adams	Union Springs High School
Joseph Runkle, District 6	Elizabeth Gleason	Auburn High School
George Fearon, District 7	Troy Smith	Union Springs High School
Hans Pecher, District 8	Adrianna Greco	Southern Cayuga
	Carol Wilson	Southern Cayuga
Joseph Bennett, District 10		
Stephen Barski, District 11	David Brill	Auburn High School
Patrick Mahunik, District 12	Trenton Graham	Auburn High School
Timothy Lattimore, District 13	Samantha Seduishyn	Auburn High School
Michael Didio, District 14	Seth Brumbaugh	Port Byron High School
Cynthia Aikman, District 15	Gabrielle Scott	Auburn High School
Mary Jones, Clk. of Legislature	Colton Dennis	Port Byron High School
Fred Westphal Co. Attorney	Jensen Mercado	Skaneateles High School
Tom Squires, Co. Administrator	Kaylee Quanbeck	Port Byron High School

### PROCLAMATIONS:

Domestic Violence Awareness Month in Cayuga County (October 2012), title read by Colton Dennis, Student Legislative Clerk.

Faatz-Crofut Home Day in Cayuga County, title read by Colton Dennis, Student Legislative Clerk

Fire Safety Month (October) and Fire Prevention Week (October 7-13, 2012), read in its entirety by Colton Dennis, Student Legislative Clerk and presented to EMO Director Brian Dahl by Chairman Steven Cuddeback and Kirsten Greenwood Student Chairman.

### PUBLIC BE HEARD:

If you wish to speak notify your Legislator, who will grant you privilege of the floor. You will be allowed to speak for 3 to 5 minutes. You must state your name and address. none

**MINUTES:** For Approval: 8-28-12, **Motion by Runkle, 2<sup>nd</sup> by Pinckney, all in favor.**

For Reading: 9-25-12

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

### COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS:

Legislator's had an introduction of each of their assigned student(s).

**Legislature Chapman** stated he had two items that he wanted to discuss one was on October 18<sup>th</sup> the Health Department held a drill the Flu Clinic it was very successful and they served over 335 people in 2 hours. Thank you to the Staff. Second, I have a resolution that was adopted by the Board of Health on September 25<sup>th</sup> and ask the Clerk's office to make copies to put in the Legislators mailbox. whereas, the Cayuga County Board of Health believes that Tobacco use is the foremost preventable cause of premature death in the United States, causing over 400,000 death year each and that tobacco

companies sell products that are addictive and inherently dangerous, causing cancer, heart disease and other illnesses; and whereas, the Cayuga County Board of Health has a substantial interest in reducing the number of individuals of all ages who use tobacco products, and a particular interest in protecting adolescents from tobacco dependence and the illness and premature death associated with tobacco use; and whereas research has found that higher tobacco outlet density is significantly associated with higher rates of youth smoking initiation and experimentation; and whereas several alternatives exist to address the exposure of youth to tobacco marketing and prevention of tobacco use among youth tobacco marketing and prevention of tobacco use among youth and young adults; and whereas the findings of the 2012 Surgeon General's report indicates that tobacco marketing increases youth tobacco use; and whereas, in 2009 the President signed into law the Family Smoking Prevention and Tobacco Control Act and that this law permits municipalities to address tobacco marketing, licensing and displays thru local law; and whereas there are four alternatives which include: regulating the location of tobacco displays, and limiting the types of tobacco retailers; now and therefore be it, resolved that the Cayuga County Board of Health recommends to the Cayuga County Legislature that it investigates this matter and determines what alternatives most realistically addresses prevention of tobacco use among youth and young adults, and to put into place a local law to enact whatever prevention methods the Legislature feels appropriate. I will forward this to the Health and Human Services meeting in the upcoming months. Hopefully we all can give this some consideration.

**Legislator Mark Farrell** indicated that this resolution is the first stepping stone to continue working with Fred Westphal to see what the Counties options are to adopt some laws. I would like to have this resolution carried forward.

**COUNTY ADMINISTRATOR'S REPORT:** Tom Squires

Review the calendars for November and December since there have been changes. We would like to recognize Port Byron Varsity Football winning the Championship.

**CHAIRMAN'S REPORT:** Steven Cuddeback, none

**APPOINTMENTS AND RE-APPOINTMENTS:**

Cayuga County Planning Board: Vice-Chairman (term: members serve until December 31<sup>st</sup>, 2012)

Patricia Bianconi, PO Box 197, Aurora, NY (replaces Tom Lloyd)

**Motion made by Pecher 2<sup>nd</sup> by Pinckney. All in Favor.**

**COMMUNICATIONS AND ANNOUNCEMENTS:**

1. Thank you letter acknowledging donation "In Memory of John (Jack) Coulson & Family.

2. Thank you from Ardith Coulson, Tracie Coulson, Teri & Steve Cuddeback and Family.

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

**EMERGENCY RESOLUTION: 375-12****EXTENSION OF TEMPORARY HIRE TO COVER MEDICAL LEAVE****Hon. George Fearon, Chair Government Operations**

WHEREAS, The Legislative Assistant has been out on Medical Leave since August 27<sup>th</sup>, 2012; and

WHEREAS, the recovery period for the employee will be beyond the estimated 60 days; and

WHEREAS, Resolution No. 287-12 passed on July 24, 2012 authorized the hiring of a temporary Legislative Assistant which is due to expired on the 12<sup>th</sup> day of October, 2012; now, therefore be it resolved

RESOLVED, that the Clerk of the Legislature is hereby authorized to continue the temporary fill of the Legislative Assistant in accordance with the Civil Service Rules and Regulations and the policies of the County of Cayuga; and it is further

RESOLVED, that the position will cease either upon the return to work date of the Legislative Assistant or November 16<sup>th</sup>, 2012, whichever comes first; and it is further

RESOLVED, that the following budget transfers be made:

Increase A10401 51001 Salary \$7,284;

Increase A10401 58011 FICA \$ 557;

Decrease A10158003 Health Ins. \$7,841; and it is further

RESOLVED, that the temporary employee will continue working as the Legislative Assistant beginning on October 15, 2012.

Signed by Fearon, Aikman, Cuddeback, Axton Pecher and Squires, all in favor.

**RESOLUTIONS 10-23-12****RESOLUTION NO. 376-12****10-23-12 AP Audit October 2012 (A)****AUTHORIZING THE COUNTY TREASURER TO  
PAY SEPTEMBER 11-24, 2012 AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on October 23, 2012 audit claims against the County of Cayuga in the aggregate sum of \$863,262.31 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. 377-12****10-23-12 AP Audit October 2012 (B)****AUTHORIZING THE COUNTY TREASURER TO  
PAY SEPTEMBER 24-OCTOBER 9, 2012 AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on October 23, 2012 audit claims against the County of Cayuga in the aggregate sum of \$871,638.97 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. 378-12**

**10.23.12 COA NYSNAagmnt12-14rev**

**APPROVING THE COLLECTIVE BARGAINING AGREEMENT  
BETWEEN THE NEW YORK STATE NURSES ASSOCIATION AND  
COUNTY OF CAYUGA FOR THE PERIOD**

**JANUARY 1, 2012 THROUGH DECEMBER 31, 2014**

By: Hon. David Axton, Chairman, Ways and Means.

WHEREAS, the County and NYSNA are parties to a Collective Bargaining Agreement governing terms and conditions of employment for certain employees of the County; and

WHEREAS, NYSNA submitted terms for a successor agreement to its membership for consideration; and

WHEREAS, the membership of NYSNA approved and ratified the terms for a successor agreement on August 6, 2012; and

NOW THEREFORE, in consideration of the mutual agreements reached between the County of Cayuga and the Cayuga County Unit of the New York State Nurses Association, the Legislature of Cayuga County hereby

RESOLVES, that the Cayuga County Legislature, the County Administrator, and the Director of Human Resources are authorized and directed to take any and all appropriate actions to approve and implement said agreement for the period January 1, 2012, through December 31, 2014, by providing the necessary funding therefore; be it further

RESOLVED, that the Cayuga County Treasurer be and he is hereby authorized and directed to implement any necessary changes to implement the intent of this resolution and Collective Bargaining Agreement; and be it further

RESOLVED, that this resolution shall take effect immediately.

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

**RESOLUTION NO. 379-12**

**(10/23/2012) RPadoptequalizationrates**

**TO ADOPT EQUALIZATION RATES FOR  
THE APPORTIONMENT OF THE 2013 COUNTY TAX LEVY**

By: David Axton, Chairman, Ways & Means Committee

WHEREAS, it is recommended that the following equalization rates, which have been set by the NYS Board of Real Property Services for the City of Auburn and the several Towns, be adopted for the 2013 Cayuga County tax levy.

City of Auburn	100.00	Town of Moravia	100.00
Town of Aurelius	100.00	Town of Niles	100.00
Town of Brutus	93.00	Town of Owasco	89.00
Town of Cato	100.00	Town of Scipio	98.00
Town of Conquest	100.00	Town of Sempronius	100.00
Town of Fleming	37.33	Town of Sennett	100.00
Town of Genoa	100.00	Town of Springport	87.50
Town of Ira	100.00	Town of Sterling	100.00
Town of Ledyard	100.00	Town of Summerhill	100.00
Town of Locke	100.00	Town of Throop	100.00
Town of Mentz	100.00	Town of Venice	100.00
Town of Montezuma	91.00	Town of Victory	100.00

NOW, THEREFORE BE IT,

RESOLVED, that the above equalization rates be fixed, determined, approved and adopted as the percentages on which the assessed value of the real property in the several tax districts of Cayuga County bear to the full value thereof, and that the equalization of the real property for the purpose of appropriating the amount to be levied and raised by taxes for County purposes for the year 2013 be obtained and made on the basis of such percentages.

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

**RESOLUTION NO. 380-12**  
**10/23/12 AUD TROY & BANKS**  
**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE**  
**TO SIGN AN AGREEMENT WITH TROY & BANKS**  
**FOR TELEPHONE AUDITING/COST RECOVERY**

By: Hon David Axton, Chair Ways & Means Committee

WHEREAS, it has been over ten years since the County of Cayuga had its monthly telephone bills audited to ensure that the county is paying proper rates for the various telephone and cell phone services.

WHEREAS, TROY & BANKS of Buffalo, NY is a New York State contract vendor (contract # PS62893) that provides this service at the smallest percentage fee than its competitors; and

WHEREAS, in return for providing the auditing services the county agrees to pay TROY & BANKS the sum of 25% of refunds or credits, including taxes, surcharges and interest. If the firm does not obtain credits or refunds there will be no charge to the county for the audit; Now, therefore, be it

RESOLVED, that the Chairman of the Legislature is directed to sign an agreement with TROY & BANKS for auditing services and the Cayuga County Treasurer is authorized to pay the firm 25% of credit and refunds received, if any, at the conclusion of the audit process.

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

**RESOLUTION NO. 381-12**  
**10/23/2012 RPS repurchase howardtaxparcels2012**  
**AUTHORIZING THE REPURCHASE OF TAX-DELINQUENT**  
**PROPERTY OWNED BY CAYUGA COUNTY**

By David Axton, Chairman, Ways & Means Committee

WHEREAS, policies and procedures have been established for the sale, disposition and use of certain real property owned by Cayuga County, as approved in Resolution 517-11; and

WHEREAS, the Director of Real Property Tax Services has received a request to repurchase foreclosed property and, in accordance with said policies and procedures, is presenting the same for consideration by the Ways and Means Committee of the Cayuga County Legislature; and

WHEREAS, as required by policy, certified funds are being held in trust with the County Treasurer; all title search documentation has been updated and items listed under mortgages, judgments and liens have been satisfied or reinstated where applicable; and

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

<b>TM#</b>	<b>LOCATION</b>	<b>NAME</b>	<b>AMOUNT DUE</b>
116.19-3-78	122 Melrose Rd	Richard & Jeanette Howard	\$2,627.08

NOW, THEREFORE BE IT,

RESOLVED, that the Ways & Means Committee hereby approves the recommendations as set forth above and directs the Office of Real Property Tax Services and the Chairman of the County Legislature to take whatever steps necessary to fully execute the sale of real property.

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

**RESOLUTION NO. 382-12**  
**(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 2012/2013 County/Town Tax Roll shall also be corrected as follows:

**Town of Moravia: Tax Map #210.14-2-71.112.** This parcel represents a mobile home park whose STAR exemption was removed by the assessor prior to the tentative assessment role. The STAR exemption should be placed on this parcel as the assessor has signed the appropriate paperwork approving the exemptions.

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

**RESOLUTION NO. 383-12**

**(October 23, 2012) HD ICSP Clinical Services 2012**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ACCEPT FUNDING FOR CLINICAL SERVICES RELATIVE TO THE INTEGRATED CANCER SERVICES PROGRAM**

BY: 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; and

WHEREAS, by accepting this funding, the Cayuga County Health Department would screen eligible women for breast and cervical cancer and men for colorectal cancer; and provide education regarding both colorectal and prostate cancer to all eligible individuals screened; and

WHEREAS, the “clinical services” portion of this contract runs from April 1, 2012 through March 31, 2013 in the amount \$54,167; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to enter into a contract with the NYS Department of Health to accept 100% State funding in the amount of \$54,167 for clinical services for the period April 1, 2012 - March 31, 2013, and that the Health Department be allowed to contract for clinical services necessary to implement this grant without further action from the Legislature; and be it further

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

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

and be it also

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the necessary journal and accounting entries in the Health Department’s 2012 budget to accomplish the same.

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

**RESOLUTION NO. 384-12**

**(October 23, 2012) HD HRI Integrated Cancer Serv 2012  
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND  
THE DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW  
THE CONTRACT WITH HRI TO PROVIDE CLINICAL SERVICES FOR  
THE INTEGRATED CANCER SERVICES PROGRAM**

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

WHEREAS, the Health Department’s Integrated Cancer Services Program is partially funded by federal funding through Health Research, Inc.; and

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

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Health Research, Inc. to accept federal funding for participation in the Integrated Cancer Services Program in the amount of \$34,471 for the period of June 30, 2012 through June 29, 2013; and be it further

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

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

- Increase Appropriation Account #40234 54000 ..... \$34,471
- Increase Revenue Account #40230 43423 ..... \$34,471

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

**RESOLUTION NO. 385-12**

**(October 23, 2012) HD PHP Grant 2012 (Revision of Res. #195-12)  
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND  
THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO  
A CONTRACT AND ACCEPT FUNDING FROM HRI WORKING IN  
COLLABORATION WITH NYSDOH FOR PUBLIC HEALTH PREPAREDNESS**

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

WHEREAS, HRI (Health Research, Inc.) has been awarded a grant from the Center Disease Control Prevent; and

WHEREAS, part of the overall project involves the Public Health Emergency Preparedness Program; and

WHEREAS, the Health Department has been awarded funding from HRI in the amount of \$82,041 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 HRI in collaboration with the NYS Department of Health to accept funding in the amount of \$82,041 for the period 7/1/12 – 6/30/13 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 funding is authorized to purchase equipment and supplies; enter into subcontracts with Cayuga County Planning Office, Cayuga County Information Technology Department, LinStar, and E Health Scheduling; and to enter into maintenance agreements on equipment purchased through this program; 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 ..... \$82,041

Increase Appropriation Account #A40254 54000 ..... \$82,041

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

#### **RESOLUTION NO. 386-12**

**(October 23, 2012) HS Create&Fill Sr. Clerk - Abolish Sr. Audit Clerk  
AUTHORIZING THE COUNTY LEGISLATURE TO CREATE A SR. CLERK  
POSITION IN THE ACCOUNTING DIVISION OF HUMAN SERVICES;  
ABOLISH A SR. AUDIT CLERK POSITION IN THAT UNIT; AND  
AUTHORIZE THE DIRECTOR OF HEALTH & HUMAN SERVICES  
TO FILL THE NEWLY CREATED SR. CLERK POSITION**

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

David Axton, Chairman of the Ways & Means Committee

WHEREAS, a Sr. Audit Clerk (position control #002217) in the Accounting Division of Human Services, retired effective October 12, 2012; and

WHEREAS, upon retirement of the incumbent, the Department reviewed the job duties of the Sr. Audit Clerk and determined that a more appropriate title for this position would be Sr. Clerk; and

WHEREAS, the Department submitted a New Position Duties Statement to the Civil Service Commission; and

WHEREAS, the Commission reclassified the position to Sr. Clerk, Grade 8, with the jurisdictional class allocation being competitive; and

WHEREAS, funding is available in the Human Services 2012 Budget to support this position; and the position is 75% State and Federal funded; NOW, THEREFORE, BE IT

RESOLVED, that the Cayuga County Legislature create one Sr. Clerk position, Grade 8, in the Accounting Division of Human Services, and abolish the Sr. Account Clerk position, also Grade 8, in the Accounting Division; and be it further

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

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

**RESOLUTION NO. 387-12**

**Date of Meeting: 10/23/12 NHMentercollection**

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

BY: David Axton, Chairman, Ways and Means Committee

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

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

WHEREAS, an agreement was established with Menter, Rudin and Trivelpiece for the past year, and

WHEREAS, the services provided have been satisfactory; and

WHEREAS, Menter, Rudin and Trivelpiece will renew the agreement at no additional fee; Now therefore be it

RESOLVED that the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home be authorized to renew an agreement with Menter, Rudin, and Trivelpiece for a period of one year; and be it further

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

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

**RESOLUTION NO. 388-12**

**Date of Meeting: 10/23/12 NH generatorsREV 1**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE, THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME, THE SUPERINTENDENT OF BUILDINGS AND GROUNDS AND THE DIRECTOR OF CAYUGA COUNTY MENTAL HEALTH TO ACCEPT A PROPOSAL FOR PREVENTIVE MAINTENANCE OF THE GENERATORS AT THE NURSING HOME, COUNTY OFFICE BUILDING AND MENTAL HEALTH CENTER.**

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

BY: David Axton, Chairman, Ways & Means Committee

BY: Tucker Whitman, Chairman Public Works

WHEREAS, the generators at the Nursing Home, County Office Building and Mental Health Center require preventive maintenance twice per year, and

WHEREAS, the proposals were sent out to five regional firms; and,

WHEREAS, four (4) firms responded with proposals; and,

WHEREAS, the following proposals were received reflecting annual fees:

Penn Power at \$1310.00;

Kraft Power Corporation at \$1077.04;

Independent Field Service \$1400.00; and

Northeast Cummins at \$2577.30; and

WHEREAS, comparison was made of the three proposals considering the services to be performed and costs; and

WHEREAS, the proposal submitted by Kraft Power Corporation contains all of the elements anticipated in the specifications; now therefore be it,

RESOLVED, that the proposal be awarded to Kraft Power Corporation for \$1077.04 to be paid annually by each of the above departments at \$383.58 for the County Office Building, \$315.80 for the Mental Health Center and \$377.66 for the Nursing Home. Signed by Chapman, Aikman, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 389-12**

**10/23/12 OFA Fill Food Services Helper Oct 12**

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

BY: Mr. Michael Chapman, Chair, Health & Human Services Committee, and  
Mr. David Axton, Chair, Ways and Means Committee.

WHEREAS, there will be a vacancy in a part-time Food Services Helper position in the Senior Nutrition Program due to resignation of an employee effective November 1, 2012; and

WHEREAS, there is funding from the New York State Office for the Aging and the Older Americans Act in the Office for Aging 2012 Budget Line A67721-51002 (Salaries Part-time) for this position;  
now, therefore, be it

RESOLVED, that the Director of Office for the Aging be authorized and directed to fill the part-time Food Services Helper position when vacant in accordance with Civil Service 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. 390-12**

**10/23/12 COL studentgovtsunset12**

**AUTHORIZING THE COUNTY TREASURER TO PAY THE SUNSET  
RESTAURANT FOR STUDENT GOVERNMENT DAY LUNCHESES.**

By: George Fearon, Chairperson Government Operations

WHEREAS, The Cayuga County Legislature will hold the annual Student Government Day on Tuesday October 23, 2012; and

WHEREAS, selected students attending Cayuga County High Schools will attend and observe the County Legislature and County Departments in operation; and

WHEREAS, funds have been appropriated in the adopted 2012 County Budget to pay for the lunches of the students and the School Chaperones attending Student Government Day; and

WHEREAS, the Sunset Restaurant requires payment at the conclusion of the luncheon on Student Government Day; and

WHEREAS, the members of the Legislature, Department Heads and other members of the public attending the Student Government Day Luncheon will pay for their own luncheon and said funds collected will be deposited in the Cayuga County Treasurer's Office; now therefore be it

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to pay the Sunset Restaurant for the Student Government Day Luncheon upon submission of an invoice certified by the Clerk of the Legislature and the Chairman of the Legislature out of account A10104-54071; and be it further

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

Signed by Fearon, Pinckney, Didio, Lattimore, Farrell, Pecher and Aikman.

Approved by Majority vote, all voting in favor, except Runkle voting No. and Bennett Excused.

**RESOLUTION NO. 391-12**

**October 23, 2012 COA Phone system maintenance agreement  
AUTHORIZING TO ENTER INTO PHONE SYSTEM  
MAINTENANCE AGREEMENT WITH REL-COMM, INC**

BY: George Fearon, Chairman of the Government Operations Committee

David Axton, Chairman of the Ways and Means Committee

WHEREAS, Cayuga County's telephone system operates on computer equipment that owned by the County; and

WHEREAS, this equipment is highly technical and requires on-going maintenance in order to ensure that it is functioning properly; and

WHEREAS, the most cost effective way to obtain this maintenance is through a maintenance service agreement; and

WHEREAS, the County has previously contracted with Rel-Comm, Inc. for this service and they have been successful in providing the necessary service required to maintain the phone system., NOW THEREFORE BE IT;

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized to enter into a support service agreement for \$16,290 and a software assurance contract for \$7,616.22 with Rel-Comm, Inc. for the period of 11/27 2012 thru 11/26/2013; 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 Fearon, Aikman, Didio, Lattimore, Pecher, Pinckney, Axton, Barski, Chapman, Runkle and Whitman, all in favor.

**RESOLUTION NO. 392-12**

**10/23/12 COL amend healthinsmanual**

**AMENDING THE CAYUGA COUNTY HEALTH INSURANCE MANUAL**

By: George Fearon, Chairperson Government Operations

David Axton, Chairperson Ways & Means Committee

WHEREAS, During the 1970's Cayuga County entered into a contract with New York State to provide health insurance for their employees, at which time a Policy Manual was provided to the County by the State of New York which outlined various policies and procedures, these procedures though never adopted by Resolution by the Legislature where agreed upon as part of the contract; and

WHEREAS, After the County discontinued the contract with New York State in the 1980's a written assurance was given to the State indicating that the manual would continue to be followed; and

WHEREAS, the Manual is out of date and has been amended periodically by the Cayuga County Legislature by the adoption of several resolutions throughout the years; and

WHEREAS, after review of said manual the Cayuga County Legislature finds it necessary to revise the section MILITARY LEAVE outlined on page 57, document number 214 and adopt its own policy; now, therefore be it

RESOLVED, that manual at page 57 is hereby amended to read: MILITARY LEAVE: When the employee is performing service in the U.S. Military, he or she is entitled to continue coverage under the County's health and dental plans under the same terms and conditions as if he or she were present and working without interruption:

- a) annual benefits and sick leave as provided by the various Collective Bargaining Agreements and Management Policy will continue to accrue during the period that an employee is on military leave;
- b) The dependants of employees enrolled in the County's Health Insurance Plan will continue to receive health insurance benefits under the plan. An employee's premium contributions will continue to be required. An employee's coverage will continue until such time as military benefits are available. At such time, the County's Health Insurance plan will become secondary;
- c) In the event an employee's tour of duty exceeds beyond one (1) year, the employee may make written application to the Government Operations Committee Chair for an extension of these benefits, such extension will be considered on a case-by-case basis and voted on by the committee members.

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

### **RESOLUTION NO. 393-12**

**(10-23-12) CC PT SR CLERK**

#### **AUTHORIZES COUNTY CLERK TO FILL THE POSITION OF SENIOR CLERK PART TIME 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 utilizes two part time Senior Clerks 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 funding for the Part Time Senior Clerk Position #07313 has been appropriated in the 2012 County Clerks Salary Account (A14101-51002) in the amount of \$15,531-\$15,667 (\$17.19 probation -\$17.34 hourly); now therefore be it

RESOLVED, that the Cayuga County Clerk Susan M. Dwyer be authorized to fill the position of Senior Clerk, with a part time position with no fringe benefits except those mandatory by statute and according to the Cayuga County Compensation Plan, Part II-Non-Bargaining in the title of Senior Clerk PT; and be it further

RESOLVED, that this Part 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, Axton, Pinckney, Runkle, Whitman and Barski, all in favor.

**RESOLUTION NO. 394-12**

**10-23-12 COA cccpurchaseVOIPtelephonerev3**

**APPROVING THE PURCHASE AND INSTALLATION OF A VOICE OVER INTERNET PROTOCOL (VOIP) TELEPHONE SYSTEM AND TELEVISION STUDIO LIGHTING SYSTEM AT THE AUBURN CAMPUS**

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

Hon. David Axton, Chair, Ways & Means Committee

WHEREAS, by Resolution 357-97 and 198-98, the Cayuga County Legislature authorized Cayuga Community College to create its Facilities Master Plan; and,

WHEREAS, by Resolution 357-99, the Cayuga County Legislature accepted the above authorized Facilities Master Plan for capital construction and renovation projects; and,

WHEREAS, the State University of New York subsequently received and approved the Facilities Master Plan in 2007; and,

WHEREAS, Cayuga Community College would like to amend the Facilities Master Plan to include this project; and,

WHEREAS, Cayuga Community College has identified the need for a voice over internet protocol (VOIP) telephone system, and the existing Definity private branch exchange (PBX) telephone switches are beyond end of life with no capacity for growth; and,

WHEREAS, the VOIP system has been installed at the Fulton campus as part of the recent expansion and relocation project, providing a centralized, modern, expandable telephone system; and,

WHEREAS, Cayuga Community College has identified the need to upgrade the television studio lighting system installed in 1970, used by students as an instructional laboratory that provides them with the ability to train on modern technology used in the workforce; and,

WHEREAS, LED lighting instruments will be installed in the television studio lighting system, reducing energy consumption by up to ninety percent; and,

WHEREAS, the funds available to the County of Cayuga through Cayuga Community College capital chargebacks will be used to pay the County share of the project, therefore, be it

RESOLVED, that the Board of Trustees of Cayuga Community College authorized the amendment of the Facilities Master Plan to include the VOIP telephone system and the television studio lighting project; and,

RESOLVED, that the Cayuga County College represents that this project is a action is a Type II action for the purposes of SEQRA (617.5©(11); and be it further

RESOLVED, that County of Cayuga joins with the Board of Trustees of Cayuga Community College in its authorization of the \$786,000 project for the installation of the VOIP telephone system and Television Studio Lighting System at the Auburn campus, with fifty percent of such project costs coming from Cayuga Community College local funds and the remaining fifty percent to be sought from New York State funds.

**Discussion:**

Farrell has a question on GO-5 pertains to the chargeback in general on how it works. Presently on the Fulton project, It is my understanding that there are 8 million dollars sitting out there that is being paid on the chargeback. With the Chargeback numbers we

have its roughly going to pay back 32 years to pay back the monies. For every million on that chargeback system will take another 4 years. My questions on the chargeback in place for that longevity I understand that if you vote against the college budget that you are against college education, I don't know anyone in this room that would vote against education. I understand education is part of the community economic development but we also have to offer the other piece of the puzzle. So my question to be is with these dollar amounts being taken back on charge back for 40 years or longer, how does this affect the county when we want to buy more land for economic development put the infrastructure in, as far as our loan capability, bond rating and so far are these numbers and this debt carry an weight in any other areas that is going to harm us in the future? Cuddeback indicated that any debt incurred by government agency goes on your rate. So whether it is debt by accident or put in a new highway or bridge that is debt. So yes the counter is going up.

Farrell said along with the Digester, Hospital and so on and so forth, we are accumulating to that when we do this and when we say the chargeback is going to pay it back that sounds good but the reality is going to take a long time to get that chargeback. Can Mr. Larson or Tom can answer it how does Cayuga County compare with this debt like Onondaga County and their investment in their Community College are we in the norm here that we have this long term payback policy or is it we are in this financial situation where we are all alone here.

Tom Squires can speak about Onondaga County I don't think it the norm. Onondaga County funds some of the projects out of the local property taxes so there is a local contribution from Onondaga County is the sponsor to some of the larger projects. We have not done that in Cayuga County. Historically the College is paid for the projects either by chargebacks or mechanisms I am not sure. So we don't compare ourselves to Onondaga County we don't contribute like Onondaga County does. I don't what the norm is around the state.

Chapman said that the question that Farrell asked was an excellent question I think we should keep in mind that any debt that we incur whether it be personal or at a government level we have to cognizance's of our profile and I think for further projects take into account the type of investments and type of debts. I am not to concern with the College because it an excellent way to show we believe in our future and that we stand behind it.

Pecher does not want to see more property being taken off the tax roll its adds to every-one else property taxes so I am opposed to GO 6 and 7.

Fearon states that one thing is 1953 the college covers all such costs 100% at this point. The tax role is not on the tax role now.

Dr. Larson - the parcels of real property that are before this body are not currently on the tax role. The parcels from the city school district and the other two parcels are currently owned by the Institute of the Application of Technology. The parcels are not on the tax roll since it was purchased.

Lattimore – There is an election going on the President discussed the importance of the community college in the future and we do not want to micro manager that development that has been going on. I am a graduate of the college many moons ago I wouldn't where

I am today. Kids going into institutes is a very big concern. I would like to give them a line of credit so they don't have to come back to this body every day and have them micro manage if we can give them a long leash and let them prove to us. We have never had to cover their debts from this body.

Pecher – Coming back I assume Dr. Larson is correct that the properties are not on the tax roll and will not be and second this money that the college is getting is coming from the wonderful pot of money from the State of New York has. The State of New York had to cut back on the public services, police protection, etc, and this wonderful pot of money sits there to be grabbed up. I am opposed to that so I still stand no.

Fearon – We will have to have a roll count on all three.

Barski – What you are saying is it is the best interest of the college to take on this property.

Dr. Larson – These parcels are a part of the college land. They are directly connected to the college campus. Both parcels are vacant and it would have to fill out the property the college would be able to use.

Fearon – we are looking at 300 new beds at the college by fall 2014 and will have some impact on enrollment and everything else at the college and will put more pressure on what land we have.

Cuddeback – We are doing GO -5. Does anybody want to vote on the lighting and voice before we talk about property.

Axton – I would like to comment on discussing the pot of money I do agree the pot of money should be looked at as long as the residents of Cayuga County contribute to that pot we need to go after our share of that pot. We need to take our fair shares because our tax services contribute to that.

Signed by Didio, Lattimore, Axton, Barski, Runkle and Whitman, all in favor, except Aikman abstained and Bennett excused.

**RESOLUTION NO. 395-12**

**(10-23-12) COA ccctransferPlateauFieldrev**

**APPROVING THE TRANSFER OF THE PROPERTY FROM THE AUBURN ENLARGED SCHOOL DISTRICT COMMONLY KNOWN AS THE “PLATEAU FIELD” TO BE HELD IN TRUST BY THE COUNTY OF CAYUGA AS LOCAL SPONSOR OF THE COLLEGE**

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

Hon. David Axton, Chair, Ways & Means Committee

WHEREAS, in its nearly sixty-year history Cayuga Community College never has possessed its own outdoor athletic facility, hampering the recruitment and retention of students interested in intercollegiate and intramural sports; and,

WHEREAS, Cayuga Community College and the Auburn Enlarged School District have identified a new partnership by which to accomplish their individual and mutual goals for successful athletic programs and to establish and achieve larger community goals; and,

WHEREAS, Cayuga Community College desires to accept the transfer of property from the Auburn Enlarged School District commonly known as the “Plateau Field” to be held in trust by the County of Cayuga as local sponsor of the College; and,

WHEREAS, Cayuga Community College has identified the Plateau Field contiguous to the Auburn campus as the potential site to build its new outdoor athletic facility; and,

WHEREAS, Cayuga Community College has established concept plans for the design of the facility, meeting the needs of the College community, educational partners, and area residents for state-of-the-art artificial surface playing fields; and,

WHEREAS, the Auburn Enlarged School District is the owner of that certain parcel of land, known as the Plateau Field and comprising approximately three acres, identified by the City of Auburn, County of Cayuga, New York, as Tax Map No. 109.80-1-8, and desires to transfer said property for a symbolic one dollar; and,

WHEREAS, by Resolution 357-97 and 198-98, the Cayuga County Legislature authorized Cayuga Community College to create its Facilities Master Plan; and,

WHEREAS, by Resolution 357-99, the Cayuga County Legislature accepted the above authorized Facilities Master Plan for capital construction and renovation projects; and,

WHEREAS, Cayuga Community College now desires to amend its Facilities Master Plan to include this property transfer of the Plateau Field; and,

WHEREAS, Cayuga Community College desires to accept such property known as the Plateau Field, upon formal agreement with the Auburn Enlarged School District; and,

WHEREAS, Cayuga Community College has accepted the pledge of the \$500,000 lead gift from Auburn resident Dr. Joseph F. Karpinski, Sr., in support of this outdoor athletic project; and,

WHEREAS, Cayuga Community College will seek New York State funding for fifty percent of the project costs, including appraisal of the Plateau Field, through established procedures with the State University of New York, with the remaining fifty percent comprising the local share funding to be obtained through private donors, through capital chargeback revenue once existing capital projects are paid off, and through efforts of the Cayuga Community College Foundation and community partners; now, therefore, be it

RESOLVED, the Board of Trustees of Cayuga Community College authorizes the amendment of the Facilities Master Plan to include the Plateau Field; and, further, be it

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"), said consents to be obtained prior to the transfer; and be it further,

RESOLVED, that the transfer of the parcel from the Auburn Enlarged School District to the County of Cayuga shall not occur until the funding for the project costs, including appraisal of the Plateau Field, through established procedures with the State University of New York, with the remaining fifty percent comprising the local share funding to be obtained through private donors, is received by the Cayuga County Treasurer; and be it further

RESOLVED, the Board of Trustees of Cayuga Community College requests the County of Cayuga as local sponsor of the College to proceed with this transfer of property known as the Plateau Field, and authorizes the County of Cayuga to enter into an Agreement with the Auburn Enlarged School District for said transfer; and further, be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to enter into an Agreement to transfer the parcel of property commonly known as the Plateau Field, in the City of Auburn, New York, Tax Map No. 109.80-1-8.

Discussion:

Farrell – clarification on GO-6 this is regards to the land that will be given the project itself the concept of the project when I read this is 50 percent of the state and 50 percent of local donors and fundraisers. So this one here is just the land to come to us there is no value there is nothing but property transfers.

Cuddeback – yes to Farrell’s question.

Farrell – By voting yes to this its only transfer of property.

Signed by Fearon, Didio, Lattimore, Pinckney, Axton, Barski and Runkle.

Approved by 2/3 vote, all voting in favor, except Pecher and Whitman voting No, Aikman abstained and Bennett excused. 188/32/15/14.

**RESOLUTION NO. 396-12**

**(10-23-12) COA cccapfundathleticcomplexrev**

**EXPRESSION THE COMMITMENT OF THE CAYUGA COUNTY  
LEGISLATURE TO THE CAYUGA COMMUNITY COLLEGE’S PROJECT  
FOR AN ATHLETIC FACILITY COMPLEX AND TO THE CAYUGA  
COMMUNITY COLLEGE’S REQUEST FOR CAPITAL FUNDING  
FOR AN ATHLETIC FACILITY COMPLEX**

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

Hon. David Axton, Chair, Ways & Means Committee

WHEREAS, by Resolution 357-97 and 198-98, the Cayuga County Legislature authorized Cayuga Community College to create its Facilities Master Plan; and,

WHEREAS, by Resolution 357-99, the Cayuga County Legislature accepted the above authorized Facilities Master Plan for capital construction and renovation projects; and,

WHEREAS, the State University of New York subsequently received and approved the Facilities Master Plan in 2007; and,

WHEREAS, Cayuga Community College would like to amend the Facilities Master Plan to include this project; and,

WHEREAS, Cayuga Community College has identified the need for a state-of-the-art, outdoor athletic facility complex, with synthetic turf, for its intercollegiate and intramural athletics program; and,

WHEREAS, Cayuga Community college does not have its own on-campus fields, and this complex will provide flexibility for College programs while creating a venue for County schools and outside groups to utilize; and

WHEREAS, the costs associated with the project are eligible for fifty percent New York State funding from the State University of New York; and,

WHEREAS, the Board of Trustees of Cayuga Community College in September 2012 authorized the six million (\$6,000,000) project cost estimate to design and construct the new athletic facility complex, and to outfit the facility with equipment needed for its use as an athletic facility, with fifty percent of such project costs coming from local funds through the capital fundraising campaign of the Cayuga Community College Foundation and donations from the Cayuga Community College Faculty Student Association; and,

WHEREAS, the Board of Trustees of Cayuga Community College has recommended adoption of this resolution; now therefore, be it

RESOLVED, that Cayuga County Legislature hereby authorizes the County Director of Finance to accept Gifts and Donations from the Cayuga Community College Foundation and Faculty-Student Association, in the sum of \$3,000,000 in support of the local share of this Capital Project; and further,

RESOLVED, that the project shall not commence until 100% of all funding from all sources is made available: the commitment of fifty percent State funding (\$3,000,000) from the State University of New York (the "SUNY Match") and receipt from the Cayuga Community College Foundation and/or the Faculty-Student Association of the \$3,000,000 local match; and further,

RESOLVED, that the project is subject to all consents and approvals of any governmental or regulatory authority that are required to be obtained prior to undertaking the project are in fact obtained, including but not limited to compliance with the New York State Environmental Quality Review Act ("SEQRA"), ECL Section 8-0101, et seq., and implementing regulations, 6 NYCRR Part 617 (the "Regulations"), and the project shall not commence until SEQRA is complied with; and be it further

RESOLVED, that the Clerk of this Legislature shall send certified copies of this resolution to the Cayuga County Treasurer, and to the Cayuga Community College Vice-President of Administration and Treasurer, the latter of who will forward an original to the State University Construction Fund (SUCF) along with the completed SUCF project initiation form.

### **Discussion:**

Farrell – G0-7 I have a question on the financing. We are looking at a 6 million dollar figure. 3 million coming from the state and 3 million coming from local. When I read one statement it makes me lead to believe that we are giving the 3 million minus the 500,000 that has already been donated. So we are giving 2.5 million and that will be paid back to the County by donations from College Alumni's, foundations etc.?

Dr. Larson – the local share the 3 million will be raised by private fundraising with individual's donors and fundraisers.

Farrell – It also indicates that this project will not get off their feet until there is 100% funding. When we talk about the 100% funding are we talking about that 2.5 million that will come from private donors or are we talking about the counties 2.5 million dollars.

Dr. Larson – we are talking about the entire 6 million dollars.

Farrell - So where are we going to say that this is fully funded with that 2.5 from your contributors or from the county?

Dr. Larson – Private donors.

Farrell – So the County doesn't have to give anything at all.

Dr. Larson – exactly

Farrell – there is a contradiction to the paperwork that was given to us by the College when Ms. Hutchinson gave us the paperwork together the numbers below say that 50% county shared to the athletic and 3 million dollars minus 500,000 so this project we are just giving an approval for the college to raise donations and funds.

Squires – I think at Ways and Means that what Diane handed out and then there was conversation about whether the legislature ways and means wanted to get the money up front or to front the money and get repaid and the direction from ways and means was that they wanted the money upfront or to front money in be repaid and the direction from ways and means that is why the resolution reads the way it does as opposed to what Diane gave us at ways and means

Westphal – Dr. Karpinski already contributed 500,000.00.

Farrell – that's what takes the 3 million to the 2.5 million.

Fearon – the up-fronting those dollars and I made that clear that the majority of the body and that is how the wording is now.

Axton - that is exactly what happened at Ways and Means. The group discussed and we started we that paperwork that you have but the board concluded that we didn't want to proceed and we wanted it included in the final Resolution.

Signed by Fearon, Didio, Lattimore, Pinckney, Axton, Barski and Runkle, all in favor, except Pecher voting No, Aikman Abstained and Bennett excused.

### **RESOLUTION NO. 397-12**

**(10-23-12) COA cccacquire 3&7Prospect Strev2**

#### **AUTHORIZING THE AMENDMENT OF THE FACILITIES MASTER PLAN TO INCLUDE THE PROSPECT STREET PROPERTIES, TAX MAP NO. 109.81-1-7 AND TAX MAP NO. 109.81-1-8 AND AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO NEGOTIATE THE PURCHASE OF SAID PARCELS.**

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

Hon. David Axton, Chair, Ways & Means Committee

WHEREAS, real property adjacent to Cayuga Community College is within the vicinity and area of long-term acquisition by the College, and it may be a very long time before this property is available again; and,

WHEREAS, because of this property location, these Committees are of the opinion that the property should be purchased; and,

WHEREAS, by Resolution 357-97 and 198-98, the Cayuga County Legislature authorized Cayuga Community College to create its Facilities Master Plan; and,

WHEREAS, by Resolution 357-99, the Cayuga County Legislature accepted the above authorized Facilities Master Plan for capital construction and renovation projects; and,

WHEREAS, Cayuga Community College would like to amend the Facilities Master Plan to include this purchase; and,

WHEREAS, Cayuga Community College desires to purchase such properties; and,

WHEREAS, the funds available to the County of Cayuga through the Cayuga Community College capital chargebacks will be used to pay the County share of the project; now, therefore, be it

RESOLVED, that the Board of Trustees of Cayuga Community College and the Cayuga County Legislature authorize the amendment of the Facilities Master Plan to include the Prospect Street properties, Tax Map No. 109.81-1-7 and Tax Map No. 109.81-1-8; 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”), and shall not proceed until these consents have been obtained; and be it further

RESOLVED, that the County of Cayuga as local sponsor of the College proceed with the negotiation of the purchase the Prospect Street properties, Tax Map No. 109.81-1-7 and Tax Map No. 109.81-1-8; and be it further

RESOLVED, that the acquisition will progress upon the commitment of fifty percent New York State funding from the State University of New York (the “SUNY Match”); the executed agreement from the Institute for Application of Geospatial Technology with the SUNY Match based on the lower of two independent property appraisals; and upon receipt of the other fifty percent match; and be it further,

RESOLVED, that the County of Cayuga joins with the Board of Trustees of Cayuga Community College in its authorization to move forward with the appropriate next steps to acquire such properties.

#### **Discussion:**

Fearon – Property on Prospect Street. We could survive without it. This would add housing to the college.

Farrell – I don’t have a problem with that. The only thing is that could be get an amendment to it were we could get the dollar figure that we discussed.

Westphal – my only caution to that is the proposed seller would have a good idea of what the County wants to pay for it. I don’t know if you want to give that away at this stage of the game. That is why I didn’t want to include that. If you look at the resolution it is slightly different than the earlier resolution it authorizes negotiations at this point go involve another bite at the apple back before the legislature to have the Chairman approve it. I was reluctant to have the disclosure of what the County was willing to pay.

Farrell – it will come back to us for resolution for the purchase price.

Fearon – the college has numbers in mind that if the numbers are too high the college would walk from the discussion.

Signed by Fearon, Didio, Lattimore, Pinckney, Axton, Barski and Runkle, all in favor, except Aikman abstained, Pecher voting No. and Bennett excused.

**RESOLUTION NO. 398-12**

**October 23, 2012 HWY signagreeMPservAHarev**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND HIGHWAY SUPERINTENDENT TO SIGN AN AGREEMENT WITH AUBURN HOUSING AUTHORITY FOR MOTOR POOL SERVICES**

By: Tucker Whitman, Chairman Public Works Committee

David Axton, Chairman Ways and Means Committee

WHEREAS, the Cayuga County Motor Pool provides vehicle repair and maintenance services for other agencies within Cayuga County; and

WHEREAS, Auburn Housing Authority, a local non-profit agency, has contacted the Cayuga County Highway Department, regarding fleet maintenance services; and

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

RESOLVED, that the Chairman of the Cayuga County Legislature and the Cayuga County Highway Superintendent are hereby authorized to sign an Agreement with Auburn Housing Authority for Motor Pool services.

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

**RESOLUTION NO. 399-12**

**10/23/12 HWY Wright Express**

**AUTHORIZING THE COUNTY LEGISLATURE TO ENTER INTO AN AGREEMENT WITH WRIGHT EXPRESS**

By: Hon. Tucker Whitman, Chairman Public Works Committee

Hon. David Axton, Chairman, Ways and Means Committee

WHEREAS, the County desires to reduce its fuel costs; and

WHEREAS, the County desires to enter into an agreement with Wright Express to assist in fuel savings; and

WHEREAS, Wright Express will be paid 1% per gallon of fuel; now therefore, be

WHEREAS, entering into a contract with Wright Express would have a cost savings to the County of 25.10 cents per gallon of fuel for a maximum annual savings to the County of \$19,000.00

RESOLVED, that the Chairman of the Cayuga County Legislature does hereby authorize the County Chairman to sign an agreement with Wright Express (PS65802), to assist in the administration of the County's fuel purchasing.

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

**RESOLUTION NO. 400-12**

**10.23.12 911increasecaph10-03rev**

**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, Sabre submitted change orders for the Radio Communications Project in the aggregate amount of 4,331.89 (see attachments); now therefore be it

RESOLVED, that the Cayuga County Chairman 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, Farrell, Whitman, Chapman, Fearon and Runkle, all in favor.

### **RESOLUTION NO. 401-12**

#### **10-23-12 911SoftwareESRI**

#### **AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO RENEW A ONE YEAR CONTRACT WITH ESRI INC. TO PROVIDE MAINTENANCE ON ARC EDITOR SOFTWARE.**

BY: Mr. Paul Pinckney, Chairperson, Judicial and Public Safety Committee

Mr. Dave Axton, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County 911 Center utilizes ARC editor software to maintain our CAD mapping; and

WHEREAS, it is critical that the mapping is current; and

WHEREAS, the E-911 Center with help from the Cayuga County Planning department utilizes Arc Editor Software to provide the necessary services; and

WHEREAS, Arc Editor has submitted a renewal invoice for a one-year contract; and

WHEREAS, there is money in the 911 Communication System Budget Account Number A30204 54018 for this purpose; now therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to sign the contract renewal, with ESRI Inc. for the amount of \$1500.00 for the period of 10/1/12 – 9/30/13; 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, Chapman, Fearon and Runkle, all in favor.

### **RESOLUTION NO. 402-12**

#### **10.23.12 911SoftwareHyperReach**

#### **AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO RENEW A THREE YEAR CONTRACT WITH SAM ASHER COMPUTING SERVICES, INC TO PROVIDE HYPER REACH SERVICES (REVERSE 911).**

BY: Mr. Paul Pinckney, Chairperson, Judicial and Public Safety Committee

Mr. David Axton Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County 911 Center utilizes the Hyper-Reach notifications system to instantly send voice messages to any number of participants in emergency situations or when there is an immediate need to disseminate information to groups of citizens in Cayuga County; and

WHEREAS, Sam Asher Computing Services, Inc is able to supply, install and monitor these services; and

WHEREAS, pricing of a three (3) year contract is \$42,000, equivalent to \$14,000 annually, to include the Hyper Reach Mapping Tool; and

WHEREAS, there is money in the 911 Communication System Budget Account Number A30204 54019 for this purpose; now therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to sign the contract renewal, with Sam Asher Computing Services for the amount of \$42,000 for the period of January 1, 2013 through December 31, 2015 ; 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, Chapman, Fearon and Runkle, all in favor.

**Motion by Pinckney to offer JP-1 to 6 as a bundle.**

**Motion by Farrell to separate JP-4, 5 and 6, Mr. Pinckney asks to do JP-5 and 6 first.**

**DEFEATED**

**DEFEATED**

**DEFEATED**

**RESOLUTION NO. 402A-12**

**(October 23, 2012) DA.WelfareFraudFTConfInv**

**INCREASING THE PART-TIME WELFARE FRAUD & ABUSE  
CONFIDENTIAL INVESTIGATOR POSITION INTO A FULL-TIME  
POSITION; AUTHORIZING THE DISTRICT ATTORNEY’S OFFICE TO  
CONTINUE TO CONTRACT WITH THE HUMAN SERVICES  
DEPARTMENT FOR PUBLIC ASSISTANCE FRAUD INVESTIGATION AND  
PROSECUTION; AND AMENDING THE DISTRICT ATTORNEY’S AND  
HUMAN SERVICES 2012 BUDGETS TO ACCOMPLISH SAME.**

BY: Hon. Paul Pinckney, Chairman, Judicial & Public Safety, and  
Hon. David Axton, Chairman, Ways and Means

WHEREAS, the District Attorney proposes to make the part-time Confidential Investigator position into a full-time position; and

WHEREAS, the increased volume of public assistance fraud work and caseload requires a full-time Confidential Investigator position; and

WHEREAS, the recent Public Assistance Fraud Arrest Sweep indicates the increased volume of work and caseload, which resulted in multiple arrests from the culmination of lengthy investigations conducted by the members of the newly organized Cayuga County Welfare Fraud Task Force to combat the ongoing problem of fraud committed by individuals obtaining public assistance benefits; and

WHEREAS, the Public Assistance Fraud Arrest Sweep represents the theft of over \$100,000.00 in wrongfully obtained Public Assistance Benefits, which said convictions will result in additional taxpayer savings of over \$150,000.00, due to the disqualification of said defendants; and

WHEREAS, in addition to the aforementioned arrests, forty-two individuals have already been successfully prosecuted and/or disqualified administratively for Welfare Fraud and related crimes this year (2012). Those charges represented the Theft of over \$56,000 of public benefits. In addition to restitution, the subsequent prohibition of these individuals (from receiving Public Benefits) for between 6 and 24 months represents savings to the taxpayers of over \$174,000.00.

WHEREAS, with the newly enhanced detection and prosecution resources, a full-time Confidential Investigator is necessary for the continuation of successful prosecution for Welfare Fraud and related crimes; and

WHEREAS, the District Attorney's Office costs associated with this new full-time Confidential Investigator position 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 full-time Confidential Investigator; and

WHEREAS, it is necessary to create the job title of full-time Confidential Investigator in the District Attorney's Office and to establish the Salary Grade for this position, and

WHEREAS, the District Attorney is asking to amend the 2012 District Attorney's Budget and the 2012 Human Services Budget to accomplish this agreement therein as follows:

Increase

A11651 51002	Salary FT	\$12,632
A11651 58001	Social Security	\$1,258
A11651 58005	Workers Comp	\$361
A11650 41229	DA Fees	\$14,251
A60104 54118	Contractual Agreements	\$14,251
A60100 43610	State Aid	\$1,425
A60100 44610	Federal Aid	\$7,695

Decrease

A10164 5400	Contingency	\$5,131
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NOW, THEREFORE BE IT

RESOLVED, that the Cayuga County Legislature authorize and direct that the respective full-time Confidential Investigator position in Part II of the 2012 Cayuga County Compensation Plan be hereinafter amended to reflect the increase in hours on a forty (40) hour work week basis, and that the Salary for this position is hereby established as follows:

<b>Salary Grade</b>	<b>Probation</b>	<b>1<sup>st</sup> Step</b>	<b>2<sup>nd</sup> Step</b>	<b>3<sup>rd</sup> Step</b>	<b>4<sup>th</sup> Step</b>
16*	50,544	50,985	52,810	54,615	56,444

RESOLVED, that the above change be completed in accordance with civil service rules and regulations; and be it further

RESOLVED, that the Cayuga County Treasurer is hereby 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 District Attorney's Office is authorized to continue to contract with the Department of Health and Human Services for the provision of these investigative and prosecution services; and be it further

RESOLVED, that the Human Services Department be prepared to report back to the Cayuga County Legislature on the outcome of this new initiative so a decision can be made to continue this contract into 2013.

**Discussion:**

Fearon – I would like to move that we pull JP-4, 5 and 6 we are looking into 40 days of adopting a budget and reality is that we don't know how it fits in with that budget. I don't think it is an urgent matter that we need to do now. And we need the global picture related to the property tax for the 2% tax cap and I think we should know more about this budget then we know now before we adopt this.

Westphal – I would like to address this procedurally the only resolution on the floor is JP-5.

Fearon – Modified the resolution to be within the scope of what I need to do.

Westphal – are you asking someone to pull JP-5?

**Fearon – I am asking to take a vote to table JP-5, 2<sup>nd</sup> by Chapman.**

**Discussion:**

Lattimore – Government sometimes a little slow this particular investigator proves to worth its merit in dollar wise and I hope that it doesn't get bogged down between the juggling elements like the Sheriff's department and the DA's Department. We both are trying to help save the County money. Hope this will get resolved sooner than later.

Mahunik – I agree with George I support the idea of if it's working we can continue it however I don't support the way it's going at Judicial Public Safety the DA said that you can do it now or you can do it in January there is no real difference there we need to be comfortable with this on how we move forward on this. The budget is the way that it should be probably be presented. Put it in the budget and move on.

Cuddeback – bear in mind that putting it in the budget is now not in January. Budget will be done in January. Make it part of the budget process. Also bear in mind that it is a little bit time sensitive because of our current employee in that position may have to stop until January with the investigations that are ongoing this concerns me since it is a 60 day's old. It is not something we dreamt up yesterday. It should have been handled at the last meeting, but I do understand if you want it table it.

Farrell – I agree with what was brought up, bringing 3 full time positions going into a budget season, but we are talking about these fraud positions we create full time county positions, is that correct? We are able to turn around and bill the State and Federal Government to the tune of 66 % and 75% of the hours they have spent actually investigating and prosecuting abused cases. So if they are not on the clock they are falling back to the responsibility of the tax payers. This investigator has done great work so far but I think we should give it a little bit more time waive the money that the County has investing in this and how much is it being reimbursed from the State and the Federal Government to be able to say this is what it will actually cost the tax payers rather than saying we are going to get 3 quarters of this pay back which isn't a fashionable statement.

Cuddeback – on the other side of the coin we have done in this past, put in a sun-set clause, so if the work disappears or the funding, so does the position. Back to the table

**Motion by Fearon to table JP-5, 2<sup>nd</sup> by Chapman, roll call vote.**

**Discussion:**

Chapman – we got an opinion from our labor attorney with regards to all three of these and I think it would be wise at this time to heed some advice because we put the cart before the horse last year with regards to another investigator position that was up for discussion. I would like to see that we go back, work on these, get them simplified and get on the same page.

Budelmann – There are three resolutions one is not a new position one is a position that has been in place since 1980 that is the Investigator that is within the DA's office right now. That resolution is to increase the work week from 35 hours to 40 hours and simplify their salaries by putting the 12% differential in and eliminating that. The other 2 positions are one is to increase the part time fraud investigator to a full time investigator that position was allocated 30,000 in April and we had great results he has generated 42 new cases. The ones that have been arrested will generate approximately 250,000.00 in disqualification and 160,000.00 in restitution to the County so our outlay to the County tax payers, 7,5000 to 10,000.00 is generated already. That is not all County tax payers savings because the public assistance is reimbursing the County thru State Federal Government vary amounts depending on type of assistance. But I think this group made a wisely and bravely made that investment in April. I think this investment paid off great dividends. The issue here is to move it to a full time position, in terms of the tax cap, because we are going to get restitution from the State and Federal Government it shouldn't have a major impact. It has cost of 7,5000 to 10,000 this year on a 100 million dollar budget it will not affect the tax cap. I am most concerned about the ADA position, I have a vacant ADA Fraud part time position where that person has left and that position will pay for itself also. I would like to have it filled before the end of the year. If this group does not want to consider extending the hours in the existing Confidential Investigating Position and or increasing the part time to full time I would at least ask to consider moving forward the ADA part time position to the full time ADA position so I can fill that.

Cuddeback – in respect to JP-5 then is there any more discussion? We are voting on whether to table it or not. If we table it doesn't die it goes back into committee.

Fearon – I have no problem going back to committee.

Cuddeback, yes is to send it back to committee no is to bring it back to the floor.

**Motion to table, defeated by majority vote, Noes – Didio, Pecher, Whitman, Pinckney, Barski, Lattimore, Cuddeback. Ayes – Aikman, Chapman, Farrell, Runkle, Fearon and Mahunik. Abstained Aikman, Excused Bennett. Vote – 391/378/65/49**

**Cuddeback, JP-5 back on the Floor.**

**Discussion:**

Farrell – We cannot go back to our county budget look at a bottom line item in any of our departments and say we are going to save this much money because of these arrests. We might be looking at the State not paying the DA raise next year that is going to be another 28,000.00 more in the DA's budget and now we are going to create full time positions without seeing the budget to see where we are we might be cutting positions already next month we might be cutting services next month. But we are going to advocate full time positions in any department, at this state it is premature without seeing the budget in its entirety.

Cuddeback – would it help you if we make an amendment to this resolution to put a sunset clause on it so if the work goes away or the funding goes away so does that position.

Farrell – I would like to see it reviewed every six months and see the comparison of what it is costing the County to fill this position. I understand the individual that is doing it may not go for the benefits but he may leave and the next individual comes in and gets health benefits and it's going to cost us more money so I don't know if we can afford it yet. I would like to have an amendment that it be reviewed on a quarterly basis, let's see the tax dollars that we are actually spending compared to the tax dollars that are coming from the State on this.

Cuddeback – now is the time to amend it with a sun set clause. Now is the time to amend it.

Farrell – let's amend it with the sun set clause and it would be based on an every six month evaluation or every four month evaluation and see what it is costing us.

Cuddeback – normal sun set clauses are if the funding goes away state decides not to pay or if the results go away then it would be reviewed and termination of the appointment or line item could happen.

Farrell – it needs to be financially feasible position. We mentioned like these arrests if get the disqualifications and we don't go to court then we can get restitution that is great but if we go to court, we are going to see our Assigned Counsel their bills are going to go up. So these arrests are nice, they will save money at the State and Federal level but at the County level it will actually cost us more money. We are going to pay more money for Assigned Counsel and pay more money for the other end to prosecute.

Cuddeback – that could be a consideration, could be unreported income.

Farrell – yes if they take the disqualification off the front rack, is that true?

Budelmann – Assigned Counsel is going to depend on how much work goes into it. The disqualifications is based on the being convicted. We got this week about 22,000 to 25,000 restitution has already been collected. We want to track this and create a revenue line at the Treasurer's office, so when these payments come rolling in that there will be an easier method on tracking rather than just going into a general fund.

Fearon – Mr. Farrell's idea is not a bad idea, but when we get back to the resolution itself the bottom line is we don't have actual dollar amount that relates to the counties actual levy tied with this. We know that there is different monies that benefit different entities like the State and us and so on, but we don't have it all figured out. I think we need more information before we pass any of these resolutions.

Barski – As with any program, I think we have a spike, because after a while the word of mouth it's just going to start reducing. Some people will be more inclined to read the fine print and get some help in filling out these forms so that they don't get in trouble. What is a ratio in getting restitution in this County, welfare?

Budelmann – we have been working on getting restitution collected between 92 and 96 percent on public assistance projects. I can't tell you the 100,000 roughly that was involved in the 32 sweep or 56 from the prior which actually collect or ordered. We are getting reimbursed for the money we are laying out, but it depends on the different types of fraud that is being committed and prosecuted, some types pay up to 100% of the cost of the public assistance therefore we get 100% restitution. It's a huge win win for the County to do this and freeing up the funds for those who truly need it.

Chapman – Mr. Farrell has brought up some interesting questions worthy of discussion. I am going to defer once again to the opinion of our labor attorney has given us. We need a method of tracking. We need to have some information, not an estimate but actual. Let's take a real look, we have had this process in place for a period of time and there are numbers that are harvested for us to take a good look at. Again looking at budgets talking about full time positions, part time positions and making changes in other positions, also believe in this position, the person may already be participating in a retirement system, has there been a waiver obtained?

Cuddeback – that is a negative.

Chapman, so there is no waiver at this time?

Budelmann – correct, this person is in the part time position.

Lattimore – When we partner with the State or Federal Government on any of these programs we should protect the people that those programs are designed for. People who are welfare cheats, we should be aggressive and it may cost us a few dollars. If we have the sun set clause in it we can get out of the system, we should try it. I like to make a vote on it today.

Pinckney – is it a formal amendment?

Cuddeback – not a formal amendment yet, are you in favor Mr. Farrell of the Sun-set clause on the funding and productivity.

Farrell – yes, and I would like to have a mechanism in place.

**Motion by Cuddeback for an amendment to the funding from the state and a six month review on performance standards and opinions that needs to be conducted by the Legislature, that would be the reason for discontinuing this position, 2<sup>nd</sup> by Farrell.**

Farrell – is this a county employee officially?

Budelmann – If it is in the County then it is a county employee.

Farrell, usually Tom fills out the form, recommended or not recommended.

Tucker - if this is indeed a County Employee do we have a sun-set clause on all the rest of the county employees?

Squires - some we do, if they are grant funded.

Tucker – can we terminate a county employee at any-time?

Squires, sure

Cuddeback – any discussions on the amendment?

**Vote on amendment, show of hands, 10 in favor, passed.**

**Vote on JP-5 as amended.**

**Discussion:**

Fearon – This resolution is good but not right at this time.

**JP-5 Roll call: Ayes – Didio, Pecher, Whitman, Pinckney, Lattimore, Cuddeback, Noes – Aikman, Chapman, Farrell, Runkle, Fearon, Barski, Mahunik. Abstained - Axton. Excused - Bennett. 339/430/65/49. DEFEATED**

**Motion by Farrell to table, 2<sup>nd</sup> Fearon. All in favor.**

**TABBLED            TABLED            TABBLED**

**RESOLUTION NO. 402B-12**

**(October 23, 2012)    DA WelfareFraudFTADAreV2**

**INCREASING THE PART-TIME WELFARE FRAUD & ABUSE ASSISTANT DISTRICT ATTORNEY POSITION INTO A FULL-TIME POSITION; AUTHORIZING THE DISTRICT ATTORNEY’S OFFICE TO CONTINUE TO CONTRACT WITH THE HUMAN SERVICES DEPARTMENT FOR PUBLIC ASSISTANCE FRAUD INVESTIGATION AND PROSECUTION; AND AMENDING THE DISTRICT ATTORNEY’S AND HUMAN SERVICES 2012 BUDGETS TO ACCOMPLISH SAME.**

BY: Hon. Paul Pinckney, Chairman, Judicial & Public Safety, and Hon. David Axton, Chairman, Ways and Means

WHEREAS, the District Attorney proposes to make the part-time Assistant District Attorney position (Position Control Number 001788) into a full-time position and move same position from Part II of the 2012 Cayuga County Compensation Plan to Part IV of the 2012 Cayuga County Compensation Plan; and

WHEREAS, there is an increased volume of criminal cases, especially for said Welfare Fraud and Abuse work, and caseload that requires a full-time Assistant District Attorney position; and

WHEREAS, the recent Public Assistance Fraud Arrest Sweep indicates the increased volume of work and caseload, which resulted in multiple arrests from the culmination of lengthy investigations conducted by the members of the newly organized Cayuga County Welfare Fraud Task Force to combat the ongoing problem of fraud committed by individuals obtaining public assistance benefits; and

WHEREAS, the Public Assistance Fraud Arrest Sweep represents the theft of over \$100,000.00 in wrongfully obtained Public Assistance Benefits, which said convictions will result in additional taxpayer savings of over \$150,000.00, due to the disqualification of said defendants; and

WHEREAS, in addition to the aforementioned arrests, forty-two individuals have already been successfully prosecuted and/or disqualified administratively for Welfare Fraud and related crimes this year (2012); and

WHEREAS, those charges represented the theft of over \$56,000 of public benefits; and

WHEREAS, in addition to restitution, the subsequent prohibition of these individuals (from receiving Public Benefits) for between 6 and 24 months represents savings to the taxpayers of over \$174,000.00; and

WHEREAS, with the increased caseload and the newly enhanced detection and prosecution resources, a full-time Assistant District Attorney is necessary for the continuation of successful prosecution of all criminal cases, especially for Welfare Fraud and related crimes; and

WHEREAS, the District Attorney's Office costs associated with this new full-time Assistant District Attorney position will be reimbursed by the County's Human Services Department pursuant to rates per case agreed upon by the departments; 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, it is necessary to create the job title of full-time Assistant District Attorney in the District Attorney's Office and to establish the salary for this position, and

WHEREAS, the District Attorney is asking to amend the 2012 District Attorney's Budget and the 2012 Human Services Budget to accomplish this agreement therein as follows:

**Increase**

A11651 51002	Salary FT	\$12,812
A11651 58001	Social Security	\$2,710
A11651 58002	Retirement	\$1,911
A11651 58003	Health Insurance	\$744
A11651 58004	Dental Insurance	\$50
A11651 58005	Workers Comp	\$440
A11650 41229	DA Fees	\$18,667
A60104 54118	Contractual Agreements	\$18,667
A60100 43610	State Aid	\$1,868
A60100 44610	Federal Aid	\$10,080

**Decrease**

A10164 5400	Contingency	\$6,719
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NOW, THEREFORE BE IT

RESOLVED, that the Cayuga County Legislature authorize and direct that the part-time Assistant District Attorney position in Part II of the 2012 Cayuga County Compensation Plan is hereby made into a full-time Assistant District Attorney position and moved to Part IV of the 2012 Cayuga County Compensation Plan and that the base salary of the full-time Assistant District Attorney for this position on a forty (40) hour work week basis is hereby established as \$65,000; and be it further

RESOLVED, that the above change be completed in accordance with civil service rules and regulations; and be it further

RESOLVED, that the District Attorney's Office is authorized to continue to contract with the Department of Health and Human Services for the provision of investigation and prosecution services; and be it further

RESOLVED, that the Cayuga County Treasurer is hereby 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 Cayuga County Legislature on the status of this initiative each year so that a decision can be made to continue this contract into the succeeding years based upon the continued need to investigate and prosecute such public assistance and welfare fraud here in Cayuga County.

**TABLED**

**TABLED**

**TABLED**

**PULLED**

**PULLED**

**Motion by Pinckney to Pull resolution and bring back to committee.**

**RESOLUTION NO. 402C-12**

**(October 23, 2012)**

**DA.ConfInv40hour**

**INCREASING THE NUMBER OF HOURS THE CONFIDENTIAL INVESTIGATOR IS REQUIRED TO WORK FROM 35 TO 40 HOURS PER WEEK TO ADDRESS THE INCREASE IN CRIMINAL INVESTIGATIONS IN A COST EFFECTIVE MANNER; ELIMINATING THE 12% PAY DIFFERENTIAL; AND AMENDING THE DISTRICT ATTORNEY'S 2012 BUDGET TO ACCOMPLISH SAME.**

BY: Hon. Paul Pinckney, Chairman, Judicial & Public Safety, and  
Hon. David Axton, Chairman, Ways and Means

WHEREAS, currently the full-time Confidential Investigator to District Attorney is paid based on a 35 hour work week; and

WHEREAS, the District Attorney has demonstrated that an increase in arrests, particularly for violent felony crimes, has increased the investigative caseload, assignments, and especially in trials, resulting in increased responsibilities for the Confidential Investigator and has caused a need for more assistance to continue to protect this County; and

WHEREAS, the District Attorney has demonstrated that the actual number of hours required to be worked by the Confidential Investigator in the District Attorney's Office far exceeds the 35 hours per week for which he is currently paid; and

WHEREAS, increasing the number of hours per week from 35 to 40 hours per week worked by the Confidential Investigator will address the increased need for investigative resources and increased workload; and

WHEREAS, the Legislature is desirous of seeking the most cost effective method of addressing the increase in crime and the cost of increasing the number of hours per week that the Confidential Investigator is required to work from 35 hours per week to 40 hours per week;

WHEREAS, the District Attorney is asking to amend the 2012 District Attorney's Budget therein as follows:

Increase (to end of 2012)

A11651 51002	Salary FT	\$1,379
A11651 58001	Social Security	\$465
A11651 58005	Workers Comp	\$215

NOW, THEREFORE BE IT

RESOLVED, that the Cayuga County Legislature authorizes and directs that the respective full-time Confidential Investigator position in Part II of the 2012 Cayuga County Compensation Plan be hereinafter amended to reflect the increase in hours to a forty (40) hour work week basis, and that the Salary for this position is hereby established as follows:

<b>Salary Grade</b>	<b>Probation</b>	<b>1<sup>st</sup> Step</b>	<b>2<sup>nd</sup> Step</b>	<b>3<sup>rd</sup> Step</b>	<b>4<sup>th</sup> Step</b>
16*	50,544	50,985	52,810	54,615	56,444

and be it further

RESOLVED, that the twelve percent (12%) shift differential adopted 1/19/87 by Resolution No. 24 and historically added to the base salary “in lieu of any claim for overtime of hourly pay in accordance with the Compensation Plan and the Cayuga County Civil Service Rules and Regulations”, shall be deemed to be included in the salary and shall cease to be added (hereby revoking Cayuga County Legislative Resolution No. 24 of 1987) in accordance with the Compensation Plan and the Cayuga County Civil Service Rules and Regulations; and be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to make the amendments to the District Attorney’s 2012 Budget as noted above and make the necessary journal and accounting entries to accomplish the same; and be it further

RESOLVED, that the foregoing be accomplished in accordance with Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga, and that Part II of the 2012 Cayuga County Compensation Plan be amended to reflect the adjustments herein.

**Motion by Runkle to adjourn at 9:30AM, 2<sup>nd</sup> by Fearon, all in favor.**

**MINUTES  
CAYUGA COUNTY LEGISLATURE  
SPECIAL MEETING  
November 8, 2012 – 5:30PM**

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

**ROLL CALL:** Mary Jones, Clerk of the Legislature, all Legislators present, except Patrick Mahunik and Joseph Bennett-excused

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**TOPIC: PRESENTATION OF TENTATIVE BUDGET**

**Chairman Steven Cuddeback calls upon County Administrator Thomas Squires to begin presentation.**

**Squires highlights challenges and overall financial challenges of 2013. (Tentative Budget power point presentation – copy attached to minutes).**

**Motion to move into Executive Session at 6:46 pm made by Chapman, seconded by Whitman. All in favor.**

**Re: Pending Litigation (Cayuga County vs. Joseph Bennett) and Employment of a Specific Person  
County Administrator Thomas Squires and County Attorney Frederick Westphal present.**

**Motion to come out of Executive Session at 7:31 pm made by Fearon, seconded by Chapman. All in favor.**

**Motion to adjourn meeting made by Fearon at 7:32 pm, seconded by Chapman. All in favor.**

**Special meeting was tape recorded and video recorded (available upon request).**

**MINUTES**  
**CAYUGA COUNTY LEGISLATURE**  
**November 27, 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 Joseph Bennett.

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**DEATHS: Our sincere condolences to the families and friends of:**

Theresa M. D'Antonio Oughterson, loving wife of Civil Service Commissioner Ronald Oughterson and member of the Cayuga County Women's Democrats passed away on November 2, 2012.

Earle L. Schemerhorn, former employee of the Cayuga County Employment & Training Agency and a member of Literacy Volunteers of Cayuga County, former board member of Seymour Library and an elder and deacon at Westminster Presbyterian Church passed away on November 2, 2012.

Virginia Deming, former employee of the Seneca-Cayuga ARC passed away on November 4, 2012

Pauline "Mary" Anderson, former employee of Cayuga County Public Health Department, charter member of the New Hope Mills Fire Department Auxiliary and volunteer at Auburn Community Hospital passed away on November 5, 2012.

James F. Schmidt, former Executive Director of Cayuga County Action Program passed away on November 10, 2012.

**PRESENTATIONS:**

NYS Custody Accreditation: Peter Kehoe, Executive Director, NYS Sheriff's Association

Brett Carruthers, NYMIR, congratulates Sheriff David Gould and the Sheriff's office for this achievement.

Extra Mile Club: Legislator George Fearon, Chair Government Operations Committee, recognizes Kathleen Cuddy and Dawn Wolff for going above and beyond their job duties.

**PROCLAMATIONS:**

THERESA LEONARDI DAY IN CAYUGA COUNTY – NOVEMBER 9, 2012.

CAYUGA COMMUNITY HEALTH NETWORK, INC. – THURSDAY NOVEMBER 15<sup>TH</sup>, 2012 “WALK FOR LIFE” IN RECOGNITION OF THE “NATIONAL RURAL HEALTH DAY” AND “GREAT AMERICAN SMOKEOUT”.

RONALD G. PODOLAK (40 YEARS OF SERVICE TO CAYUGA CO. SOIL & WATER CONSERVATION DISTRICT) – RETIREMENT DAY: OCTOBER 31, 2012.

**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 George Fearon for Heather Whitten, Scipio Center, Dairy Farmer, re: the Big 6 Picnic Committee and Cornell Co-op Extension would like funding put into the budget to continue to fund these programs for 2013.**

**Chairman Steven Cuddeback for Regan Emerson, Moravia, NY, member of the Big 6 and Cornell Co-op Extension, asking for support in funding programs for Cornell Co-op Extension.**

**Amy Stranger Scipio Center, letter attached to original minutes, asking for support for Cornell Co-op Extension.**

**Legislator Cynthia Aikman for Dan Thurston, Auburn, NY, supports the Big 6 and events for the youth, and would like the County to continue to support funding for these programs.**

**Legislator Joseph Runkle for Jeff Herrick, Sennett, NY, charter member of the Big 6 Picnic, supports 4H programs, would like the County to continue to support these programs. We have also looked into uses for the Tubman Center, the Town of Sennett petitioned the State of NY and received approval to obtain 139 acres, and are in the final approval process to have that property conveyed to us.**

**MINUTES:** For Approval: 9-25-2012, motion by Didio, 2<sup>nd</sup> by Runkle, all in favor.  
For Reading: 10-23-2012 and 11-8-2012

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

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

**Legislator Michael Didio,** Inter-County update, Cayuga County has joined 18 Counties to advocate for change in Albany, Mandate relief. This is the first year Cayuga County has become an active participant in this association. The association shares information with each other, such as the Public Assistance Integrity Bill. There are 7 meetings held throughout the year hosted by a different county each month, each meeting has a work session and a presentation by New York State Association of Counties to keep attendees up to date on what is happening in Albany and gives each county a chance to promote their businesses and provide you with an overall economic make-up as well as needs. Cayuga County will host the first Inter-County Association meeting in October of 2013

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

**Questions:**

Chairman Cuddeback, in 2011 what happened to the left overs, it was said they were swept into the general fund at close of business, is that correct.

Squires, yes.

Lattimore, I would like to commend Elane Daly on those forensic accounting on the one million, that helped that department.

Squires, not for 2011, it will help 2012. You are talking about the consultant that we hired to look at the Medicaid billings.

Daly, it was about one million additional revenue that we didn't anticipate.

Squires, until the State Budget comes out, sometimes late April, we don't have good final numbers on some of these programs. Budgeting is always an estimate and bit of an educated guess. The County has started to pay some of our bills via electronic transfer and I would like to thank Jim Orman, Paul Padlick, Terri Debiaw, Steve Tobin, Joann Hildebrant, Lorrie Bradtke, Kim Taggerty, and Michele Anthony for all their help with this process, two months in we have saved a total of \$36, 407.00, that is real savings.

Runkle, is there a quick projection on the electronic payments spread over a year?

Anthony, on average we are looking at about \$50,000 a year.

**CHAIRMAN'S REPORT:** Steven Cuddeback, the nursing students at Cayuga Community College will be accepting donations of clothing, bedding, soap, etc., and they will be taken by tractor trailer to people who have lost their homes and property from Hurricane Sandy, tomorrow is the last day to drop off items.

**APPOINTMENTS AND RE-APPOINTMENTS:**

**CCPUSA**

Paul Pinckney, 2035 Pinckney Rd., Auburn, NY

**Term**

11-27-12 – 3-31-16  
(unexpired term)

**Community Services Board**

Undersheriff James Stowell, 7445 County House Rd.,  
Auburn, NY

1/1/09-12/31/12  
(unexpired term)

Ryan Morrell, 216 Woodlawn Ave., Auburn, NY

1/1/12-12/31/15  
(Full vacant term)

Timothy Donovan, 133 Prospect St., Auburn, NY

1/1/13-12/31/16  
(2<sup>nd</sup> term)

Thomas J. McKellop, 32 Lake Ave., Auburn, NY

1/1/13-12/31/16  
(2<sup>nd</sup> term)

Toni Turner, 7286 Sherman Rd., Auburn, NY

1/1/13-12/31/16  
(2<sup>nd</sup> term)

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

**COMMUNICATIONS AND ANNOUNCEMENTS: NONE**

**RESOLUTION NO. 403-12**  
**11-27-12 AP Audit November 2012 (A)**  
**AUTHORIZING THE COUNTY TREASURER TO PAY**  
**OCTOBER 10-29, 2012 AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on November 27, 2012 audit claims against the County of Cayuga in the aggregate sum of \$874,142.18 therefore be it

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

RESOLVED, that the County Treasurer be and he hereby is authorized and directed to pay the several claims so audited and charge the amounts to the several appropriations made therefore in the County Budget finalized on December 13, 2011.

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

**RESOLUTION NO. 404-12**  
**11-27-12 AP Audit November 2012 (B)**  
**AUTHORIZING THE COUNTY TREASURER TO PAY**  
**OCTOBER 30-NOVEMBER 13-, 2012 AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on November 27, 2012 audit claims against the County of Cayuga in the aggregate sum of \$841,284.32 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, Pecher, Fearon, Pinckney, Runkle and Whitman, all in favor.

**RESOLUTION NO. 405-12**  
**(11/27/12) RP Sdgmaintenance**  
**AUTHORIZING THE OFFICE OF REAL PROPERTY TO RENEW**  
**A MAINTENANCE AGREEMENT WITH SYSTEMS**  
**DEVELOPMENT GROUP, INC. (SDG) FOR IMAGE MATE SOFTWARE**

By: David Axton, Chairman, Ways & Means Committee

WHEREAS, the County has Image Mate Professional Desktop Software to facilitate online public viewing of tax assessment and mapping information; and

WHEREAS, the annual fee for maintenance and support, which is needed to keep the software updated and operating smoothly, is due to Systems Development Group, Inc (SDG); and

WHEREAS, the total annual maintenance cost is \$1,500.00, which is presently budgeted in account A13554-54059, professional services, of the 2012 Cayuga County Budget; now therefore, be it

RESOLVED, that the Office of Real Property Tax Services department is authorized to renew the maintenance agreement with Systems Development Group, Inc. (SDG) for a cost not to exceed \$1,500; and also be it

RESOLVED, that the Chairman of the County Legislature is authorized to execute agreements with the Systems Development Group, Inc. (SDG).

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

**RESOLUTION NO. 406-12**

**(11/27/12) RP AutoCADrenewal**

**AUTHORIZING THE OFFICE OF REAL PROPERTY TAX SERVICES  
TO RENEW TWO AUTOCAD MAP 3D SUBSCRIPTIONS**

By: David Axton, Chairman, Ways & Means Committee

WHEREAS, the County Office of Real Property utilizes AutoCAD (Computer Aided Drafting) Map 3D software to digitally draft and edit tax maps on a daily basis, and without which would be both prohibitively time consuming and costly; and

WHEREAS, the annual subscription renewal that runs through 10/24/13, allows for the latest software upgrades necessary to continue to be compliant in the licensed use of the product through AutoDesk (developers of AutoCAD); and

WHEREAS, the total cost for the subscription renewal is \$1,225.54 and presently budgeted in account A13554-54018, Computer Software, of the 2012 Cayuga County Budget; and now therefore, be it

RESOLVED, that the Office of Real Property Tax Services department is hereby authorized to purchase the software subscription renewal through DLT Solutions whom are authorized AutoDesk resellers for a cost not to exceed \$1,225.54.

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

**RESOLUTION NO. 407-12**

**(11/27/2012) RP 2500orlesscorrofferror**

**AUTHORIZING CORRECTIONS OF REAL PROPERTY TAXES IN  
THE AMOUNT OF \$2,500 OR LESS BY THE COUNTY TREASURER**

By: David Axton, Chairman, Ways & Means Committee

WHEREAS, New York State Real Property Tax Law allows the County Legislature to delegate to the County Treasurer responsibility for making corrections and refunds of Real Property Taxes where the amount of the correction does not exceed \$2,500; and

WHEREAS, delegating that responsibility creates greater efficiency, saves taxpayer dollars by streamlining the process which takes less time of County personnel and ensures faster service to the effected property owners; now, therefore be it

RESOLVED, that pursuant to Sections 554 and 556 of the New York State Real Property Tax Law, the Cayuga County Legislature hereby authorizes the County Treasurer for the County of Cayuga to perform the duties of issuing refunds or corrections of taxes due as provided in said Real Property Tax Law Sections, where the recommended refund or correction is \$2,500 or less; and be it further

RESOLVED, that action by the County Treasurer is to be based on a sworn affidavit by the local assessing authority (Town Assessor) and the written report and recommendation of the Cayuga County Director of Real Property Tax Services; and be it further

RESOLVED, that the Director of Real Property Services will submit a monthly report for the precluding month to the Legislative Ways and Means Committee containing the: township; parcel number; owner; reason for correction; and the dollar amount of the correction or refund; and be it further

RESOLVED, that this resolution shall take effect immediately and is effective through the 2013 calendar year.

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

**RESOLUTION NO. 408-12**

**(November 27, 2012) RPS OwascoS&WCorrection2013**

**AUTHORIZING A CORRECTION OF REAL PROPERTY TAX ERRORS  
THROUGH THE LEVY OF OMITTED TAXES  
& REQUEST FOR REFUND OF TAXES**

By: David Axton, Chairman, Ways & Means Committee

WHEREAS, after a recent review of water and sewer property tax related billings by the Town of Owasco to the Cayuga County Parks Department, it has been determined that an adjustment is necessary and appropriate, and;

WHEREAS, pursuant to Real Property Tax Law Section 551-a, the Town of Owasco may bill the County of Cayuga for capital water and sewer district charges on 3 county owned parcels, commonly known as Emerson Park (TM# 123.04-1-72, 123.04-1-73 and 123.04-1-74), and;

WHEREAS, pursuant to Real Property Tax Law Section 556, Cayuga County is due a refund from the Town of Owasco on an overpayment of sewer operation and maintenance taxes paid on two county owned parcels, commonly known as part of Emerson Park (TM# 123.04-1-73 and 123.04-1-74), and;

WHEREAS, the detail of the previously referenced Omitted Tax & Tax Refund are as follows and will be handled as part of the 2013 County/Town tax process:

**OMITTED TAX CALCULATION  
(AMOUNT OF COUNTY TAXES DUE TO OWASCO)**

Parcel	Taxable	Est. Capital Sewer Rate	2012 Calc Sewer Tax	Est. Capital Water Rate	2012 Calc Water Tax	Total Omitted Tax
123.04-1-72	1,544,693.00	0.212195	\$ 327.78	1.010108	\$ 1,560.31	\$ 1,888.08
123.04-1-73	1,785,200.00	0.212195	\$ 378.81	1.010108	\$ 1,803.25	\$ 2,182.06
123.04-1-74	1,678,600.00	0.212195	\$ 356.19	1.010108	\$ 1,695.57	\$ 2,051.76
			<b>\$ 1,062.78</b>		<b>\$ 5,059.12</b>	<b>\$ 6,121.90</b>

**REFUND OF OVERPAYMENT CALCULATION (AMOUNT DUE TO CAYUGA COUNTY FROM OWASCO)**

Parcel	Taxable	SewerRate	2011Paid	2012Paid	Total Refund Due
123.04-1-73	1,785,200.00	2.978905	\$ 10,318.33	\$ -	\$ 10,318.33
123.04-1-74	1,678,600.00				
<i>Net Impact to Cayuga County after Reconciliation</i>					<b>\$ 4,196.43</b>

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

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

RESOLVED, that an Omitted Tax shall be levied against Cayuga County in the amount of \$6,121.90 and payable to the Town of Owasco as part of the 2013 Town/County tax roll, and be it further

RESOLVED, that Cayuga County shall also request a refund from the Town of Owasco for an overpayment of taxes in the amount of \$10,318.33.

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

**RESOLUTION NO. 409-12**

**(11/27/12) RP probatecostofservice**

**PRORATE COSTS OF SERVICE PROVIDED TO TOWNS**

By: David Axton, Chairman, Ways & Means Committee

WHEREAS, the County Legislature did by adoption of Local Law No. 1 of 1968, as amended by Local Law No. 3 of the year 1991, initiate a program of Tax Installment Collection; and

WHEREAS, the County of Cayuga does prepare the necessary forms to institute this installment collection service, as well as the preparation of new assessment rolls and extension of taxes on a yearly basis, and to cover computer expenses; and

WHEREAS, tabulating expenses in preparing Town and School Assessment Rolls is a Town charge; now therefore be it

RESOLVED, that the Office of Real Property Services is hereby authorized to prorate the cost back to the Towns on service performed by the County in the amount of \$67,891.87. This total is computed on one-third salary plus fringes of the Supervising RPTS Specialist (\$55,624.61), the Sr. GIS/Tax Map Technician (\$64,537.09), and the Director of RPTS (\$83,515.96). This cost is then prorated back to the towns by the number of parcels per town; and it is

RESOLVED, that the Office of Real Property Services is hereby authorized to charge the cost back to the Towns for the annual licensing fee for users of the New York State Real Property System, in the amount of \$25,100. This licensing fee has been established in accordance with Section 190-5.4(B) of the Rules for Real Property Tax Administration.

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

**RESOLUTION NO. 410-12**

**11/27/12 TRE TransFunction**

**AUTHORIZATION TO IMPLEMENT TRANSFER OF FUNCTION OF  
PAYROLL SYSTEMS SPECIALIST AND ASSISTANT PAYROLL SYSTEMS  
SPECIALIST FROM DATA PROCESSING DEPARTMENT TO  
THE COUNTY TREASURER'S DEPARTMENT**

David Axton, Chairman, Ways and Means Committee

WHEREAS, the Data Processing Department is being eliminated in order to properly align staff with the functions they are performing; and

WHEREAS, the Payroll Systems Specialist and Assistant Payroll Systems Specialist would move from the Data Processing Department to the County Treasurer's Department where the function fits in with the mission of the department; and

WHEREAS, in anticipating this transfer, the funding for the current Payroll Systems Specialist's and Assistant Payroll Systems Specialist's payroll and fringe benefits is being moved from the Data Processing Department to the County Treasurer's Department for the 2013 budget; now be it therefore

RESOLVED, that the Transfer of Function for these positions described above be hereby ordered and initiated with the effective date of transfer to be January 1, 2013, or as soon as practicable as directed by the County Attorney; and be it further

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

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

RESOLVED, that the Legislative Chairman be hereby authorized to enter into any agreements between these departments to implement the intent of this resolution; and be it further

RESOLVED, that the Transfer of Function be facilitated in accordance with NYS Civil Service Law, Cayuga County Civil Service Rules and Regulations, bargaining contracts, and the policies of the County of Cayuga.

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

### **RESOLUTION NO. 411-12**

**11/27/2012 RPS novmortgagetax**

#### **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 \$477,567.74, the same being the net amount collected from the taxation of mortgages for the period April 1, 2012, to September 30, 2012; and

WHEREAS, there is in the County Treasurer's Account No. T-58, the amount of \$477,567.74 which should be distributed among the City of Auburn and the Towns and Villages of the County; now therefore be it

RESOLVED, that the County Treasurer be directed and required to pay the sum of \$477,567.74 to the City of Auburn and the several Towns and Villages of the County of Cayuga in the following amounts:

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

City of Auburn	\$ 104,115.16	Montezuma	\$ 4,488.75
Aurelius	\$ 15,605.84	Moravia	\$ 18,225.67
Cayuga Vlg	\$ 1,170.53	Moravia Vlg	\$ 6,877.98
Brutus	\$ 11,563.51	Niles	\$ 14,554.94
Weedspport Vlg	\$ 6,010.51	Owasco	\$ 50,351.21
Cato	\$ 13,215.39	Scipio	\$ 6,041.22
Cato Vlg	\$ 467.18	Sempronius	\$ 9,776.22
Meridian Vlg	\$ 516.34	Sennett	\$ 33,278.42
Conquest	\$ 11,439.24	Springport	\$ 12,360.55
Fleming	\$ 29,382.52	Union Springs Vlg	\$ 4,336.18
Genoa	\$ 11,384.90	Sterling	\$ 15,282.79
Ira	\$ 15,582.92	Fair Haven Vlg	\$ 10,205.46
Cato Vlg	\$ 861.31	Summerhill	\$ 4,404.90
Ledyard	\$ 13,958.24	Throop	\$ 13,110.95
Aurora Vlg	\$ 2,875.74	Venice	\$ 5,174.10
Locke	\$ 9,795.43	Victory	\$ 9,746.71
Mentz	\$ 7,424.54		
Port Byron Vlg	\$ 3,982.38		
		<b>Grand Total</b>	<b>\$ 477,567.74</b>

**RESOLUTION NO. 412-12**

**11-27-12 COL UNDTAKCO.OFF 2013**

**ANNUAL RESOLUTION APPROVING AND FIXING UNDERTAKING FOR COUNTY OFFICIALS PURSUANT TO STATUTE.**

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

WHEREAS, the Public Officers Law, the County Law, the Social Services Law and other statutes of the State of NY provide that certain officials and employees of the County shall have an official undertaking which shall be to the effect that he/she will faithfully discharge the duties of his/her office and promptly account for and pay over all moneys or property received by him/her as such officer or in default thereof, that the party executing such undertaking will pay all damages, cost and expenses resulting from such default (hereafter “the undertaking”); and

WHEREAS, subsection 2 of section 11 of the Public Officers law provides that a blanket undertaking may be used in place of a person specific undertaking and the County has historically availed itself of that option; and

WHEREAS, the County regularly maintains Public Employee Dishonesty Coverage (including faithful performance of duty) with a \$500,000 limit per employee and a \$1,000 deductible; Now, therefore, be it

RESOLVED, that this County Legislature confirms that its Public Employee Dishonesty Coverage which covers all county employees and officers (including, but not limited to, those required by law to have an undertaking) written by its current insurance Company (or similar renewal thereof) in the amount of \$500,000 coverage (\$1,000 deductible) is hereby fixed and approved as sufficient and proper undertaking to satisfy the requirements of all of said statutes above referred to; and be it further

RESOLVED, that said undertaking, which covers each and every existing employee and officer and will cover each and every employee and officer to take office or employment during the term of the undertaking shall be deemed to be so fixed and approved as sufficient and proper undertaking statutorily for said existing employees and officers as well as future employees and officers commencing their duties hereafter unless the amount of the coverage is changed (thus requiring a new resolution approving it) or this resolution is superseded by a future resolution of this body; and be it further

RESOLVED, that this resolution shall be considered adequate approval of the subject matter for the entire year of 2013 and until a future resolution concerning the subject matter is adopted; and be it further

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

**RESOLUTION NO. 413-12**

**11.27.12 TRE cancellation of intpenaltyRev**

**AUTHORIZING THE CAYUGA COUNTY TREASURER TO CANCEL  
INTEREST AND PENALTIES ON TAX MAP NO. 109.04-1-8  
IN THE AMOUNT OF \$198.12**

BY: David Axton, Chair, Ways & Means Committee

WHEREAS, if the governing body of any tax district shall determine that it is for the best interests of the tax district, it shall have the power, by resolution, to authorize the enforcing officer to permit the cancellation in whole or in part of any interest, penalties or other charges imposed by law to which the tax district or any other municipal corporation shall be lawfully entitled; and

WHEREAS, the Ways and Means Committee reviews and approves the waiver of interest and penalty on the parcel commonly known as Tax Map No. 109.04-1-8; now therefore be it

RESOLVED, that the interest and penalties in the amount of \$198.12 on tax map no. 109.04-1-8 be waived.

Signed by Axton, Barski, Pecher, Fearon, Pinckney, Runkle and Whitman, all in favor, except Farrell abstained.

**\*Motion by Pecher** to reduce Majority/Minority Leaders by \$750.00 ( Legislature: A10101-51001) and fringes, seconded by Fearon. All in favor.

**RESOLUTION NO. 414-12**

**11/27/2012 COL Set Public Hearing to Adopt Budget13rev**

**SETTING DATE FOR PUBLIC HEARING ON TENTATIVE COUNTY BUDGET.**

BY: David Axton, Chairman, Ways & Means Committee

WHEREAS, a tentative County Budget for the year 2013 has been prepared and is hereby presented by the Budget Officer of the County of Cayuga; now, therefore, be it

RESOLVED, that the tentative budget as amended or revised by Resolution No. 415-12, reflecting appropriations, revenues and resultant effects for the year 2013, shall be submitted to a public hearing as required by Section 359 of the County Law; and be it further

RESOLVED, that the salaries for the Legislators shall be as follows:

Chairman	\$30,000
Vice Chairman	11,600
Majority and Minority Leaders	10,850 * reduced to <b>\$10,100</b>
Legislators	10,100
Additional for Chairs of standing Committees	2,000

And be it further

RESOLVED, that the salaries for the Official Elected and Appointed Officials (Part III) of the County Compensation Plan be set as outlined on the attached; and be it further

RESOLVED, that a public hearing on the budget for the year 2013 is set for December 5, 2012 at 6:00 PM, at the County Legislative Chambers and that the Legislature Clerk is hereby instructed to advertise same pursuant to law.

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

Motion by Fearon to strike District Attorney’s request entirely, seconded by Mahunik. Fearon states that his intent was to strike anything else that has to do with the DA’s request. Motion made as amended, Pinckney and Cuddeback oppose. All others in favor.

**RESOLUTION NO. 415-12**  
**11/27/12 COA Budget Recommendations 13.W&M**  
**WAYS AND MEANS RECOMMENDATION ON**  
**2012 BUDGET OFFICER’S TENTATIVE BUDGET.**

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

WHEREAS, the Ways and Means Committee has reviewed the 2013 County Tentative Budget that was filed with the Clerk of the Cayuga County Legislature; and

WHEREAS, the Ways and Means Committee has proposed certain changes, alterations or revisions in the tentative budget by identifying specific account lines that could be amended, added, or deleted; now, therefore be it

RESOLVED, that the Ways & Means Committee hereby submits the attached, as its proposed changes, alterations or revisions to the Budget Officer’s 2013 Tentative Budget, to the County Legislature for its consideration.

Signed by Axton, Barski, Pecher, Fearon, Pinckney, Runkle and Whitman.

**Motion by Pecher** to remove \$5,000 payment to Merry-Go-Round Playhouse A75404-54000, 2<sup>nd</sup> by Chapman.

**Discussion:**

Lattimore, business has grown; I think we should continue to sponsor this.

Pecher, I’m looking at charts submitted by Merry-G-Round Playhouse and they are projecting expenditure this year of \$5,476,000.00, I don’t think our \$5,000.00 is needed; it is time to start funding this things that are self-supporting.

Farrell, I think the \$5,000.00 is a worthwhile investment, when you look at the sales tax projections and the amount of folks that brings in. I think that \$5,000.00 gives us a return that is greater than that figure.

Fearon, there is the extra money that is coming in from parking also.

Didio, the Merry-Go-Round Theater affects every corner of Cayuga County, everyone benefits from it, it needs to continue to grow.

Pecher, none of the items that were mentioned by other people are going to be effected by not giving them \$5,000.00.

Lattimore, we sponsor a lot, either by tax property exemption, a lot of great industries in this county, employment is critical and I think it's a vote of support in going forward.

Farrell, could you clarify the resolution that is out there now?

Cuddeback, it is an amendment to not fund Merry-Go-Round for the sum of \$5,000.00 in 2013.

Squires, what is the offset, are you reducing the tax levy or reducing the use of fund balance.

Pecher, it doesn't matter, by taking it out it will up the fund balance automatically.

Fearon, should this be an amendment to the resolution or should it be separate.

Axton, I agree with George, any amendments by non-Ways & Means members would kind of defeat the purpose of that resolution, because the resolution is a Ways & Means resolution. I think these should be individual motions.

Cuddeback, there will be a venue for individual Legislators to ask for amendments to the budget.

Axton, call the original question.

Pecher, withdraws his amendment.

Aikman, can we know what the change in the tax levy is now that this resolution has been amended.

Cuddeback, we don't know, answer will be coming.

Resolution as amended, all in favor, except Pinckney and Cuddeback oppose.

**LEGISLATIVE CHANGES  
PASSED BY WAYS & MEANS COMMITTEE  
TO AMEND THE 2012 TENTATIVE BUDGET**

	<b>PAGE</b>	<b>REVENUE</b>	<b>EXPENSE</b>	<b>NEW TOTAL</b>
<b>LEGISLATIVE - CONTRACTUAL</b>				
Decrease A10104-54059 Professional Services	2		(80,000.00)	80,000.00
Reduce Fund Balance usage by		\$80,000	(80,000.00)	4,822,000.00
Decrease A10144-54505 CCPUSA	3		(35,000.00)	0.00
Increase A101644- Contingent CCPUSA	4		35,000.00	35,000.00
<b>DSS Equipment</b>				
Decrease A60102-52000 Equipment	107		(32,500.00)	5,000.00
Increase A60102-52100 Equipment - Trackable	107		32,500.00	32,500.00

**Planning**

Decrease A80204-54112 Mileage 136 (20,000.00) 2,000.00

Increase A87404-54059 Professional Services 139 20,000.00 25,000.00

**Probation**

Reduce Fund Balance usage by \$7,000 (7,000.00) 4,815,000.00

Increase A31400-41517 Probation DWI 72 7,000.00 17,000.00

**Clerk of Legislature**

Reduce Fund Balance usage by \$500 (500.00) 4,814,500.00

Decrease A10404-54067 Conf Fees 11 500.00 2,000.00

**County Clerk**

Reduce Fund Balance usage by \$1,500 (1,500.00) 4,813,000.00

Decrease A14104-54067 Conf Fees 40 1,500.00 900.00

**TOTAL** (82,000.00) (78,000.00)

**FUND BALANCE CHANGE** (89,000.00) 4,813,000.00

**TAX LEVY CHANGE** 0.00 35,064,161.00

Motion by Pecher, recalls his motion to remove \$5,000 payment to Merry-Go-Round. Cuddeback, I don't support amendment, we just saw a huge amount of money that wasn't spent last year that gets rolled over to this year.

Pecher, their own figures show that their government support of the Merry-Go-Round Playhouse is going up from \$314,000 last year to \$425,000 this year, that is a lot of money we are putting into it and I'm trying to cut \$5,000 out of our budget.

Motion failed all opposed, except Pecher and Whitman.

Motion by Aikman to restore \$7,500.00 to Cornell Cooperative Extension : A29804-54000 – reduce fund balance by \$7,500.00, seconded by Cuddeback.

Discussion:

Runkle, we are also keeping \$7,500 in Contingency, so we are increasing our total allocation. Is that going to come out of the tax levy.

Squires, fund balance.

Fearon, also after January 1, 2013 if we decide to move a penny of that it will take a 2/3 vote.

Motion approved, all in favor, except Whitman voting no.

Motion by Axton to increase the sales tax revenue by \$350,000.00, line A10100-41110 and it would also change the line A10154-54000 Sales Tax Distribution by \$175,000.00 and decrease the tax levy by \$175,000.00, 2<sup>nd</sup> by Fearon, all in favor.

Lattimore, I feel that our Wi-Fi in the south, our hot spots are the Libraries, how much is the decrease in funding for the libraries?

Squires, about \$2,000.00.

Lattimore, I would like to see that funding restored.

No support.

Motion by Farrell to amend the proposed salary for a second position at the E-911 Center and to offset the proposed salary in the fund balance, 2<sup>nd</sup> by Lattimore.

Discussion:

Chapman, I do not have that information that Mr. Farrell refers to, and he refers to a number 2 position, and while I feel that the position may be necessary I would rather that we did not put the cart before the horse, but do an evaluation of 911 and its needs and then address that through committee. I don't support any amendment to put money into the budget at this point for such a position.

Axton, I agree that a person should be cross trained to be able to do the duties in Denise's absence, but I will not support.

Lattimore, cross training is very important, should be done in all departments.

Fearon, at this point I don't want to add \$65,000 to our budget, we still have time.

Motion failed all opposed, except Lattimore, Farrell, Aikman and Pinckney.

Motion by Pecher to reduce Majority/Minority Leaders by \$750.00 ( Legislature: A10101-51001) and fringes, seconded by Fearon. All in favor.

Squires, we will incorporate these changes into the budget and print and new budget printed and will get that to you.

Cuddeback, Ms. Marinelli is it fair to say that we will have another roll over into the general fund as substantial as 2011 for this fiscal year.

Marinelli, we are estimating in 2012 that we have budgeted 4.8 million and are thinking we will use 2 million of that.

Cuddeback, so it won't be as large as last year?

Squires, correct.

Lattimore, in regards to the budget, medical is a big benefit that we give to our employees and is increasing and would like an update on the cost in regards to our budget, are we putting anything into reserve?

Squires, no.

Marinelli, with all the changes right now the tax levy increase is 1.47%.

**RESOLUTION NO. 416-12**

**(November 27, 2012) HD Childhood Lead Grant 2012-2013**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH THE NYS DEPARTMENT OF HEALTH TO PARTICIPATE IN THE 100% FUNDED “CHILDHOOD LEAD POISONING PREVENTION PROGRAM”**

BY: 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 a 100% reimbursable grant in the amount of \$48,904 from the NYS Department of Health called the “Childhood Lead Poisoning Prevention Program” grant for the period October 1, 2012 through September 30, 2013; and

WHEREAS, in order to carry out the terms of this grant, the 2012 Health Department Budget must be amended so as to provide the appropriations and revenues necessary to support the services connected with the grant; NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to enter into a contract with the NYS Department of Health to implement the “Childhood Lead Poisoning Prevention Program” grant for the period October 1, 2012 through September 30, 2013; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the following amendments to the 2012 Health Department Budget:

Increase Appropriation Account #A40284 54000 ..... \$48,904

Increase Revenue Account #A40280 43428 ..... \$48,904

and be it also

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

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

**RESOLUTION NO. 417-12**

**(November 27, 2012) HD Bike/Pedestrian/Wheel Sport Safety 2012**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH NYS FOR THE BIKE/PEDESTRIAN/WHEEL SPORT SAFETY PROGRAM**

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

WHEREAS, the State has offered the Cayuga County Health Department a grant of \$13,700 for the period October 1, 2012 through September 30, 2013 for the “Bike/Pedestrian/Wheel Sport Safety Program,” and

WHEREAS, the purpose of this project is to raise community awareness of wheelsport and pedestrian safety through a number of education activities, as well as distribute bicycle helmets to children of needy families in Cayuga County in hopes to decrease the incidence of motor vehicle accidents involving these groups; and

WHEREAS, it is our desire to participate in this project; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with New York State and accept funding in the amount of \$13,700 for the “Bike/Pedestrian /Wheel Sport Safety Program;” and be it further

RESOLVED, that the Director of Health & Human Services be authorized to enter into a subcontract with the Cayuga County Council on Physical Fitness in order to accomplish the goals of this grant; and be it also

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

Increase Revenue Account #A40270 43427 ..... \$13,700

Increase Appropriation Account #A40274 54000 ..... \$13,700

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

### **RESOLUTION NO. 418-12**

**(November 27, 2012) HS FSNEP Cornell Coop 2012**

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

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

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

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

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

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

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to accept 100% federal funding for the Food Stamp Nutrition Education Program for the period October 1, 2012 through September 30, 2013 in the amount of \$62,364, and enter into a contract for the above services with Cornell Cooperative Extension; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the Human Services 2012 budget in the following manner:

Increase Expenditure Account A60704 54227  
 Education Services to Recipients ..... \$62,364  
 Increase Revenue Account A60700 44670  
 Education Services to Recipients ..... \$62,364

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

**RESOLUTION NO. 419-12**

**(Nov. 27, 2012) HS Create & Fill Clerk FSMA**

**AUTHORIZATION TO CREATE AND FILL A CLERK POSITION IN FSMA UNIT OF HUMAN SERVICES AND ABOLISH AN AUDIT CLERK POSITION**

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

WHEREAS, there is an Audit Clerk Vacancy, position control #006366, in the Food Stamp/Medicaid Unit (FSMA) of Human Services Department due to the resignation of the incumbent effective October 19, 2012; and

WHEREAS, upon resignation of the Audit Clerk, Grade 5, the Department reviewed the duties performed by the incumbent and determined the duties could be performed by a Clerk, Grade 3; and

WHEREAS, the New Position Duties Statement has been submitted to the Civil Service Commission for classification as a Clerk, Grade 3; and

WHEREAS, there are funds available in the Human Services' 2012 budget to support the Clerk position, and the position is 55% funded (State & Federal); NOW, THEREFORE, BE IT

RESOLVED, that the Cayuga County Legislature create one Clerk position in the FSMA Division of Human Services; and be it further

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

RESOLVED, that upon the creation of the Clerk position in the FSMA unit of Human Services, the position of Audit Clerk will be abolished.

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

**RESOLUTION NO. 420-12**

**Action 11.27.12 MH PsychContractNov2012**

**AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES AND THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN A CONTRACT FOR PSYCHIATRIC SERVICES**

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, W. Joseph Touchstone, MD, PLLC has expressed an interest in providing services to the County on a contractual basis at a rate to be determined; 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 W. Joseph Touchstone, MD, PLLC 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, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

### RESOLUTION NO. 421-12

**Action: 11/27/12 MH agencycontracts11.2012**

#### **AUTHORIZING THE DIRECTOR OF COMMUNITY MENTAL HEALTH SERVICES AND THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN CONTRACTS WITH VARIOUS HUMAN SERVICE AGENCIES FOR SERVICES TO INDIVIDUALS WITH DISABILITIES.**

BY: Mr. Michael Chapman, Chair, Health and Human Services Committee

Mr. David Axton, Chair, Ways and Means Committee.

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

WHEREAS, appropriations are included in the Cayuga County Community Mental Health Center budget for the year 2013 for various programs; and now, therefore, be it

RESOLVED, that the Director of Community Mental Health Services and the Chairman of the Cayuga County Legislature be authorized to sign on behalf of the Local Governmental Unit various contracts for services to individuals with disabilities with the following agencies:

<b>AGENCY</b>	<b>DISABILITY</b>	<b>PROGRAM</b>	<b>AMOUNT</b>	<b>LINE ITEM</b>
Seneca Cayuga ARC	OPWDD	All Services	\$243,458	43514.54340
Cayuga Counseling	MH	CHILD RESP	\$39,344	43434.54302
	MH	PP	\$15,600	43434.54312
	MH	CCSI	\$35,020	43434.54314
Contact	MH	All Services	\$30,034	43484.54000
CHAD	OASAS	All Services	\$316,724	43504.54315
Unity House	OASAS	Halfway House	\$268,359	43504.54316
	MH	CSS	\$40,528	43464.54313
	MH	INTEG	\$190,268	43464.54317
	MH	S HOUS	\$23,020	43464.54320
	MH	HOUS	\$30,700	43464.54321
	MH	RESPITE	\$23,676	43464.54322

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

**RESOLUTION NO. 422-12**

**Action: 11.27.12 MH BudAdjustUH11.12**

**AMENDING THE MENTAL HEALTH 2012 BUDGET**

**TO INCREASE STATE AID FUNDING FOR UNITY HOUSE, INC.**

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 Federal and State Aid funding for programs to serve adults, children, and families with disabilities who reside in Cayuga County; and

WHEREAS, the State of New York has allocated additional state aid for Unity House, Inc. as an adjustment to funding which has been 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 Unity House, Inc. now, therefore, be it

RESOLVED, that 2012 budget be modified as follows:

Increase line	A43460-43497 Unity House (OMH).	Revenue by	\$ 3,837
Increase line	A43464-54321 Unity House	Expense by	\$ 3.837

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, Aikman, Lattimore, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 423-12**

**Action: 11/27/12 MH Rent Negotiations 11.2012rev**

**AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES**

**TO ENTER INTO NEGOTIATIONS REGARDING A LEASE AGREEMENT  
WITH UNITY HOUSE OF CAYUGA COUNTY, INC**

BY: Mr. Michael Chapman, Chair, Health and Human Services Committee  
Mr. David Axton, Chair, Ways and Means Committee.

WHEREAS, the Cayuga County Community Mental Health Center has available building space; and

WHEREAS, Unity House of Cayuga County, is in need of space for mental health programming; and

WHEREAS, many consumers participate in both County Mental Health and Unity House programming and co-location would provide an opportunity for improved communication and coordination as well as convenience for both staff and consumers; now, therefore, be it

RESOLVED, that the Director of Community Services is authorized to enter into negotiations regarding a lease with Unity House of Cayuga County, Inc. for three thousand (3,000) square feet in the Mental Health Building located at 146 North Street, Auburn, NY 13021; and be it further

RESOLVED, that the terms of the lease shall be presented by resolution to and reviewed by the Cayuga County Legislature prior to entering into any agreement.

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

**RESOLUTION NO. 424-12****November 27, 2012 NH lvbnk****AUTHORIZING THE CREATION OF A TEMPORARY LEAVE BANK  
FOR A CAYUGA COUNTY NURSING HOME EMPLOYEE**

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

BY: David Axton, Chairman Ways and Means Committee

WHEREAS, an employee of the Cayuga county Nursing Home has a son with a serious medical condition requiring care and distant treatment for an indefinite period of time; and

WHEREAS, this employee has worked for Cayuga County Nursing Home since April 11, 2003 and is expected to exhaust accruals due to this medical condition; 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 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 donations before additional days are utilized from the donors making multiple day donations.

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

**RESOLUTION NO. 425-12****11/27/2012 COL dogquarantine****DECLARING A 24 HOUR DOG QUARANTINE  
DURING THE WINTER SEASON.**

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

WHEREAS, the deer population in Cayuga County is suffering depredation due to dogs pursuing and killing deer, therefore be it

RESOLVED, that this Cayuga County Legislature hereby orders that all dogs in the County of Cayuga be securely confined for a period of twenty four hours per day, effective immediately and until April 30, 2013, pursuant to Article 7, Section 106 and 120 of the New York Agriculture Markets Law, and be it further,

RESOLVED, that the Clerk of the Legislature shall file a certified copy of this resolution with the New York State Commissioner of Agriculture and Markets and with the City Clerk of the City of Auburn and with the twenty three town clerks in Cayuga County. The Clerk of the Legislature shall also publish a copy of this resolution once in the officially designated newspapers in the county.

Signed by Fearon, Aikman, Didio, Lattimore and Farrell, all in favor.

**RESOLUTION NO. 426-12**  
**11/27/2012 COL NightQuarantineDogs**  
**AUTHORIZING THE CONTINUATION OF THE NIGHT**  
**QUARANTINE ON DOGS IN CAYUGA COUNTY.**

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

WHEREAS, the present night quarantine on dogs will soon expire, and

WHEREAS, it is the desire of this committee and the Cayuga County Legislature to have the night quarantine on dogs continued; therefore be it

RESOLVED, that this Legislature hereby orders that the night quarantine on dogs be continued until December 31, 2013 in accordance with Section 122 of the New York State Agriculture and Markets Law which defines "night" as between sunset and one hour after sunrise; and be it further

RESOLVED, that a certified copy of this resolution be forwarded to the New York State Commissioner of Agriculture and Markets, the Town Clerks of the twenty three Towns of the county and the City Clerk of the City of Auburn; and be it further,

RESOLVED, that the Clerk of the Legislature shall publish a copy of this resolution in our officially designated newspapers.

Signed by Fearon, Aikman, Didio, Lattimore and Farrell, all in favor

**RESOLUTION NO. 427-12**  
**11/27/12 COL annexfinalmeet12**  
**DESIGNATING DECEMBER 13, 2012, AS THE DATE OF**  
**THE FINAL MEETING OF THE CAYUGA COUNTY LEGISLATURE**  
**FOR THE FISCAL YEAR 2012.**

BY: Hon. George Fearon, Chairman, Government Operations

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

WHEREAS, at the November 27, 2012 meeting of the Cayuga County Legislature, it was agreed that the final meeting of the year be held on, December 13, 2012; now, therefore, be it

RESOLVED, that it is hereby confirmed that this December 13, 2012 meeting is hereby designated to be the final meeting of the Cayuga County Legislature for the fiscal year 2012, subject to the right of the Chairman to call a special meeting, if necessary.

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

**RESOLUTION NO. 428-12**  
**11.27.12 COA NON-BARGAINING-2012rev4**  
**SETTING SALARIES FOR PART II and PART IV OF THE COUNTY OF**  
**CAYUGA COMPENSATION PLAN FOR NON BARGAINING EMPLOYEES**  
**FOR THE YEAR 2012, AMENDING THE HEALTH INSURANCE PROGRAM,**  
**AS IT APPLIES TO NON-BARGAINING EMPLOYEES AND ELECTED**  
**OFFICIALS AND OFFERING VISION COVERAGE TO NON-BARGAINING**  
**EMPLOYEES AND ELECTED OFFICIALS.**

BY: Hon. George Fearon, Chair Government operations Committee

Hon. David Axton, Chairman, Ways & Means Committee.

WHEREAS, it is the intent of the Cayuga County Legislature to provide no salary adjustment for Part II and Part IV Non Bargaining employees for the fiscal year 2012; and

WHEREAS, the County will implement a 3-tier formulary prescription drug program for Non-Bargaining employees that will take effect as soon as practicable, but no sooner than 1/1/2013; and

WHEREAS, this new 3-tier drug formulary will result in lower health insurance premium contributions for both employees and the County; and

WHEREAS, the County will make vision coverage available to Non-Bargaining employees, at no cost to the County, as soon as practicable, which will allow vision coverage to help off-set employees' costs; NOW THEREFORE BE IT

RESOLVED, that the annual salaries for PART II and PART IV, NON BARGAINING EMPLOYEES for the year 2012 shall remain consistent with the salary those employees received in the fiscal year 2011; existing steps and longevity, as set forth in the County of Cayuga Compensation Plan, if applicable for Part II employees, shall continue; and be it further

RESOLVED, that the Longevity amounts and Increment/Longevity columns shall not be increased; and be it further

RESOLVED, except, as otherwise stated herein below, that the adjusted salaries as set forth in this resolution shall not apply to:

- A. ALL ELECTED OR APPOINTED FIXED TERM OFFICIALS IN PART III EXCEPT AS OTHERWISE PROVIDED BY LOCAL LAW
- B. EMPLOYEES REPRESENTED BY NYSNA PART I, CSEA PART I, SEACC Part I, DEPUTY SHERIFF POLICE ASSOCIATION PART I; and be it further

RESOLVED, that, except as otherwise stated herein, that non bargaining unit employees that are part time employees and temporary employees, shall be paid in accordance with PART I, PART II and/or PART IV of the Compensation Plans as applicable for 2012, as above modified, and under no circumstances shall they be allowed to exceed Step 1 of the Compensation Plans nor shall they be paid longevity and/or increments with the exception of LPN PT in the CCNH, PHD and CMH Departments; and be it further

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

RESOLVED, effective January 1, 2013, or as soon as practicable thereafter, that for all Non –Bargaining employees and elected officials, co-payments for prescription drugs through a retail pharmacy shall be as follows (employees shall receive a Thirty (30) day drug supply):

Generic	\$10.00
Preferred	\$25.00
Non-Preferred	\$40.00

And be if further

RESOLVED, that effective January 1, 2013, or as soon as practicable thereafter, that for all Non-bargaining employees and elected officials, co-payments for prescription drugs through a mail-order pharmacy shall be as follows (employees shall receive a ninety (90) day supply for a sixty (60) day supply co-payment):

Generic	\$20.00
Preferred	\$50.00
Non-Preferred	\$80.00

And be it further

RESOLVED, that as soon as practical, the County will make the vision coverage available to Non-Bargaining employees and elected officials at no cost to the County.

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

**RESOLUTION NO. 429-12**

**(11-27-2012) CC Simplifile/IngeoMOU**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO EXECUTE MEMORANDUM OF UNDERSTANDINGS WITH SIMPLIFILE LC AND CORPORATION SERVICES CORPORATION AND ITS WHOLLY-OWNED SUBSIDIARY IN GEO SYSTEMS, INC. TO ENABLE DELIVERY OF ELECTRONIC RECORDING DOCUMENTS IN THE CAYUGA COUNTY CLERKS OFFICE.**

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

MR. DAVID AXTON, Chairperson, Ways and Means Committee

WHEREAS, New York State Governor Andrew Cuomo signed into Law Chapter 549 of the Laws of 2011 permitting Electronic Recording (E-Recording) of Land Records in New York State, effective September 23, 2012; and

WHEREAS, over time, E-Recordings will be widely used and help with the efficiency of recording documents in the County Clerks Offices; and

WHEREAS, In order for the Cayuga County Clerk to receive the land documents to be E-Recorded, the County will agree to a Memorandum of Understanding (MOU) with Simplifile and Ingeo. The MOU states that these companies will deliver the documents leaving the County harmless and does not include a cost for the delivery of the documents; and

WHEREAS, the attached MOU's have been reviewed and approved by the Cayuga County Attorney; now be it

RESOLVED, that the Cayuga County Legislature, approve the two MOU's which will allow the County Clerk to receive the electronic recording of land documents commencing January 1, 2013.

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

**RESOLUTION NO. 430-12**

**11/27/12 ADM ITTransFunction**

**AUTHORIZATION TO IMPLEMENT TRANSFER OF FUNCTION OF SENIOR COMPUTER SYSTEMS TECHNICIAN (DP) FROM DATA PROCESSING DEPARTMENT TO THE INFORMATION TECHNOLOGY DEPARTMENT**

George Fearon, Chairman, Government Operations

WHEREAS, the Data Processing Department is being eliminated in order to properly align staff with the functions they are performing; and

WHEREAS, the Senior Computer Systems Technician (DP) would move from the Data Processing Department to the Information Technology Department where the function fits in with the mission of the department; and

WHEREAS, in anticipating this transfer, the funding for the current Senior Computer Systems Technician's payroll and fringe benefits is being moved from the Data Processing Department to the Information Technology Department for the 2013 budget; now be it therefore

RESOLVED, that the Transfer of Function for this position described above be hereby ordered and initiated with the effective date of transfer to be January 1, 2013, or as soon as practicable as directed by the County Attorney; and be it further

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

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

RESOLVED, that the Legislative Chairman be hereby authorized to enter into any agreements between these departments to implement the intent of this resolution; and be it further

RESOLVED, that the Transfer of Function be facilitated in accordance with NYS Civil Service Law, Cayuga County Civil Service Rules and Regulations, bargaining contracts, and the policies of the County of Cayuga.

Signed by Fearon, Aikman, Didio, Farrell, Lattimore, Pecher and Pinckney, all in favor.

### **RESOLUTION NO. 431-12**

#### **(11-27-12) G O NYS License**

#### **RESOLUTION IN OPPOSITION TO THE NEW YORK STATE DEPARTMENT OF MOTOR VEHICLES AWARDED A CONTRACT TO A FOREIGN COMPANY TO PRODUCE NYS DRIVERS LICENSES.**

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

MR. DAVID AXTON, Chairperson, Ways and Means Committee

WHEREAS, New York State Governor Andrew Cuomo, through the New York State Department of Motor Vehicles awarded the contract to produce New York State Driver's Licenses to a Canadian Company who was the highest bidder; and

WHEREAS, the Cayuga County Legislature fully realizes the importance of having the most secure document possible to avoid fraud and identity theft; and

WHEREAS, the Cayuga County Legislature is opposing the contract award for the following reasons: we believe that there is a company in the United States that is just as capable, if not more capable to produce a secure document at a lower cost to the taxpayers of New York State if a new and fair RFP is put out to all United State businesses; and

WHEREAS, we request that Governor Cuomo, take the lead and demand that his staff always explore American business capabilities first rather than consider using a foreign country's business to produce our New York State driver's licenses; now therefore be it

RESOLVED, that the Cayuga County Legislature opposes the new contract awarded to a foreign company and respectfully request that a new RFP be produced and offered to American companies; and be it further

RESOLVED, that the Cayuga County Legislature will send this resolution to our state representatives to request their support of our opposition.

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

**RESOLUTION NO. 432-12**

**November 27, 2012 PB greeninnovationgrant\_engineering**

**AWARDING ENGINEERING SERVICES FOR OWASCO FLATS WETLAND RESTORATION AND RIPARIAN BUFFERS INITIATIVE PROJECT AND AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO EXECUTE DOCUMENTS.**

BY: Mr. Stephen A. Barski, Chair, Planning and Economic Development Committee  
Mr. David R. Axton, Chair, Ways and Means Committee

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

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

WHEREAS, Capital "H" Project No.11-2 ( OWASCO FLATS WETLAND RESTORATION AND RIPARIAN BUFFERS INITIATIVE PROJECT) in an amount not to exceed \$712,500 with source of funding to be \$712,500 in grant funds was created by Resolution #316-11 on July 26, 2011; and

WHEREAS, the SEQR process for the project was conducted and the project was determined to have no significant negative environmental impacts in September 2011; and

WHEREAS, the County finalized its State Assistance Grant agreement with New York State Environmental Facilities Corporation in April of 2012; and

WHEREAS, professional engineering services are needed to prepare the final bid documents and perform construction administrative services; and

WHEREAS, Cayuga County may need minor supplemental services for archeology and tree removal to prepare the site so it is ready for construction to commence in the Spring of 2013; and

WHEREAS, a Request for Proposals for the Engineering Design and Construction Administration Services was released in October of 2012 and nine engineering firms attended the pre-proposal site tour on October 17, 2012; and

WHEREAS, six proposals were received on October 23, 2012 (see attached) and evaluated by County Planning, Highway and Soil and Water Conservation District personnel, concluding that the proposal from edr Companies, Syracuse, NY in association with Integrated River Solutions, Inc. and Prudent Engineering, not to exceed \$134,825 for engineering services and construction administration services, was the most responsive to the County's needs, now therefore be it

RESOLVED, that the firm of edr Companies, Syracuse, NY is awarded the engineering services contract for the work necessary for the project; and

RESOLVED, the Planning Department is authorized to solicit and award supplemental archeological services, not exceed \$5,000 and large tree removal services not to exceed \$10,000 if required; and

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute any and all documents and contracts required for the Owasco Flats Wetland Restoration and Riparian Buffers Initiative Project; and be it further

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

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

### **RESOLUTION NO. 433-12**

**November 27, 2012 PB-CCPUSA Contingency Legal Tech Funds ver5  
AUTHORIZING THE TRANSFER OF \$10,000 FROM FY 2012 CCPUSA  
CONTINGENCY ACCOUNT TO THE FY 2012 CCPUSA APPROPRIATION  
ACCOUNT FOR ALLOCATION TO THE CAYUGA COUNTY PUBLIC  
UTILITY SERVICES AGENCY (“CCPUSA”) FOR SECURING LEGAL  
AND TECHNICAL SERVICES RELATED TO ENERGY  
PROJECT DEVELOPMENT**

Stephen A. Barski, Chairman, Planning & Economic Development

David R. Axton, Chairman, Ways and Means Committee

WHEREAS, the Cayuga County Soil and Water Conservation District (“CCSWCD”) Community Digester Project (the “Digester”) is positioned, upon operation, to generate a certain amount of electricity and to distribute such electricity to various County and other agency facilities at the Cayuga County Natural Resource Center (“CCNRC”) at rates competitive with current and projected retail market rates for such electricity; and

WHEREAS, the Digester is projected to create available electricity in excess of the demand load and/or daily needs of the collective County and related Agency facilities within the CCNRC (the “excess energy”) leaving the CCSWCD with the limited option of selling the excess electricity back to the New York State Electric & Gas Utility (the “Utility”) as some percentage of the daily day-ahead market value of the commodity; and

WHEREAS, the CCPUSA was created by public referendum and local law in 2005 and thereby established as a public utility agency with the authority, on behalf of the Cayuga County, to operate as a public electric utility service with the power, among other things, to purchase electrical energy, gas or alternative energy form the State of New York, or from any state agency, or other municipal corporation or from any private or public corporation or other sources and to generate, transmit or distribute such energy to the County or for compensation to inhabitants of the County, and is therefore in the position to purchase and distribute the excess energy created by the County Digester if doing so could benefit both the County and the CCSWCD; and

WHEREAS, the CCSWCD and the CCPUSA have worked together to develop an alternative option to selling the excess energy back to the Utility, whereby:

- CCPUSA and the CCSWCD would enter into a Purchase Power Agreement (PPA) under which CCPUSA would purchase the excess energy produced by the Digester;
- CCPUSA would sell such excess electricity to other County facilities located outside of the CCNRC such that the electricity would be supplied by CCPUSA to the County facilities “behind the meter” and at rates competitive with current market retail rates offered by the Utility, thereby providing the potential to reduce the total amount of electricity purchased by the County at market rates from the Utility, thus reducing County energy costs by avoidance;
- The Net energy cost savings that may be realized by the County through the contractual relationship of CCPUSA, CCSWCD and the County could be accounted for by the County as either reduced facility/energy costs and/or the net cost of energy savings could be deducted from the current mortgage and related debt service between CCSWCD and Cayuga County on an ongoing accounting basis; and

WHEREAS, in addition to the project cited above, the CCPUSA wishes to secure technical assistance necessary to provide schematic analysis and related cost estimates for installation of CCPUSA-owned electric and/or gas distribution infrastructure at and/or proximate to the Cayuga County Industrial Park in Aurelius; and

WHEREAS, to advance these projects from the discussion and concept stage to the contract and implementation stage, the CCPUSA requires certain legal and technical services to establish rates and volumes associated with the excess energy, draft appropriate contracts and agreements between the participating entities, and secure technical assistance related to the County Industrial Park, and therefore needs access to a minimum of \$10,000 in CCPUSA budgeted funds from CCPUSA Contingent Account 10164-54505 to pay for these services; and

WHEREAS, the Cayuga County Legislature supports the CCPUSA role and responsibility to develop energy projects that provide benefits to the County and its related agencies, including the opportunity to reduce operating and energy costs at County facilities; and therefore wishes to provide the CCPUSA with access to CCPUSA contingency funds budgeted for technical and legal services associated with this CCPUSA project; and

WHEREAS, any and all contracts will need to be approved by the County Attorney’s Office before acceptance; NOW, THEREFORE, BE IT

RESOLVED, by the Cayuga County Legislature as follows:

1. The County Treasurer is hereby authorized and directed to transfer \$10,000.00 from CCPUSA Contingency Account A 10164-54505 to CCPUSA Appropriations Account A 10144 54505;
2. The County Treasurer is authorized to pay \$10,000.00 from CCPUSA Appropriations Account A 10144 54505 to CCPUSA upon receipt of a County voucher from CCPUSA for the agency’s use in securing legal and/or technical services for the project outlined in this Resolution; and be it further;

AND it is further

RESOLVED, that any and all contracts be reviewed and approved by the Cayuga County Attorney's Office before acceptance of the term(s) and agreement(s); and it is further

RESOLVED, that this resolution shall take effect immediately.

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

**RESOLUTION NO. 434-12**  
**(11-27-12) PT BOATSLIPPOLICY 11 12**  
**APPROVING A POLICY FOR UNAUTHORIZED**  
**USE OF BOAT SLIPS AT EMERSON PARK**

By: Tucker Whitman Chairperson, Public Works

David Axton Chairperson, Ways & Means Committee

WHEREAS; boat slips are available for rent by the day, week and season at Emerson Park; and

WHEREAS; contracts are entered into with the renter of the slip for exclusive use for the period of April 1<sup>st</sup> to November 1<sup>st</sup>; and

WHEREAS; signage is posted in the boat slip area clearly stating that the slips are for the use of renters only; and

WHEREAS; more and more often boats not belonging the renter are being parked and left for extended periods of time in the slip of a renter; and

WHEREAS; the renter has gone to the financial expense of securing the slip and should have unobstructed use of the slip as clearly outlined in the rental agreement; now therefore be it

RESOLVED; that the Cayuga County Legislature does hereby establish the following as policy for use of boat slips at Emerson Park by parties who have not paid for and entered into a rental agreement for said usage:

1. Fee: The boat owner shall pay a fee of \$50.00 a day for each day the boat occupies a slip,
2. Upon notification of illegal use of the slip, the Cayuga County Sherriff's Office (CCSO) will attempt to contact the boat owner and request relocation of the boat,
3. Should the CCSO be unable to make contact with the owner, or the owner not relocate the boat, the Park will relocate and chain the boat to another location and leave a message that the boat may be claimed by contacting the Park,
4. The Park will not release the boat until such time as \$50.00 fee for each day is received by the Park,
5. Should it be discovered by the CCSO that the boat was put in the slip temporarily due to operational issues, special consideration within reason will be given by the Park in regards to the timely removal of the boat; and be it further

RESOLVED, any fees collected will be deposited into Emerson Park revenue account A71100-42460 Boat Slip Rental.

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

**RESOLUTION NO. 435-12  
(11-27-12) PT OWLSIGN 11 12**

**APPROVING REPLACEMENT OF EXISTING OWASCO WATERSHED  
LAKE ASSOCIATION (OWLA) SIGN LOCATED WITHIN EMERSON PARK**

By: Tucker Whitman Chairperson, Public Works

David Axton Chairperson, Ways & Means Committee

WHEREAS; Legislator Didio recognizes and supports the efforts of OWLA, and fully supports their request to replace an existing sign in Emerson Park; and

WHEREAS; there is an existing 3' x4' sign within Emerson Park that is in disrepair and is showing signs of wear and tear; and

WHEREAS; the replacement sign will be no larger than the existing sign and will provide more information on the importance of preserving and protecting Owasco Lake and its watershed; and

WHEREAS; that Owasco Lake is the County's source of drinking water and is essential to recreation and Tourism; now therefore be it

RESOLVED; that Cayuga County supports the efforts of OWLA and in doing so does hereby allow the replacement of the existing OWLA sign located in Emerson Park with a new sign of the same size or less than the existing sign; and be it further

RESOLVED; that placement of the sign is subject to the approval of the Park Maintenance Supervisor; and be it further

RESOLVED; that repairs to the sign as needed by normal wear and tear as a result of the elements shall be the responsibility of OWLA.

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

**RESOLUTION NO. 436-12**

**11/28/12 PT Kayak Rental Vendor Rev 3 11 12**

**APPROVING RENTAL OF KAYAKS, CANOES, PADDLEBOARDS  
AND SIMILAR RECREATIONAL EQUIPMENT BY A VENDOR AT  
EMERSON PARK AND ALLOWING THE VENDOR TO PLACE  
A 12 FOOT BY 28 FOOT STORAGE SHED ON PARK PROPERTY**

By: Tucker Whitman Chairperson, Public Works

David Axton Chairperson, Ways & Means Committee

WHEREAS, a request has been received from Owasco Paddles LLC for permission to allow rental of kayaks, paddle boards, canoes and other similar equipment at Emerson Park; and

WHEREAS, Owasco Paddles LLC is also seeking permission for placement of a 12 foot by 28 foot storage shed within Emerson Park in which they would store their equipment; and

WHEREAS, although Emerson Park does have an existing vendor policy, this request is unique in that it includes the year round placement of the storage shed on park property; and

WHEREAS, the fees established within the existing vendor policy do not take into consideration placement of structures on park property for vending operations; now therefore be it

RESOLVED, that the Cayuga County Legislature does hereby approve the request of Owasco Paddles LLC for the rental of kayaks, paddle boards, canoes and other similar equipment at Emerson Park; and be it further

RESOLVED, that the Cayuga County Legislature does hereby approve the placement of the 12'X28' storage shed on park property, subject to the approval of the location, color and design of the structure by the Parks Commission; and be it further

RESOLVED, that because of the placement of the storage shed on park property, the annual vendor fee for Owasco Paddle LLC be set at \$400.00 (\$250 normal vending fee plus \$150 for placing the shed) plus a \$400.00 security deposit; and be it further

RESOLVED, that all other regulations as set forth in the existing vendor policy for Emerson Park be conformed to by Owasco Paddle LLC, and be it further

RESOLVED, the Cayuga County Attorney is hereby authorized and directed to modify the vendor agreement for Owasco Paddle LLC to allow the vendor and the shed. Signed by Whitman, Axton, Didio, Mahunik, Pecher, Runkle, Barski, Fearon, Pinckney and Whitman, all in favor.

### **RESOLUTION NO. 437-12**

**Date: 11/27/12 PT/BLD purchase 4x4 XUV 11 12 rev5**

### **AUTHORIZING THE JOINT PURCHASE AND USE OF A 4X4 CROSSOVER UTILITY VEHICLE (XUV) FOR PARKS AND TRAILS AND BUILDINGS AND GROUNDS DEPARTMENT**

By: Tucker Whitman Chairperson, Public Works

David Axton Chairperson, Ways & Means Committee

WHEREAS, the Parks Department struggles on a daily basis during the busy summer season to provide staff with transportation; and

WHEREAS, Emerson Park currently has two 6x6 John Deere Gators which are multipurpose vehicles similar to small pickup trucks and are used daily in the summer months for park maintenance, special events, for emergency purposes and on the county trails; and

WHEREAS, the Building and Grounds Department is responsible for snow removal at many locations and an 4x4 XUV with v- plow will allow them to quickly and effectively clear sidewalks and other areas that are not accessible by the plow trucks; and

WHEREAS, Buildings and Grounds sent out specification for a unit to 8 OGS vendors and 6 local vendors and received the following 4 quotes that met the specification sent out, Bentley Bros. NYS Contract, Kubota \$15,520.30, OPE Kawasaki Auburn \$16,694.62, Lakeland Equipment, NYS Contract John Deere, \$17,449.50 and O'Hara Machinery John Deere Auburn \$ 17,343.00;and

WHEREAS, the 2012 budgets for both the Parks and Trails and the Buildings and Grounds Departments contain funds that can be used to jointly purchase and share the equipment as a cost savings and as per County Purchasing Policy at least 3 quotes were obtained; now therefore be it

RESOLVED, that the cost of said 4x4 XUV with v- plow is to be equally split between the two departments and paid from the following accounts: transfer from Buildings Accounts A16204-54012 \$2,000.00, A16214-54012 \$2,000.00, A16234-54012 \$3,760.15 to Parks and Trails account A71102-52100; and be it further

RESOLVED, that the Parks and Trails and the Building and Grounds Departments are hereby authorized to purchase an 4x4 XUV with V- plow from Parks and Trails Account A71102-52100 to be shared by the departments that collectively meets the specifications of their needs from NYS Contract 22186, Bentley Bros. Kubota at a cost of \$15,520.30 and; and be it further

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

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

**RESOLUTION NO. 438-1**

**Date: November 27, 2012 hwyondsnormvlagree**

**AUTHORIZING THE COUNTY CHAIRMAN TO SIGN SNOW REMOVAL AGREEMENT WITH ONONDAGA COUNTY FOR 2012/2013**

BY: Tucker Whitman, 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 a portion of Onondaga County roads for reimbursement in the amount of \$2,442.00; and

WHEREAS, the present agreement expired on May 31, 2012; and

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

RESOLVED, to authorize the Chairman of the Cayuga County Legislature to sign the Snow and Ice Control Agreement with Onondaga County for 2012/2013.

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

**RESOLUTION NO. 439-12**

**Date: November 27, 2012 HWY fillsignmaintII4946**

**AUTHORIZING THE SUPERINTENDENT OF HIGHWAYS TO FILL A SIGN MAINTENANCE POSITION WITHIN THE HIGHWAY DEPARTMENT**

BY: Tucker Whitman, Public Works Committee

David Axton, Chairman, Ways & Means Committee

WHEREAS, a Sign Maintenance II position will be vacated on 11/30/12 due to retirement; and

WHEREAS, this Sign Maintenance II position is critical to the highway department's operations; and

WHEREAS, this position (Position Control #004946) 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, Mahunik, Pecher, Runkle, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 440-12****Date: November 27, 2012 HWY fillaborer2467****AUTHORIZING THE SUPERINTENDENT OF HIGHWAYS TO FILL  
A LABORER POSITION WITHIN THE HIGHWAY DEPARTMENT**

BY: Tucker Whitman, Public Works Committee

David Axton, Chairman, Ways &amp; Means Committee

WHEREAS, a Laborer position was vacated in June due to retirement; and

WHEREAS, this Laborer position is critical to the highway department's operations; and

WHEREAS, this position (Position Control #002467) 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, Mahunik, Pecher, Runkle, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 441-12****11/27/12 SHR DRYCLEANAWARD****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO SIGN A  
CONTRACT FOR DRY CLEANING SERVICES AT THE CAYUGA COUNTY  
SHERIFF'S OFFICE WITH MULDOON DRY CLEANERS OF AUBURN**

BY: Hon. Paul Pinckney, Chairman, Judicial &amp; Public Safety Committee

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

WHEREAS, on October 16, 2012, one bid was received and opened for providing dry cleaning services for the Cayuga

County Sheriff's Office for a one year period of time with option to extend each year for three years; and

WHEREAS, the two bids that were received were as follows:

Item	Dry Cleaning	Qty.	Muldoons	
#1	Uniform Shirts	40	\$3.00	\$120.00
#2	Uniform Pants	30	\$6.00	\$180.00
#3	2 Pc. Suit	5	\$12.00	\$ 60.00
#4	Dress Shirt	15	\$2.50	\$ 37.50

Item	Alterations	Est. Qty.	Unit Price
#1	Trousers Lengthen	As needed	\$14.00
#2	Trousers Shortened	As needed	\$14.00
#3	Trousers - waist in	As needed	\$14.00
#4	Trousers - waist out	As needed	\$14.00
#5	Zipper replacement	As needed	\$25.00
#7	Sleeves - shortened	As needed	\$20.00
#8	Sleeves - lengthen	As needed	\$20.00
#9	Patches - sewn on Large	As needed	\$5.00
#10	Patches - sewn on Small	As needed	\$2.50

RESOLVED, that the bid from Muldoon Dry Cleaners of Auburn to provide dry cleaning services at the prices stated above for Dry Cleaning and Alterations be awarded to Muldoon Dry Cleaners; and be it further

RESOLVED, that the Chairman of the County Legislature is hereby authorized and directed to sign a one-year contract for dry cleaning services with said vendor. Signed by Whitman, Axton, Didio, Mahunik, Pecher, Runkle, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 442-12**  
**(November 27, 2012) DA.ContingencyTransfer.2012**  
**INCREASING THE DISTRICT ATTORNEY'S 2012 A11654 54059**  
**PROFESSIONAL SERVICES ACCOUNT AND AUTHORIZING**  
**TRANSFER OF FUNDS FROM THE CONTINGENCY ACCOUNT**  
**TO PAY SAID INCREASES**

BY: Hon. Paul Pinckney, Chairman, Judicial & Public Safety, and  
 Hon. David Axton, Chairman, Ways and Means

WHEREAS, due to an unusual year, the District Attorney has recently incurred invoices totaling \$12,820.00 (resulting from three high profile cases for expert psychiatric services, examination, evaluation and testimony) by Michael J. Lynch, M.D., C.M. [People v. Ryan Brahney (murder trial), People v. Darrell McLane (Attempted murder case), and People v. Robert Knapp (child rape/serial molestation trial) all resulting in successful prosecutions and convictions]; and

WHEREAS, the District Attorney has insufficient funds (in the amount of \$8,820.00) remaining within the A11654 54059 Professional Services line item, and

WHEREAS, the Cayuga County Legislature is desirous of providing sufficient funds to prevent the interruption of the important business of prosecuting serious, violent crime here in the county; now therefore, be it

RESOLVED, that \$8,820.00 shall be transferred from the Contingency Fund to the District Attorney A11654 54059 Professional Services, and it is further

RESOLVED, the Cayuga County Treasurer be authorized and directed to make the necessary journal and accounting entries to accomplish the foregoing, and it is further

<u>Decrease</u>		
A10164 5400	Contingency	\$8,820.00
<u>Increase</u>		
A11654 54059	Professional Services	\$8,820.00

RESOLVED, that the District Attorney is hereby authorized to expend all funds in District Attorney A11654 54059 Professional Services to pay said invoices for expert services.

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

**RESOLUTION NO. 443-12**  
**(11/27/12) AC aptdirndep**

**APPOINTING ADMINISTRATOR INDIGENT DEFENDANTS,  
PART TIME, AND SETTING SALARIES FOR ADMINISTRATOR INDIGENT  
DEFENDANTS, PART TIME, AND DEPUTY ADMINISTRATOR INDIGENT  
DEFENDANTS, PART TIME**

BY: MR. PAUL PINCKNEY, Chairman, Judicial & Public Safety Committee  
MR. DAVID AXTON, Chairman, Ways & Means Committee

WHEREAS, the position of Administrator Indigent Defendants, Part Time is a one (1) year fixed term appointment; and

WHEREAS, Lloyd E. Hoskins has held the position as Administrator since January 1, 1994; and

WHEREAS, this Legislature has determined that Lloyd E. Hoskins is best qualified to fill this position; and

WHEREAS, the position of Deputy Administrator Indigent Defendants, Part Time is a one (1) year fixed term appointment; now, therefore, be it

RESOLVED, that Lloyd E. Hoskins is hereby appointed as Director Indigent Defendants, Part Time, to serve for one (1) year term commencing January 1, 2013 and ending December 31, 2013, and be it further

RESOLVED, that the salary for Director Indigent Defendants, Part Time, the 2013 calendar year thereafter shall be \$13,193.00; and be it further

RESOLVED, that the salary for Deputy Administrator Indigent Defendants, Part Time for the 2013 calendar year thereafter shall be \$6,928.00; and be it further

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

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

Motion by Didio to go into Executive Session at 8:18PM, re: the sale or lease of Real Property, 2<sup>nd</sup> by Farrell, all in favor.

Motion by Didio to come out of Executive Session at 8:50PM , 2<sup>nd</sup> by Pinckney, all in favor. No action taken.

Motion by Didio to adjourn at 8:51PM, 2<sup>nd</sup> by Pinckney, all in favor.

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

CALL TO ORDER: Hon. Steven E. Cuddeback, Chairman, AT 5:30PM.

ROLL CALL: Mary Jones, Clerk of the Legislature, all Legislators present, except excused Bennett and arriving late Barski at 5:45PM.

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

TOPIC: Public Hearing on the County Budget 5:30PM

Public Hearing opened at 5:34PM

Discussion:

Fearon, we need to make sure we create funding for the Cayuga County Fair.

Squires, preliminary budget given to each Legislator, will upload to box a spreadsheet that shows what the property tax rates would be, broken down by Town and Village.

Lattimore, will we have a chance to talk to our insurance provider to see what impact Obama Care is going to have, are they going to speak to us before the budget is passed?

Squires, I don't think so, our rates for insurance is locked in for 2013. My request to the consortium is that in January we have them come in and speak with the full Legislature and give an update.

Mahunik, line item A1450, Commissioner Board of Elections, we increase their by \$2,500.00 for a total of \$5,544.00, I would like to propose that we push that off to the next budget cycle, not to increase Salaries after the appointment has been made, shouldn't start until January 1 of next year.

Squires, that does make sense, would still achieve what my concern was, that the salaries weren't not competitive to attract people, add a little bit over a couple years.

Mahunik, I would rather double the jump next year and let people know what the salary would be. I guess I'm making that motion. No second.

**Public be Heard**

Dawn Wolff, Auburn, NY, I am here to represent Sue Dwyer, County Clerk, who is home sick. I would like to speak on the Q-matic system, we feel it is more important than ever. The State is doing a lot of on line transactions and promotes them as a place to do DMV transactions. The State has said that they will now give us 4% of any transaction that they process over \$567,000.00 worth of business, so we have already lost the first \$567,000.00 of business. The State pays 12.7% of any transaction that happens in the County Office, so we are losing approximately \$75,000.00 a year. The Q-matic system will make our customers more comfortable, and more efficient, be able to look at a customer paperwork to make sure they have everything. The state projected loss for last year was about \$72,000.00, this year we are projecting it to be over \$75,000.00.

Chapman, I'm not sure how getting a number and being able to sit down is going to prevent me from wanting to do business on line, because that seems to be the most convenient way. The process that you describe where someone would be available to examine paperwork on the way in and then you get a number.

Wolff, I haven't seen the system to see how it works, they would get a number and make sure they have the title, have the right things.

Chapman, why can't we do that now?

Wolff, without the system, I'm not sure, they can go to the information counter, but most people don't want to lose their place in line.

Fearon, I think this would help keep what we have, we are losing business to neighboring counties. I am totally in support of putting this in the budget.

Lattimore, my customers get the best service from our local people, I am in support.

Whitman, do we have the staff for this system.

Wolff, it would not require a new hire, the system would help to know when to use our part-timer.

Whitman, don't know if it will convince people to come to Auburn.

Mahunik, our biggest competitor is the on-line service, is there a way, we as the county, can provide that on-line service.

Wolff, no, it goes directly to the State web-site.

Mahunik, we can't create a mirror system of the state.

Wolff, no.

Aikman, how is this different from taking a ticket at Wegmans, that doesn't cost \$11,000.00.

Wolff, it is software that will be on a computer that we already have, there will be tickets, move people faster, and each station will have electronics to let people know when they are ready.

Runkle, is this any different than having a line form, just have people just go to information?

Wolff, the information counter is dual purpose, it also helps people with very sensitive information, we are trying to keep that confidential and have a separate area.

Pinckney, Florida has this and it works very well.

Farrell, neighboring counties that have gone to this, what kind of percentage in revenue increase have they seen?

Wolff, there is no way to tell.

Libby Messina, Finger Lakes Library System, letter from Kimberly Iraci Executive Director letter attached to original minutes.

Elaine Meyers, Trustee with Aurora Free Library, would ask for at least year, hold the cuts so the libraries can keep these vital intuitions running.

Discussion:

Lattimore, I am in favor of restoring the libraries funding. Tom have you studied the leverage with the state with our small portion?

Squires, we talked about it last year.

Pecher, what constitutes public support, tax dollars from the public aren't public support?

Robin Driscoll, Trustee Aurora Free Library, we do get money from our school budget, but we are subject to the tax override, so we are limited as to what we can make up for the consistent loss from the county. We did go to the voters and ask for additional funds, we can't make up the amount you are cutting from us.

Lattimore, how many taxing bodies to you use in your funding mechanism?

Driscoll, Village of Aurora, County and school tax funding. We do fundraisers, Grants and foundations, but these are not guarantee funds.

Lattimore, the Wi-Fi.

Driscoll, we offer free Wi-Fi, 24/7, 3 public computers, offer weekly classes on how to use computer and we do have high speed internet.

Lattimore, how much does the farming industry use your service?

Driscoll, I don't know.

Whitman, libraries are a great resource for communities, I don't like that they are getting funding through county tax dollars, Town and school. I think their funding needs to be in one place, and I think school tax dollars is the place. I am in support of decreases.

Driscoll, we can't make up it up as quick as your cutting, give us a longer period of time.

Squires, I have a lot of financial information, several of the libraries are sitting on substantial piles of fund balance and cash and are generating profit and I would be happy to summarize that for you and have it for you next Thursday.

Driscoll, I can't speak for all, but my library has a small fund and it's restricted, we can't use it to pay heat, those funds are not available for day to day operations.

Squires, you have mentioned a couple of times that your library is in an Historic Building, are you asking us to fund an Historic building or your library?

Driscoll, I don't know how you separate the two, we own the building.

Squires, maybe you should get out of the building.

Driscoll, we put in \$1,000 for maintenance, I don't think we are asking for excessive amounts to maintain the building, it is what it is. The building costs are only about 10% of our budget, half our budget is salaries and then we have fuel oil and electricity costs. Lattimore you don't have a large endowment?

Driscoll, no.

Meyers, with a Historic building you write grants, we have committee's that do that. We are working hard; we are not sitting on money. There are grants out there, but some can't be applied for because we don't have enough staff on hand to go for private money. We are asking for time, we would love to have the school district's support, but we can't do it in a year.

Whitman, one concern I see is increasing salaries, I don't see a lot of other increases in the budgets. I used to volunteer as a teenager; I am concerned in the drop in volunteers and the increase in paid staff.

Driscoll, my library has one librarian, one assistant librarian and a library aide. Our librarian and assistant librarian are paid each for 10 hours a week; it should be a 25 hour a week job for the librarian. We have volunteers that work the front desk, half our budget is for salaries.

Fearon, I am a professional retired librarian, some of the libraries are not in compliance with the ADA, and handicapped people can't get in or out of some of libraries.

Pecher, wasn't there an attempt made several years ago to start reducing the contribution to the libraries, when they became eligible for tax status, so it really isn't a surprise, this has been on going.

Meyers, your cuts are not making us be able to meet our mutual goal of sustainability.

Barski, do we fund any of the Seymour Library?

Squires, yes, \$4,800.00 in 2013 budget down from \$7,200.00 in 2012.

Fearon, the cuts were by a percentage, I think it was 25%.

Squires, works out to be 33%, introduced a few years ago.

Farrell, we fund 10 libraries, they were all given notice that there would be a reduction over time, presently we are going to be cutting about \$19,500.00 out of the library fund. We have two libraries coming to us, the others seem to be able to sustain it, is it possible to be able to separate the funding on the libraries to two out of the ten.

Squires, it is possible to do whatever the Legislature pleases.

Motion by Farrell to restore \$3,100.00 to the two libraries that are asking: Finger Lakes Library System, restore \$1,100.00 and Aurora Free Library restore \$2,000.00, 2<sup>nd</sup> by Lattimore.

Discussion:

Cuddeback, where would the money come from?

Farrell, what are the options, increase sales tax revenue or take from contingency?

Squires, remember the Finger Lakes Library System is not a library onto itself, it's a system, in 2011 the financial statements show an increase of \$167,000 in net assets, total net assets at the end of the year were \$1,581,000 there cash position was \$1,407,000.

Farrell, the conversation is going to continue, we put it to a motion, we put it to a vote, what they are asking for, is that we give it back.

Fearon, I don't support given to the tow libraries, you have three levels, the Finger Lakes System, Seymour, and all the rural libraries, if it does, it needs to be done across the board.

Lattimore, other libraries could be here as well.

Squires, middle ground, the county funds the library system, helps all the libraries.

Farrell, so the motion would have to be to restore the \$19,500?

Squires, no, I'm not saying that.

Farrell, resolution that would restore half of \$19,500.

Motion by Farrell to amend his motion to a 33% reduction across the board, a resolution that would restore half of that amount, so we would be reducing the total amount of \$19,500., 2<sup>nd</sup> by Pinckney

Runkle, to all the libraries.

Squires, so reinstate half of the cut to all the libraries?

Farrell, the \$19,500 would be reduced to half that, so instead of 33% it would be half.

Marinelli, it would be an increase of \$9,750. to the libraries line A74104 on page 7.

Pinckney, hopefully this will instill that next year will be doing the same thing.

Axton, yes, put on notice that each year this will probably happen.

Pecher, I believe that instead of coming out of fund balance it should come out of tax payers' pockets.

Mahunik, is there a way the libraries can tell us how many people come in and is that number going up, down?

Driscoll, every library does an analysis of this, to an extent.

Lisa Carr, Director of Seymour Library, all libraries in the State of New York are required to report all types of statistics to the state as part of the annual report. Included in that is circulation, number of people that come to programs, number of people, libraries across the state have seen a tremendous increase.

Mahunik, I would like to see the population information for next year.

Carr, each library has a chartered area that is determined by the state, the Seymour Library is chartered to serve 35,000 people, some of the people that we serve are not in our area. We can provide you with specific information on Cayuga County if you wish.

Mahunik, yes that would be great information.

Fearon, more and more students have to get on line and they need hi speed and they don't have at home so they go to a library. The Seymour Library just had their budget vote and it was carried by 20 to 1.

Carr, it was very gratifying.

Lattimore, we really need the volunteers.

Cuddeback calls the question.

**Motion by Farrell to amend his motion to restore \$9,750 to account A74104 (Libraries) out of fund balance, 2<sup>nd</sup> by Pinckney. Roll Call Vote, Ayes – Aikman, Chapman, Farrell, Pinckney, Runkle, Fearon, Barski and Lattimore. Noes – Didio, Pecher, Whitman, Axton, Mahunik and Cuddeback. Excused – Bennett.**

**Motion passed by roll call vote, 493/341/49**

Cuddeback closed Public Hearing at 6:38PM

Motion by Didio to adjourn at 6:39PM, 2<sup>nd</sup> by Whitman, all in favor.

**MINUTES**  
**CAYUGA COUNTY LEGISLATURE**  
**December 13, 2012 – 6:00PM**

**CALL TO ORDER:** Hon. Steven Cuddeback, Chairman, at 6:00PM

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

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**DEATHS: Our sincere condolences to the families and friends of:**

Ruth D. Mills, mother of former Cayuga County Chairman Roger Mills, passed away on December 3, 2012.

**PRESENTATIONS:**

Gregg Evans, Partner – Keeley Hines CPA, Testone, Marshall & Discenza LLP, report attached to original minutes.

**Discussion:**

Aikman, page 19, in tax receivables, can you tell me how much of that is sales tax and how much is property tax, if it is property tax, is it with or without penalties.

Evans, I will get back to you on that tomorrow.

Lattimore, you indicated that you did not do the audit for the consortium, other counties that you represent don't have the consortium, what are they doing in regards to the second phase of the Obama care?

Evans, we're not there yet with them, I can check back with you.

Farrell, during the budget process we talked about funds allocated in the budget for 2010, is this reflected in the numbers that were put back in that were un-spent from that?

Squires, the fund balance?

Farrell, line items, where there was excess of funds and it looked like they weren't going to be spent, how much money was turned into the general fund, does this report reflect that money?

Squires, yes for the year 2011

Lattimore, risk assessment, the person who has extensive knowledge of the county, who are you trying to identify?

Hines, a combination of the Treasurer's Office, County Administrator Office and your Internal Auditor, they would need to work together to have an effective risk assessment put together.

Runkle, only 2 material deficiencies 01 and 02.

Hines, 01, 02 and 03.

Runkle, were you privy to the comments from last year, were any of these on last year's comments?

Hines, I believe at least one of them is the financial reporting one and risk assessment.

**Discussion on 2013 Budget:**

Motion by Fearon that \$7,500 that is in the contingency account be specifically appropriated to the Cayuga County Youth Fair, 2<sup>nd</sup> by Chapman, all in favor, except Pinckney and Didio.

Fearon moves to increase County clerk's Budget: A14102-52000 Equipment - \$11,000.00 offset increase by the fund balance contribution, 2<sup>nd</sup> by Pinckney, all in favor.

Pinckney moves to increase District Attorney's budget: A11651-51003 overtime: A11651-58001 FICA (7.35%) and A11651-58005 Workers Comp. (3.3%) for a total of \$7,607.00, offset increase by the fund balance Contribution, 2<sup>nd</sup> by Fearon, all in favor.

**RESOLUTION NO. 444-12**  
**12/13/12 COL ADOPT BUDGET 2013 rev**  
**TO ADOPT THE COUNTY BUDGET FOR 2013**

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

WHEREAS, the Budget officer of the County of Cayuga in compliance with County Law, Section 354, has prepared and filed with the Clerk of the Cayuga County Legislature a tentative budget; and

WHEREAS, pursuant to County Law, Section 357, the Ways & Means Committee of this County Legislature, being the committee designated to review the tentative budget, has examined the budget and recommended changes; and

WHEREAS, the provisions of County Law, Section 358, have been complied with by the Cayuga County Legislature and pursuant to County Law, Section 359, a public hearing was held on **December 5, 2012** after advertisement as required by law; now, therefore, be it

RESOLVED, that the preliminary budget, as heretofore amended, be and hereby is adopted by this Legislature as the budget for the year 2013.

Approved by roll call vote, all voting in favor, except excused Whitman and Bennett.

**PROCLAMATIONS:**

Dana L. West High School, Port Byron, NY "Wreaths Across America".

**PUBLIC BE HEARD:**

If you wish to speak notify your Legislator, who will grant you privilege of the floor. You will be allowed to speak for 3 to 5 minutes. You must state your name and address. none

**MINUTES:** For Approval: 10-23-2012 and 11-8-2012, Motion by Didio, 2<sup>nd</sup> by Chapman, all in favor.

For Reading:

**CCC REPORT:** Diane Hutchinson, report attached to original minutes.

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

Aikman, Regional Planning Board is working on a vision CNY Sustainability Plan, which hopefully will put us in contention for 90 million dollars of revenue from the State of New York to implement sustainability projects and renewability energy projects.

Didio, reports: Alcohol & Substance Abuse Services, CHAD is in full swing, the more treatment at this facility the more revenue for the county. The drinking driver program is going well. Drug Court is down about 48 people, but are still moving forward and are celebrating their 10<sup>th</sup> year in February. Grace House is down about 16, they are waiting to hire another counselor. Mental Health is having a huge impact, suicide training. Owasco Lake Watershed Committee, tour sites of different farms that have problems and we are working with the Health Department and Sheriff's Department. NYSAC (Inter-county), meeting will be at the NYSAC conference in February.

Fearon, organic matter that might be in peoples yards, environmental if we had places that people could put that to decompose it would help protect the watershed.

Chapman, Mr. Runkle and Mr. Lattimore joined me today at the Nursing Home, we meet with a number of the staff and are very pleased to recognize two of our very dedicated nurses performed CPR on a resident back in October, there was immediate successful results and we would like to recognize these people and are glad they are on staff.

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

Discussion:

Lattimore, could you give us an up-date on Van Dyne that just sold in Onondaga County? Squires, on the County Nursing Home we are still waiting receipt of the Grant Disbursement Agreement from the State, which is the contract that will come to Mercy as the primary recipient of the grant, which lays out the final details of what the grant money will be spent for.

Lattimore, when will this board have to make a decision, from the time of the funding? Squires, when the agreement shows up, Mercy as the lead recipient will have 30 days to sign it and send it back to state and they will need a decision from Legislature as to whether the county is going to participate in that project.

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

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

**APPOINTMENTS AND RE-APPOINTMENTS:**

Cayuga County Elections Commissioners: (per Sec 3-204 of the NYS Election Law)  
Appointments are 4 year terms (1/1/2013 thru 12/31/2016)

Re-appointments:

Cherl Heary – Republican, 561 Dills Rd., Union Springs, NY

Katie Lacey – Democrat – 49 Chedell Place, Auburn, NY

**Mental Health Subcommittee**

Christine M. DeProsero 14 Aiken Drive, Auburn - new 4-yr. term beginning 1/1/13 - 12/31/16

Michael Greene 6948 Owasco Road, Auburn - new 4-yr. term beginning 1/1/13 - 12/31/16

**Board of Health – reappointments**

All terms run 4 years (1/1/2013 through 12/31/2016)

John Latanyshyn Represents outside City of Auburn, Pres. 1<sup>st</sup> Niagara Bank 268 Grant Ave., Auburn, NY 13021

Dr. Deborah Geer, Physician Rep, 143 North St., Auburn, NY 13021

Hans-Peter Pecher, Legislative Rep, 1219 Bartnick Rd., Genoa, NY 13071

**Cayuga County Industrial Development Agency (Tabled at Committee)**  
**NYS Department of Environmental Conservation and Office of Parks, Recreation and Historic Preservation Open Space Regional Advisory Committee**

Members serve until they resign or the County submits a new nomination  
Michele Wunderlich, Senior Planner (replaces Stephen Lynch, Director)

**Cayuga County Planning Board**

One Year Term: January 1, 2013 – December 31, 2013

Robert Amerman, Jr., (Secretary – Town of Summerhill) 13473 State Route 90, Locke, NY 13092

Patricia Bianconi, (Vice-Chairman – Village of Aurora)

**Cayuga County Water & Sewer Authority: (re-appointments)**

Francis Mitchell, 355 St. Route 34B, King Ferry, NY, term: 1/1/2013 thru 12/31/2015

Robert Reohr, 1513 Great Gully Rd., Union Springs, NY, term: 1/1/2013 thru 12/31/2015

William McVea, 14948 West Bay Rd., Sterling, NY, term: 1/1/2013 thru 12/31/2015

**Cayuga County Park's Commission:**

Amy L. Chirco, PO Box 720, Weedsport, NY 13116, term: 1/1/2013 thru 12/31/2014

Keith Batman, 3649 Keesee Rd., Moravia, NY; term: 1/1/2013 thru 12/31/2014 (re-appointment)

Brian Soper, 1641 Old State Road, Sterling, NY; term: 1/1/2013 thru 12/31/2014 (re-appointment)

**Commissioner of Juror**

Kelly J. Wejko, County Court Clerk, 152 Genesee Street, Auburn, NY; term 1/3/2012 to 12/31/2016

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

**COMMUNICATIONS AND ANNOUNCEMENTS:**

**Letter to M. Jones, Clerk from Senator John A. DeFrancisco acknowledging receipt of Resolution No. 431-12 to in Opposition to the NYS Department of Motor Vehicles awarding a contract to a foreign company to produce drivers licenses.**

**RESOLUTIONS**

**RESOLUTION NO. 445-12**

**12-13-12 AP Audit December 2012 (A)**

**AUTHORIZING THE COUNTY TREASURER TO PAY  
NOVEMBER 14- 26-, 2012 AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on December 13, 2012 audit claims against the County of Cayuga in the aggregate sum of \$529,161.86 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.

**Motion by Axton, 2<sup>nd</sup> by Aikman.****RESOLUTION NO. 446-12****12-13-12 AP Audit December 2012 (B)****AUTHORIZING THE COUNTY TREASURER TO PAY  
NOVEMBER 27-DECEMBER 10, 2012 AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on December 13, 2012 audit claims against the County of Cayuga in the aggregate sum of \$1,832,469.07 therefore be it

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

RESOLVED, that the County Treasurer be and he hereby is authorized and directed to pay the several claims so audited and charge the amounts to the several appropriations made therefore in the County Budget finalized on December 13, 2011.

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

**RESOLUTION NO. 447-12****(12/13/12) RPS extendlevy13****AUTHORIZING THE DIRECTOR OF REAL PROPERTY TAX SERVICES  
TO EXTEND THE LEVY OF TAXES, ESTABLISH RATES  
FOR THE SAME AND RELEVY UNPAID ITEMS**

BY: David Axton, Chairman, Ways &amp; Means Committee

WHEREAS, the Director of Real Property Tax Services has received from various municipal subdivisions of Cayuga County a report of delinquencies in the payment of village and school taxes, unpaid water and sewer services as provided by the various municipal subdivisions including the CCSWA; and

WHEREAS, the Director of Real Property Tax Services has received adopted budgets for each of the Towns of Cayuga County including special districts establishing a real property tax levy for each; and now, therefore be it

RESOLVED, that the Director of Real Property Tax Services is hereby authorized as follows:

To relevy on the appropriate properties any delinquencies in the aforementioned categories and additionally to relevy the appropriate amounts submitted by resolution of the towns and/or villages.

To set the rates for town purposes, including special districts, and for County tax purposes, said amounts being based on **Resolution No. 447-12** adopting the County budget for 2013, approved by the Cayuga County Legislature on December 13, 2012, and resolutions passed by the other 32 municipal subdivisions of the County, adopting their respective budgets for 2013; and be it further

RESOLVED, that the Director of Real Property Tax Services shall furnish, in a timely manner, to the County Legislature and various town supervisors a list of the tax rates for town, county and special districts.

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

**RESOLUTION NO. 448-12**

**12/13/12 COL ctytax2013**

**DIRECTING THE LEVY OF TAX AGAINST**

**THE CITY OF AUBURN FOR COUNTY PURPOSES FOR 2013**

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

WHEREAS, the total amount of taxes levied against the County of Cayuga for the year 2013, in accord with Section 360 of the County Law, and pursuant to the duly adopted County Budget for 2013 in which the City of Auburn participates is \$ 35,694,567.00; and

WHEREAS, apportionments of this amount to all municipalities have been made and determined by applying the equalization table as adopted by Resolution No. 379-12 on October 23, 2012,

RESOLVED, that the City of Auburn's share of County Taxes is computed to be \$7,858,560.97 for 2013, which is directed to be levied against city properties; and be it further

RESOLVED, effective January 1, 2013, there is due and payable to the Cayuga County Treasurer by the City of Auburn residents for County Tax Purposes for 2013, the following amount A430 charges covering expenses related to the preparation and mailing of tax bills to city residents for county taxes, a total of \$2,262.29 to be spread on the County tax bills going to city property owners; and be it further

RESOLVED, that the proportionate share for the City of Auburn for the Community College charges per Resolution No. 451-12, duly adopted on December 13, 2012 is \$ 132,780.16, due and payable to the County Treasurer to be itemized on the county tax bills going to city property owners; and be it further

RESOLVED, that the Clerk of the Legislature be and he is hereby directed to deliver and file with the City of Auburn, a certified copy of this resolution.

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

**RESOLUTION NO. 449-12**

**(12/13/12) RPS AnnualBudget13-revised**

**LEVY TAXES PROVIDED FOR IN THE ADOPTED ANNUAL BUDGETS  
OF THE TOWNS AND FIRE DISTRICTS OF CAYUGA COUNTY**

By: David Axton, Chairman, Ways & Means Committee

WHEREAS, New York State Real Property Tax Law (Section 900) and Town Law (Section 115) directs the County to levy taxes in the amounts specified in the annually adopted budgets of each town and fire district, and

WHEREAS, a duly certified copy of the annual budget of each of the several Towns, Special Districts and Fire Districts of the County of Cayuga for the fiscal year beginning January 1, 2013 has been submitted to the County; now, therefore be it

RESOLVED, that there shall be and hereby are taxes levied based upon the taxable value of real property situated in each of the Towns, in the amounts indicated and as specified in the budgets adopted in each of the respective Towns within the County (see attached list of budgets); and be it further

RESOLVED, that there shall be and hereby is assessed and collected from the real property within the respective fire protection districts and other special districts in the amounts indicated for the purpose of such districts as specified in the respective adopted annual budget (see attached).

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

<b>Code</b>	<b>Town</b>	<b>District</b>	<b>Total Taxable Value</b>	<b>Amount to Raise</b>
FD201	<b>Aurelius</b>	Fire District	211,460,462	270,168.00
LD201		Elmhurst Light	10,941,730	3,000.00
LD202		Mullen Drive Light	2,745,900	900.00
SD201	(units)	Elmhurst Sewer	88.00	11,000.00
WD201		Water 1	18,654,641	44,285.00
WD202		Water 2	61,870,118	24,264.00
WD203		Water 3	10,978,900	0.00
WD206	(with Fleming)	Co Water District 3 Phase 1A	10,940,729	13,957.45
LD221	<b>Brutus</b>	Shadybrook Light	1,150,000	3,771.00
WD221	(units)	Eastern Brutus Water Dist 2	701.00	171,000.00
WD 223	(units)	Water District 3	16.00	7,875.00
WD 224	(units)	Water District # 4	6.00	3,558.00
WD226	(units)	Water District # 6	4.00	500.00
SD221	(units)	Sewer District # 1	4.00	1150.00
WD227	(units)	Water District # 7	48.04	9512.00
WD228	(units)	Water District # 8	85.00	28030.00
FD241	<b>Cato</b>	Fire Protection, Meridian	82,844,541	92,553.00
FD242		Fire Protection, Cato	19,381,882	24,983.00
FD243		Fire Protection, Weedsport	29,819,415	22,893.00
AM241	town & two vlgs	Ambulance Service	125,577,821	28,516.00
FP261	<b>Conquest</b>	Fire Protection	90,720,093	88,000.00
LD261		Conquest Light	2,527,177	1,500.00
FP281	<b>Fleming</b>	Fire Protection	90,101,050.00	197,700.00
LD281		Lakeview Light	1,010,430.00	800.00
LD282		Lake Avenue Light	736,707.00	550.00
LD283	(units)	Owasco Terrace Light	21.00	550.00
SD281	(units)	General Sewer (special)	676.50	43,730.00
SD282	(units)	Sewer O&M	671.50	174,000.00
WD281	(units)	Water #1 (special)	967.75	104,229.00
WD282	(with Aurelius)	Co Water District 3 Phase 1A	147,640.00	504.55
WD283	(units)	Water O&M	948.25	115,000.00
WD286	units	Water District # 6	56.40	37,111.00
DD281	units	Forest Hill Drainage	14.00	350.00
SL281		Seymour Library	62,477,061.00	78,116.78

FD301	<b>Genoa</b>	Fire District, King Ferry	101,109,119.00	55,686.46
FD302		Fire District, Genoa	70,567,517.00	105,145.33
LD301		King Ferry Light	7,648,400.00	3,800.00
LD302		Genoa Light	12,323,269.00	7,000.00
WD301		Genoa/King Ferry Water	26,722,242.00	29,000.00
FP321	<b>Ira</b>	Fire Protection, Ira	63,673,744.00	86,316.00
FP322		Fire Protection, Cato	31,338,400.00	42,482.00
LD321		Light	1,118,220.00	2,000.00
FD341	<b>Ledyard</b>	Fire District, King Ferry	21,074,798.00	11,607.07
FD342		Fire District, SLV	43,278,315.00	37,802.23
FD343	(town)	Fire District Aurora/Ledyard	78,383,836.00	92,712.37
FD344	(village)	Fire District Aurora/Ledyard	46,617,900.00	55,139.63
AM341	(town)	Southern Cay. Ambulance	60,711,274	18,750.00
FD361	<b>Locke</b>	Fire District	82,332,644.00	143,073.00
LD361		Light	11,196,242.00	5,495.00
FP381	<b>Mentz</b>	Fire Protection	49,022,635.00	77,903.00
FD401	<b>Montezuma</b>	Fire District	51,672,270.00	97,700.00
FD422	<b>Moravia</b>	Fire District, Joint (town)	94,602,041.00	94,091.59
FD423		Fire District, Joint (village)	53,387,484.00	53,099.41
FD441	<b>Niles</b>	Fire District, Three Town	235,733,960.00	269,775.38
GR441	(units)	Garbage & Refuse	797.50	125,000.00
FD461	<b>Owasco</b>	<b>Fire District</b>	314,063,973.00	439,574.00
SD461		Sewer 1 OM	145,152,789.00	411,170.75
SD465	precalculated	Sewer 1 Ext SPEC	pre calc	1,178.40
SD466	(units)	Sewer 2 CC	239.50	57,820.68
SD467		Sewer 2 OM	54,823,274.00	15,300.00
SL461		Seymour Library	314,260,389.00	164,809.16
WD461		Water 1 OM	274,633,562.00	74,422.55
WD462	(units)	Water 1 FL7 CC SPEC	10.50	3,964.44
WD463	(units)	Water 1 FL9 CC SPEC	24.00	7,621.65
SD468	(units)	Sewer 1 Rehab CC	1,239.00	73,854.40
SD469	precalculated	Sewer #2 Grinder pumps	pre calc	5,288.34
SD470	precalculated	Sewer#2 Gravity Lines	pre calc	900.00
SD471	(units)	Swr#2 Grinder pumps O&M	95.00	22,485.55
SD472	(units)	Sw#1 Melrose/Havens Improve.	999.50	38,339.08
FD481	<b>Scipio</b>	Fire District, SLV	114,598,534.00	102,141.00

FD501	<b>Sempronius</b>	Fire District, Three Town	74,543,132.00	355,083.00
FD521	<b>Sennett</b>	Fire District	326,095,589.00	349,881.00
LD521		Light District, Sennett	16,114,061.00	2,900.00
LD522		Light District, Butera Drive	7,044,464.00	1,100.00
SD522	(units)	Sewer O & M	317.00	203,825.00
SD525		Sewer Capital Project	35,811,271.00	22,820.00
SL521		Seymour Library	105,366,903.00	49,179.71
WD521		Water 1	40,110,460.00	16,948.00
WD522		Water 2	60,100,996.00	34,628.00
WD523		Water 3 service	28,585,991.00	25,888.00
WD525	(units)	Water 5	3.50	250.00
WD526		Water 6	4,473,446.00	5,923.00
WD528		Water 6 ext	4,868,526.00	4,000.00
WD529		Water 1 Capital Project	44,253,950.00	22,200.00
WD530		Water 3 Capital Project	30,680,338.00	6,750.00
WD532	(units)	Water Debt Extension	18.00	9,500.00
WD533		Water 6 Ext curr user Cap Cost	8,614,800.00	2,891.00
WD534		Water 6 ext non user Cap Cost	20,584,660.00	53,425.00
WD535		Water 6 ext non user O & M	22,639,260.00	18,758.00
WD536		Water 2 ext curr user Cap Cost	60,505,816.00	33,978.00
WD538		Water 6 Ext 2007 Cap Cost	3,691,100	17,000.00
FD541	<b>Springport</b>	Fire District, town	115,464,912.00	139,231.21
FD542		Fire District, village	56,418,165.00	68,030.79
SD541	(units)	Sewer District 1	372.00	103,169.63
SD542	(units)	Sewer District 1 ext 1	42.00	11,648.18
WD541	(units)	Water District 1	372.00	95,313.09
WD542	(units)	Water District 1 ext 1	42.00	10,761.16
WD543	(units)	Water District 1 ext 2	17.00	10,722.00
WD544	(units)	Water District # 2	305.00	192,335.00
WD546	(units)	WD 2 Vac. Agricult	81.00	21304
WD547	(units)	WD 2 Vac. Residential	3.00	790
FP561	<b>Sterling</b>	Fire Protection, Fair Haven #1	70,802,554.00	63,685.00
FP562		Fire Protection, Fair Haven #2	28,949,200.00	29,079.00
FP563		Fire Protection, Red Creek	15,663,868.00	16,653.00
LD561		Light District, Sterling	3,431,420.00	1,480.00
LD562		Light District, Martville	4,200,193.00	2,300.00
SD561vlg		County Sewer Phase 1A	72.05	14,410.00
SD561tov		County Sewer Phase 1A	1.00	200.00
SD562 vlg		County Sewer Phase 1B	260.10	52,020.00
SD563 vlg (units)		County Sewer Phase 2	138.90	27,780.00
SD563 tov (units)		County Sewer Phase 2	71.45	14,290.00
SD565tov (units)		County Sewer Phase 4	12.00	2,400.00
SD565vlg (units)		County Sewer Phase 4	175.30	35,060.00
SD567 vlg		Co. Sew Phase 1c-1e	169.20	33,840.00
SD567tov		Co. Sew Phase 1c-1e	9.80	1,960.00

FD601	<b>Throop</b>	Fire District	112,711,441.00	168,000.00
WD601		Water District	36,247,758.00	125,500.00
FD621	<b>Venice</b>	Fire District, SLV	68,733,782.00	60,036.77
FD622		Fire District, Genoa	16,923,985.00	25,216.67
FD623		Fire District, King Ferry	6,275,863.00	3,456.47
LD621		Light District, Poplar Ridge	6,435,700.00	180.00
FP641	<b>Victory</b>	Fire Protection, Victory	54,898,935.00	71,369.00
FP642		Fire Protection, Cato	4,068,141.00	4,922.00
FP643		Fire Protection, Red Creek	13,825,800.00	16,803.00
LD641	(units)	Light District, Victory	52.00	1,400.00
LD642	(units)	Light District, Westbury	34.00	500.00

**RESOLUTION NO. 450-12**

**(12/13/12) RPS village tax relevy)**

**LEVY RETURNED VILLAGE TAXES & AUTHORIZE  
THE COUNTY TREASURER TO PAY SAME**

By: David Axton, Chairman, Ways & Means Committee

WHEREAS, Cayuga County Local Law #3 for 1987 provides for the collection of certain Delinquent Village Taxes by the County of Cayuga; now, therefore be it

RESOLVED, that the following claims from the various Villages within Cayuga County, including 7 percent added by the County Treasurer, be audited and allowed and the same be placed upon the Tax Assessment Rolls, and added to the tax on the various parcels for the amounts shown on the Returned Village tax forms which are filed in the County Treasurer's Office by the various Village Tax Collectors and Treasurers in the County of Cayuga, and be it further

RESOLVED, that the County Treasurer be authorized and directed to pay the various Villages the amounts returned by each and to retain the 7 percent penalty as indicated:

<b>Village</b>	<b>Returned Village Taxes</b>	<b>County 7% Penalty</b>	<b>Relevied Village Taxes</b>
Aurora	3,415.26	239.07	3,654.33
Cato in Cato	3,284.60	229.93	3,514.53
Cato in Ira	1,589.99	111.29	1,701.28
Cayuga	10,653.64	745.75	11,399.39
Fair Haven	12,454.00	871.78	13,325.78
Meridian	4,083.25	285.81	4,369.06
Moravia	23,897.34	1,672.82	25,570.16
Port Byron	64,104.56	4,487.32	68,591.88
Union Springs	16,889.26	1,182.20	18,071.46
Weedspport	10,754.12	752.78	11,506.90
<b>Totals</b>	<b>151,126.02</b>	<b>10,578.75</b>	<b>161,704.77</b>

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

**RESOLUTION NO. 451-12****(12/13/2012) RPS collegeChargeback****AUTHORIZE DIRECTOR OF REAL PROPERTY SERVICES****TO APPORTION COMMUNITY COLLEGE COSTS FOR TAX PURPOSES**

By: David Axton, Chairman, Ways &amp; Means Committee

WHEREAS, The Cayuga County Treasurer's has provided figures to be levied back against several municipalities; now therefore be it

RESOLVED, that the Office of Real Property Services is hereby authorized to charge the several municipalities, on the 2013 county/town tax bills, the costs as certified by the County Treasurer for Community College purposes as follows:

City of Auburn	132,780.16	Town of Moravia	50,812.83
Town of Aurelius	16,864.36	Town of Niles	20,431.26
Town of Brutus	32,921.78	Town of Owasco	42,550.66
Town of Cato	18,749.26	Town of Scipio	20,357.33
Town of Conquest	13,963.80	Town of Sempronius	10,909.13
Town of Fleming	13,881.02	Town of Sennett	21,133.16
Town of Genoa	28,794.96	Town of Springport	14,953.23
Town of Ira	13,087.52	Town of Sterling	16,662.17
Town of Ledyard	12,601.29	Town of Summerhill	40,543.60
Town of Locke	34,141.01	Town of Throop	12,582.09
Town of Mentz	32,743.87	Town of Venice	9,628.13
Town of Montezuma	7,787.57	Town of Victory	13,842.30
		<b>Total</b>	<b>632,722.49</b>

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

**RESOLUTION NO. 452-12****(12/13/12) RPS relevyschool-revised2****LEVY RETURNED SCHOOL TAX AND AUTHORIZE COUNTY TREASURER TO PAY SAME**

BY: David Axton, Chairman, Ways and Means Committee

WHEREAS, Real Property Tax Law Article 13 §1330 provides for the collection of Delinquent School taxes by Cayuga County; and

WHEREAS, various schools in Cayuga County have returned 2012 delinquent school taxes; and

WHEREAS, Cayuga County has added a seven percent relevy penalty; and now therefore be it

RESOLVED, that the claims from the various school districts in Cayuga County, including seven (7) percent added by the Treasurer, be audited and the same be placed upon the County Tax Rolls by assessing the taxes due on the various parcels of land as filed with the County Treasurer's Office by the various School Tax Collectors, and be it further

RESOLVED, that the County Treasurer be authorized and directed to pay the several districts the amounts returned as indicated. (See Attachment)

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

**Returned 2012 School Tax**

	<b>Returned Tax</b>	<b>0.07</b>	<b>Total</b>
<b>Cato Meridian</b>			
Cato	199,723.96	13,980.71	213,704.67
Conquest	51,961.34	3,637.28	55,598.62
Ira	149,890.64	10,492.32	160,382.96
Sterling	8,397.70	587.84	8,985.54
Victory	39,953.73	2,796.76	42,750.49
<i>Total</i>	<b>449,927.37</b>	<b>31,494.91</b>	<b>481,422.28</b>
<b>Groton</b>			
Locke	13,787.71	965.13	14,752.84
Summerhill	44,297.96	3,100.86	47,398.82
<i>Total</i>	<b>58,085.67</b>	<b>4,065.99</b>	<b>62,151.66</b>
<b>Hannibal</b>			
Sterling	<b>136,291.51</b>	<b>9,540.38</b>	<b>145,831.89</b>
<b>Homer</b>			
Sempronius	24,934.48	1,745.41	26,679.89
Summerhill	69,237.18	4,846.58	74,083.76
<i>Total</i>	<b>94,171.66</b>	<b>6,591.99</b>	<b>100,763.65</b>
<b>Jordan Elbridge</b>			
Brutus	29,079.83	2,035.59	31,115.42
Sennett	36,327.80	2,542.95	38,870.75
<i>Total</i>	<b>65,407.63</b>	<b>4,578.54</b>	<b>69,986.17</b>
<b>Moravia</b>			
Locke	97,602.65	6,832.16	104,434.81
Moravia	147,012.67	10,290.94	157,303.61
Niles	179,006.79	12,530.47	191,537.26
Sempronius	94,442.07	6,611.01	101,053.08
Summerhill	7,444.46	521.10	7,965.56
Venice	12,592.31	881.45	13,473.76
<i>Total</i>	<b>538,100.95</b>	<b>37,667.13</b>	<b>575,768.08</b>
<b>Port Byron</b>			
Aurelius	3,016.99	211.19	3,228.18
Brutus	0.00	0.00	0.00
Conquest	57,574.50	4,030.15	61,604.65
Mentz	113,542.28	7,947.98	121,490.26
Montezuma	71,695.75	5,018.64	76,714.39
Throop	123,059.74	8,614.22	131,673.96
<i>Total</i>	<b>368,889.26</b>	<b>25,822.18</b>	<b>394,711.44</b>

<b>Red Creek</b>			
Conquest	925.80	64.81	990.61
Sterling	156,605.27	10,962.35	167,567.62
Victory	62,788.27	4,395.14	67,183.41
<i>Total</i>	<b>220,319.34</b>	<b>15,422.30</b>	<b>235,741.64</b>
<b>Skaneateles</b>			
Niles	20,934.64	1,465.43	22,400.07
Owasco	27,919.98	1,954.41	29,874.39
Sennett	41,088.72	2,876.24	43,964.96
<i>Total</i>	<b>89,943.34</b>	<b>6,296.08</b>	<b>96,239.42</b>
<b>Southern Cayuga</b>			
Fleming	0.00	0.00	0.00
Genoa	120,553.27	8,438.73	128,992.00
Ledyard	139,660.96	9,776.28	149,437.24
Locke	3,759.04	263.13	4,022.17
Scipio	121,059.45	8,474.21	129,533.66
Venice	52,610.49	3,682.71	56,293.20
<i>Total</i>	<b>437,643.21</b>	<b>30,635.06</b>	<b>468,278.27</b>
<b>Union Springs</b>			
Aurelius	138,362.54	9,685.36	148,047.90
Fleming	40,999.20	2,869.94	43,869.14
Ledyard	29,175.06	2,042.27	31,217.33
Scipio	5,309.00	371.63	5,680.63
Springport	168,784.14	11,814.94	180,599.08
<i>Total</i>	<b>382,629.94</b>	<b>26,784.14</b>	<b>409,414.08</b>
<b>Weedsport</b>			
Brutus	240,588.75	16,841.20	257,429.95
Cato	63,509.66	4,445.66	67,955.32
Conquest	10,857.06	759.98	11,617.04
Mentz	0.00	0.00	0.00
Sennett	125,374.43	8,776.19	134,150.62
Throop	7,843.17	549.02	8,392.19
<i>Total</i>	<b>448,173.07</b>	<b>31,372.05</b>	<b>479,545.12</b>
<b><i>Grand Total</i></b>	<b><u>3,289,582.95</u></b>	<b><u>230,270.75</u></b>	<b><u>3,519,853.70</u></b>

**RESOLUTION NO. 453-12****(12/13/2012) RPS omittedtax2013****AUTHORIZING THE LEVY OF OMITTED TAXES**

By: David Axton, Chairman, Ways &amp; Means Committee

WHEREAS, pursuant to Real Property Tax Law Section 520, an individual becomes liable for a pro rata tax when a property transfer takes place after the taxable status date, on formerly wholly or partially exempt property; now, therefore be it

RESOLVED, the following omitted taxes in the amount of **\$36,152.96** shall be levied against the property owners in their respective municipalities who are liable for said tax; and be it further

<u>Town</u>	<u>Amount</u>	<u>Town</u>	<u>Amount</u>
Aurelius	2,796.93	Cato	5,836.12
Fleming	1,281.63	Genoa	2,033.95
Ira	256.19	Ledyard	240.00
Locke	742.72	Moravia	2,200.45
Niles	909.47	Owasco	8,153.46
Sennett	6,970.16	Sterling	1,727.82
Summerhill	303.66	Throop	493.88
Venice	2,022.09	Victory	184.43
		<b>Total</b>	<b>\$36,152.96</b>

RESOLVED, that the levies shall be in accord with filed forms dealing with the above-mentioned penalty tax, which have been approved by the respective Town Assessor.

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

**RESOLUTION NO. 454-12**  
**(12/13/12) RPS CayCoWater&SewerDisticts**  
**AUTHORIZING THE LEVY OF TAXES FOR**  
**THE CCSWA IN COUNTY WATER DISTRICT 3 AND**  
**SEWER DISTRICT 2 FOR SEVERAL TOWNS**

BY: David Axton, Chairman, Ways & Means Committee

WHEREAS, New York State Finance Law requires the legislative body to annually approve the rates, ad valorem or unit based, for taxes to be levied in water and sewer districts; and

WHEREAS, the Director of Operations of the Cayuga County Water and Sewer Authority presented rates and ad valorem taxes in Water District 3 and Unit based taxes in Sewer District 2; and now therefore be it

RESOLVED, that the following amounts in the respective towns, representing the capital cost outlay and operation and maintenance for the Cayuga County Water and Sewer Authority Water Districts 3, and Sewer District 2 be collected for the 2013 tax roll, are hereby approved:

<u>WATER DISTRICT 3</u>		<u>SEWER DISTRICT 3</u>	
Aurelius	\$13,957.45	Sterling	\$181,960.00
Fleming	\$ 504.55		

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

**RESOLUTION NO. 455-12**  
**(12/13/2012) RPS waterandsewerrelevy13**  
**LEVY UNPAID WATER AND SEWER BILLS – SEVERAL TOWNS**  
**AND CAYUGA COUNTY SEWER AND WATER AUTHORITY**

By: David Axton, Chairman, Ways & Means Committee

WHEREAS, pursuant to Section 198 of Town Law, several Towns have turned in listings of delinquent water and sewer rents to be releived on the County & Town tax bill; and

WHEREAS, pursuant to Section 1199 of Public Authorities Law, the Cayuga County Sewer and Water Authority has submitted a listing of delinquent water bills to be releived on the County & Town tax bill; now, therefore be it

RESOLVED, that the following amounts in the respective districts representing unpaid water and sewer bills in the various Towns be levied against property owners in their respective Towns who are liable for service charges and unpaid water and sewer bills as claimed by the Water Department of the City of Auburn or their respective Town, pursuant to Section 198 of Town Law and Section 1199 of Public Authorities Law.

<b>Town</b>	<b>Town Water Relevy</b>	<b>Town Sewer Relevy</b>	<b>CCSWA Water &amp; Sewer Relevy</b>	<b>Grand Total</b>
<b>Aurelius</b>	3,414.94	1,538.94	832.05	5,785.93
<b>Brutus</b>	442.86		5,598.12	6,040.98
<b>Fleming</b>	22,091.99	28,670.78		50,762.77
<b>Genoa</b>	6,493.29			6,493.29
<b>Locke</b>	11,484.23			11,484.23
<b>Mentz</b>			1,317.96	1,317.96
<b>Montezuma</b>	1,646.05			1,646.05
<b>Owasco</b>	97,546.58			97,546.58
<b>Springport</b>	10,414.62	8,666.91		19,081.53
<b>Sennett</b>	2,009.78	110.00	108.27	2,228.05
<b>Sterling</b>			31,198.58	31,198.58
<b>Throop</b>			4,721.78	4,721.78
<b>Victory</b>			145.87	145.87
<b>Totals</b>	<b>155,544.34</b>	<b>38,986.63</b>	<b>43,922.63</b>	<b>238,453.60</b>

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

**RESOLUTION NO. 456-12**  
**12/13/12 COL AnnexTaxWarrant12**  
**DESIGNATING DECEMBER 13, 2012,**  
**AS THE DATE TO ANNEX THE TAX WARRANT.**

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

WHEREAS, pursuant to section 904 of the Real Property Tax Law of the State of New York the county Legislative body shall annex to or, in the case of assessment rolls prepared in accordance with the provisions of article fifteen-C; now, therefore, be it

RESOLVED, that December 13th, 2012 is the date when, pursuant to Section 904 of the Real Property Tax Law of the State of New York, this Legislature hereby orders that there shall be annexed to the Tax Rolls of the constituent towns and city of this County, the warrant described in Section 904 of the Real Property Tax Law, under the Seal of this Legislature signed by the Chairman of the Legislature and the Clerk of the Legislature, authorizing and directing the collecting officers of the city and towns to collect from the several persons, corporations and other entities named in said Tax Roll, the amounts listed opposite their respective names, together with any interest or penalties thereon prescribed by law, ON or BEFORE the first day of February, 2013.

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

**RESOLUTION NO. 457-12**

**12/13/12 COL signtaxwarrants12**

**APPROVE THE TAXES AS EXTENDED AND AUTHORIZE THE CHAIRMAN AND THE CLERK OF THE LEGISLATURE TO SIGN TAX WARRANTS**

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

RESOLVED, that the several taxes extended upon the tax rolls of the County be approved by the County Legislature, and be it further

RESOLVED, that the Chairman and the Clerk of the Legislature be and are hereby authorized and directed to sign the tax warrants attached to said tax rolls as provided by the Tax Law of the State of New York, and then cause the tax rolls and warrants to be delivered to the respective Tax Collectors.

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

**RESOLUTION NO. 458-12**

**12/13/12 COL yearend.W&M12**

**AUTHORIZING ACCOUNTS PAYABLE YEAR END ADJUSTMENTS  
-2012 OPERATING BUDGET**

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

WHEREAS, provisions of the Federal Single Audit Act and regulations of the State Comptroller require Cayuga County to utilize modified accrual as the basis for governmental fund accounting; and

WHEREAS, modified accrual accounting principles require that the County accrue accounts payable so expenditures are generally reflected in the period for which goods or services are received; and

WHEREAS, application of this principle may result in the over-expenditure of certain individual line item expenditures and revenues particularly in areas where spending is mandated by State and Federal laws and requirements; now, therefore be it

RESOLVED, that the Cayuga County Legislature hereby authorizes and directs the County Treasurer to make adjusting entries to provide sufficient appropriations to avoid individual line item deficits upon the accrual of year-end accounts payable, provided that said entries do not result in an increase in total appropriations approved by the County Legislature, for 2012; and, be it further

RESOLVED, that said adjusting entries shall be subject to approval of the Chairman of the Legislature, Chairman of Ways and Means Committee and County Administrator who shall upon completion of the year-end closing, report the same to the County Legislature.

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

**RESOLUTION NO. 459-12**

**12/13/2012 TRE updateinvestpolicy13**

**ADOPTING RESOLUTION FOR ANNUAL UPDATE  
TO CAYUGA COUNTY INVESTMENT POLICY**

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

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

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

RESOLVED, that the attached CAYUGA COUNTY INVESTMENT POLICY, which includes the designation of banks, be updated and approved, effective January 1<sup>st</sup>, 2013. Signed by Axton, Barski, Chapman, Fearon, Pinckney, Runkle and Whitman, all in favor.

**RESOLUTION NO. 460-12**

**12.13.12 COA wlasiaagmnt2013**

**AUTHORIZING THE CHAIRPERSON OF THE CAYUGA COUNTY LEGISLATURE TO EXECUTE AN AGREEMENT FOR CONSULTING AND GRANT WRITING SERVICES WITH WLADIS LAW FIRM FOR A PERIOD OF SIX (6) MONTHS.**

BY: Hon. George Fearon, Chairman, Government Operations Committee, and Hon. David Axton, Chairman, Ways & Means Committee.

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

WHEREAS, Motion No. 231-12, May 31 2012 extended the contracts until December 31, 2012; and

WHEREAS, the Wladis Law Firm has provided monthly reports to the Ways and Means Committee of its activities; and

WHEREAS, the Government Operations and Ways and Means Committees recommend to the Cayuga County Legislature that the agreements for consulting and grant writing services with Wladis Law Firm be extended through June 30, 2013; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized to execute two professional services agreements with Wladis Law commencing January 1, 2013 and ending June 30, 2013; and be it further Signed by Fearon, Pinckney, Axton, Barski, Chapman, Runkle and Whitman, all in favor.

**RESOLUTION NO. 461-12**

**(Dec. 13, 2012) HD SPCA Contract 2013**

**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, 2013 through December 31, 2013 to provide these mandated services (100% State funded); and be it further

RESOLVED, that payment for these services will be from Account #A 40104 54123, of the 2013 Health Department Budget.

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

**RESOLUTION NO. 462-12**

**(Dec. 13, 2012) HD John Tonzi Contract 2013**

**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, 2012; and

WHEREAS, it is our desire to renew Mr. Tonzi's contract for the period January 1, 2013 through December 31, 2013 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 2013 Health Department Budget.

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

**RESOLUTION NO. 463-1**

**(Dec. 13, 2012) HD Thadine Collier Contract 2013**

**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 & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

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

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

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Thadine Collier, RN to provide these services for the period January 1, 2013 through December 31, 2013 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 2013 Health Department Budget.

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

**RESOLUTION NO. 464-12**

**(December 13, 2012) HD Fingerlakes Dog Protection 2013  
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 & Human Services Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, Finger Lakes Dog Protection Agency, Inc. has a contract with Cayuga County, which expired December 31, 2012, 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, 2013 through December 31, 2013; 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. 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 Account #A40104 54123, of the 2013 Health Department budget.

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

**RESOLUTION NO. 465-12**

**(Dec. 13, 2012) HD Early Intervention Admin Grant 2012-2013  
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, 2012 through September 30, 2013 in the amount of \$43,986; 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 ..... \$43,986  
Increase Revenue Account A40260 43426 ..... \$43,986

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

**RESOLUTION NO. 466-12**

**(Dec. 13, 2012) HD Create/ Fill PT Lactation Peer Counselor WIC  
AUTHORIZING THE COUNTY LEGISLATURE TO CREATE  
A PT LACTATION PEER COUNSELOR POSITION IN THE WIC PROGRAM  
AND AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICE  
TO FILL THIS POSITION**

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

WHEREAS, the NYS Department of Health administers the 100% federally funded WIC program for the State of New York, and funding has been made available for the Cayuga County Health Department to continue to run the WIC program for the period October 1, 2012 through September 30, 2013; and

WHEREAS, one of the mandated services of the NYS WIC Program is to further promote breast feeding among WIC participants by utilizing the services of a Part-Time Lactation Peer Counselor position to, among other duties, assist in teaching breastfeeding classes within the WIC program, provide information on additional sources of help for the breastfeeding mother, and participate in peer support groups; and

WHEREAS, the State is requiring all WIC Programs to have two Part-Time Lactation Peer Counselors on staff to allow the agencies to extend their hours and allow for more flexibility in coverage of the aforementioned duties; NOW, THEREFORE, BE IT

RESOLVED, that upon approval of this position by the Cayuga County Civil Service Commission, the County Legislature be authorized and directed to create a Part-Time Lactation Peer Counselor position for the WIC Program to be placed in the Cayuga County Compensation Plan, Part II for Non-Bargaining; and be it further

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

RESOLVED, if funding ceases for the position, the position will be abolished. Signed by Chapman, Aikman, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

#### **RESOLUTION NO. 467-12**

**(December 13, 2012) HS Elmcrest Detention Bed 2013**

**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, 2013– DECEMBER 31, 2013**

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 \$288.05 (total contract amount of \$51,849) for the period of January 1, 2013 to December 31, 2013. In addition any day in excess of those 15 will be paid at a per diem rate of \$401.83; and be it further

RESOLVED, that payment for these services will be from Account #A61234 54000 of the 2013 Human Services Budget.

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

**RESOLUTION NO. 468-12**

**(12/13/12) HS Sheriff's Transportation & Security 2013-17**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND  
THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO  
A 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 these services have been budgeted for in the Human Services' Budget; and

WHEREAS, these costs are eligible for 75% State and Federal reimbursement; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to enter into a 5-year contract with the Cayuga County Sheriff's Department for the provision of the services listed above, for the period 1/1/13 to 12/31/17; and, be it further

RESOLVED, that payment for these services will be from Account #A60104 54118, of the 2013 Human Services Budget.

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

**RESOLUTION NO. 469-12**

**(Dec. 13, 2012) HS County Attorney Contract 2013-17**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND  
THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO  
AN 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, 2012, but both parties wish to renew the Agreement annually until 2017 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 each year for successive one year terms from January 1, 2013 through December 31, 2017, and to reimburse the Legal Department for costs associated with DSS work; and be it further

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

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

**RESOLUTION NO. 470-12****12/13/12 OFA NewsletterBidDec12****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO AWARD THE BID FOR THE PRINTING OF THE CAYUGA COUNTY OFFICE FOR THE AGING SENIOR CITIZEN NEWSLETTER.**

BY: Mr. Michael Chapman, Chair, Health & Human Services Committee, and Mr. David Axton, Chair, Ways & Means Committee

WHEREAS, the Administrator's office sent out specification packages to local, New York State firms for printing the newsletter; and,

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

WHEREAS, one vendor submitted low bids in the various categories, see the attached "BID TAB SHEET"; and,

WHEREAS, the Bid documents provides: "Award of bid will be made to the lowest responsible in the best interest of the County"; and

WHEREAS, it would be in the best interest of the County to utilize this vendor for printing the newsletter wherein their bid was the lowest responsible bid; now therefore be it,

RESOLVED, that the bid be awarded to The Scotsman Press Inc., 750 West Genesee Street, Syracuse, NY for the categories set forth on the attached "BID TAB SHEET".

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

**RESOLUTION NO. 471-12****DATE: 12/13/12 OFA AmendMealContractDec12****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO AMEND THE CONTRACT WITH ADVANCED INSTITUTIONAL SUPPORT SERVICES FOR PROVISION OF MEALS FOR THE CAYUGA COUNTY OFFICE FOR THE AGING SENIOR NUTRITION PROGRAM.**

BY: Mr. Michael Chapman, Chair, Health & Human Services Committee, and Mr. David Axton, Chair, Ways and Means Committee

WHEREAS, the Senior Nutrition Program provides an average of 70,000 meals per year to seniors, and a three-year contract with Advanced Institutional Support Services for provision of meals was authorized for January 1, 2011 through December 31, 2013; and

WHEREAS, due to significant increased costs, Advanced Institutional Support Services has requested an increase of 22 cents per meal for the year January 1, 2013 through December 31, 2013; and

WHEREAS, the cost per meal has been \$4.25 for the first two years of the contract; Now therefore, be it

RESOLVED, that the Chairman of the Legislative is authorized to amend the contract with Advanced Institutional Support Services to reflect a cost per meal of \$4.47 for the period of January 1, 2013 through December 31, 2013.

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

**RESOLUTION NO. 472-12**

**Date of Meeting: 12/13/12 NH agmnttempnrse**

**AUTHORIZING CHAIRMAN OF THE LEGISLATURE AND  
ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ENTER  
INTO AGREEMENTS WITH SIBLEY NURSING PERSONNEL,  
NURSEFINDERS , CARE AMERICA AND NURSECORE  
TO PROVIDE TEMPORARY NURSING STAFFING FOR  
JANUARY 1, 2013 UNTIL DECEMBER 31, 2013.**

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

BY: 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, Care America 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 \$ 333. /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;

Care America: RN at \$42/hr; LPN at \$31/hr; and CNA at \$19./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, Care America 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, Lattimore, Mahunik, Pecher, Runkle, Axton, Barski, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 473-12**

**Date of Meeting: 12/13/12 NH adjslrysupnrse**

**AUTHORIZATION TO ADJUST THE SALARY OF SUPERVISING  
NURSE 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 Director of Nursing at the nursing home is completing the requirements for licensure as a nursing home administrator; and

WHEREAS, the responsibilities of the Director of Nursing have to be assigned during the time periods that she is completing those requirements; and

WHEREAS, a supervising nurse, who meets the qualifications has been identified to perform those functions; and therefore be it

RESOLVED, that the Compensation Plan be amended to add a stipend of \$2.60 per hour to the base rate of the Supervising Nurse to compensate for the duties while fulfilling the responsibilities of the Director of Nursing; and

RESOLVED, that this adjustment will create a rate of \$29.28 per hour for 20 hours a week when performing the duties of Director of Nursing, and represents appropriate compensation for such duties.

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

**RESOLUTION NO. 474-12**  
**12/13/12 COL Designating Newspapers**  
**DESIGNATING NEWSPAPERS TO PUBLISH**  
**COUNTY MATTERS FOR THE YEAR 2013**

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

WHEREAS, Section 214, Subdivision 2, of the County Law directs that the Cayuga County Legislature shall annually designate at least two (2) newspapers for publication of all local laws, notices and other matters required by law to be published during fiscal year 2013.

NOW, BE IT RESOLVED, that the Cayuga County Legislature does hereby designate the following newspapers for that purpose:

Republican Register, (Community Newspaper) Moravia, New York

Wayuga, (Lake Shore News), Red Creek, New York

The Citizen, Auburn, New York

Signed by Fearon, Aikman, Didio, Farrell, Pecher and Pinckney, all in favor.

**RESOLUTION NO. 475-12**  
**12/13/12 COL organizeleg2013**  
**TO FIX DATE, TIME AND PLACE OF THE MEETING**  
**TO ORGANIZE THE CAYUGA COUNTY LEGISLATURE FOR 2013.**

BY: Hon George Fearon, Government Operations Committee.

WHEREAS, Section 151 of Article 4 of New York State County Law requires the Cayuga County Legislature, by resolution duly adopted during the month of December of each year, to fix the date, time and place to organize the Legislature; now, therefore be it

RESOLVED, that the Cayuga County Legislature shall meet for the purpose of organizing the Legislature and choosing a Chairman on the 2nd day of January, 2013 at 6:00 P.M., in the Legislative Chambers on the Sixth Floor of the Cayuga County Office Building, 160 Genesee Street in the City of Auburn, New York.

Signed by Fearon, Aikman, Didio, Farrell, Pecher and Pinckney, all in favor.

Chapman moves to amend Resolution to add: Resolved that a committee consisting of the Chair of the Legislature, Chair of Ways & Means, County Attorney and County Administrator to review the Grant Contract Details when received and report those details to the Legislature, 2nd Aikman. Resolution as amended, Cuddeback and Pecher nye – all others in favor.

**RESOLUTION NO. 476-12**

**12.13.12 COA transfer monies to IDA rev2**

**AUTHORIZING THE TRANSFER OF \$92,000.00 FROM CONTINGENCY ACCOUNT TO THE CAYUGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY AND AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO EXECUTE AGREEMENT.**

Hon. George Fearon, Chair Government Operations Committee  
Paul Pinckney, Chair Judicial & Public Safety Committee  
David Axton, Chair, Ways & Means Committee

WHEREAS, Clarity Connect submitted a Connect NY Broadband Grant Request; and

WHEREAS, if approved the grant would serve two counties (southern Cayuga County and Tompkins County) , 14 towns in Cayuga County; 6430 households in the southern part of Cayuga County; 144 community and public service organizations; 168 agricultural locations and 68 commercial businesses; and

WHEREAS, Cayuga County supports the establishment of a fixed wireless system in the southern part of the county; and

WHEREAS, General Municipal Law, Section 858 permits the IDA to accept contributions from municipalities for the corporate purposes of the IDA; and

WHEREAS, this project is within the corporate purposes of the IDA; and

WHEREAS, the Committees recommend that the sum of \$92, 000.00 be transferred from Contingency Account No. . A10164-54000 to the Cayuga County IDA for the broadband project pursuant to an agreement between the County and the IDA; now therefore be it

RESOLVED, that the Cayuga County Legislature approves the transfer of sum of \$92, 000.00 from Contingency Account No. A10164-54000 to account A10104 54074 in order for the funds to be provided to the Cayuga County IDA for the broadband project pursuant to an agreement between the County and the IDA, however said transfer is subject to two (2) conditions; and be it further

RESOLVED, that the transfer of the monies to the IDA shall not occur until two preconditions are satisfied. The two (2) conditions are:

- a. The Connect NY Broadband Grant Request is awarded to Clarity Connect and the receipt by the County of Cayuga of a verification that Clarity Connect is awarded the Connect NY Broadband Grant Request; and
- b. Approval by the Cayuga County Legislature and the execution of an agreement between Clarity Connect and the County of Cayuga relating to the use and lease by Clarity Connect of the County owned communication towers.

RESOLVED, that the Chairman of the Cayuga County Legislature is authorized and directed to execute an agreement between the County and the IDA for the use of said funds; 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, Farrell, Pinckney, Axton, Barski, Whitman, Chapman and Runkle, all in favor.

**Discussion:**

Farrell, I would like to see some kind of reference or report back on the services being provided by this company at this time.

Lattimore, I agree, but if for some reason it doesn't go forward, if there is some kind of fallback so we can receive these monies back.

Aikman, that is already in the agreement.

Resolution as amended all in favor, except Cuddeback and Pecher voting no.

**RESOLUTION NO. 477-12****12.13.12 PB TourismAmend12Budget**

**AMENDING THE 2012 CAYUGA COUNTY BUDGET  
TO MORE ACCURATELY REFLECT FUNDS RECEIVED  
AND EXPENDED FOR TOURISM PROMOTION.**

BY: Mr. Stephen A. Barski, Chair, Planning and Economic Development Committee  
Mr. David R. Axton, Chair, Ways and Means Committee

WHEREAS, each fall during budget preparations the Cayuga County Tourism Office estimates the revenue to be derived from the room tax that is used for tourism promotion and this figure is included in the County budget as line A64100 41113; and

WHEREAS, since 2005, it has been the practice of the Cayuga County Legislature to prepare a formal budget amendment in December to formally accomplish the budget adjustment required to accurately reflect the revenues received for tourism promotion and the Treasurer's administration fees; Now, therefore, be it

RESOLVED, that the 2012 Cayuga County Budget is hereby amended so as to add \$39,619.21 to account A64100 41113 "Tax on Hotel Room Occupancy" and to add \$37,638.25 to account A64104 54000 "Tourism Promotion Entity" and to add \$1,980.96 to account A64104 54237 "Treasurer's Fees - Room Tax"; and be it further

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

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

**RESOLUTION NO. 478-12**

**Date: 9/25/12 PT SterlingNatureCentCapReserve 9 12**

**AUTHORIZING FUNDS IN THE AMOUNT OF \$69,027.10**

**(ONCE RECEIVED FROM THE ESTATE OF MARJORIE L. BARROWS)  
TO BE DEPOSITED INTO THE CAPITAL RESERVE ESTABLISHED  
THE STERLING NATURE CENTER**

By: Tucker Whitman, Chairperson, Public Works  
David Axton, Chairperson Ways & Means Committee\_

WHEREAS, by Resolutions 727-08, 706-09, 104-10, 46-11, 318-11, 544-11 and 89-12 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 approximately \$118,389 and

WHEREAS, the STERLING NATURE CENTER is to receive \$69,027.10 from the estate of Marjorie L. Barrows; and;

WHEREAS, The Cayuga County Parks and Trails Department would like to place that money in the capital reserve for the Sterling Nature Center; now therefore be it

RESOLVED, that the Cayuga County Treasurer is hereby directed to deposit the \$69,027.10 check from the estate of Marjorie L. Barrows, when received, into the capital Reserve for 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, Didio, Mahunik, Pecher, Runkle, Barski Chapman, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 479-12**

**Date: 12/13/12 P&T SterlingNatureCentCapReserve 12 12**

**AUTHORIZING THE TRANSFER OF YEAR END 2012 CATO-FAIR HAVEN TRAILS CONTRACTUAL BUDGET FUNDS IN THE AMOUNT OF \$2,827.00 TO CAPITAL H FUND 07-02 FOR ENHANCEMENT OF THE CATO-BRUTUS TRAIL IN ACCORDANCE WITH THE TERMS OF TRANSPORATION ENHANCEMENT FUNDS (TEF) RECEIVED**

By: Tucker Whitman, Chairperson, Public Works

David R. Axton, Chairperson, Ways & Means Committee

WHEREAS, in 2007 Cayuga County was selected to receive funding under the Transportation Enhancement Program (TEP) to be used to enhance the Cato-Brutus Trail; and

WHEREAS, Resolution 341-07 identifies the acceptance of the funding and the obligations of the County, and

WHEREAS, as a recipient of the TEP funding, the County is committed to \$79,750 in material, in-kind labor and cash, and

WHEREAS, as further authorized by Resolution 341-07, the Cayuga County Treasurer established Capital "H" 07-02 entitled Cato- Brutus Trail Grant; and

WHEREAS, the 2012 Cato-Fair Haven Contractual budget account A71154-54000 has a balance of \$2,827.00, now therefore be it

RESOLVED, that the Cayuga County Treasurer is hereby directed to transfer into Capital "H" 07-02, \$2,827.00 from the 2012 Cato-Fair Haven Contractual budget account A71154-54000 to be used toward the County's obligation as recipient of the TEP funding.

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

**RESOLUTION NO. 480-12**

**December 13, 2012 HWY hireengSpringLake**

**AUTHORIZING THE HIGHWAY SUPERINTENDENT TO CONTRACT WITH C&S COMPANIES FOR DESIGN SERVICES FOR SPRING LAKE ROAD BRIDGE**

By: Tucker Whitman, Chairman Public Works Committee

David Axton, Chairman Way and Means Committee

Whereas, the east approach of the Spring Lake Rd bridge (BIN 3311550) is experiencing differential settlement; and

WHEREAS, the west approach of the bridge experienced this same type of problem in 2004 and the county hired C&S Companies to design for the installation of geofoam blocks to be installed by County forces; and

WHEREAS, the Highway Department has funds in account D51104 54059 Professional Services for this service; now therefore be it

RESOLVED, to hire C&S Companies to design for a stabilized approach on the east end of the bridge and assist the County with material procurement and installation by County forces not to exceed \$10,000; and be it further

RESOLVED, that the Chairman and/or the Highway Superintendent are authorized and directed to execute any contracts or agreements required to implement the intent of this resolution; and be it further

RESOLVED, the County Attorney is to review agreements before signing.  
Signed by Whitman, Axton, Didio, Mahunik, Pecher, Runkle, Barski Chapman, Fearon and Pinckney, all in favor.

### **RESOLUTION NO. 481-12**

**December 13, 2012 HWY bidauth2013**

#### **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 2013 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 \$20,000 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, Runkle, Barski Chapman, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 482-12**

**December 13, 2012 HWY bidext2013**

**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:

Tree Trimming

Traffic Marking

Sign Materials

Fuel

Concrete

Equipment Rentals

Liquid Bituminous Materials

Base Stabilization

And any other material bids the Superintendent deems cost effective to extend; 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, Runkle, Barski Chapman, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 483-12**

**Date: December 13, 2012 HWY fillMEOM2378rev**

**AUTHORIZATION FOR SUPERINTENDENT OF HIGHWAYS  
TO FILL A MOTOR EQUIPMENT OPERATOR – MEDIUM (2378)  
WITHIN THE HIGHWAY DEPARTMENT**

BY: Tucker Whitman, Public Works Committee

David Axton, Chairman, Ways & Means Committee

WHEREAS, a Motor Equipment Operator Medium position was vacated on November 24, 2012 due to retirement; and

WHEREAS, this MEO - Medium position is critical to the Highway department's operations; and

WHEREAS, this position (Position Control #002378) has been budgeted for the entire year of 2013; now therefore be it

RESOLVED, to authorize the Highway Superintendent to fill this open position from within the department and backfill behind; 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. 484-12**

**Date: December 13, 2012 HWY fillMEOM2479**

**AUTHORIZATION FOR SUPERINTENDENT OF HIGHWAYS TO FILL  
A MOTOR EQUIPMENT OPERATOR – MEDIUM(2479)  
WITHIN THE HIGHWAY DEPARTMENT**

BY: Tucker Whitman, Public Works Committee

David Axton, Chairman, Ways & Means Committee

WHEREAS, a Motor Equipment Operator Medium position was vacated due to promotion; and

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

WHEREAS, this position (Position Control #002479) has been budgeted for the entire year of 2013; 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, Mahunik, Pecher, Runkle, Barski Chapman, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 485-12**

**12/13/2012 BLD Transferring Funds to Equipment Reserve Fundrev2  
TRANSFERRING FUNDS TO THE EQUIPMENT 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 Cayuga County Legislature did establish a Equipment Reserve Fund in January 2012 with Resolution 43-12 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 the Cayuga County Treasurer is hereby authorized and directed to transfer \$15,000.00 into the Equipment reserve fund. The source of funding to be the unappropriated and unrestricted fund balance.; 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, Runkle, Barski Chapman, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 486-12**

**12/13/2012 BLD Transferring Funds to Buildings Reserve Fund rev  
TRANSFERRING FUNDS TO BUILDINGS 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 Cayuga County Legislature did establish a Buildings Reserve Fund in January 2012 with Resolution 42-12 and

WHEREAS, the Buildings Department did not expend all of the monies appropriated to the Department in the 2012 budget; now therefore be it

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to transfer \$60,000.00 into the Buildings 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, Runkle, Barski Chapman, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 487-12**

**12/13/12 COA agmntcityct 2012**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY  
LEGISLATURE TO EXECUTE A SECOND ADDENDUM TO  
A LEASE AGREEMENT WITH THE CITY OF AUBURN.**

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

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

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

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

WHEREAS, thereafter the City and the County entered into a Lease Agreement on June 26, 2008 that renewed said Agreements and expired on November 1, 2012; and

WHEREAS, the County feels that it is in the best interest of all of its residents to grant to the City the use and occupancy of space at the Historic Post Office Building located at 157 Genesee Street, Auburn, New York;

WHEREAS, the City of Auburn by Agreement Resolution No. 139 of 2012 (copy attached) approved a lease of the Historic Post Office Building owned by the County of Cayuga now, therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and to execute a second Addendum to Lease Agreement (copy attached) with the City of Auburn.

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

#### **RESOLUTION NO. 488-12**

**12/13/12 ADM awardcleaningsupp**

#### **AUTHORIZING THE COUNTY TO ACCEPT A BID FOR CLEANING SUPPLIES FOR VARIOUS DEPARTMENTS WITHIN CAYUGA COUNTY.**

BY: Tucker Whitman, Chairman, Public Works Committee

BY: David Axton, Chairman, Ways & Means Committee

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

WHEREAS, twelve (12) firms responded with bids; and,

WHEREAS, one vendor submitted low bids in the various categories, see the attached "BID TAB SHEET"; and,

WHEREAS, the Bid documents provides: "Award of bid will be made to the lowest responsible in the best interest of the County"; and

WHEREAS, it would be in the best interest of the county to utilize this vendor for those supplies in the categories wherein their bid was the lowest responsible bid; now therefore be it,

RESOLVED, that the bid be awarded to Johnston Paper, Auburn, NY for the categories set forth on the attached "BID TAB SHEET".

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

**COUNTY OF CAYUGA, NEW YORK**  
**December 13, 2012**

A regular meeting of the County Legislators of the County of Cayuga, New York (the “County”) was held at the Legislature Chamber on the 6<sup>th</sup> floor of the Cayuga County Office Building, 160 Genesee Street, Auburn, New York on December 13, 2012, at 6:30 P.M. (Pre-vailing Time).

**There were present:** (County Legislators)

Michael Didio  
Cynthia Aikman  
Hans Pecher  
Michael Chapman  
David Axton  
Mar Farrell  
Paul Pinckney  
Joseph Runkle  
George Fearon  
Stephen Barski  
Patrick Mahunik  
Timothy Lattimore  
Steven Cuddeback

**There were Absent:** (County Legislators)

Tucker Whitman  
Joseph Bennett

**Also Present:**

Thomas Squires, Fred Westphal, Mary Jones, Diane Hutchinson, Mike Pawlenko, George Wethey, David Gould, Gregg Evans, Gary Duckett ,Elane Daly, Kelly Anderson., Jim Orman.

The following resolution was offered by Tucker Whitman, who moved its adoption, and second by to wit:

**RESOLUTION NO. 489-12**

**12.13.12 BLDS bondroof**

**BOND RESOLUTION OF THE COUNTY OF CAYUGA, NEW YORK,  
ADOPTED ON DECEMBER 13, 2012 AUTHORIZING THE ISSUANCE OF  
UP TO \$550,000 BONDS OF THE COUNTY OF CAYUGA TO FINANCE  
THE COST OF A PROJECT CONSISTING OF RENOVATIONS  
AND IMPROVEMENTS TO THE ROOF OF THE COUNTY’S  
HISTORIC POST OFFICE BUILDING LOCATED AT  
157 GENESSEE STREET IN AUBURN, NEW YORK. (2/3)**

BY: Mr. Tucker Whitman, Chair, Publics Works Committee

Mr. David Axton, Chair, Ways & Means Committee

WHEREAS, the County Legislators of the County have determined that it is necessary for the County to undertake a certain project (the “Project”) consisting of renova-

tions and improvements to the roof of the County's Historic Post Office Building located at 157 Genesee Street in Auburn, New York; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act ("SEQRA"), ECL Section 8-0101, et seq., and implementing regulations, 6 NYCRR Part 617 (the "Regulations") the County is required to make a determination with respect to the environmental impact of any "action" (as defined by SEQRA) to be taken by the County and the approval of this resolution constitutes such an action; and

NOW, THEREFORE BE IT RESOLVED ON DECEMBER 13, 2012 BY THE COUNTY LEGISLATORS OF CAYUGA COUNTY, NEW YORK (by favorable vote of not less than two thirds of said Legislature), AS FOLLOWS:

Section 1. The County, as a local agency pursuant to SEQRA, having reviewed the impact of certain renovations and improvements to the roof of the County's Historic Post Office Building located at 157 Genesee Street in Auburn, New York upon the environment, hereby determines that such action constitutes a "Type II Action" under §617.5(c)(1) of the Regulations and is not subject to review under SEQRA.

Section 2. For the specific object or purpose of undertaking the Project, including all related construction, renovations, site improvements, furnishings, fixtures and equipment required for such purposes, architectural, legal and engineering fees, and all other necessary costs incidental to such work, as well as preliminary costs and costs incidental thereto and to financing thereof, there are hereby authorized to be issued \$550,000 bonds of said County pursuant to the provisions of the Local Finance Law. Undertaking the Project, at a maximum estimated cost of \$550,000 is hereby approved.

Section 3. The plan for the financing of the aforesaid specific object or purpose is by the issuance of up to \$550,000, or such amount less than \$550,000 as may be necessary, of serial bonds or any bond anticipation notes in anticipation of the issuance and sale of the bonds of said County, including renewals thereof, hereby authorized to be issued pursuant to the Local Finance Law and the levy of a tax to pay principal and interest on said obligations, and by the application of state and/or federal assistance available or to any revenues available for such purpose from any other source.

Section 4. The faith and credit of said County of Cayuga, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such years and such debt service payments may be made in substantially level or declining amounts as may be authorized by law. All the taxable real property within said County shall be subject to the levy of ad valorem taxes sufficient to pay the principal of and interest on said bonds.

Section 5. Pursuant to Sections 30.00, 50.00 and 56.00 to 60.00, inclusive, of the Local Finance Law, the power to authorize the issuance of and to sell the serial bonds and any bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such bonds or notes shall be of such form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. The County Treasurer is hereby further authorized, at his sole discretion, to execute all agreements and instruments in order to effect the financing or refinancing of the specific object or purpose described in Section 2 hereof, or a portion thereof, by a bond, and/or note issue of said County.

Section 7. The intent of this resolution is to give the County Treasurer sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and/or notes without resorting to further action of this County Legislature.

Section 8. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 9. Such bonds shall be in fully registered form and shall be signed in the name of Cayuga County, New York, by the manual or facsimile signature of the County Treasurer and a facsimile of its corporate seal shall be imprinted or impressed thereon and maybe attested to by the manual or facsimile signature of the County Clerk. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent.

Section 10. The County hereby covenants and agrees with the holders from time to time of the Bonds and any bond anticipation notes issued in anticipation of the sale of the Bonds, that the County will faithfully observe and comply with all provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and any proposed or final regulations issued pursuant thereto unless, in the opinion of bond counsel, such compliance is not required by the Code and regulations to maintain the exclusion from gross income of interest on said obligations for federal income tax purposes.

Section 11. The following additional matters are hereby determined and declared:

- (a) The period of probable usefulness of the class of objects or purposes herein authorized and for which \$550,000 of said serial bonds are herein authorized to be issued within the limitations of Section 11.00, Subsection (a)(12)(a)(2) of the law, is 15 years; and
- (b) Current funds are not required by the Local Finance Law to be provided prior to the issuance of the bonds and any notes issued in anticipation thereof authorized by this resolution; and
- (c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.
- (d) The County reasonably expects to reimburse itself for expenditures made out of the County's General Fund for the Project from the proceeds of the bonds or notes herein authorized.

- (e) This resolution is a declaration of official intent to reimburse for purposes of Treasury Regulation Section 1.150-2.
- (f) The bonds authorized herein are not being issued for an assessable improvement.

Section 12. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 13. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 14. This resolution, which takes effect immediately, shall be published in summary form in the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

WHEREFORE, the foregoing Resolution was put to a vote of the members of the County Legislators of the County on December 13, 2012, the result of which vote was as follows:

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

<u>COUNTY LEGISLATOR</u>	<u>VOTE</u>
Michael Didio	YES
Cynthia Aikman	YES
Hans Pecher	YES
Michael Chapman	YES
David Axton	YES
Mark Farrell	YES
Paul Pinckney	YES
Joseph Runkle	YES
George Fearon	YES
Stephen Barski	YES
Patrick Mahunik	YES
Timothy Lattimore	YES
Steven Cuddeback	YES
Tucker Whitman	EXCUSED
Joseph Bennett	EXCUSED

**DATED:** DECEMBER 13, 2012

**CERTIFICATE**

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

That I have compared the annexed extract of the minutes of a meeting of the County Legislators of said County including the resolution contained therein, held on December 13, 2012, with the original thereof on file in my office, and that the same is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relates to the subject matters therein referred to.

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

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

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the corporate seal of the Cayuga County, New York, this \_\_ day of December, 2012.

**Susan M. Dwyer, County Clerk**

[SEAL]

**NOTICE OF BOND RESOLUTION**

The resolution, a summary of which is published herewith, was adopted on December 13, 2012. The validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Cayuga, New York is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the constitution.

**Susan M. Dwyer, County Clerk**

**SUMMARY OF BOND RESOLUTION**

A Resolution adopted by the County Legislators of the Cayuga County, Cayuga County, New York (the "County") on December 13, 2012 authorizes the issuance of bonds and other obligations to finance a project consisting of certain renovations and improvements to the roof of the County's Historic Post Office Building located at 157 Genesee Street in Auburn, New York, including all related construction, renovations, site improvements, furnishings, fixtures and equipment required for such purposes, architectural, legal and

engineering fees, and all other necessary costs incidental to such work, as well as preliminary costs and costs incidental thereto and to financing thereof, and to pay for such project by the levy of a tax for the foregoing object or purpose in an amount not to exceed \$550,000, which shall be levied and collected in annual installments in such years and in such amounts as may be determined by the County Legislators and that in anticipation of the collection of such tax, bonds and notes of the County are hereby authorized to be issued at one time, or from time to time, in the principal amount not to exceed \$550,000 and a tax is authorized to pay the principal and interest on said obligations when due. Under the Local Finance Law, the Project has a period of probable usefulness of 15 years. Such resolution shall be kept available for public inspection in the County Clerk's Office during regular business hours for twenty days following this publication.

**RESOLUTION NO. 490-12**

**12.13.12 BLDS CAP-H prjctno 12-0\*rev**

**AUTHORIZING THE ESTABLISHMENT OF CAPITAL "H" PROJECT NO. 12 -03 (REPAIR AND REPLACE ROOF AT COUNTY'S HISTORIC POST OFFICE BUILDING) AND THE EXECUTION OF NECESSARY AGREEMENTS THERETO.**

BY: Mr. Tucker Whitman, Chair, Publics Works Committee  
Mr. David Axton, Chair, Ways & Means Committee

WHEREAS, the County Legislators of the County have determined that it is necessary for the County to undertake a certain project (the "Project") consisting of renovations and improvements to the roof of the County's Historic Post Office Building located at 157 Genesee Street in Auburn, New York; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act ("SEQRA"), ECL Section 8-0101, *et seq.*, and implementing regulations, 6 NYCRR Part 617 (the "Regulations") the County is required to make a determination with respect to the environmental impact of any "action" (as defined by SEQRA) to be taken by the County and the approval of this resolution constitutes such an action; and

WHEREAS, by adoption of a Bond Resolution presented herewith, the County determined that the Project constitutes a "Type II Action" under the Regulations and is not subject to review under SEQRA; and

WHEREAS the maximum estimated cost of the Project is \$550,000.00; and

NOW, THEREFORE BE IT RESOLVED, by the Cayuga County Legislature as follows:

1. The Legislature hereby authorizes and directs the following:
  - a. The County Treasurer be and he is hereby authorized and directed to create Capital "H" Project No. 12-03 (Repair and Replace Roof at County's Historic Post Office Building) in an amount not to exceed \$550,000.00 source of funding to be in-house borrowing, or by the issuance of up to \$550,000.00, of serial bonds or any bond anticipation notes in anticipation of the issuance and sale of the bonds of said County and the levy of a tax to pay interest on said obligations, bond anticipation notes, serial bonds;
  - b. The County Administrator is hereby authorized and directed to seek sealed bids for the Project;

- c. Subject to review and approval by the County Attorney, the Chairman of the Legislature will thereby be authorized and directed to execute the necessary documents;
- d. Subject to review and approval of the County Attorney, the Chairman of the Legislature is hereby authorized to award a bid for the design and construction of the repair and replacement of the roof at the County's Historic Post Office Building; and

and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute any and all documents required to purchase the property and implement this resolution; and be it further

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

RESOLVED, that this Resolution shall take effect immediately.

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

**COUNTY OF CAYUGA, NEW YORK**  
**December 13, 2012**

A regular meeting of the County Legislators of the County of Cayuga, New York (the "County") was held at the Legislature Chamber on the 6<sup>th</sup> floor of the Cayuga County Office Building, 160 Genesee Street, Auburn, New York on December 13, 2012, at 6:30 P.M. (Prevaling Time).

**There were present:** (County Legislators)

Michael Didio  
Cynthia Aikman  
Hans Pecher  
Michael Chapman  
David Axton  
Mar Farrell  
Paul Pinckney  
Joseph Runkle  
George Fearon  
Stephen Barski  
Patrick Mahunik  
Timothy Lattimore  
Steven Cuddeback

**There were Absent:** (County Legislators)

Tucker Whitman  
Joseph Bennett

**Also Present:**

Thomas Squires, Fred Westphal, Mary Jones, Diane Hutchinson, Mike Pawlenko, George Wethey, David Gould, Gregg Evans, Gary Duckett, Elane Daly, Kelly Anderson, Jim Orman.

The following resolution was offered by Tucker Whitman, who moved its adoption, and second by to wit:

**RESOLUTION NO. 491-12  
12.13.12 HWY bondtrucks**

**BOND RESOLUTION OF THE COUNTY OF CAYUGA, NEW YORK,  
ADOPTED ON DECEMBER 13, 2012 AUTHORIZING THE ISSUANCE OF  
UP TO \$850,000 BONDS OF THE COUNTY OF CAYUGA TO FINANCE  
THE COST OF ACQUISITION OF THREE (3) TANDEM AXLE TRUCKS  
AND ONE (1) SINGLE AXLE TRUCK, ALL OUTFITTED  
WITH SNOW REMOVAL EQUIPMENT. (2/3)**

BY: Mr. Tucker Whitman, Chair, Publics Works Committee  
Mr. David Axton, Chair, Ways & Means Committee

WHEREAS, the County Legislators of the County have determined that it is necessary for the County to undertake a certain project (the "Project") consisting of three (3) tandem axle trucks and one (1) single axle truck, all outfitted with snow removal equipment, including plow wings and sanders; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act ("SEQRA"), ECL Section 8-0101, et seq., and implementing regulations, 6 NYCRR Part 617 (the "Regulations") the County is required to make a determination with respect to the environmental impact of any "action" (as defined by SEQRA) to be taken by the County and the approval of this resolution constitutes such an action; and

NOW, THEREFORE BE IT RESOLVED ON DECEMBER 13, 2012 BY THE COUNTY LEGISLATORS OF CAYUGA COUNTY, NEW YORK (by favorable vote of not less than two thirds of said Legislature), AS FOLLOWS:

Section 1. The County, as a local agency pursuant to SEQRA, having reviewed the impact of the acquisition of three (3) tandem axle trucks and one (1) single axle truck, all outfitted with snow removal equipment, including plow wings and sanders upon the environment, hereby determines that such action constitutes a "Type II Action" under §617.5(c)(25) of the Regulations and is not subject to review under SEQRA.

Section 2. For the specific object or purpose of undertaking the Project, including the acquisition of furnishings, equipment, machinery and apparatus as may be required for the purposes for which the trucks are to be used as well as preliminary costs and costs incidental thereto and to financing thereof, there are hereby authorized to be issued \$850,000 bonds of said County pursuant to the provisions of the Local Finance Law. Undertaking the Project, at a maximum estimated cost of \$850,000 is hereby approved.

Section 3. The plan for the financing of the aforesaid specific object or purpose is by the issuance of up to \$850,000, or such amount less than \$850,000 as may be necessary, of serial bonds or any bond anticipation notes in anticipation of the issuance and sale of the bonds of said County, including renewals thereof, hereby authorized to be issued pursuant to the Local Finance Law and the levy of a tax to pay principal and interest on said obligations, and by the application of state and/or federal assistance available or to any revenues available for such purpose from any other source.

Section 4. The faith and credit of said County of Cayuga, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and

payable in such years and such debt service payments may be made in substantially level or declining amounts as may be authorized by law. All the taxable real property within said County shall be subject to the levy of ad valorem taxes sufficient to pay the principal of and interest on said bonds.

Section 5. Pursuant to Sections 30.00, 50.00 and 56.00 to 60.00, inclusive, of the Local Finance Law, the power to authorize the issuance of and to sell the serial bonds and any bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such bonds or notes shall be of such form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. The County Treasurer is hereby further authorized, at his sole discretion, to execute all agreements and instruments in order to effect the financing or refinancing of the specific object or purpose described in Section 2 hereof, or a portion thereof, by a bond, and/or note issue of said County.

Section 7. The intent of this resolution is to give the County Treasurer sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and/or notes without resorting to further action of this County Legislature.

Section 8. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 9. Such bonds shall be in fully registered form and shall be signed in the name of Cayuga County, New York, by the manual or facsimile signature of the County Treasurer and a facsimile of its corporate seal shall be imprinted or impressed thereon and maybe attested to by the manual or facsimile signature of the County Clerk. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent.

Section 10. The County hereby covenants and agrees with the holders from time to time of the Bonds and any bond anticipation notes issued in anticipation of the sale of the Bonds, that the County will faithfully observe and comply with all provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and any proposed or final regulations issued pursuant thereto unless, in the opinion of bond counsel, such compliance is not required by the Code and regulations to maintain the exclusion from gross income of interest on said obligations for federal income tax purposes.

- Section 11. The following additional matters are hereby determined and declared:
- (a) The period of probable usefulness of the class of objects or purposes herein authorized and for which \$850,000 of said serial bonds are herein authorized to be issued within the limitations of Section 11.00, Subsection (a)(28) of the law, is 15 years; and
  - (b) Current funds are not required by the Local Finance Law to be provided prior to the issuance of the bonds and any notes issued in anticipation thereof authorized by this resolution; and
  - (c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.
  - (d) The County reasonably expects to reimburse itself for expenditures made out of the County's General Fund for the Project from the proceeds of the bonds or notes herein authorized.
  - (e) This resolution is a declaration of official intent to reimburse for purposes of Treasury Regulation Section 1.150-2.
  - (f) The bonds authorized herein are not being issued for an assessable improvement.

Section 12. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 13. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 14. This resolution, which takes effect immediately, shall be published in summary form in the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

WHEREFORE, the foregoing Resolution was put to a vote of the members of the County Legislators of the County on December 13, 2012, the result of which vote was as follows:

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

<u>COUNTY LEGISLATOR</u>	<u>VOTE</u>
Michael Didio	YES
Cynthia Aikman	YES
Hans Pecher	YES
Michael Chapman	YES
David Axton	YES
Mark Farrell	YES

Paul Pinckney	YES
Joseph Runkle	YES
George Fearon	YES
Stephen Barski	YES
Patrick Mahunik	YES
Timothy Lattimore	YES
Steven Cuddeback	YES
Tucker Whitman	EXCUSED
Joseph Bennett	EXCUSED

**DATED:** DECEMBER 13, 2012

**CERTIFICATE**

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

That I have compared the annexed extract of the minutes of a meeting of the County Legislators of said County including the resolution contained therein, held on December 13, 2012, with the original thereof on file in my office, and that the same is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relates to the subject matters therein referred to.

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

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

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the corporate seal of the Cayuga County, New York, this \_\_ day of December, 2012.

**Susan M. Dwyer, County Clerk**

[SEAL]

**NOTICE OF BOND RESOLUTION**

The resolution, a summary of which is published herewith, was adopted on December 13, 2012. The validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Cayuga, New York is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the constitution.

**Susan M. Dwyer, County Clerk**

## SUMMARY OF BOND RESOLUTION

A Resolution adopted by the County Legislators of the Cayuga County, Cayuga County, New York (the "County") on December 13, 2012 authorizes the issuance of bonds and other obligations to finance a project consisting of the acquisition of three (3) tandem axle trucks and one (1) single axle truck, all outfitted with snow removal equipment, including plow wings and sanders including the acquisition of furnishings, equipment, machinery and apparatus as may be required for the purposes for which the trucks are to be used as well as preliminary costs and costs incidental thereto and to financing thereof, and to pay for such project by the levy of a tax for the foregoing object or purpose in an amount not to exceed \$850,000, which shall be levied and collected in annual installments in such years and in such amounts as may be determined by the County Legislators and that in anticipation of the collection of such tax, bonds and notes of the County are hereby authorized to be issued at one time, or from time to time, in the principal amount not to exceed \$850,000 and a tax is authorized to pay the principal and interest on said obligations when due. Under the Local Finance Law, the Project has a period of probable usefulness of 15 years. Such resolution shall be kept available for public inspection in the County Clerk's Office during regular business hours for twenty days following this publication.

### RESOLUTION NO. 492-12

12.13.12 HWY CAP-H prjctno 12-0\*rev

#### **AUTHORIZING THE ESTABLISHMENT OF CAPITAL "H" PROJECT NO. 12 -04 (PURCHASE OF HIGHWAY VEHICLES) AND THE EXECUTION OF NECESSARY AGREEMENTS THERETO.**

BY: Mr. Tucker Whitman, Chair, Publics Works Committee

Mr. David Axton, Chair, Ways & Means Committee

WHEREAS, the County Legislators of the County have determined that it is necessary for the County to undertake a certain project (the "Project") consisting of the acquisition of three (3) tandem axle trucks and one (1) single axle truck, all outfitted with snow removal equipment, including plow wings and sanders; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act ("SEQRA"), ECL Section 8-0101, *et seq.*, and implementing regulations, 6 NYCRR Part 617 (the "Regulations") the County is required to make a determination with respect to the environmental impact of any "action" (as defined by SEQRA) to be taken by the County and the approval of this resolution constitutes such an action; and

WHEREAS, by adoption of a Bond Resolution presented herewith, the County determined that the Project constitutes a "Type II Action" under the Regulations and is not subject to review under SEQRA; and

NOW, THEREFORE BE IT RESOLVED, by the Cayuga County Legislature as follows:

1. The Legislature hereby authorizes and directs the following:
  - a. The County Treasurer be and he is hereby authorized and directed to create Capital "H" Project No. 12-04 (Purchase of Highway Vehicles) in an amount not to exceed \$850,000.00 source of funding to be in-house borrowing, or by the issuance of up to \$850,000.00, of serial bonds or any bond anticipation notes in anticipation of the issuance

and sale of the bonds of said County and the levy of a tax to pay interest on said obligations, bond anticipation notes, serial bonds;

- b. The County Administrator is hereby authorized and directed to seek sealed bids for the Project; and
- c. Subject to review and approval by the County Attorney, the Chairman of the Legislature will thereby be authorized and directed to execute the necessary documents
- d. Subject to review and approval of the County Attorney, the Chairman of the Legislature is hereby authorized to award a bid for the acquisition of three (3) tandem axle trucks and one (1) single axle truck, all outfitted with snow removal equipment, including plow wings and sanders to the lowest, qualified bidder(s) responding in compliance to the Bid Documents circulated by the County;

and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute any and all documents required to purchase the property and implement this resolution; and be it further

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

RESOLVED, that this Resolution shall take effect immediately.

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

Motion by Fearon to go into Executive Session at 7:17PM re: Proposed Acquisition, Sale or Lease of Real Property and Cayuga County vs. Joseph Bennett, 2<sup>nd</sup> by Didio, all in favor.

Motion by Aikman to come out of Executive Session at 8:06PM, 2<sup>nd</sup> by Didio, all in favor, no action taken.

Motion by Didio to adjourn at 8:08PM, 2<sup>nd</sup> by Farrell, all in favor.