

**MINUTES**  
**CAYUGA COUNTY LEGISLATURE**  
**July 23, 2013 at 5:45PM**  
**(BOCES Campus in Conference Room)**

**CALL TO ORDER:** Hon. Michael Chapman, Chairman called the meeting to order at 5:49PM

**ROLL CALL:** Sheila Smith, Clerk of the Legislature, all Legislator's present

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**PUBLIC HEARING:** Opened at 5:52 PM- A Local Law authorizing the County of Cayuga to lease part of the premises commonly known as tax map no. 113.00-1-3, 614 Clark Street Road, town of Aurelius, County of Cayuga, New York, from Thomas Walczyk for a term of 99 years.

**PRESENTATIONS:** Loretto Mgt. Group re: HEAL Grant merger of long term care in Cayuga County. (The presentation will be at conclusion of regular business.) A vote will be called upon conclusion and comments from the legislature and public.

Please note that speakers will be allowed two minutes for comments with discretion by the chair.

The comment/question period will be forty five minutes with discretion by the chair.

**PROCLAMATIONS:** None

**EMERGENCY AUTHORIZATION FOR HIRING AND SPENDING**

**RESOLUTION NO. 245-13**

Reason for emergency hiring and spending:

The Coroner has requested the addition of one or more physicians to his staff to assist in the investigation and signature of death certificates while he is temporarily unavailable. This authorization requests permission to hire one or more Physicians as independent contractors on a temporary basis at an hourly rate of \$125.00 for the investigation and review of deaths for the purpose of signing death certificates. The expense will be addressed by the transfer of \$15,000.00 from Account No. A10144 54131, (Insurance), to Account No. A11854 54059, (Professional Services). The Chairman of the Cayuga County Legislature is hereby authorized and directed to sign one or more contracts with qualified Physicians and the Cayuga County Treasurer is hereby authorized and directed to make the journal and accounting entries required to implement the intent of this emergency authorization.

Signed and approved by: Chapman, Cuddeback, Aikman, Pecher, Axton, and Didio.

**PUBLIC BE HEARD:** All communication not pertaining to the Long Term Care. A second period of public comments will take place upon conclusion of the Loretto Mgt. Group presentation.

**MINUTES:** For approval: 5/21/13, 5/28/13 & 6/12/13, Motion by Didio, 2<sup>nd</sup> by Pinckney, all in favor.

For reading: 6/19/13, 6/25/13 & 7/11/13

**CCC REPORT:** Dr. Daniel Larson- Attached

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

Axton discusses the NACO conference he attended. He says he met with the multi-state coalition that the county works with. He mentions the county having a lobby firm in Washington that keeps an eye on our interests and Carcieri. He says right now Carcieri is sitting still and we are in good shape. He discusses the biggest push of NACO right now is municipal bonds that Congress is trying to remove tax exempt status on the bonds. He says that is something that could affect the towns and villages of the county greatly. He says he may ask to create a resolution in opposition of removing the tax exempt status. He says he is not sure if it would help but at least gets the county's voice heard.

Didio discusses the Inter County Association meeting October 18<sup>th</sup> at the pavilion. He wanted to remind the legislature to donate items. He mentions Katie Jacob the Cayuga County Owasco Lake Watershed Inspector doing a fantastic job.

**BUDGET DIRECTOR'S REPORT:** Lynn Marinelli

**CHAIRMAN'S REPORT:** Michael Chapman

Chapman introduces the new County Administrator, Suzanne Sinclair. He discusses the Employee Recognition Luncheon held at the Holiday Inn. He says certificates were presented for periods of service and asked the Clerk of the Legislature to total the number of years up. He says that the total was 1,150 years of service. He talks about the Cayuga County employees being ambassadors and he hopes it continues down the road. He also hopes that there will be continued appreciation from the legislature and other areas for the services the employees provide.

**APPOINTMENTS AND RE-APPOINTMENTS:** None

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

**COMMUNICATIONS AND ANNOUNCEMENTS:**

1. Letter to Chapman, from Senator Nozzolio regarding Senate Bill S.4698, which he introduced on behalf of Cayuga County that would extend the authorization of Cayuga County to impose an additional one percent of sales and compensating use taxes. He informs Chapman that the legislation was enacted in the State Senate on June 21, 2013 and recently enacted in the State Assembly on June 17, 2012. It is awaiting delivery to the Governor for is review and signature.

2. Letter to Legislators, from Eric A. Zizza, Faculty Association Executive Committee Spokesperson, regarding disavowing support for the Schwartz Family Performing Arts Center.

3. Letter to Legislators, from Dr. Larson in regards to the Schwartz Family Performing Arts Center and corrections to a number of misstatements and factual errors in communication from Eric Zizza's letter. There is also a letter attached to Anne Herron, Vice-President of Academic and Student Affairs, from Steve Keeler, Division Chair English/Humanities/Telecommunications regarding the proposal for programming the Schwartz Family Performing Arts Center.

## **RESOLUTIONS/MOTIONS**

### **RESOLUTION NO. 246-13**

**7/23/13 AP Audit July 2013 (A)**

#### **AUTHORIZING THE COUNTY TREASURER TO PAY JUNE 11-24, 2013 AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on July 23, 2013, audit claims against the County of Cayuga in the aggregate sum of \$2,184,096.41, therefore be it

RESOLVED, that the Clerk of this Legislature file a certified list of claims so audited with the County Treasurer, and be it further

RESOLVED, that the County Treasurer be and he hereby is authorized and directed to pay the several claims so audited and charge the amounts to the several appropriations made therefore in the County Budget finalized on December 13, 2012.

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

### **RESOLUTION NO. 247-13**

**7/23/13 APAudit July 2013 (B)**

#### **AUTHORIZING THE COUNTY TREASURER TO PAY JUNE 24 – JULY 8, 2013 AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on July 23, 2013, audit claims against the County of Cayuga in the aggregate sum of \$1,041,696.32, 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, 2012.

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

## **DEFEATED**

**Motion by Chapman to amend the initial salary increase from \$4,652 dollars to \$2,326 dollars for the year 2014 and then in 2015 it can be increased again by \$2,326, 2<sup>nd</sup> by Didio; Amendment defeated by majority vote: Noes-Aikman, Whitman, Axton, Farrell, Pinckney, Runkle, Fearon, and Bennett. Ayes-Didio,**

**Pecher, Cuddeback, Barski, Mahunik, Lattimore, and Chapman. 485/398. Resolution as originally written defeated by majority vote: Noes- Didio, Pecher, Cuddeback, Bennett, Barski, Mahunik, Lattimore, and Chapman, Ayes- Aikman, Whitman, Axton, Farrell, Pinckney, Runkle, and Fearon. 447/436.**

**RESOLUTION NO. 248-13**

**(7/23/13) RPS-AptRealPropDirrev2**

**REAPPOINTING KELLY A. ANDERSON TO 6-YEAR TERM AS COUNTY DIRECTOR OF REAL PROPERTY TAX SERVICES**

BY: David Axton, Chairman, Ways & Means Committee

WHEREAS, New York State Real Property Tax Law Section 1530 provides that the County Real Property Tax Services Agency shall be head by a Director of Real Property Tax Services, who shall have a six (6) year term and shall be appointed by the county legislative body, and

WHEREAS, pursuant to NYS RPTL Section 1530, the current term of the Director of Real Property Tax Services shall expire on September 30, 2013, and a new six (6) year term to commence on October 1, 2013 and ending on September 30, 2019; and

WHEREAS, Kelly A. Anderson has performed the duties of this position since her appointment on April 26, 2011 and it is now recommended that Kelly A. Anderson be reappointed to another term as the County Director of Real Property Tax Services, and now, therefore be it

RESOLVED, that pursuant to Section 1530 of NYS Real Property Tax Law, Kelly A. Anderson is hereby appointed as the Director of Real Property Tax Services for a term of six (6) years commencing on October 1, 2013, at her current salary of \$60,863 for the remainder of the year 2013, and be it further

RESOLVED, that the salary for the calendar years thereafter shall be as follows:

2014 –	\$ 65,515.00
2015 –	\$ 65,515.00
2016 –	\$ 65,515.00
2017 –	\$ 65,515.00
2018 –	\$ 65,515.00
2019 –	\$ 65,515.00

**RESOLUTION NO. 249-13**

**7.23.13 TRE emend capith09-02and12-03**

**AMENDING CAPITAL “H” PROJECT NUMBERED 09-02 AND 12-03 TO TRANSFER THE SUM OF \$2,869.91 FROM CAPITAL “H” PROJECT NO. 09-02 TO CAPITAL “H” PROJECT NO. 12-03. (2/3)**

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

WHEREAS, .Resolution No. AMENDING RESOLUTION NO. 411-09 TO CHANGE THE CAPITAL “H” PROJECT NO. TO “CAPITAL “H” PROJECT NO. 09-2”., in an amount not to exceed \$33,300.00 ; copies attached; and

WHEREAS the sum of \$2,869.91 remains unspent in Capital “H” Project No. 09-2, after completion of the project and payment of any outstanding indebtedness; and

WHEREAS, Resolution No 490-12, copy attached , 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, in an amount not to exceed \$550,000.00; and

WHEREAS the Treasurer’s Office has requested that the sum of \$2,869.91 be transferred from Project No. 09-2 into Capital “H” Project No. 12-03; now therefore be it

RESOLVED, that the sum of \$2,869.91 be transferred from Project No. 09-2 into Capital “H” Project No. 12-03; and be it further

RESOLVED, that Capital “H” Project No. 12-03 be increased from \$550,000.00 to \$552,869.91; and be it further

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

Signed by Axton, Cuddeback, Pecher and Whitman, all in favor.

**RESOLUTION NO. 250-13**

**July 23, 2013 HD ATUPA 2013-18**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A MULTI-YEAR AGREEMENT (5 YEARS) WITH NYS DOH TO PARTICIPATE IN THE YOUTH TOBACCO ENFORCEMENT AND PREVENTION PROGRAM AND ACCEPT 100% STATE FUNDING**

BY: Patrick Mahunik, Chairman of the Health & Human Services Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, the New York State Department of Health continues to make funds available to municipalities for the purpose of reducing the use and accessibility of tobacco to youth under 18 years of age and to enforce the Clean Indoor Air Act; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a multi-year contract with NYS DOH (Contract #C-028516) to participate in the 100% State funded Youth Tobacco Enforcement and Prevention Program for the period of April 1, 2013 through March 31, 2018 in the amount of \$175,015; and be it further

RESOLVED, that upon notification from the Department, the Cayuga County Treasurer be authorized and directed to make all necessary journal and accounting entries in each of the 2013 through 2018 budgets; and to amend the Health Department’s 2013 budget (1<sup>st</sup> year of the 5-year contract) in the following manner:

Increase Appropriation Account #A40194 54000	\$31,003
Increase Revenue Account #A40190 43419	\$31,003

RESOLVED, that the Director of Health & Human Services be authorized to enter into subcontracts with agencies/individuals in order to accomplish the goals of this grant. Signed by Mahunik, Aikman, Barski, Bennett, Lattimore, Pecher, Runkle, Axton, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 251-13**

**July 23, 2013 HD Integrated Cancer Services Program 2013-2018  
 AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE  
 DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO TWO  
 CONTRACTS WITH THE NYS DEPARTMENT OF HEALTH TO ACCEPT  
 FUNDING FOR THE INFRASTRUCTURE PORTION AND THE CLINICAL  
 SERVICES PORTION FOR PARTICIPATION IN THE INTEGRATED CANCER  
 SERVICES PROGRAM**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
 David Axton, Chairman of the Ways & Means Committee

WHEREAS, the New York State Department of Health has awarded the Health Department funds to participate in the Integrated Cancer Services Program for which the Cayuga County Health Department will screen eligible women for breast and cervical cancer, eligible women and men for colorectal cancer, and provide education regarding both colorectal and prostate cancer to all eligible individuals screened; and

WHEREAS, the award will result in two separate State contracts, one for infrastructure and the other for reimbursable clinical services; and

WHEREAS, the initial infrastructure contract will be for the nine-month period of July 1, 2013 – March 31, 2014, for \$82,500, and the contract will be renewable annually beginning April 1, 2014 through March 31, 2018; and

WHEREAS, the reimbursable clinical services contract will be for the four-year nine-month period beginning July 1, 2013 through March 31, 2018. The allocation for the initial nine-month period of July 1, 2013 through March 31, 2014 is \$30,848; this contract will be renewable annually for the remaining four years; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with the NYS Department of Health to accept 100% State funding in the amount of \$82,500 for the infrastructure portion of the Integrated Cancer Services Program for the nine-month period of July 1, 2013 – March 31, 2014, and to renew this contract annually beginning April 1, 2014 through March 31, 2018; and be it further

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a second contract with the NYS Department of Health to accept 100% State funding in the amount of \$30,848 for the clinical services portion of the afore mentioned program for the period July 1, 2013 - March 31, 2014; to renew this contract on an annual basis for the remaining four years; and to authorize the Chairman of the Legislature and the Director of Health & Human Services to sign contracts with clinical providers participating in this program; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the following adjustments to the Health Department's 2013 Budget in the following manner:

Increase Revenue Account #A40160 43416	\$113,348
Increase Appropriation Account #40164 54000	\$113,348

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 2013 through 2018 Budgets to accomplish the same along with any COLA funds relative to this program.

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

**RESOLUTION NO. 252-13**

**7/23/2013 HS Fill Caseworker CPS (July 2013)**

**AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO FILL A CASEWORKER VACANCY IN CHILD PROTECTIVE SERVICES (CPS) DUE TO RESIGNATION OF INCUMBENT**

BY: Patrick Mahunik, 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 Child Protective Services of Human Services (position control #002264) effective June 20, 2013 due to resignation of incumbent; and

WHEREAS, this position is responsible to investigate Child Protective Reports in the CPS 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 2013 budget; NOW, THEREFORE BE IT

RESOLVED, that the Director of Health & Human Services is authorized and directed to fill the Caseworker position in Child Protective Services in accordance with Civil Services Rules and Regulations and the policies of the County of Cayuga.

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

**RESOLUTION NO. 253-13**

**(July 23, 2013) HS Leave Bank VC 2013**

**AUTHORIZING THE CREATION OF A TEMPORARY LEAVE BANK FOR A CAYUGA COUNTY HUMAN SERVICES EMPLOYEE**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, an employee of the Cayuga County Human Services Department has a serious illness requiring treatment that will necessitate at this time a medical leave of indefinite duration; and

WHEREAS, an initial sick bank was established 3/26/ 2013 and will be exhausted 8/3/ 2013; and

WHEREAS, the employee's illness remains of a serious nature and is still on a medical leave 'til at least October, 2013; and

WHEREAS, discussion has occurred over this issue with representatives of the County and the CSEA, and both parties have agreed to allow the creation of a temporary leave bank at the request of fellow employees to address the immediate loss of income for the employee; NOW, THEREFORE, BE IT

RESOLVED, that the Cayuga County Legislature hereby approves this leave bank (subject also has approval of the CSEA officials); and be it further

RESOLVED, that the Cayuga County Legislature authorizes and directs all those steps that may be required to undertake this temporary leave bank in accordance with the following conditions:

All other leave shall have been exhausted by the employee.

All County employees may be permitted to donate personal, vacation or comp. time in no less than half-day increments, at any amount up to a grand total of ninety-five work days.

All leave donations shall be in writing on a standardized leave bank form.

Leave time shall be used by the employee in accordance with the CSEA contract, using one full day from each donation before additional days are utilized from donors making multiple day donations.

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

### **RESOLUTION NO. 254-13**

#### **July 23, 2013 HS Catholic Charities Supervised Visitations 2013 AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH CATHOLIC CHARITIES OF THE FINGER LAKES TO PROVIDE SUPERVISED VISITATION SERVICES FOR CLIENTS REFERRED TO THEM BY THE DEPARTMENT OF SOCIAL SERVICES**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
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, 2013 to July 31, 2014 for the provision of supervised visitation services at the following rates:

Standard Unit of Service (60 min.)	\$31.56
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Special Billing Considerations:

Sessions that exceed 60 min. will be calculated based on the length of time.

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.



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 2013 Human Services Department’s Budget.

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

**RESOLUTION NO. 255-13**

**July 24, 2013 HS Cayuga Centers Preventive Respite 2013**

**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, 2013 through June 30, 2014; and be it further

RESOLVED, that these services be paid from Account #A60704 54184 (Preventive Services) of the Human Services Department’s 2013 Budget.

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

**RESOLUTION NO. 256-13****July 23, 2013 HS Cayuga Counseling Diagnostics 2013****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH CAYUGA COUNSELING SERVICES, INC. FOR THE PROVISION OF COMMUNITY, DETENTION OR RESPITE BASED MENTAL HEALTH DIAGNOSTIC ASSESSMENTS TO CHILDREN AND TO MAKE RECOMMENDATIONS FOR TREATMENT**

BY: Patrick Mahunik, Chairman of the Health & 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, 2013 through July 31, 2014 at the following costs:

Services	Rates Per Unit of Service
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 2013 Human Services Department's Budget.

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

**RESOLUTION NO. 257-13****July 23, 2013 HS Clinical Psychologists Contracts 2013****AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO CONTRACTS WITH VARIOUS CLINICAL PSYCHOLOGISTS TO CONDUCT CLINICAL PARENTAL AND CHILD ASSESSMENTS FOR CHILD WELFARE CASES**

BY: Patrick Mahunik, Chairman of the Health & 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 provide these assessments; 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 2013 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, 2013 through July 31, 2014 at the scheduled rates; and be it further

RESOLVED, that these services be paid from Account #A60104 54059 of the 2013 Health Department Budget.

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

**RESOLUTION NO. 258-13**

**7-23-2013 CC ePN - MOU**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO EXECUTE MEMORANDUM OF UNDERSTANDINGS WITH ePN 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 ePN. The MOU states that this business 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 MOU which will allow the County Clerk to receive the electronic recording of land documents commencing July 1, 2013.

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

**RESOLUTION NO. 259-13  
7-23-13 COL standardworkweek**

**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.

Name/Social Security Number	Registration Number	Standard Work Day	Term Begin/End	Participates in Employer's Time Keeping System (Y/N)	Days/ Month (based on Record of Activities)
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**APPOINTED**

Kimberly Taggerty	41597527	7	3-30-10 to 12-31-13	Y	
Raymond Bizzari	50590348	7	1-1-10 to 12-31-13	Y	
Ann Kubarek	34515205	7	1-1-10 to 12-31-13	Y	
Linda Frank	50638774	7	1-1-12 to 12-31-15	Y	
Michael Russell	60035037	7	1-1-10 to 12-31-13	Y	
Melissa Field	40357634	7	1-1-11 to 12-31-14	N	21.29

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

**RESOLUTION NO. 260-13  
7-23-13 CC SR CLERK PTrev2**

**AUTHORIZATION TO FILL A PART-TIME SENIOR CLERK POSITION 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 demands and responsibilities for recording and maintaining records in an electronic and digitized format; and

WHEREAS, one part time Senior Clerk has resigned; and

WHEREAS, the funding for the Part Time Senior Clerk Position #07314 has been appropriated in the 2013 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 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 the 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, Aikman, Barski, Runkle, Axton, Pecher, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 261-13**

**7/23/13 CC-DMV CASHIER PTrev**

**AUTHORIZING THE CAYUGA COUNTY CLERK TO FILL A PART TIME CASHIER IN THE MOTOR VEHICLE DEPARTMENT.**

BY: MR. GEORGE FEARON, Chairperson, Government Operations Committee  
MR. DAVID AXTON, Chairperson, Ways and Means Committee

WHEREAS, there will be a Part Time Cashier position vacancy on July 24, 2013 in the Motor Vehicle Bureau and that the Part Time Cashier position provides essential services to the Motor Vehicle Department and to the County; and

WHEREAS, the funding for this Part Time DMV Cashier position #1835 has been appropriated in the 2013 Department of Motor Vehicle Salary Account (A14111-51001) in the amount of \$17,459 (\$18.98-probation; \$19.13 hourly); now therefore be it

RESOLVED, that Cayuga County Clerk Susan Dwyer be authorized to fill the position of Motor Vehicle Cashier with a part time position with no fringe except those mandatory by statute and according to the Cayuga County Compensation Plan, Part II-Non- Bargaining in the title Motor Vehicle Cashier PT; and be it further

RESOLVED, that this part time 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 & adjustments to accomplish the same.

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

**RESOLUTION NO. 262-13**

**7-23-13 CC Recording Clerk PT**

**AUTHORIZES CAYUGA COUNTY CLERK TO TEMPORARILY REPLACE RECORDING CLERK**

BY: MR. GEORGE FEARON, Government Operations Committee  
MR. DAVID AXTON, Chairperson, Ways and Means Committee

WHEREAS, the part time Recording Clerk that reconciles and prepares mortgage tax reports will be on a leave of absence for 3-4 weeks beginning July 19, 2013; and

WHEREAS, this position provides essential services to the County Clerks Recording office; and

WHEREAS, the County Clerk will need to fill the position while the current Recording Clerk is on leave of absence so that the reconciliation of tax and mortgage tax reports are prepared and submitted in a timely manner; and

WHEREAS, the funding for the Part Time Recording Clerk (Position 1825) has been appropriated in the 2013 County Clerk's salary account; NOW BE IT THEREFORE

RESOLVED, that Cayuga County Clerk Susan Dwyer is hereby authorized to temporarily fill the position of Part Time Recording Clerk; and be it further

RESOLVED, that the position be paid in accordance to the Cayuga County Compensation Plan, Part II for Non-Bargaining Employees, for the title of Part Time Recording Clerk; and be it further

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

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

**RESOLUTION NO. 263-13**

**7/23/13 COA CCC2013-2014bdgt**

**APPROVING 2013-2014 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 2013-2014 academic year to the Ways & Means and Government Operations Committees of the Cayuga County Legislature; and

WHEREAS, said Cayuga Community College budget for the 2013-2014 academic year totals \$30,320,751; 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 2013-2014 Budget of Cayuga Community College is hereby approved in accord with a 2013 County Contribution of \$2,898,345.

Signed by Fearon, Barski, Farrell, Runkle, Axton, Pecher, Pinckney and Whitman, all in favor, except Aikman and Bennett abstained.

**RESOLUTION NO. 264-13**

**July 23, 2013 PB Ag-District Annual Additions v1**

**RESOLUTION AUTHORIZING THE ADDITION OF REQUESTED PARCELS  
TO CAYUGA COUNTY CONSOLIDATED AGRICULTURAL DISTRICT #5**

BY: Mr. Paul Pinckney, Chair, Planning and Economic Development Committee  
Mr. David Axton, Chair, Ways and Means Committee

WHEREAS, Cayuga County participates in the New York State Agricultural District Program and is consolidating Cayuga County Agricultural Districts 1, 2, 3, 4, 5 and 6 into Consolidated Agricultural District No. 5, using District 5 as the "parent district"; and

WHEREAS, Article 25AA of the New York State Agriculture and Markets Law requires counties to provide an annual public notice that the County will receive, review and consider requests by property owners to add viable farm land to County Agricultural Districts; and

WHEREAS, the Cayuga County Planning Department has conducted such public notification and has received sixty-four (64) requests during the March 1 to March 31, 2013 period, with such requests resulting in property-owner proposals to include a total of eighty-nine (89) parcels to be added to Consolidated Agricultural District No. 5; and

WHEREAS, Article 25AA of NYS Agriculture and Markets Law requires a County Legislature to hold a Public Hearing regarding these requests for addition of viable farm land into the County's Agricultural District(s) before taking legislative action on same; and

WHEREAS, The proposed additions have been reviewed by the County Agriculture & Farmland Protection Board and considered by County Legislature, at a Public Hearing on June 25, 2013; and

WHEREAS, The County Legislature concluded that all 89 parcels consist of viable agricultural land in accordance with Article 25AA of NYS Agriculture and Markets Law and wishes to approve the addition of all 89 parcels; Now, Therefore Be It

RESOLVED, that the Cayuga County Legislature approves the addition of all 89 requested parcels to the Cayuga County Consolidated Agricultural District #5; and be it further

RESOLVED, that this resolution take effect immediately.

Signed by Pinckney, Aikman, Barski, Cuddeback, Farrell, Fearon Lattimore, Axton, Pecher, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 265-13**

**July 23, 2013 PB\_Ag-Dist\_Consol Apprvl v1**

**RESOLUTION AUTHORIZING THE RENEWAL OF CAYUGA COUNTY  
AGRICULTURAL DISTRICTS INTO CONSOLIDATED  
AGRICULTURAL DISTRICT #5**

BY: Mr. Paul Pinckney, Chair, Planning and Economic Development Committee  
Mr. David Axton, Chair, Ways and Means Committee

WHEREAS, Cayuga County is undertaking its required Agricultural District Program Eight-Year Review process, with the intention of preserving the agricultural integrity of the districts, assessing the economic viability of the districts and identifying appropriate district boundary changes; and

WHEREAS, Cayuga County currently has six (6) Agricultural Districts, all of which come up for review at different times during the eight-year cycle and, therefore, the Cayuga County Legislature has determined to streamline this review by passing Legislative Resolution No. 321-12 on August 28, 2012, authorizing and directing staff to implement the process to consolidate Cayuga County Agricultural Districts 1, 2, 3, 4, 5 and 6 into Consolidated Agricultural District No. 5, using District 5 as the "parent district"; and

WHEREAS, the County Planning Department have conducted significant public outreach on the proposed renewal and consolidation, including contacting all property owners with ag-district parcels to collect data on ag-use within the districts and providing owners an opportunity to opt-in or -out of the districts; contacting all Towns in the County for the same purposes and reviewing the proposed ag-district consolidation with the Cayuga County Planning Board and the Cayuga County Agriculture and Farmland Protection Board; and

WHEREAS, Article 25AA of the New York State Agriculture and Markets Law requires a County Legislature to hold a Public Hearing regarding the renewal of Agricultural Districts before a final Legislative vote on the renewed districts; and

WHEREAS, The proposed Consolidated Agricultural District #5 has been reviewed by the County Agriculture & Farmland Protection Board and considered by County Legislature, at a Public Hearing on June 25, 2013 and the Legislature wishes to approve the Consolidated Agricultural District #5 as proposed; Now, Therefore Be It

RESOLVED, that the Cayuga County Legislature approves the boundaries of the Cayuga County Consolidated Agricultural District #5 as presented at the Public Hearing on June 25, 2013 and hereby directs the Planning Department to submit the proposed Consolidated Agricultural District #5 to NYS Ag & Markets for review and approval; and be it further

RESOLVED, that this resolution take effect immediately.

Signed by Pinckney, Aikman, Barski, Cuddeback, Farrell, Fearon Lattimore, Axton, Pecher, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 266-13**

**July 23, 2013 PB Cntrct\_SFY12\_to\_SFY13\_FLOWPA Fundsv2**

**AUTHORIZING THE SIGNING OF A CONTRACT WITH THE OSWEGO COUNTY SOIL AND WATER CONSERVATION DISTRICT FOR THE TRANSFER OF NYSDEC FUNDING FOR THE FINGER LAKES-LAKE ONTARIO WATERSHED PROTECTION ALLIANCE TO CAYUGA COUNTY, STATE FISCAL YEARS 2012 – 2013 FUNDING**

BY: Mr. Paul Pinckney, Chair, Planning and Economic Development Committee  
Mr. David Axton, Chair, Ways and Means Committee

WHEREAS, Cayuga County, as one of the twenty-five (25) voting members of the Water Resources Board of the Finger Lakes-Lake Ontario Watershed Protection Alliance, has been allocated NYS Department of Environmental Conservation (NYSDEC) funds for its water quality program under the Finger Lakes-Lake Ontario Watershed Protection Alliance (FLOWPA); and

WHEREAS, NYSDEC has agreed to transfer funding for the twenty-five (25) member programs to the Oswego County Soil and Water Conservation District (DISTRICT) and the Water Resources Board of FLOWPA (WRB) via a single contract amongst NYSDEC, the DISTRICT and the WRB; and

WHEREAS, the County of Cayuga is eligible to receive \$38,250 in State Fiscal Year (SFY) 2012-2013 FLOWPA funding, which will be used to enhance, protect and preserve Cayuga County's water resources; and

WHEREAS, the Cayuga County Legislature wishes to execute the contracts necessary for the County to access and allocate these state funds for the preservation and protection of the Cayuga County's water resources; Now, therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute a contract between Cayuga County and the Oswego County Soil and Water Conservation District for the Finger Lakes-Lake Ontario Watershed Protection Alliance as specified in said contract; and to act as the official representative of Cayuga County in connection with any and all contracts between Cayuga County and the Oswego County Soil and Water Conservation District for FLOWPA funds; and be it further

RESOLVED, that a signed, certified copy of this resolution be submitted to the District Manager of the Oswego County Soil and Water Conservation District along with said contracts; and be it further



RESOLVED, that the Planning and Economic Development Department’s 2013 budget is hereby amended so as to add \$38,250 to the Department’s A87410 43994 -A State Aid – FL/FLOWPA GRANT revenue account and the WQMA’s 2013 budget is hereby amended so as to add \$38,250 to the agency’s A87414 54000 -A FLOWPA GRANT expenses account, resulting in no net change in the budget to accommodate this project; and be it further

RESOLVED, that the County Treasurer be and is hereby authorized and directed to make the necessary journal and accounting entries to accomplish the same; and be it further

RESOLVED, that this resolution take effect immediately.

Signed by Pinckney, Aikman, Barski, Cuddeback, Farrell, Fearon Lattimore, Axton, Pecher, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 267-13  
(07/23/13) E&T Boceslease**

**AUTHORIZING THE CAYUGA COUNTY EMPLOYMENT AND TRAINING DEPARTMENT TO ENTER INTO A SUB-LEASE AGREEMENT WITH CAYUGA-ONONDAGA BOCES AND AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN SAID AGREEMENT**

BY: Paul Pinckney, 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 \$17,340.48 rent per year during the term of this lease, 8/1/13 – 7/31/14, payable in equal monthly installments of \$ 1, 445.04 in advance of the first of each and every month, or as a one-time payment of \$17, 340.48; now, therefore, be it

RESOLVED, that the Cayuga County Employment & Training Department is authorized to sub-lease portions of said rental space on such terms and conditions as it deems appropriate to the Cayuga-Onondaga BOCES; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized to sign the sub-lease agreement and other documents as may be necessary to carry out the intentions of this resolution.

Planning Committee

Signed by Pinckney, Aikman, Barski, Cuddeback, Farrell, Fearon Lattimore, Axton, Pecher, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 268-13  
(7/24/13) PT Grant Application Emerson Park 7 13REV**

**MEMORIALIZING SUPPORT FOR PARTICIPATION IN THE LOCAL WATERFRONT REVITALIZATION PROGRAM, GREEN INNOVATION GRANT PROGRAM AND ENVIRONMENTAL PROTECTION FUND MUNICIPAL GRANT PROGRAM**

BY: Tucker Whitman, Chairperson, Public Works  
Dave Axton, Chairperson, Ways & Means Committee

WHEREAS, the County of Cayuga desires to consider the undertaking of certain improvements to Emerson Park including the addition of docking space for boats and improvements to the boat launch, to boat launch access road and to the boat launch parking lot; and

WHEREAS, the Cayuga County Legislature approved Resolution 203-13 authorizing the Parks Department to hire edr Companies to design and develop cost estimates for the proposed improvements; and

WHEREAS, to this end, the County of Cayuga seeks to apply for grants from the New York Department of State-Local Waterfront Revitalization Program, the Environmental Facilities Corporation-Green Innovation Grant Program and the Office of Parks, Recreation & Historic Preservation- Environmental Protection Fund Municipal Grant Program to assist with funding these improvements; now, therefore be it

RESOLVED, that the County of Cayuga is hereby authorized to submit an application through the Local Waterfront Revitalization Program, the Green Innovation Grant Program and the Environmental Protection Fund Municipal Grant Program for purposes of undertaking the Emerson Park improvements, and, be it further

RESOLVED, that the Chairman of the Cayuga County Legislature, or his designee, shall act as the Contact Person and that such Contact Person shall execute all financial and/or administrative documents relating to the grant programs; and, be it further

RESOLVED, that the projects for which the grant application shall be submitted are for the County of Cayuga to undertake certain improvements to Emerson Park; and, be it further

RESOLVED, that the maximum amount of money to be applied for in the grant applications shall be determined by the edr Companies' prior to the application but the Parks Department estimate is \$722,738.00.

Signed by Whitman, Axton, Bennett, Pecher and Cuddeback, all in favor.

**RESOLUTION NO. 269-13**

**July 23, 2013 HWY signNYSDOTpermitrev**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO SIGN  
NYSDOT PERM-1 PERMIT**

BY: Tucker Whitman, Chairman Public Works Committee

David Axton, Chairman Ways and Means Committee

WHEREAS, Cayuga County desires access to operations along the State's Right of Way; and

WHEREAS, the County operates with Overweight permits and performs work activities within the NYS Right of Way; and

WHEREAS, NYSDOT requires municipalities to have a permit on file and the current 20 year permit is up for renewal; now therefore be it

RESOLVED, that the Chairman of the Legislature is authorized to sign the PERM-1 permit and any other necessary paperwork to implement the intent of this resolution.

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

**RESOLUTION NO. 270-13**

**July 23, 2013 HWY indxstatesnow12/13**

**AUTHORIZATION TO ACCEPT 12/13 NYS SNOW AND ICE REMOVAL  
WINTER SEVERITY INDEX PAYMENT AND SIGN AMENDMENT TO  
CONTRACT**

BY: Tucker Whitman, Chairman Public Works Committee

David Axton, Chairman Ways and Means Committee

WHEREAS, the County of Cayuga was under contract with the NYS DOT for Snow and Ice removal under Contract Agreement D0091816 for the 2012-2013 season; and

WHEREAS, \$840,000 was budgeted in Revenue Account D50100 43302 as an estimated reimbursement for the NYS Snow & Ice removal agreement; and

WHEREAS, the Winter Severity Index payment provides for additional revenue to offset increased snow plowing costs and was included in the original amount budgeted; now therefore be it

RESOLVED, that the Chairman of the Legislature and the Highway Superintendent are hereby authorized to accept funding in the amount of \$103,259.87; and be it further

RESOLVED, that the Chairman of the Legislature is authorized to sign the Amendment to Change the Estimated Expenditure for Snow & Ice Agreement for the 2012/2013 snow season.

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

**RESOLUTION NO. 271-13**

**7/23/2013 BLD Cleaning Agreement 2013**

**AUTHORIZING THE CHAIRPERSON OF THE CAYUGA COUNTY  
LEGISLATURE TO ENTER INTO A CLEANING SERVICE AGREEMENT WITH  
MATRIX INTEGRATED FACILITY MANAGEMENT, JOHNSON CITY, NEW  
YORK FOR THE CLEANING OF COUNTY OWNED BUILDINGS.**

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

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

WHEREAS, in 2010 Resolution 264-10 Authorized the Chairperson to enter into an agreement for the cleaning of the County owned buildings in Auburn NY; and

WHEREAS, In April of 2013 the County requested bids for the cleaning of the downtown buildings and received 2 bids on April 23, 2013, one from Hillside Shared Service Inc. Rochester, New York in the amount of \$492,738.00 and one from Matrix Integrated Facility Management, Johnson City, New York in the amount of \$295,682.00; and

WHEREAS, the Cayuga County Public Works committee did review and discuss the proposal from Matrix Integrated Facility Management; and

WHEREAS, Matrix Integrated Facility Management will provide all cleaning, cleaning materials and rest room supplies to maintain and clean the following buildings; Cayuga County Office Building 160 Genesee St, Historic Post Office 157 Genesee St, Cayuga County Courthouse 158 Genesee St, The Hardenburg Building 95 Genesee St and 8 Dill St, Cayuga County Board of Election and Records Retention 10 Court St. and the Cayuga County Center for Mental Health 146 North St. All in Auburn N.Y.; now there for let it be

RESOLVED, that the Chairperson of the Cayuga County Legislature is authorized and directed to sign any and all documents with Matrix Integrated Facility Management for the cleaning of County owned buildings; and be it further

RESOLVED, that the annual cost of this proposal is \$295,682.00 annually, and renewable by the Cayuga County Legislature for successive one (1) year periods for a maximum of three (3) more years with a cost increase each year connected to the US Department of Labor Consumer Price Index or 2% whichever is less; and be it further

RESOLVED, that this agreement will commence for a one (1) year on or about September 18<sup>th</sup> 2013 upon the execution of all required documents; and be it further

RESOLVED, that the Superintendent of Buildings and Grounds will be responsible for: the implementation of the agreement; review all proposed 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, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon and Pinckney, all in favor.

#### **RESOLUTION NO. 272-13**

**Date: July 23, 2013 HWY GlenHvnbidacctptconttransS2rev2**

#### **AUTHORIZATION TO ACCEPT BID FOR GLEN HAVEN ROAD (SITE 2) 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 (2/3)**

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, Resolution No. 323-12 awarded the replacement of the retaining walls at both sites 6897 Glen Haven Rd (Site 1) and 6975 Glen Haven Rd (Site 2) to Sitework (Contractor) and increased Capital "H" No. 11-04 to \$285,010; and

WHEREAS, Resolution No. 239-13 amended and increased Capital "H" No. 11-04 to \$356,159 due to extra work done at Site 1; and

WHEREAS, the Highway Department has taken over the completion of Site 1, and Site 2 was removed from the Contractor's scope of services; and

WHEREAS, bids for Site 2 were opened on July 9, 2013 with the following results:

**CONTRACTOR**

**SITE 2 REPLACEMENT**

MD Excavation LLC	\$60,788
Vector Construction	\$95,000
Silverline Construction	\$24,000
Slate Hill Construction	\$33,300

;and

WHEREAS, the current total estimate to complete the project is \$380,159; now therefore be it

RESOLVED, to accept the bid for SITE 2 from Silverline Construction for in the amount of \$24,000 for the stabilization at or around 6957 Glen Haven Rd; and be it further

RESOLVED, that the sum of \$24,000 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 \$380,159; and be it further

RESOLVED, that the Chairman of the Legislature and 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; 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, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon and Pinckney, approved by 2/3 majority vote, all voting in favor.

**RESOLUTION NO. 273-13**

**July 23, 2013 SHR Jail Physician**

**RESCINDING RESOLUTION NO. 171-13 THAT AUTHORIZED THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND THE CAYUGA COUNTY SHERIFF TO ENTER INTO A CONTRACT WITH DR. PANG LAY KOOI TO PROVIDE PHYSICIAN SERVICES TO THE INMATES HOUSED AT THE CAYUGA COUNTY JAIL**

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

WHEREAS, the Chairman of the Cayuga County Legislature and the Cayuga County Sheriff were authorized by Resolution No. 171-13 to enter an Agreement with Dr. Pang Lay Kooi changing his employment with Cayuga County Sheriff's Office from part-time employee to independent contractor; and

WHEREAS, prior to an agreement being executed by the parties, it was concluded that Dr. Pang Lay Kooi's employment with the Cayuga County Jail should continue as a part-time employee and not as an independent contractor; now, therefore be it

RESOLVED, that Resolution No. 171-13 be hereby rescinded.

Signed by Cuddeback, Axton, Bennett, Didio, Farrell, Whitman, Fearon, Mahunik, Pecher and Pinckney, all in favor.

**RESOLUTION NO. 274-13****Date: 7/23/13 SHR FillJailVacancies****AUTHORIZE THE SHERIFF TO FILL THREE VACANT SHERIFF CUSTODY OFFICER POSITIONS IN THE CUSTODY DIVISION OF THE CAYUGA COUNTY SHERIFF'S OFFICE.**

BY: MR. STEVEN CUDDEBACK, Judicial & Public Safety Committee  
 MR. DAVID AXTON, Chairman, Ways & Means Committee

WHEREAS, a Sheriff Custody Officer (Position Control No. 7226-SYS) left employment with the Cayuga County Sheriff's Office on May 25, 2013, a Sheriff Custody Officer (Position Control No.1962-SYS) left employment with the Cayuga County Sheriff's Office on June 9, 2013 and a Sheriff Custody Officer (Position Control No. 6522-SYS) left employment with the Cayuga County Sheriff's Office on June 20, 2013 leaving three vacancies in the Cayuga County Sheriff's Department Custody Division; and

WHEREAS, it is mandated by the New York State Commission of Correction that the Cayuga County Sheriff's Department Custody Division maintain a certain number of Custody Officer Positions to comply with the minimum staffing complement as the services provided by these positions are critical for maintaining the safe, smooth and efficient operation of the Sheriff's Office Custody Division and due to these vacancies, reduces the minimum staffing to below state mandates; and

WHEREAS, it is now necessary to fill these vacant positions from the civil service eligibility list so that the recruits may attend an upcoming academy; and

WHEREAS, these positions are designated and accepted in the 2013 Cayuga County Sheriff's Custody Salaries Operating Budget Line A31501 51001; now therefore be it

RESOLVED, that the Sheriff be hereby authorized and directed to fill three Sheriff Custody Officer Positions; and be it further

RESOLVED, the employees hired will be placed at the appropriate step within the Sheriff's Employee Association of Cayuga County (SEACC) Compensation Plan for 2007-2011; and be it further

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

Signed by Cuddeback, Axton, Bennett, Didio, Farrell, Whitman, Fearon, Mahunik, Pecher and Pinckney, all in favor.

**RESOLUTION NO. 275-13****(7.23.13) COA LL BesseeLease911 FIX****FIXING DAY AND NOTICE OF PUBLIC HEARING ON ADOPTING LOCAL LAW NO. \_\_\_\_ FOR THE YEAR 2013. A LOCAL LAW AUTHORIZING THE COUNTY OF CAYUGA TO LEASE PART OF THE PREMISES, COMMONLY KNOWN AS 2189 MOTT ROAD, CATO, NEW YORK, TOWN OF IRA TAX MAP NO. 39.00-1-2.2, COUNTY OF CAYUGA, NEW YORK, FROM DONNA BESSEE FOR A TERM OF 99 YEARS.**

BY: MR. STEVEN CUDDEBACK, Chairman, Judicial & Public Safety Committee.

MR. TUCKER WHITMAN, Chairman, Public Works 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 July 23, 2013, a proposed local law entitled:

“LOCAL LAW NO. \_\_\_\_\_ FOR THE YEAR 2013. A LOCAL LAW AUTHORIZING THE COUNTY OF CAYUGA TO LEASE PART OF THE PREMISES, COMMONLY KNOWN AS 2189 MOTT ROAD, CATO, NEW YORK, TOWN OF IRA TAX MAP NO. 39.00-1-2.2, COUNTY OF CAYUGA, NEW YORK, FROM DONNA BESSEE FOR A TERM OF 99 YEARS.”

Now, therefore, be it

RESOLVED, that a public hearing shall be held concerning the proposed local law before the Cayuga County Legislature on August 27, 2013, at 5:45 P.M., at the Cayuga County Office Building, 160 Genesee Street, Auburn, New York, and the Clerk of the Cayuga County Legislature is hereby directed to give due legal notice of said public hearing as provided by statute.

Signed by Cuddeback, Axton, Bennett, Farrell, Whitman, Mahunik, Pecher, Runkle, Fearon and Pinckney, all in favor.

**Motion by Cuddeback, 2<sup>nd</sup> by Whitman to bring to the floor.**

**Motion by Cuddeback to amend the timeliness of the part-time fill until October 31<sup>st</sup>, 2013 and if needed after that address by a resolution, 2<sup>nd</sup> by Runkle, all in favor of amendment except Aikman. 2/3 vote on amended resolution passed all voting aye, 249.**

**RESOLUTION NO. 276-13**

**7.23.13 COR crtfllcrinvtrev2**

**AUTHORIZING THE CREATION AND FILLING OF A PART TIME CORONER'S INVESTIGATOR IN THE CORONER'S OFFICE AND THE TRANSFER OF MONIES. (2/3)**

BY: Hon. Steven Cuddeback, Chair Judicial & Public Safety Committee

Hon. David Axton, Chair Ways & Means Committee

WHEREAS, the Ways and Committee learned recently that the Coroner's Office requires an additional Coroner's Investigator's, part time, to fill a temporary need in the Coroner's Office; and

WHEREAS, the Civil Service Commission has classified an additional Coroner's Investigator, part time; and

WHEREAS, the sum of \$5,000.00 is required to fund the part time position through the end of the fiscal year; now therefore be it

RESOLVED, that the Cayuga County Legislature hereby authorizes the creation of a Coroner's Investigator, part time in the Coroner's Office; and be it further

RESOLVED, that the position be filled, temporarily, in accordance with the Civil Service Rules and Regulations; and be it further

RESOLVED, that the sum of \$5,000.00 be transferred from Contingency Account No. A10164 54000, and transferred into Account No. A11851 51002, Salaries, Part Time; 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.

Chairman Michael Chapman thanked everyone at BOCES for their services.

**NURSING HOME DISCUSSION:**

**Aikman asks about family members because they are being impacted as well.**

**Buchanan responds that the concept of family has been broadened. He says that their mission statement says the elders but also those who care for them. He says it is a combination to describe not just the staff but the other caregivers that surround/support that elder.**

**Lattimore says in order to remain financially viable a merged facility might limit or cap the amount of Medicaid admissions which essentially eliminates or restricts the current safety net role of Cayuga County Nursing Home. He says if merged or sold the mandate to care for our own could be lessened or eliminated. He asks if there will be any restrictions on the Medicaid admissions because of the merger.**

**Buchanan responds absolutely not and that Derek will speak more on the financial projections. He says Loretto's policy is that everyone should be able to have good care regardless of their ability to pay. He discusses Loretto finding ways to make sure that the doors are kept open to all. He says it is one of the reasons it was so critical to gain commitment from the Department of Health and that they would be willing to provide a rate for the residents who are served by Medicaid. He says Loretto believes they have done that and are prepared to support that. He says that is also consistent with the funds that are being spent through the HEAL grant. He says part of the rationale for the grant was to insure that doors would be open to all residents in Cayuga County for a strong viable facility that serves as a caregiver for anybody in the community that needs that care.**

**Chairman Michael Chapman closes the Public Hearing for the Local Law at 6:54PM. Pierce discusses the financials**

**Farrell asks Pierce what happens to the payables and receivables if the merger takes place and Loretto takes over operations of the Cayuga County Nursing Home.**

**Pierce answer that Loretto would contemplate taking over the payables and receivables at the time of the transaction.**

**Farrell says that it is his understanding that there is about \$1.4 million dollars in accounts receivables that the County put leans on people's properties. He asks if that money would go to Loretto not back to the county.**

**Pierce responds that it would go to fund the operations and to pay some of the corresponding liabilities that are on the books.**

**Farrell says this is one of his concerns and understands the time factor but if the county decides to go in the direction of a merger he does not agree with the \$1.4 million dollars because the county is the one who took the loss and are the ones with the leans on the properties. He says the county's lawyers are the ones who did the work and so on. He says he is apprehensive to have that type of agreement in the paperwork.**

**Westphal responds that depending on the direction that the Board gives the group that would be negotiating that might be a part of the discussions going forward.**



Buchanan says that Loretto's expectation at this point is the receivables that are outstanding would be sufficient to cover the liabilities that are outstanding. He says if there is a difference between the two the balance would revert back to the County.

Farrell says he wants to make sure that the County has language that is going to protect it down the road.

Buchanan responds that Loretto's expectation is that they would collect the money that is outstanding and use that money to pay the bills that are outstanding during the transition. He says if there are funds leftover at that point then those funds would revert to the County.

Farrell asks about a previous presentation about additional funding possibly from St. Joe's.

Buchanan responds that was referring to the working capital line of credit. He says that would either come from St. Joe's or perhaps a bank.

Farrell says that Lattimore provided the literature that was in the paper that St. Joe's has joined the Catholic Health East. He says and part of that process Catholic Health East will take over part of the approval of major capital expenditures. He asks Buchanan if Loretto is still on safe ground with financing or does it now become unpredictable.

Buchanan responds that St. Joe's is looking at all alternatives to move forward and assist in the project. He says there are some restrictions with the relationship that is being put in place with Catholic Healthcare East. He says that Pierce and his team are also looking at other avenues for financing. He says they have at least one bank that is interested in supporting the project and several other approaches to it as well. He also says that Loretto is confident that there is a mechanism to provide the \$2 million dollar working capital funding if it can't come from St. Joe's.

Farrell asks how the comfort level with the rest of the financing between the \$19.9 and the \$32 million.

Buchanan responds that there are quite a few interested parties in providing mortgage for the facility. He says one of the important parts for Loretto was to make sure that they could develop a projection that would allow the new entity to be mortgaged. He says the feedback that they have received back from the bankers and other mortgage investors they have spoken with are that these are very acceptable numbers from their standpoint.

Lattimore mentions that historically the Cayuga County Nursing Home did not lose money year in and year out and at one time it was profitable. He mentions at one point the county receiving a large sum of money from the tobacco money. He says that they thought they were doing the right thing by paying the mortgage which changed the rate that the county was receiving. He says right now we are in the red with the nursing home but it's because if we still had a mortgage on it the rate might be different. He asks about the rates that Loretto is proposing and if the state is indicating an increase on the rates.

Buchanan responds that Loretto expects that the rates that they have given will be available to the new facility for the next several years. He says at some point 3 or 4 years from now the entire Medicaid program and payment for services like this will be transitioned to the managed care programs to negotiate rates. He says from

Loretto's standpoint it was important to establish a base rate before the managed care programs takeover and manage all the Medicaid business in this state. He says it makes it so the base rate is a viable rate and that is where the negotiations would begin with the managed care companies. He says the benefit of joining with Loretto is now they are able to negotiate with the managed care companies over about 1,200 or more licensed skilled nursing beds. He says it allows Loretto to have a stronger position when negotiating with the insurance companies.

Chapman says that it is his understanding coming in that the liabilities and accounts receivables were something that was still going to be discussed. He says he believes the county has IGT money that will arrive at some time and 4 to 5 houses that will be sold to pay for prior care. He asks Buchanan if they were talking about paying current bills with the sum of money.

Buchanan responds yes they are paying the bills prior to the transition.

Chapman says so Loretto is only applying the money to the bills that Cayuga County would already have to pay.

Buchanan explains Loretto will draw a line on the date that the facility is transferred. He says the money that county has in the bank and the money that is billed will continue to be collected. He says those two funds will be used to pay the bills that are owed prior to the date that the facility is transferred. He says the money that is generated up to the point of the transfer will cover the bills up to the transfer. He then says any money that is leftover from that process will go back to the county.

Fearon says he wants everyone to be aware that the rates for Medicaid that Loretto is giving would not happen if the county does not move forward with the merger. He says the county would be on the rates they are on now which for both facilities are unsustainable related to long range financial.

Kathy Bell asks what will happen to the people who are currently in the county and state pension system.

Chapman responds that at the time of the transfer that would end. He says that the county's obligation continues because of legacy costs but they would not be in the pension system as far as contributions go at that point.

Kathy Bell asks about benefits.

Chapman says if they have enough time and are invested in the pension system then they would receive the benefits.

Kathy Bell asks about healthcare benefits.

Chapman responds not unless an employee retired.

Buchanan adds that the new corporation that would be formed would have all of the health and welfare benefits that Loretto offers to its employees. He says everyone would be starting new but they would grandfather seniority. He says employees would be able to join the pension plan in the new entity and health insurance or any other benefits would be provided.

Kara Dodge asks about employees maintaining their current pay and when the new entity is formed if the same pay rate will continue.

Buchanan responds that the current rate of pay will continue on into the new entity. He also says they will continue to look at the disparity between rates of pays for employees and work toward creating as much equality in pay as they can across all jobs.

Nancy Jones asks about employees who are close to retirement and if early retirement would be possible without any consequences.

Chapman responds that an early retirement incentive has not been discussed but other incentives have been discussed such as time in service and a severance if the merger goes forward.

Nancy Jones asks how long it will be until this merger would take place

Buchanan responds that it would be at the end of this year.

Nancy Jones says she will be 2 ½ years away from retirement.

Chapman responds that it is something the legislature can discuss but it has not been looked at yet.

Nelsa Selover says she has a few concerns. She asks how Cayuga County will be able to provide services in the future for a rising senior population. She says it would be much less expensive to have two campuses then be putting millions of dollars into Mercy when we have a beautiful campus out in the country already. She asks why there can't be a merger but still operate on two different campuses. She says she knows that Loretto deals with multiple campuses. She asks the legislature to please leave Cayuga County Nursing Home alone. She asks why the county is building high rises when even Loretto knows that cottages are the way of the future.

Chapman responds that the HEAL grant is not a singular award to one entity. He says the idea behind the grant is to sustain/provide long term care and to absorb some of the entities that have not been doing well. He says it is evident that both Mercy and the County nursing home have not been doing well. He believes that by keeping them separated they will not survive. He discusses the cottages Selover mentioned and says he thinks it is a great idea but type of care that is provided is different. He says that there is more need for constant care versus occasional care at the Cayuga County Nursing Home and Mercy. He says therefore it is a safeguard to have the nurses, support staff and medical staff right at the facility.

Buchanan discusses what Loretto has seen over the last 6 to 12 months in their facilities is a decrease in demand for utilizing skilled nursing facility beds. He says what they are finding is that there is an increasing demands for assisted living beds. He describes assisted living beds as a situation where people need less than the constant care but do need support for medications, meals and assistance to get places. He believes in the future there will be more interest in the lowest level of care that can fully provide for the needs of the individual. He says that what Loretto discusses is trying to support people to age in place. He says that most people would not choose to go to a nursing home if they had another alternative or if they could stay at home. He says that Loretto believes it is one of the great benefits they bring to the table. He discusses one of their programs called PACE which is independent living services for seniors. He says that the seniors are able to go back to the residence of choice and not a facility. He talks about the cottages and that Loretto is building them. He says that it is a new model of care called small homes in which they care of a small number of people in a contained environment. He says that there are significant challenges with that approach such as residents that need an extended amount of care. He says that the more important point for the consideration for today is they are very expensive to build and operate. He says that it will cost the same amount to build the 156 beds in the cottages

that it would to transform Mercy into a 300 bed facility. He says Loretto is not enthralled with the concept of high rise but it is a more cost effective way to bring the services to Cayuga County. He says cottages are a great concept for people who can build privately but a difficult concept for a facility that will provide 75 to 85 percent of its care at Medicaid rates.

Nelsa Selover says that Cayuga County will be down 77 beds at a time when seniors are increasing in number. She states that by 2015, 25 percent of the United States population will be 65 and over. She says the 85+ is the highest rising population and that the numbers going into nursing homes are not going to lessen. She says she is well of all the lower services are and says that we always strive to keep people at the lowest level of care. She says she is very concerned that Cayuga County will not have adequate services in such a short time. She believes someone will come back and ask Cayuga County to build another nursing home. She says that it was not mentioned why Cayuga County Nursing Home was built in the first place. She says that it was because there were not enough beds. She says she does not want history repeated because the legislature did not have the foresight tonight to not decrease bed. She says keep the beds we already have and to keep the Cayuga County Nursing Home.

Fearon responds that the world has changed since the nursing home was open originally. He says the reimbursement rates were able to carry forward. He says now the state is really controlling where we are at and where we will go with reimbursement rates. He says Mercy is about \$5 million dollars in the hole before the HEAL grant. He says that they owed money back to the state because their rate was so low. He says the reality is if the county does not move forward we may lose Mercy and lose 220 beds. He says the state is a big factor that controls our choices. Vincent Murphy asks if the legislature will be voting tonight on the nursing home. Chapman responds yes and Murphy asks the legislature to wait a little bit longer to vote.

Axton responds that the legislature is unable to wait. He says because there is a deadline from the state and we risk losing the grant and 220 beds.

Chapman discusses the Medicaid Inspector General and his mission given to him by the NYS Governor was to put counties out of the nursing home business. He says that is when they started coming up with the HEAL grant. He says he believes there was a comment by the Department of Health if Cayuga County does not use the grant it will be used by Rockland County. He says presently this is our opportunity and the legislature has been out to the nursing home several times and talked to residents, families, and staff. He says the legislature has tried to keep everything open and transparent. He says they have reached the point where enough information has been gathered and the legislature will make a decision one way or the other tonight.

Mark Kotzin (CSEA) he says his comments and oppositions have nothing to do with Loretto. He says CSEA a fundamental disagreement with the way that Cayuga County continues to provide senior care. He says CSEA believes what they are voting on tonight is about giving up control of Cayuga County's future senior care. He says the legislature is doing that under a plan that still has questions that need to be looked at by the entire public. He says there were petitions put forth by over 1,000 Cayuga County residents that said they wanted to keep the nursing

home owned and operated by the public. He thinks that there needs to be more public input. He says that it is a disservice to the general public to be hearing about the plan for the first time with no input.

Chapman Kotzin to be mindful to stick to the facts. He says there have been a number of news articles and many legislators have received questions and comments from residents.

Mark Kotzin says there are questions on the financial assumptions and this is a rapidly changing healthcare environment. He asks how we can guarantee in the future that Loretto does not go bankrupt in 6 years and puts Cayuga County in a bad position. He says CSEA is extremely troubled by the timeline that is being proposed and that the legislature is being held hostage because of the grant deadline. He says if the vote happens tonight the legislature will be putting money issue before the people issue. He says CSEA urges the legislature not to vote tonight.

Chapman responds that this is a very hard decision to make. He says if it was only about numbers the decision would be easy to make. He says the legislature realizes that this is more than a balance sheet. He says having been out to the nursing home a number of times and meeting with residents, staff, and families that have had their own comments. He says the legislature knows this is not an easy decision and the seriousness of the decision.

John Ognibene (Mercy Administrator) he says about two years ago several people started meeting trying to find a way to stabilize long term care in the county. He says that it included his self, Deb English, and a representative from Auburn Community Hospital. He says that they never anticipated it going in this direction but the HEAL grant came along and guided them in a way to stabilized long term care in a much stronger way. He believes that combining our facilities into a new entity in a fully renovated building is a wonderful opportunity for all the residents of Cayuga County. He says at Mercy they are very excited for the possibilities for all the residents of Cayuga County.

Nancy Jones asks if there will be enough beds for all of the residents of the Cayuga County Nursing Home at the new entity.

Buchanan responds that yes there will be. He says that Mercy is currently running about 200 residents per day. He says they are seeing a decline in the census and decline in the demand for skilled nursing care. He says that they will be able to provide more than enough care for everyone in the 300 bed facility.

Carol Fordice asks how the elderly people will be transitioned to the new facility. She says sometimes it can kill a resident.

Buchanan responds that transferring people to a new location is very difficult and challenging. He says that part of the money in the HEAL grant will be used to make sure the transition is done carefully.

Kara Dodge asks about the residents and if there is a change in their status if they will still be accepted.

Buchanan responds that what will go through is a plan with the staff at the county and the people that they care for. He says that they will go through a plan for every resident at the Cayuga County Nursing Home whether or not they want to move to the facility and if not where else they could place them . He says that is part of what constitutes a closure plan at a facility that the Department of Health re-

quires Loretto to submit to them and have approved. He says there has been a very specific set of tasks that need to be carried out that really focus on the needs and desires of the residents in the transition process.

Kara Dodge asks what about after the transition to the new entity and then there is a change in their status.

Buchanan responds once they have moved into the facility they will stay there.

Kara Dodge asks about the \$15 million dollar need to create the new entity and wants to know where it is coming from.

Buchanan responds that it is coming from a bank mortgage.

Sandy Holmes asks Chapman how he can take all of the negative responses that were given at the Cayuga County Nursing Home meetings and say that this is a good idea.

Chapman responds that Holmes is correct and that is why he says the choice is difficult. He says he is in favor of utilizing the HEAL money because it will provide long term care to our community and region. He says he does not have an alternative. He discusses the RFP that was sent out trying to find out what the market is doing in regards to who might be interested in buying the nursing home. He says that the legislature has not received any numbers on how much it would be bought for and they do not have a dollar amount. He says that by utilizing the HEAL grant it gives the county the opportunity to have local input.

Sandy Holmes asks Buchanan what the financial advantage is for Loretto.

Buchanan responds that Loretto will be able to spread its overhead service over another organization. He says it help to make Loretto more efficient. He says there is no bottom line profit for Loretto. He says what it will do is ease the burden of all the facilities under the Loretto umbrella because it will share collectively the cost of the benefits for about 2,250 employees. He says that allows Loretto to buy the benefits less expensively then they might have otherwise. He says there are more examples like that to allow Loretto to spread the economy of scale and it will make a stronger financially more viable organization that serves the community. He believes that it is critical for nursing homes to come together to assure that they can all be successful in the future rather than standing allow and having to make their way on their own. He says they have seen it with hospitals and other nursing homes grouping together so they can make it. He discusses negotiating with the managed care companies and all of the managed Medicaid in NYS is going to be moved to a managed care model. He says that means that the managed care companies will be responsible for managing the dollars associated with providing care to Medicaid beneficiaries. He says when that comes about Loretto wants to be as prepared as they can to negotiate with the managed care companies because they are going to want to try to bring the amount of money they pay down. He says that a single entity will have a lot more difficulty dealing with the large insurance company than a larger local organization.

Aikman says she would like to offer two other answers to Holmes. She says her constituents also live at Mercy and she must represent them as well. She says tax payers have subsidized the Cayuga County Nursing Home for \$1 million dollars every year. She says that is tax payer dollars that other people in the community are not benefitting from. She says there are other issues that the legislature has to think about and be careful about. She says she is sorry but the Cayuga County

Nursing Home residents are not the only residents that the legislature has to think about. She says they have a moral obligation to think of all of the residents. Farrell says that it is not easy decision and it is personal and the care and attention that the staff gives the residents is great. He says it bothers him that we are going into something that we don't know everything about. He says he would like to table the decision at least till the end of the RFP's. He says it is not a perfect situation but we have a financial responsibility to everyone in the county. He says he would love to have the nursing home continue on but economically if nothing is done now then we are going to have to make a decision in the near future. He says at this point and time we can take advantage of funding that is there that we might not be able to take advantage of in the future. He also says in consideration as well of Mercy residents and their staff. He says if something is not done there will be a lot of people out of a job and the residents could get scattered everywhere. Lance- Robson asks Buchanan if all employees would have a position and wants him to clarify that it is facilities, supervisors, nursing, housekeeping, administrators, and everyone that employed by the two facilities

Buchanan responds yes, absolutely.

Sister Pat Fogel says some years ago the Sisters came to take care of those that needed skilled nursing care and Mercy was built. She says there are still people that need to be taken care of and what we can do about it. She says the Sisters thought very long and hard because Mercy cannot continue as it is now. She says the only way the mission can continue is if we collaborate and make this work. She says this can be built and it can be really great. She says if always do what you always done you will only get what you've always got.

Fearon asks Buchanan to discuss each floor becoming a community.

Buchanan responds that Loretto has developed a design for creating communities on each floor. He says there will be dinner spaces and social places on each floor. He says the intent for the remodeling the intent is creating a type of community on each floor.

Ryan Foley says he has been attending all of the meetings associated with the nursing home. He says that he has noticed from the legislature a lack of leadership and it is almost like they were behind the ball the whole time. He says and now the legislature has backed themselves into a corner with no other options. He says there are still several questions and major concerns from the citizens that have not been answered. He also says there are details that are missing and now it seems the decision will be made to merge. He thinks that it is unfortunate considering the magnitude of the situation.

Chapman responds that he can appreciate his perspective but Foley has been in attendance at all of the meetings and understanding all of the information that has been presented. He says before anyone makes a decision there is always that one more question and what ifs. He says at one point we have to reach the point that we have enough information to make a credible decision.

Lattimore says thanks to Chapman, Pecher and Didio for all of their work investigating this. He discusses sending the legislators a document discusses St. Joe's joining with Catholic Health East. He says that it is very important who the county partners with and he does not want this decision to be made because of money issues. He is not sure if Loretto is the right partnership.

**Lance Robson asks Buchanan about every floor being a community and if Loretto is planning on stabilizing the staffing on those floors so there is some continuity. He says that they work hard to keep the same staff on each floor he says on occasion they may have to move to another floor to fill in.**

**Kim Townsend (On Loretto Board) she thanks everyone for their feedback and realizes these types of decisions are difficult. She says from the Board of Loretto she wants to express that if the legislators decide to go forward tonight Loretto is committed to working together with the residents to make this a project we can all be proud of. She says Loretto has a great willingness and openness to create something that county residents feel reflects what they are looking for in terms of meeting the needs of the elderly.**

**Motion by Pecher to bring resolution to the floor, 2<sup>nd</sup> by Didio.**

**RESOLUTION NO. 277-13**

**7.23.13 LEG approve mergerrev5**

**APPROVING THE COUNTY'S PARTICIPATION IN THE HEAL-21 FUNDING GRANT TO MERCY HEALTH AND REHABILITATION CENTER, AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO NEGOTIATE AND EXECUTE A TRANSFER AGREEMENT BETWEEN THE COUNTY OF CAYUGA; A NEW CORPORATION (YET TO BE CREATED); MERCY HEALTH AND REHABILITATION CENTER; AND LORETTO MANAGEMENT CORPORATION ALONG WITH THE EXECUTION OF ANY AND ALL DOCUMENTS REQUIRED TO IMPLEMENT THE INTENT OF THIS RESOLUTION.**

WHEREAS, the Cayuga County Legislature has collaborated with other community stakeholders in the long term care arena since August of 2011 to plan for the future of the Cayuga County Nursing Home; and

WHEREAS, the Cayuga County Nursing Home has not been able to exist the past several years without subsidies; and

WHEREAS, during the 2011 year, representatives from Auburn Memorial Hospital, Mercy Health and Rehabilitation Center, and Cayuga County met to discuss all matters relating to the consolidation or reconfiguring of business strategies and clinical services to better meet community needs on long term care services; and

WHEREAS, New York State's 2011-2012 Final Budget (NYS HEAL-21 Funds) secured funds to provide resources to uniquely situated hospitals, nursing homes, clinics and home care providers to reconfigure business strategies and clinical services to better meet community needs on long term care services; and

WHEREAS, the Reds Group was hired by the Cayuga County Legislature in July 2012 to provide the Cayuga County Legislature with an analysis of operational issues related to the use of New York State HEAL monies to close the Cayuga County Nursing Home, merge with Mercy Health and Rehabilitation Center and to provide alternatives for the Cayuga County Legislature; and

WHEREAS, the Reds Group made a formal presentation of its analysis to the Cayuga County legislature on August 28, 2012 and it recommended that the Cayuga County Nursing Home merge with a Not For Profit entity; and



WHEREAS, Mercy Health and Rehabilitation Center and Cayuga County applied for HEAL-21 Funding and approximately \$19.9 million dollars was awarded to go towards the restructuring and merger of long term care services for Mercy Health and Rehabilitation center and the Cayuga County Nursing Home; and

WHEREAS, the HEAL-21 Grant was executed by the Department of Health in December 2012 and Approved by the New York State Comptroller in January 2013; and

WHEREAS, between June 2012 and July 2013 several meetings were held at the Cayuga County Nursing Home for residents, families and employees on the subject of selling or merging the Cayuga County Nursing Home with another entity; and

WHEREAS, on July 23, 2013, Loretto Management Corporation made a presentation to the Cayuga County Legislature of its reasons for supporting the creation of a new corporation and the transfer of beds of Mercy Health and Rehabilitation Center to the new corporation which would operate the Cayuga County Nursing Home under a new non-profit structure, develop business strategies and clinical services to better meet community needs on long term care services by the collaboration of the three entities; and

WHEREAS, Loretto Management Corporation will be the sole member of the new corporation which will consist of a board, the majority of which shall be Cayuga County residents; and

WHEREAS, Loretto Management Corporation has a proven track record of providing consistent care over the last 87 years to the community it serves; and

WHEREAS, transitioning the Mercy Health and Rehabilitation Center beds and the Cayuga County Nursing Home operating certificate into a new corporation keeps nursing home beds in the community, is an opportunity to deliver quality care, brings in a multi-million dollar construction project, retaining jobs, and addresses the long term nursing home care services in the community; and

WHEREAS, the Cayuga County Legislature believes that it is in the best interest of the residents of the County, the residents of the Cayuga County Nursing Home, its families to participate with Mercy Health and Rehabilitation Center, and Loretto Management Corporation in the HEAL-21 Funding and the transitioning of care into a new corporation; now therefore be it

RESOLVED, that the Cayuga County Legislature approves its participation in the New York Heal-21 initiative and thereby authorizes the transfer of operation and control of the Cayuga County Nursing Home into a new corporation and the transfer of nursing home beds to the new corporation from the Cayuga County Nursing Home facility; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to negotiate and execute a Transfer Agreement with Loretto Management Corporation, the active parent, and any other agreements required to implement the intent of this resolution; and be it further

RESOLVED, that the Cayuga County Legislature agrees that Loretto Management Corporation will establish a new corporation and Loretto Management Corporation will submit to the Department of Health an establishment Certificate of Need for the implementation of the HEAL-21 funding approved for Mercy Health and Rehabilitation Center.

Signed by Chapman, Axton, Pinckney, Runkle, Fearon, Pecher, Cuddeback, Mahunik, Didio and Aikman. Approved by majority vote, AYES, Didio, Aikmna, Pecher, Axton, Pinckney, Runkle, Fearon, Cuddeback, Mahunik and Chapman. NOES, Whitman, Farrell, Bennett, Barski and Lattimore. Vote – 630/253

Deb English thanks the Chairman and legislature for their efforts in making the decision. She says she knows for many people in the audience that it does not seem enough time or care has been given to make the decision. She says she can tell everyone with meeting weekly with people on the legislature that they have agonized over the decision. She says they have asked multitudes of questions and have done a ton of research in order to make the decision the best that they could for this community. She says it a sad day for those who have worked at the Cayuga County Nursing Home. She says that the employees have done a great job. She says a decision has been made and now she is asking them to do the hard stuff. She says they have proven over the years that they can operationalize decisions and whether it's a federal mandate, state directive or decision made by the legislative body. She says the employees have made it work for the people they care for and their co-workers and they will make it work this time. She says she will begin having employee meetings with the employees and residents. She says what she wants to do is hear their concerns and need to figure out what it means for the residents, staff and family. She says she hopes they will join her in the meetings and they will work hard this week.

Chapman says from what English has said that is why the Cayuga County Nursing Home provides such great and exemplary service. He says without her leadership and dedication the county would not have the level or satisfaction of care for the residents. He says he hopes going forward that our future partnership has taken note of the success that we have enjoyed. He says to please consider English to be a part of that team for many years to come.

**RESOLUTION NO. 278-13**

**(7.23.13) COA LL WalczykLease911 ADP**

**TO ADOPT LOCAL LAW NO. 3 FOR THE YEAR 2013. A LOCAL LAW AUTHORIZING THE COUNTY OF CAYUGA TO LEASE PART OF THE PREMISES, COMMONLY KNOWN AS TAX MAP NO. 113.00-1-3, 614 CLARK STREET ROAD, TOWN OF AURELIUS, COUNTY OF CAYUGA, NEW YORK, FROM THOMAS WALCZYK FOR A TERM OF 99 YEARS.**

BY: MR. STEVEN CUDDEBACK, Chairman, Judicial & Public Safety Committee.

MR. TUCKER WHITMAN, Chairman, Public Works Committee

MR. DAVID AXTON, Chairman, Ways and Means Committee

WHEREAS, Local Law No. 3 for the year 2013, a Local Law authorizing the County of Cayuga to lease part of the premises, commonly known as Tax Map No. 113.00-1-3, 614 Clark Street Road, Town of Aurelius, County of Cayuga, New York, from Thomas Walczyk for a term of 99 years; and

WHEREAS, pursuant to law and after proper notice having been given, the County Legislature held a public hearing on said Local Law No. 3 for the year 2013 on July 23, 2013 at 5:45 P.M.; now, therefore be it

ENACTED, that the Cayuga County Legislature does hereby adopt Local Law No. 3 for 2013 authorizing the County of Cayuga to lease part of the premises, commonly known as Tax Map No. 113.00-1-3, 614 Clark Street Road, Town of Aurelius, County of Cayuga, New York from Thomas Walczyk for a term of 99 years; and be it further

RESOLVED, that the Clerk of the County Legislature publish notice of the adoption of the 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 Cuddeback, Axton, Bennett, Farrell, Whitman, Mahunik, Pecher, Runkle, Cuddeback, Fearon and Pinckney, all in favor.

**STATE OF NEW YORK: COUNTY OF CAYUGA  
RESOLUTION NO. 278-13  
LOCAL LAW NO. 3 2013**

**A LOCAL LAW AUTHORIZING THE COUNTY OF CAYUGA TO LEASE PART OF THE PREMISES COMMONLY KNOWN AS TAX MAP NO. 113.00-1-3, 614 CLARK STREET ROAD, TOWN OF AURELIUS, COUNTY OF CAYUGA, NEW YORK, FROM THOMAS WALCZYK FOR A TERM OF 99 YEARS.**

**BE IT ENACTED:** by the County Legislature, as follows:

**Section 1 - Intent:** Thomas Walczyk- owns property commonly known as TAX MAP NO. 113.00-1-3 , 614 CLARK STREET ROAD, TOWN OF AURELIUS, COUNTY OF CAYUGA, NEW YORK, and has agreed to lease a portion of the premises to the County of Cayuga for the location of a communication tower as part of the Cayuga County Radio Communication Project.

**Section 2 - Authority:** The Cayuga County Legislature is hereby authorized to enter into a 99 year lease with Thomas Walczyk for portion of the premises commonly known as TAX MAP NO. 113.00-1-3, 614 CLARK STREET ROAD, TOWN OF AURELIUS, COUNTY OF CAYUGA, substantially as set forth in the draft agreement which was submitted to this Legislature with the Resolution to set the public hearing on this local law. This local law confirms the authority to enter into the lease.

**Section 3 - Severability:** The provisions of this Local Law are declared to be severable, and if any section of this Local Law is held to be invalid, such invalidity shall not affect the other provisions of this Local Law that can be given effect without the invalidated provision.

**Section 4 - Effective:** This Local Law shall be effective upon completion of the municipal home rule law requirements for the adoption of a local law.

**MOTION NO. 279-13**

**Motion by Axton to bring back WM-1 and amend original resolution to \$1 less to make it \$65,514, 2<sup>nd</sup> by Fearon; Amendment defeated by majority vote: Noes – Didio, Pecher, Cuddeback, Bennett, Barski, Mahunik, Lattimore and Chapman. Ayes – Aikman, Whitman, Axton, Farrell, Pinckney, Runkle and Fearon. 447/436.**

**Motion by Didio to adjourn at 8:54PM, 2<sup>nd</sup> by Pinckney, all in favor.**

**MINUTES**  
**CAYUGA COUNTY LEGISLATURE**  
**August 27, 2013 at 5:45PM**

**CALL TO ORDER:** Hon. Michael Chapman, Chairman at 5:49PM

**ROLL CALL:** Sheila Smith, Clerk of the Legislature, all Legislators present

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**DEATHS:** Our sincere condolences to the families and friends of:

**Ann R. Petrus, 67, Cayuga County Legislator through 2011.** Ann dedicated a life of service to her family, to her patients, and to her constituents. Elected in 1990, Ann was the first woman to serve as the supervisor for the town of Brutus. She was instrumental in having a Veterans Memorial Park built in Brutus. In 1991, Ann became the Director of the Cayuga County Dispute Resolution Center. Ann was the first Chairperson of the Cayuga County Sewer and Water Authority. During her tenure as a Cayuga County Legislator, Ann chaired the Health and Human Services Committee. Ann was a Eucharistic minister at Our Lady of Snow parish, Weedsport. An avid environmentalist, Ann co-founded Citizens Against Pollution. Ann served on numerous boards and became president of most, but to name a few: Cayuga Counseling, Bluefield Manor, Cornell Cooperative Extension, the Central New York Regional Planning Board, Congressional Military Academy Board for West Point Naval Academy, Women's Career Mentoring Program, and A Wealth of Women, She served as the Chairwoman of the Cayuga County Women's Republican Club. Ann earned the Rhea Eckel Clark Citizenship Award in 1999, the Henrietta Wells Livermore Award in 2000, the American Red Cross Great Heroes award in 2001 and the Cayuga County Bar Association Liberty Bell award in 2009. Ann is survived by her husband, Stanley "Karl"; her son Christopher (Heather); her granddaughter Isabella, her brother, John R. Dwyer (Susan), of St. Pete Beach, Fla.; an uncle; and many cousins.

**Norma Carnicelli Riffle, 78, mother-in-law of Legislator Paul Pinckney, a long-time communicant of St. Francis of Assisi Church and a member of its Sacred Heart Society.** Norma was a former treasurer for several years and longtime member of the Carnicelli-Indelicato Post Auxiliary. She is survived by her loving children, three sisters, two brothers, grandchildren, great-grandchildren, and numerous nieces, nephews, cousins, and her beloved canine companion, "Mimi."

**PUBLIC HEARING:** Opened at 5:53 PM- a Local Law authorizing the County of Cayuga to lease part of the premises, commonly known as 2189 Mott Road, Cato, New York, Town of Ira Tax Map No. 39.00-1-2.2, County of Cayuga, New York, from Donna Bessee for a term of 99 years.

**PRESENTATIONS: None**

**PROCLAMATIONS: Constitution Week**

**Elisa Carabjal Hunt Day**

**PUBLIC TO 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.

**Matthew Jones-Attached**

**Irv Lyons (Executive Director for the Cayuga Community Health Network)-talks about his support for**

**Reality Check. He says tobacco prevention and control is part of the Health Networks program. He says coming from the background of Native American and growing up on the Onondaga Nation. He says one thing he was taught was one of the great laws is in every deliberation one must consider the impact to the 7th generation. He explains that it means that everything that we do we must ask how it will impact our children and their children and so on and the environment. He says it is our responsibility and no matter what whether it is business or sports the most important thing that we all share together is our health.**

**MINUTES: For approval: 6/19/13, 6/25/13 & 7/11/13, Motion by Didio, 2<sup>nd</sup> by Pinckney, all in favor.**

**For reading: 7/23/13**

**CCC REPORT: Dr. Daniel Larson- Attached**

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

**Didio discusses the Inter County Association of Western NY and meeting August 16<sup>th</sup> in Chautauqua County. He says that what the Inter County meetings do for Cayuga County is open up the door of awareness on things that other counties are doing. He says that there are many things that could benefit everyone in the county. He says the next meeting is at the NYSAC conference in Saratoga Springs. He says in October the meeting will be held at the pavilion at Emerson Park. He says we are sponsoring the meeting and are asking for some to donate door prizes. He says the meeting will be held October 18<sup>th</sup> at 9:30am. He discusses Owasco Lake Management Council and being on the verge of submitting two violations of people who are not following the health law.**

**Chapman asks anyone that was at the City/County meeting last week to make a particular report on that if they wish. Lattimore discusses the city asking about the sales tax formula and says he knows nobody wants to take any money away from any towns or villages. He says hopefully we can grow our industrial and retail base in order to create additional funding to our towns, villages and city. He says hopefully additional funding can go towards economic development and believes that is the message he heard. He asks Sinclair what her take on it was. Sinclair responds that she thinks there was an interest expressed in corporation between the two entities city and county relative to services to the community. She**

says there was also interest to put forward some plan for economic development and a methodology for funding it. She says there was some disagreement which is often the case over the exact methodology of doing that but it seemed a good idea. Lattimore asks Camardo's take on the meeting. Camardo thanks everyone that came to the meeting for coming. He says he hopes to have the entire Legislature there because he says what is good for the city is good for the county and vice versa. He says he hopes we can grow in these areas and have a common bond so that we can provide a cost efficient ways to the tax payers. He says he agrees with Lattimore that some of the sales tax should be set aside for economic development as we bring jobs to the area. He says one job is going to provide to that sales tax and property taxes and it is going benefit our whole community. He says the city looks forward to meeting with the legislature in the future so we can grow in these areas. He says that Sinclair was correct when she stated that there are certain areas that he would like to see us combine services, human resources, planning and purchasing some of the small areas. He says they have a meeting the other day with their regional sewer and water that does not seem to be going anywhere. He says he would still like to be able to meet with the towns so the city can maybe take over some of the sewer services. He says it might be cost effective for them to take over some of those areas. Lattimore says that one area that was a hindrance to the talks was the gasoline cap. He says he knows the county sales tax has grown because of the cost of gasoline going from \$2.00 to \$4.00 that is a big increase to our bottom line in sales tax. He says now that the city has uncapped that cap hopefully that will bring in additional revenue to the city. Aikman says that they asked the County Administrator and the City Manager to get together and get on the same page about what they each see as our sales tax revenues and to bring back some proposals to the legislature. Sinclair comments that she has called Mr. Selby and we are trying to get together our calendars and do that.

#### **COUNTY ADMINISTRATOR'S REPORT:**

Sinclair says that she has been working further in getting acquainted with the departments. She says she has been researching the purchasing policy of Cayuga County to look at a possible purchasing card policy. She says she did give a report at Ways & Means and says the only dark spot was in the federal prisoner revenue. She says that there will be ongoing discussions on possible remedies for that. She says she is arranging a meeting of involved parties who's offices relate to one another in the Public Safety circle.

#### **CHAIRMAN'S REPORT:** Michael Chapman

Chapman discusses the 911 assessment and there has been some additional request for review. He says he asked Mr. Balloni if he will have the time and if there would be any adjustment to his budget. He says he is waiting to hear back from him on the answer. He talks about getting notice today from the New York Department of Health that the HEAL grant funds were approved. He says that means that we can move forward with a plan under the guidance and direction of Loretto to join Mercy Rehab and the Cayuga County Nursing Home. He says in the meantime the Nursing Home Committee will continue to meet because there are many things that need to be taken care of. He says there are transfer agreements that

have yet to be negotiated and signed off to allow the transfer of services, equipment and contracts that presently exist at our nursing home to be under the direction of Loretto. He says it is his understanding that there will be two administrators working while we maintain both sites. He says it is going to be a lot of work and a new experience for a lot of staff. He says the project has a projected end time of 15 months. He says thank you to all our elected, department heads, and employees who supported and helped us reach the decision. He says a group of them joined Loretto and Mercy, Didio and English were also part of the contingent that went to Albany to meet with Department of Health. He said we had a very ambitious meeting for about an hour and answered a few more question and hoped at that point that we would get an answer. He said that did not come but they made additional calls to Albany, contacted people in the Governor's office and utilized our Federal representatives as well and the answer finally came. He says there is one other hurdle to get over which is with the Public Health Commission which meets in October. He says traditionally that commission will agree with the Department Health's decision to move the HEAL funds forward. He says hopefully there are no extra bumps or curves in the road and they will agree to move the funds forward as well. He discusses one of the other items that was discussed at the Department of Health meeting was an extension of utilizing the HEAL funds. He says that is something that we asked about very early on and we were told no, but the Department of Health has brought that subject back to the surface. He says he talked to Maffei and Gillibrand requesting their assistance in going forward to see if those HEAL funds which are federal dollars could be expanded in order to be spent which would give us breathing room on the project. He says as of this afternoon there were contractors on sight at St. Anthony Street and there will be full construction crews arriving next Tuesday morning to begin and there will be crews working two shifts seven days a week to move the project along. He says we are very thankful to our partners in this project that we are able to secure the construction crews that were able to stand by until we received the approval. He says the nursing home committee's next step will be a meeting at the nursing home where they will talk to the residents, family and staff about proposing a name for the new entity. He says the new name cannot contain the words Mercy or Cayuga County and says if anyone has any suggestions to feel free. He discusses the Regional Planning Board and the CFA request for funds meeting September 5<sup>th</sup> when all of the projects will be scored. He says presently Cayuga County has two projects in there one for the dredging and the other for Emerson Park improvements. He says after next week we will see exactly where we stand with those. He says the conversations he has had with other members of the committee they realize that the dredging issue is very important and impacts the entire coast line in the Lake Ontario region.

Motion by Didio, 2<sup>nd</sup> by Pinckney, all in favor.

**APPOINTMENTS AND RE-APPOINTMENTS:**

**Ward O'Hara Agricultural Museum Board of Commissioners:**

**Robert Wintamute, 5279 Cross Road, Cayuga, NY 13034, Term 9-1-13 to 9-1-17**

**Cayuga-Cortland Workforce Investment Board:****William R. Andre, 24 Maple St., Auburn NY 13021, Term – 8-1-13 to 6-30-16****Felicia Franceschelli, 5818 Cedar Swamp Rd., Auburn, NY 13021, Term – 8-1-13 to 6-30-16****Cayuga County Planning Board:****Christopher Yorkey, 7 Schobey St., Union Springs, NY 13160, Term, until locality they represent submits a new nomination.****Motion by Didio to waive the reading of communications and announcements 2-5, 2<sup>nd</sup> by Pinckney, all in favor.****COMMUNICATIONS AND ANNOUNCEMENTS:**

2. Received certified Resolution No. 202-13 adopted by Tioga County Legislature, in regards to supporting Assembly Bill A07588 known as the Rural Broadband Deployment Act which promotes Broadband Deployment by providing residents and small business with tax credits for Broadband Deployment.

3. Received a certified Resolution No. 231 adopted by Essex County, urging New York State to amend the New York State Transportation Law to allow signage on exit and entrance ramps on the Adirondack Northway within the Adirondack Park.

4. Amanda Morgan received a letter from the Holiday Inn thanking her to allow them to host the Cayuga County Employee Recognition Lunch on July 17, 2013.

5. Received a proposed Local Law from the Town of Scipio. The purpose of the ordinance is to protect the health, safety, welfare, and property of the residents of the Town of Scipio as well as the Town's public resources by prohibiting heavy industrial uses, which are inconsistent with the character of and comprehensive plan for the Town, and the effects of which would constitute a nuisance if not prohibited.

**Chapman presents certificate to Sherriff Gould**

1.) Cayuga County Sheriff's Department received an Employer Statement of Support Certificate. The certificate is recognizing the outstanding commitment that the Sheriff's Department has made to its employees that proudly serve in the National Guard and Reserved Forces.

**RESOLUTION NO. 280-13****8/27/13 AP Audit August 2013 (A)****AUTHORIZING THE COUNTY TREASURER TO PAY JULY 8-29, 2013****AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on August 27, 2013, audit claims against the County of Cayuga in the aggregate sum of \$1,290,279.70, therefore be it

RESOLVED, that the Clerk of this Legislature file a certified list of claims so audited with the County Treasurer, and be it further



RESOLVED, that the County Treasurer be and he hereby is authorized and directed to pay the several claims so audited and charge the amounts to the several appropriations made therefore in the County Budget finalized on December 13, 2012.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney, and Whitman.

**RESOLUTION NO. 281-1**

**8/27/13 AP Audit August 2013 (B)**

**AUTHORIZING THE COUNTY TREASURER TO PAY JULY 29-AUGUST 12, 2013 AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on August 27, 2013, audit claims against the County of Cayuga in the aggregate sum of \$1,089,751.88, therefore be it

RESOLVED, that the Clerk of this Legislature file a certified list of claims so audited with the County Treasurer, and be it further

RESOLVED, that the County Treasurer be and he hereby is authorized and directed to pay the several claims so audited and charge the amounts to the several appropriations made therefore in the County Budget finalized on December 13, 2012.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney, and Whitman.

**RESOLUTION NO. 282-13**

**8/27/13 TRE creditcardprocessorrev3**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE COUNTY TREASURER TO ENTER INTO AN AGREEMENT WITH CREDIT CARD PROCESSOR**

BY: MR. DAVID AXTON, Chairperson, Ways and Means Committee

WHEREAS, Chapter 24, Article 2, Section 5 of the General Municipal Law requires a local resolution to allow officers of Cayuga County to accept credit cards as a means of payment of fines, civil penalties, rent, rates, taxes, fees, charges, revenue, financial obligations or other amounts owed to Cayuga County, and

WHEREAS, Cayuga County may require, as a condition of accepting payment by credit card, that such person offering payment by credit or charge card pay a service fee not to exceed the transaction fee incurred by Cayuga County, and

WHEREAS, Resolution No. 62-11 authorized the County Treasurer to purchase Allen Tunnell Corporation tax collection software, and WHEREAS, Allen Tunnel Corporation software integrates solely with the credit card processor Power Pay, with IMAS, LLC as an authorized agent and that the execution of an agreement with IMAS, LLC. is awarded in accordance with the Cayuga County's written internal policies and procedures governing procurements adopted pursuant to section one hundred four-b of the General Municipal Law; and

WHEREAS, the Treasurer's Office desires to collect taxes via on-line payments, which will automatically post to our tax collection software; NOW BE IT THEREFORE

RESOLVED, that the pursuant to General Municipal Law, Section 5 the Cayuga County Legislature hereby finds and determines it is in the public interest for the County of Cayuga to enter into agreements with one or more financing agencies or card issuers to provide for the acceptance, by the Cayuga County Treasurer of credit cards as a means of

payment of fines, civil penalties, rent, rates, taxes, fees, charges, revenue, financial obligations or other amounts, including penalties, special assessments and interest, owed to the local government; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is authorized and directed to enter into agreements with a financing agency or card issuer permitting the Treasurer's Office to accept credit cards as a means of payment of fines, civil penalties, rent, rates, taxes, fees, charges, revenue, financial obligations or other amounts, including penalties, special assessment or interest, as provided in such agreement; and be it further

RESOLVED, that said agreement shall require, as a condition of accepting payment by credit card, that such person offering payment by credit or charge card pay the service fee directly to the financing agency or card issuer for the transaction in connection with the credit or charge card payment transaction; and be it further

RESOLVED, that the Chairman of the Legislature and the County Treasurer are authorized to enter into an agreement with Power Pay for credit card processing services; and be it further

RESOLVED, that the County Treasurer is authorized to enter into a service level agreement with IMAS, LLC.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney, and Whitman.

### **RESOLUTION NO. 283-13**

#### **8.27.13 COA SLTXEXTNSN13REV2**

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

BY: Hon. David Axton, Ways and Means Committee

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

Section 1. The first sentence of section two of resolution # 40 as enacted in nineteen hundred sixty eight, as amended, is amended to read as follows:

Section 2. Imposition of sales tax. On and after June 1, 1968, there is hereby imposed and there shall be paid a tax of three percent upon, and for the period commencing September 1, 1992, and ending November 30, 2015, there is hereby imposed and there shall be paid an additional tax of one percent upon:

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

(f) With respect to the additional tax of one percent imposed for the period commencing September 1, 1992, and ending November 30, 2015, the provisions of subdivisions (a), (b), (c), (d) and (e) of this section apply, except that for the purposes of this subdivision, all references in said subdivisions (a), (b), (c) and (d) to an effective date shall be read as referring to September 1, 1992, all references in said subdivision (a) to the date four months prior to the effective date shall be read as referring to May 1, 1992, and the reference in subdivision (b) to the date immediately preceding the effective date shall be read as referring to August 31, 1992. Nothing herein shall be deemed to exempt from tax at the rate in effect prior to September 1, 1992, any transaction which may not be subject to the additional tax imposed effective on that date.

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

SECTION 4. Imposition of compensating use tax

(a) Except to the extent that property or services have already been or will be subject to the sales tax under this enactment, there is hereby imposed on every person a use tax for the use within this taxing jurisdiction on and after September 1, 1992, except as otherwise exempted under this enactment, (A) of any tangible personal property purchased at retail, (B) of any tangible personal property (other than computer software used by the author or other creator) manufactured, processed or assembled by the user, (i) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business or (ii) if items are used as such or incorporated into a structure, building or real property, by a contractor, subcontractor or repairman in erecting structures or buildings, or building on, or otherwise adding to, altering, improving, maintaining, servicing or repairing real property, property or land, as the terms real property, property or land are defined in the real property tax law, if items of the same kind are not offered for sale as such by such contractor, subcontractor or repairman or other user in the regular course of business, (C) of any of the services described in paragraphs (1), (7) and (8) of subdivision (c) of section two, (D) of any tangible personal property, however acquired, where not acquired for purposes of resale, upon which any of the services described under paragraphs (2), (3) and (7) of subdivision (c) of section two have been performed, (E) of any telephone answering service described in subdivision (b) of section two and (F) of any computer software written or otherwise created by the user if the user offers software of a similar kind for sale as such or as a component part of other property in the regular course of business.

(b) For purposes of clause (A) of subdivision (a) of this section, for the period commencing September 1, 1992, and ending November 30, 2015, the tax shall be at the rate of four percent, and on and after December 1, 2015, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one, but excluding any credit for tangible personal property accepted in part payment and intended for resale.

(c) For purposes of subclause (i) of clause (B) of subdivision (a) of this section, for the period commencing September 1, 1992, and ending November 30, 2015, the tax shall be at the rate of four percent, and on and after December 1, 2015, the tax shall be at the rate of three percent, of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him.

(d) For purposes of subclause (ii) of clause (B) of subdivision (a) of this section, for the period commencing September 1, 1992, and ending November 30, 2015, the tax shall be at the rate of four percent, and on and after December 1, 2015, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property manufactured, processed or assembled into the tangible personal property the use of which is subject to tax, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one.

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

(f) For purposes of clauses (C), (D) and (E) of subdivision (a) of this section, for the period commencing September 1, 1992, and ending November 30, 2015, the tax shall be at the rate of four percent, and on and after December 1, 2015, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the service, including the consideration for any tangible personal property transferred in conjunction with the performance of the service and also including any charges for shipping and delivery of the property so transferred and of the tangible personal property upon which the service was performed as such charges are described in paragraph three of subdivision (b) of section one.

(g) For purposes of clause (F) of subdivision (a) of this section, for the period commencing September 1, 1992, and ending November 30, 2015, the tax shall be at the rate of four percent, and on and after December 1, 2015, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes, used in conjunction with the software, or for the use of such property, and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (F) by its author or other creator shall not be deemed a taxable use by such person.

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

(B) With respect to the additional tax of one percent imposed for the period beginning September 1, 1992, and ending November 30, 2015, in respect to the use of property used by the purchaser in this County prior to September 1, 1992.

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

(b) Except as provided in subdivision (c) of this section, net collections distributed to the County by the State Comptroller attributable to the additional one percent rate of sales and compensating use taxes imposed for the period beginning September 1, 1992, and ending November 30, 2015, are set aside for County purposes and shall be available for any County purpose.

SECTION 6. This enactment shall take effect December 1, 2013.

Signed by Cuddeback, Fearon, Mahunik, and Pecher.

**RESOLUTION NO. 284-13  
08/27/2013 RPSREPUCHASSETAXPARCELS2013  
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>
115.10-1-24	Aurelius – 6525 Mullen Dr.	Anthony M. Ciulla	\$10,274.48
239.00-1-25	Genoa – 589 State Route 34	John McLaughlin	\$18,131.66
189.00-1-10.21	Sempronius – 5765 Sayles Corners	Jeffrey Schmidt	\$4,569.89
63.00-1-22.8	Conquest – 1996 Emerson Rd	Dale Armstrong	\$3,234.82
212.00-1-35	Sempronius – 1797 Sand Hill Rd	Malcolm Leonard	\$3,247.74
39.00-1-10.13	Victory – 2040 Mott Rd	James & Tammie Brown	\$8,546.77

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 Cuddeback, Fearon, Mahunik, and Pecher.

**Motion by Chapman to separate the salary from the appointment, 2<sup>nd</sup> by Didio; defeated by majority vote: Noes-Aikman, Whitman, Axton, Farrell, Pinckney, Runkle, Fearon, and Mahunik, Ayes- Didio, Pecher, Cuddeback, Bennett, Barski, Lattimore, and Chapman. 483/400. Resolution as originally presented approved by majority vote; Ayes- Aikman, Whitman, Axton, Farrell, Pinckney, Runkle, Fearon, and Mahunik, Noes- Didio, Pecher, Cuddeback, Bennett, Barski, Lattimore, and Chapman. 483/400.**

**RESOLUTION NO. 285-13  
8/27/13 RPS-AptRealPropDir  
REAPPOINTING KELLYA. ANDERSON TO 6-YEAR TERM AS COUNTY  
DIRECTOR OF REAL PROPERTY TAX SERVICES III**

BY: David Axton, Chairman, Ways & Means Committee

WHEREAS, New York State Real Property Tax Law Section 1530 provides that the County Real Property Tax Services Agency shall be head by a Director of Real Property Tax Services, who shall have a six (6) year term and shall be appointed by the county legislative body, and

WHEREAS, pursuant to NYS RPTL Section 1530, the current term of the Director of Real Property Tax Services shall expire on September 30, 2013, and a new six (6) year term to commence on October 1, 2013 and ending on September 30, 2019; and

WHEREAS, Kelly A. Anderson has performed the duties of this position since her appointment on April 26, 2011 and it is now recommended that Kelly A. Anderson be reappointed to another term as the County Director of Real Property Tax Services, and now, therefore be it

RESOLVED, that pursuant to Section 1530 of NYS Real Property Tax Law, Kelly A. Anderson is hereby appointed as the Director of Real Property Tax Services for a term of six (6) years commencing on October 1, 2013, at her current salary of \$60,863 for the remainder of the year 2013, and be it further

RESOLVED, that the salary for the calendar years thereafter shall be as follows:

2014 – 65,515

2015 – 65,515

2016 – 65,515

2017 – 65,515

2018 – 65,515

2019 – 65,515

Signed by Axton, Fearon, Whitman, Mahunik and Pinckney.

### **RESOLUTION NO. 286-13**

**8/27/13 HD WIC CONTRACT 2013**

#### **AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ACCEPT WIC AWARD AND CONTRACT WITH THE NYS DEPARTMENT OF HEALTH**

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

David Axton, Chairman of the Ways & Means Committee

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

WHEREAS, funding has been made available for the Cayuga County Health Department in an amount up to \$474,063 to continue to

run the WIC program for the period October 1, 2013 through September 30, 2014; and

WHEREAS, this funding has already been budgeted in the Health Department's 2013 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, 2013 through September 30, 2014 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 Mahunik, Aikman, Barski, Bennett, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman.

**RESOLUTION NO. 287-13**

**8/27/13 HS LEXISNEXIS ACCURINT**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH LEXISNEXIS ACCURINT, A SERVICE OF LEXISNEXIS RISK SOLUTIONS**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, the Case Integrity Unit of Human Services anticipates that the use of Accurint by LexisNexis will greatly improve our ability to verify certain information related to eligibility of applicants and recipients of the public assistance programs administered by the County; and

WHEREAS, Accurint will compile background information including potential ownership of real property or businesses across the country, national motor vehicle information, former residences, and associates, relatives, telephone numbers and social media contacts in an easy to access format; and

WHEREAS, in addition, this tool will allow us to track and locate individuals we may be seeking for prosecution or restitution, as well as absent parents or relatives which may aid the mission of both the Child Support Unit and Child Services; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with LexisNexis Accurint for a 15 day trial period at no cost; and be it further

RESOLVED, that if at the end of the 15 day trial period, the Department wants to continue use of this service, a follow-up resolution will be brought to Committee including costs and other pertinent information.

Signed by Mahunik, Aikman, Barski, Bennett, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman.

**RESOLUTION NO. 288.13**

**8/27/13 MH AGREEMENT ABHCOURT**

**AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES AND THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO ENTER INTO AN AGREEMENT WITH THE SEVENTH JUDICIAL DISTRICT OF THE UNIFIED COURT SYSTEM**

BY: Patrick Mahunik, Chair, Health and Human Services Committee, and  
David Axton, Chair, Ways and Means Committee.

WHEREAS, the New York State Unified Court system has been awarded a grant by the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for the provision of Trauma Specific Treatment and Case Management services to participants in the Auburn Behavioral Health Court; and

WHEREAS, the Cayuga County Community Mental Health Center is able to provide these services and the court is desirous of contracting with the CCCMHC for said services; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of Community Services be authorized to enter into an agreement, for the duration of the grant, with the Office of the Seventh Judicial District for the provision of Trauma-Specific Treatment

and Case Management services for participants in the Auburn Behavioral Health Court. Signed by Mahunik, Aikman, Barski, Bennett, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman.

**RESOLUTION NO. 289-13**

**8/27/13 NH mddir**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ENTER INTO AN AGREEMENT WITH DEMETRA VOUNAS, M.D.P.C. AS MEDICAL DIRECTOR OF CAYUGA COUNTY NURSING HOME.**

BY: David Axton, Chairman, Ways and Means Committee

Patrick Mahunik, Chairman, Health and Human Services Committee

WHEREAS, Cayuga County Nursing Home is required to provide the residents of the facility with a medical director; and

WHEREAS, It is necessary to contract with a medical doctor from outside the facility to provide this service; and WHEREAS, Cayuga County Nursing Home has been able to identify a medical doctor willing to provide the service as set forth in the attached agreement for provision of services; and

WHEREAS, the compensation for the services of D. Vounas, M.D. shall be at a rate of \$2500.00 (Two Thousand Five hundred Dollars) on a monthly basis after submission of a voucher for services amounting to 3 (three) hours per each week of the calendar; employee physical examinations will be \$40.00 (Forty Dollars) per examination, separately invoiced to the Cayuga County Nursing Home monthly; Now therefore be it

RESOLVED that the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home be authorized to enter into an agreement with D. Vounas, MD for a period of 1 years, from October 1, 2013 to September 30, 2014.

Signed by Mahunik, Aikman, Barski, Bennett, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman.

**RESOLUTION NO. 290-13**

**Date of Meeting: 8/27/13 NH clctnatty**

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

BY: David Axton, Chairman, Ways and Means Committee

Patrick Mahunik, Chairman, Health and Human Services Committee

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

WHEREAS, an agreement was established with Menter, Rudin and Trivelpiece for the past 2 years, 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 until the end of 2013; and be it further



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

Signed by Mahunik, Aikman, Barski, Bennett, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman.

**RESOLUTION NO. 291-13**

**8/27/13 COA LL ord tobacco retail license FIX REV2**

**FIXING DAY AND NOTICE OF PUBLIC HEARING ON ADOPTING LOCAL LAW NO. \_\_\_\_ FOR THE YEAR 2013, LOCAL LAW FOR TOBACCO RETAIL LICENSING ORDINANCE**

BY: Mr. Patrick Mahunik, Chairman, Health & Human Services Committee

WHEREAS, there has been duly presented and introduced at a meeting of this County Legislature held on August 27, 2013, a proposed local law entitled:

“LOCAL LAW NO. \_\_\_\_ FOR THE YEAR 2013, LOCAL LAW FOR TOBACCO RETAIL LICENSING ORDINANCE”

Now, therefore, be it

RESOLVED, that a public hearing shall be held concerning the proposed local law before the Cayuga County Legislature on September 24, 2013, 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 Mahunik, Aikman, Barski, Bennett, Pecher and Runkle.

**RESOLUTION NO. 292-13**

**8/27/13 COA LL tobacco minor use&possess FIX**

**FIXING DAY AND NOTICE OF PUBLIC HEARING ON ADOPTING LOCAL LAW NO. \_\_\_\_ FOR THE YEAR 2013, A LOCAL LAW PROHIBITING THE USE OR POSSESSION OF TOBACCO PRODUCTS BY MINORS IN CAYUGA COUNTY**

BY: Hon. Hans-Peter Pecher, Cayuga County Legislator, District 8

WHEREAS, there has been duly presented and introduced at a meeting of this County Legislature held on August 27, 2013, a proposed local law entitled:

“LOCAL LAW NO. \_\_\_\_ FOR THE YEAR 2013, A LOCAL LAW PROHIBITING THE USE OR POSSESSION OF TOBACCO PRODUCTS BY MINORS IN CAYUGA COUNTY”

Now, therefore, be it

RESOLVED, that a public hearing shall be held concerning the proposed local law before the Cayuga County Legislature on September 24, 2013, 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 Mahunik, Aikman, Barski, Bennett, Pecher and Runkle.

**RESOLUTION NO. 293-13  
08/27/13 E&T NYSEDlease**

**AUTHORIZING THE CAYUGA COUNTY EMPLOYMENT AND TRAINING  
DEPARTMENT TO ENTER INTO A SUB-LEASE AGREEMENT WITH NEW  
YORK STATE EDUCATIO DEPARTMENT AND AUTHORIZING THE  
CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN SAID  
AGREEMENT**

BY: Paul Pinckney, 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, 10/1/13 6/30/18, 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 Education Department; 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.

Pinckney, Aikman, Barski, Cuddeback, Farrell, Fearon, Lattimore, Axton, Mahunik, Pecher and Whitman.

**RESOLUTION NO. 294-13**

**8/27/13 COA LL prevent invasive species rev FIX  
FIXING DAY AND NOTICE OF PUBLIC HEARING ON ADOPTING LOCAL  
LAW NO. \_\_\_\_ FOR THE YEAR 2013, A LOCAL LAW TO PREVENT THE  
SPREAD OF AQUATIC INVASIVE SPECIES IN CAYUGA COUNTY**

BY: Mr. Paul Pinckney, Chairman, Planning Committee  
Mr. David Axton, Chairman, Ways & Means Committee

WHEREAS, there has been duly presented and introduced at a meeting of this County Legislature held on August 27, 2013, a proposed local law entitled:

“LOCAL LAW NO. \_\_\_ FOR THE YEAR 2013, LOCAL LAW TO PREVENT THE  
SPREAD OF AQUATIC INVASIVE SPECIES IN CAYUGA COUNTY”

Now, therefore, be it

RESOLVED, that a public hearing shall be held concerning the proposed local law before the Cayuga County Legislature on September 24, 2013, 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. Pinckney, Aikman, Barski, Cuddeback, Farrell, Fearon, Lattimore, Axton, Mahunik, Pecher and Whitman.

**RESOLUTION NO. 295-13**

**8.27.13 PL achseqrav02**

**RESOLUTION OF THE COUNTY OF CAYUGA, NEW YORK, ADOPTED ON  
AUGUST 27, 2013 DETERMINING “TYPE II” ACTION AND DETERMINING  
NO FURTHER ENVIRONMENTAL REVIEW OF THE PROPOSED  
ACTION IS REQUIRED**

WHEREAS, Section 215 of the County Law empowers the County Legislators of the County of Cayuga, New York (the “County”) to adopt a resolution for the general care and control of real and personal property of the County; and

WHEREAS, on March 23, 1994, the Cayuga County Hospital Improvement Corporation (the “Issuer”) issued its Cayuga County Hospital Improvement Corporation (Auburn Memorial Hospital Project) Certificates of Participation, Series 1994 in the aggregate principal amount of \$26,375,000 (the “Series 1994 Certificates”) pursuant to the terms of a Trust Indenture, dated as of February 1, 1994, as subsequently amended by a Supplemental Indenture, dated as of November 1, 2008 (as so amended, the “Original Indenture”), to finance the costs of certain capital improvements to a hospital facility located at 17 Landing Street, Auburn, New York 130212.

WHEREAS, pursuant to the terms of a Ground Lease, dated as of February 1, 1994 by and between Auburn Community Hospital, formerly known as Auburn Memorial Hospital (the “Hospital”), and the Issuer, the Hospital leased certain of its facilities (the “Hospital Facility”) to the Issuer; and

WHEREAS, pursuant to the terms of a Lease Purchase Sublease Agreement dated as of February 1, 1994 by and between the Issuer and the County, as amended by a First Amendment to Lease Purchase Sublease Agreement dated as of November 1, 2008 (as so amended, the “Original Sublease Agreement”), the Issuer subleased the Hospital Facility to the County; and WHEREAS, pursuant to the terms of a License and Operating Agreement, dated as of February 1, 1994 by and between the County and the Hospital, as amended by a First Amendment to Operating Agreement, dated as of November 1, 2008 (as so amended, the “Original Operating Agreement”), the Hospital undertook and completed a certain capital improvement project and has been operating the Hospital Facilities, as improved; and

WHEREAS, the Hospital has submitted an application to the Cayuga County Development Corporation (the “Corporation”), which application requested the Corporation to consider the issuance of one or more series of its Tax-Exempt and/or Taxable Revenue Bonds (Auburn Community Hospital Project) in the principal amount not to exceed \$13,000,000 (or such other amount as advised by the Hospital) (the “Bonds”) for the purposes of refinancing of the outstanding principal amount of the Series 1994 Certificates and to pay certain costs of issuance in connection with the Bonds; and

WHEREAS, to enable the assignment of Original Operating Agreement and the Original Sublease Agreement from the trustee of the Series 1994 Certificates to the purchaser of the Bonds (or the trustee for the purchasers of the Bonds), the Hospital has requested the County to (i) enter into a certain Second Amendment to Lease Purchase Sublease Agreement, dated as of August 1, 2013 (the “Second Amendment to Sublease”), and (ii) enter into a certain Second Amendment to Operating Agreement, dated as of August 1, 2013 (the “Second Amendment to Operating Agreement”); and

WHEREAS, the County is a local agency pursuant to the New York State Environmental Quality Review Act (“SEQRA”), ECL Section 8-0101, et seq., and implementing regulations, 6 NYCRR Part 617 (the “Regulations”); and

WHEREAS, proposed execution and delivery of the Second Amendment Sublease Agreement and the Second Amendment to Operating Agreement, and the related issuance of the Bonds by the Corporation to refinance the outstanding Series 1994 Certificates, is an “Action” as defined by SEQRA; and

WHEREAS, the County has reviewed the classifications of actions contained in the Regulations; and NOW, THEREFORE BE IT

RESOLVED ON AUGUST 27, 2013 BY THE COUNTY LEGISLATORS OF COUNTY OF CAYUGA, NEW YORK, AS FOLLOWS:

1. The County hereby determines that the execution and delivery of the Second Amendment Sublease Agreement and the Second Amendment to Operating Agreement, and the related issuance of the Bonds by the Corporation to refinance the outstanding Series 1994 Certificates, collectively constitutes a Type II Action pursuant to Part 617.5(c)(20) of the Regulations and as such is not subject to review under SEQRA.

2. This resolution shall take effect immediately.

Pinckney, Aikman, Barski, Farrell, Fearon, Lattimore, Axton, Mahunik, Pecher and Whitman.

### **RESOLUTION NO. 296-13**

#### **8-27-13 PB\_DredgeGRANT\_CFA13**

#### **MEMORIALIZING SUPPORT FOR PARTICIPATION IN THE LOCAL WATERFRONT REVITALIZATION PROGRAM**

BY: Mr. Paul Pinckney, Chair, Planning and Economic Development Committee  
Mr. David Axton, Chair, Ways and Means Committee

WHEREAS, economic activity dependent on the Little Sodus Bay harbor generates over \$6.6 million in direct and indirect benefits and supports an estimated 90 jobs; and

WHEREAS, the harbor has suffered from delayed dredging maintenance that has resulted in a significantly shallower channel, preventing modestly-sized sailboats and larger vessels from accessing the bay; and

WHEREAS, no federal funds are available for maintenance or backlog dredging of Little Sodus Bay harbor; and

WHEREAS, the Village of Fair Haven, Town of Sterling, and surrounding region are dependent on the economic activity generated by boating access to Little Sodus Bay; and

WHEREAS, the Central New York Regional Development Council, in its five year strategic plan, places a high priority on revitalizing waterfront communities; and

WHEREAS, the Cayuga County draft Economic Development Strategic Plan recognizes tourism and retail as important industry groups and prioritizes supporting those industries; and

WHEREAS, the County of Cayuga desires to consider undertaking dredging of Little Sodus Bay harbor in the Town of Sterling, Village of Fair Haven; and

WHEREAS, to this end, the County of Cayuga seeks to apply for grant funding from the Empire State Development Corporation (ESD) and New York State Local Waterfront Revitalization Program (LWRP) to assist with the dredging project; and

WHEREAS, ESD requires a ten percent cash equity contribution from the Applicant and LWRP requires a match of at least fifty percent of total eligible cost for the project; now, therefore be it

RESOLVED, that the County of Cayuga is hereby authorized to submit an application through the Consolidated Funding Application process, specifically to the ESD and LWRP, for purposes of securing funding to offset costs associated with the dredging project; and, be it further

RESOLVED, that the County of Cayuga shall act as Applicant with the Cayuga County Administrator, or her designee, acting as the Applicant Contact Person and the Chairman of the Cayuga County Legislature shall be authorized and directed to execute all financial and/or administrative processes relating to the grant program if awarded; and, be it further

RESOLVED, that the project for which the grant application shall be submitted is for the County of Cayuga Dredging of Little Sodus Bay Harbor; and, be it further

RESOLVED, that the maximum project cost to be applied for in the grant application shall be \$300,000, with the County contributing a maximum local share of fifty percent if awarded, or up to \$150,000, with the remaining fifty percent of the funds required for the project contributed by a combination of funds acquired through ESD and LWRP.

Pinckney, Aikman, Barski, Cuddeback, Farrell, Fearon, Lattimore, Axton, Mahunik, Pecher and Whitman.

**RESOLUTION NO. 297-13**

**8.27.13 PL achfinapprv7**

**RESOLUTION OF THE COUNTY OF CAYUGA, NEW YORK, AUTHORIZING**

**(i) THE ISSUANCE OF CERTAIN BONDS (AS DEFINED BELOW) BY THE CAYUGA COUNTY DEVELOPMENT CORPORATION, (ii) THE MODIFICATION OF CERTAIN DOCUMENTS RELATING TO THE CAYUGA COUNTY HOSPITAL IMPROVEMENT CORPORATION (AUBURN MEMORIAL HOSPITAL PROJECT) CERTIFICATES OF PARTICIPATION, SERIES 1994, AND (iii) THE EXECUTION OF RELATED DOCUMENTS. (2/3)**

WHEREAS, Section 215 of the County Law empowers the County Legislators of the County of Cayuga, New York (the "County") to adopt a resolution for the general care and control of real and personal property of the County; and

WHEREAS, on March 23, 1994, the Cayuga County Hospital Improvement Corporation (the "Corporation") issued its Cayuga County Hospital Improvement Corporation (Auburn Memorial Hospital Project) Certificates of Participation, Series 1994 in the aggregate principal amount of \$26,375,000 (the "Series 1994 Certificates") pursuant to the terms of a Trust Indenture dated as of February 1, 1994, as subsequently amended by a Supplemental Indenture dated as of November 1, 2008 (as so amended, the "Original Indenture"), to finance the costs of certain capital improvements to a hospital facility located at 17 Landing Street, Auburn, New York 13021; and

WHEREAS, pursuant to the terms of a Ground Lease, dated as of February 1, 1994 by and between Auburn Community Hospital, formerly known as Auburn Memorial Hospital (the "Hospital"), and the Corporation, the Hospital leased certain of its facilities (the "Hospital Facility") to the Corporation; and

WHEREAS, pursuant to the terms of a Lease Purchase Sublease Agreement dated as of February 1, 1994 by and between the Corporation and the County, as amended by a First Amendment to Lease Purchase Sublease Agreement, dated as of November 1, 2008 (as so amended, the "Original Sublease Agreement"), the Corporation subleased the Hospital Facility to the County; and

WHEREAS, pursuant to the terms of a License and Operating Agreement, dated as of February 1, 1994 by and between the County and the Hospital, as amended by a First Amendment to Operating Agreement, dated as of November 1, 2008 (as so amended, the "Original Operating Agreement"), the Hospital undertook and completed a certain capital improvement project and has been operating the Hospital Facilities, as improved; and

WHEREAS, the Hospital previously submitted an application to the Cayuga County Development Corporation (the "Issuer"), which application requested the Corporation to consider the issuance of one or more series of its Tax-Exempt and/or Taxable Revenue Bonds (Auburn Community Hospital Project) in the principal amount not to exceed \$13,000,000 (or such other amount as advised by the Hospital, and collectively, the "Bonds") for the purposes of refinancing of the outstanding principal amount of the Series 1994 Certificates and to pay certain costs of issuance in connection with the Bonds; and

WHEREAS, pursuant to a Preliminary Resolution adopted on July 23, 2013 (the "Initial Issuer Resolution"), the Issuer (i) accepted the Application for Financial Assistance submitted by the Hospital requesting the issuance of the Bonds for purposes of refinancing the Series 1994 Certificates, (ii) took official action pursuant to the Internal Revenue Code of 1986, as amended (the "Code") toward to issuance of the Bonds, and (iii) authorized the scheduling and conduct of a public hearing relating to the issuance of the Bonds in accordance with the Code (the "Public Hearing"); and

WHEREAS, in accordance with the Initial Issuer Resolution and Section 147(f) of the Code, the Issuer duly scheduled, noticed and conducted the Public Hearing on August 12, 2013, during which all interested parties were provided with an opportunity to provide verbal or written comments relative to the issuance of the Bonds by the Issuer (copies of an affidavit of publication, the Notice of Public Hearing and Public Hearing minutes are attached hereto as Exhibit A); and

WHEREAS, to enable the assignment of Original Operating Agreement and the Original Sublease Agreement from the trustee of the Series 1994 Certificates to the purchaser of the Bonds, the Hospital has requested the County to (i) enter into a certain Second Amendment to Lease Purchase Sublease Agreement, dated as of August 1, 2013 (the "Second Amendment to Sublease"), (ii) enter into a certain Second Amendment to Operating Agreement, dated as of August 1, 2013 (the "Second Amendment to Operating Agreement"), and (iii) enter into a certain Omnibus Consent, Direction and Assignment, dated as of August 1, 2013 (the "Omnibus Assignment"); and

WHEREAS, the County is a local agency pursuant to the New York State Environmental Quality Review Act ("SEQRA"), ECL Section 8-0101, et seq., and implementing regulations, 6 NYCRR Part 617 (the "Regulations") and the proposed execution and delivery of the Second Amendment Sublease Agreement and the Second Amendment to Operating Agreement, and the related issuance of the Bonds by the Corporation to refinance the outstanding Series 1994 Certificates, is an "Action" as defined by SEQRA; and

WHEREAS, by resolution previously adopted at this meeting of the County Legislators of the County, the County determined that the execution and delivery of the Second Amendment Sublease Agreement and the Second Amendment to Operating Agreement, and the related issuance of the Bonds by the Corporation to refinance the outstanding Series 1994 Certificates, collectively constitutes a Type II Action pursuant to Part 617.5(c)(20) of the Regulations and as such is not subject to review under SEQRA; and

WHEREAS, pursuant to Section 147(f) of the Code, approval by the County of the issuance of the Bonds by the Issuer is necessary in order for the interest on the Bonds to be excluded from the gross income for federal income tax purposes and, after due consideration of the foregoing, as the “applicable elected representative” of the County, within the meaning of Section 147(f)(2)(E) of the Code, desires to approve the issuance of the Bonds, provided the principal, premium, if any, and interest on the Bonds shall be special obligations of the Issuer and shall never be a debt of the State of New York (the “State”) nor any political subdivision thereof, including without limitation the County, and neither the State nor any political subdivision thereof, including without limitation the County, shall be liable thereon; and

WHEREAS, the execution of Second Amendment Sublease Agreement and the Second Amendment to Operating Agreement in connection with the issuance of the Bonds and the refinancing of the Series 1994 Certificates is in furtherance of a public purpose and in furtherance of the health and welfare of residents of the County; and

WHEREAS, the Federal Centers for Medicare and Medicaid Services has designated the Hospital as a “sole community hospital” for the County of Cayuga and its surrounding areas; and

WHEREAS, as the sole provider of acute and general hospital services in the County, and as an employer of over 800 employees, the Hospital serves a public purpose and provides a substantial public benefit, necessary for the common good and general welfare of the people of the County, sanctioned by its citizens and public in character. NOW, THEREFORE BE IT

RESOLVED BY THE COUNTY LEGISLATORS OF COUNTY OF CAYUGA, NEW YORK, AS FOLLOWS:

Section 1. The County hereby finds and determines that it serves a public purpose and provides a substantial public benefit, necessary for the common good and general welfare of the people of the County, sanctioned by its citizens and public in character, to execute and deliver the Second Amendment Sublease Agreement, the Second Amendment to Operating Agreement and the Omnibus Assignment.

Section 2. The County hereby consents to the modification of the Original Operating Agreement and the Original Sublease Agreement and determines to execute and deliver the Second Amendment Sublease Agreement, the Second Amendment to Operating Agreement, the Omnibus Assignment and all other agreements, certificates and documents as may be requested by the Hospital and the Corporation in connection with the issuance of the Bonds and the refinancing of the Series 1994 Certificates (collectively, the “Modification Documents”).

Section 3. The form and substance of the Modification Documents, copies of which are attached hereto as Exhibit B, are hereby approved, subject to the approval of the officers of the County identified in Section 4 hereof.

Section 4. The Treasurer and the Chairman of the Legislature are each hereby authorized, on behalf of the County, to negotiate, approve, execute (by manual or facsimile signature) and deliver the Modification Documents and the County Clerk and the Deputy to the County Clerk are each hereby authorized to affix the seal (or a facsimile thereof) of the County to them and to attest to all of them, all in substantially the forms presented to this meeting with such changes, variations, omissions and insertions as the Treasurer or the Chairman of the Legislature shall approve following review and approval of the County Attorney. The execution of them by the Treasurer or the Chairman of the Legislature shall constitute conclusive evidence of that approval.

Section 5. The officers, employees and agents of the County are hereby authorized and directed for and in the name and on behalf of the County to do all acts and things required or provided for by any of the provisions of the Modification Documents, and to execute and deliver, all additional agreements, certificates, instruments and documents in connection therewith, and to pay all fees, charges and expenses and to do all other acts as may be necessary, or in the opinion of the officer, employee or agent, desirable or proper to effectuate the purposes of the foregoing resolution and to cause compliance by the County with all of the terms, covenants and provisions of the Modification Documents binding upon the County. None of the officers, employees or agents of the County, however, shall have any personal liability under the Modification Documents.

Section 6. For the limited purposes of satisfying the approval requirements of Section 147(f) of the Code, on the recommendation of the Way and Mean Committee, the Legislature of the County hereby gives its approval of the issuance by the Issuer of the Bonds and related acts taken by the Issuer in furtherance thereof, provided that the principal, premium, if any, and interest on the Bonds shall be special obligations of the Issuer and shall never be a debt of the State nor any political subdivision thereof, including without limitation the County, and neither the State nor any political subdivision thereof, including without limitation the County, shall be liable thereon. This approval is given pursuant to Section 147(f) of the Code for the sole purpose of qualifying the interest payable on the Bonds for exclusion from gross income for federal income tax purposes pursuant to the provisions of Section 103 and 141-150 of the Code.

Section 7. The County hereby affirms and ratifies the appointment of Michael Chapman, Joseph Runkle and James Orman as Directors of the Corporation for terms ending on April 1, 2014.

This resolution shall take effect immediately.

Signed by Aikman, Cuddeback, Farrell, Fearon, Pecher and Whitman, approved by Majority Vote all voting in favor.

### **RESOLUTION NO. 298-13**

**8/27/13 PT RFP Ag Museum Classroom 8 28 13rev2**

#### **AUTHORIZING THE PURCHASING DEPARTMENT TO ADVERTISE AND RECEIVE REQUEST FOR PROPOSALS FOR THE DESIGN AND CONSTRUCTION OF A CLIMATE CONTROLLED CLASSROOM AT THE WARD W. O'HARA AGRICULTURAL MUSEUM AND THE DR. JOSEPH F. KARPINSKI SR. EDUCATIONAL CENTER.**

BY: Tucker Whitman, Chairman, Public Works

David Axton, Chairman, Ways and Means Committee

WHEREAS, the Ag Museum Board of Commissioners and the Museum Director have raised \$31,239 for a heated classroom to the Ward W. O'Hara Agricultural Museum and the Dr. Joseph F. Karpinski Sr. Educational Center; and

WHEREAS; a private donor has committed an additional \$30,000 toward the building if approved; and

WHEREAS, the proposed classroom is part of a 5-year plan developed by the Museum Director and the Cayuga County Agricultural Museum Commission; now, therefore be it

RESOLVED, that the County Administrator and the Purchasing Department are hereby authorized and directed to advertise for interested parties to submit proposals for the design and construction of the code compliant heated classroom, and be it further



RESOLVED, such proposals will then be considered by, the County Administrator, the Park Maintenance Supervisor, the Ag Museum Director, the Ag Museum Board of Commissioners, the County Attorney, and the Parks Commission, and be it further

RESOLVED, that proposals deemed to have merit will be submitted for approval to the Public Works Committee, the New York State Office of Parks Recreation and Historic Preservation and ultimately the Cayuga County Legislature.

Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon and Pinckney.

**RESOLUTION NO. 299-13**

**8-27-13 PW emersonparkbtlaunchseqrarev**

**INITIATION OF SEQR PROCESS AND DECLARATION OF INTENT THAT  
CAYUGA COUNTY LEGISLATURE BE LEAD AGENCY FOR  
ENVIRONMENTAL REVIEW OF EMERSON PARK BOAT LAUNCH  
IMPROVEMENTS PROJECT**

BY: Mr. Tucker Whitman, Chair, Public Works Committee

Mr. David Axton, Chair, Ways and Means

WHEREAS, Cayuga County intends to undertake necessary reconstruction and improvements to an existing public boat launch at Emerson Park (“the Project”); and

WHEREAS, the Cayuga County Legislature, in undertaking and funding the Project is required to comply to the requirements of Article 8 of the New York State Department of Environmental Conservation Law, known as the State Environmental Quality Review Act (SEQR), and regulations at 6 NYCRR Part 617 adopted thereunder (collectively, “SEQRA”); and

WHEREAS, this Project is a Type I Action for the purposes of SEQRA and as described in 6 NYCRR §617.4(b)(9) because it is located near the portion of Emerson Park listed as “Lakeside Park” on the New York and National Registers of Historic Places; and

WHEREAS, SEQRA requires that the project sponsor prepare Part 1 of a Full Environmental Assessment Form (“Full EAF”), and the Cayuga County Department of Parks and Trails has completed a Full EAF Part 1 for this Project; and

WHEREAS, SEQRA requires that a lead agency for this action be designated to coordinate with other involved agencies and to conduct the environmental review; NOW, THEREFORE, BE IT

RESOLVED, by the Cayuga County Legislature as follows:

1. The Cayuga County Legislature declares its intent to be lead agency under SEQRA for the purposes of environmental review of this Project; -
2. The Clerk of the Legislature and/or staff the Clerk may designate is authorized and directed to notify all other involved agencies of the Cayuga County Legislature’s intent to be lead agency, distribute the prepared Full EAF Part 1 to them, and request their comments within 30 days of the receipt of the EAF so that the Cayuga County Legislature may proceed as lead agency in conducting environmental review of this Project;
3. This Resolution shall take effect immediately upon approval.

Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon and Pinckney.

**RESOLUTION NO. 300-13****8-27-13 HWY fillautomechdshelp****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 will be vacated on 8/12/13 due to promotion; 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 2013; 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. Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon and Pinckney.

**RESOLUTION NO. 301-13****8/27/2013 BLD Awarding Courthouse roof design 2013****AWARDING THE DESIGN OF THE COURTHOUSE ROOF REPLACEMENT**

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

WHEREAS, the County Administrator requested RFP's for the design of the replacement of the Courthouse roof; and

WHEREAS, the County received 6 responses for design and construction management, only 5 were complete and are as follows: C&S Engineers Syracuse \$24,500.00, AJH Design Elmira Heights \$14,000.00, Beardsley Design Auburn \$12,250.00, Bernier Carr Watertown \$13,700.00 and Tectonic Latham \$12,900.00; and

WHEREAS, Beardsley Design of Auburn had the lowest responsible proposal with a quote of \$12,250.00 for the design and construction management and there is sufficient funding in Buildings and Grounds account A16204 54059 for this part of the project; now therefore be it

RESOLVED, that Beardsley Design of Auburn NY be contracted for the design and construction management of the replacement of the Courthouse roof at 168 Genesee Street Auburn NY for a sum not to exceed \$12,250.00; and be it further

RESOLVED, that the Superintendent of Buildings and Grounds will consult with Beardsley Design for the design and to implement the intent of this resolution; and be it further

RESOLVED, that funding for this design will come out of Buildings and Grounds Account A16204 54059; and be it further

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

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

Whitman, Axton, Mahunik, Pecher, Cuddeback, Fearon and Pinckney.

**RESOLUTION NO. 302-13**

**8.27.13 COA cnvypttnflemingrev2**

**DECLARING TWO PARCELS OF REAL PROPERTY LOCATED IN THE TOWN OF FLEMING, PARCEL 1, TAX MAP NO. 123.18-1-81, 0.0960 ACRES OF VACANT LAND AND PARCEL 2, TAX MAP NO. 123.18-1-82,-0.058 ACRES OF LAND SURPLUS REAL PROPERTY AND AUTHORIZING AND DIRECTING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO EXECUTE ANY AND ALL DOCUMENTS REQUIRED TO CONVEY THE PARCELS TO THE TOWN OF FLEMING (2/3).**

BY: Hon. Tucker Whitman, Chair Public Works Committee

Hon. David Axton, Chair Ways & Means Committee

WHEREAS, the County of Cayuga owns two parcels of vacant land situate in the Town of Fleming , on Sand Beach Road consisting of Parcel 1, Tax Map No. 123.18-1-81, 0.0960 acres of vacant land and Parcel 2, Tax Map No. 123.18-1-82, 0.058 acres (see map attached hereto); and

WHEREAS, the Parcels are more particular described and valued in the attached Appraisal Reports; and

WHEREAS, the County of Cayuga considers the two parcels surplus land and is desirous of disposing of same; and

WHEREAS, the Town of Fleming (see attached) has expressed an interesting in acquiring said two parcels of land for the sum of \$4,000.00; and

WHEREAS, the Cayuga County Legislature believes that it is in the best interest of the County to honor the request of the Town of Fleming and convey the parcels to the town for the price of \$4,000.00; now therefore be it

RESOLVED, that the Cayuga County Legislature hereby declares Parcels I, Tax Map No. 123.18-1-81, and 2, Tax Map No. 123.18-1-82, as shown on the attached map are surplus property; and be it further

RESOLVED, that the Parcels be transferred to the Town of Fleming for the sum of \$4,000.00 and be it further

RESOLVED that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute and all documents required implementing the intent of this resolution.

Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon and Pinckney, approved by 2/3 vote all voting in favor except Bennett abstained.

**RESOLUTION NO. 303-13**

**8.27.13 COA qcdcrossrdlattimore**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO EXECUTE ANY AND ALL DOCUMENTS REQUIRED TO CONVEY A PARCEL OF LAND KNOWN AS CROSS ROAD, IN THE TOWN OF FLEMING TO SEAN LATTIMORE. (2/3)**

BY: Hon. Tucker Whitman, Chair, Public Works Committee

Hon. David Axton, Chair Ways & Means Committee

WHEREAS, CAYUGA COUNTY is a municipal corporation in the State of New York; and

WHEREAS, TOWN OF FLEMING is a municipal corporation in the State of New York; and

WHEREAS, a parcel of land known as Cross Road, is located in the Town of Fleming, New York, running from Route 38 to Sand Beach Road, was abandoned to the Town of Fleming by Official Order of the NYS Department of Public Works, Highway Division, dated February 11, 1942, by official; and

WHEREAS, the Town of Fleming had no interest in maintaining the highway and the Town of Fleming, by resolution dated December 23, 2012 agreed to transfer its interest in the lands known as Cross Road to Cayuga County; and

WHEREAS, the County of Cayuga has no interest in maintaining the highway and desires to convey its interest to the adjacent land owner, Sean Lattimore; and

WHEREAS, by Quit Claim deed, dated December 19, 2010 and recorded with the Cayuga County Clerk's in Book 1434 of Deeds at Page 317, the County of Cayuga conveyed the land previously described in Schedule "A" to Sean Lattimore and

WHEREAS, this Correction Quit Claim Deed is prepared to comply with County Law, Section 215, and Highway Law, Section 118-A; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute a Corrective Quit Claim Deed, and other documents, conveying and abandoning the interest of the County of Cayuga in Cross Road to Sean Lattimore

Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon and Pinckney, approved by 2/3 vote all voting in favor except Bennett abstained.

### **RESOLUTION NO. 304-13**

#### **8.27.13 COA crossrdesmnt**

### **AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO EXECUTE ANY AND ALL DOCUMENTS REQUIRED TO CONVEY A WATER AND SEWER RIGHT OF WAY AND EASEMENT TO THE TOWN OF FLEMING FOR THE TOWNS WATER AND SEWER LINES LOCATED WITHIN THE BOUNDS OF CROSS ROAD. (2/3)**

BY: Hon. Tucker Whitman, Chair, Public Works Committee

Hon. David Axton, Chair Ways & Means Committee

WHEREAS, CAYUGA COUNTY is a municipal corporation in the State of New York; and

WHEREAS, TOWN OF FLEMING is a municipal corporation in the State of New York; and

WHEREAS, a parcel of land known as Cross Road, is located in the Town of Fleming, New York, running from Route 38 to Sand Beach Road, was abandoned to the Town of Fleming by Official Order of the NYS Department of Public Works, Highway Division, dated February 11, 1942, by official; and

WHEREAS, the Town of Fleming had no interest in maintaining the highway and the Town of Fleming, by resolution dated December 23, 2012 agreed to transfer its interest in the lands known as Cross Road to Cayuga County; and

WHEREAS, the Town of Fleming has a water and sewer line in the bounds of Cross Road and when it abandoned the Road to Cayuga County did not retain a right of way and easement for its water and sewer lines; and

WHEREAS, the location of the water and sewer lines are depicted on the survey annexed hereto and made a part hereof as Exhibit A; and

WHEREAS, the County of Cayuga wishes to grant to the Town of Fleming a right of way and easement for the water and sewer lines which are located within the bounds of Cross Road; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute a Right of Way and Easement Agreement, together with any other documents required to effect the transfer, to convey a right of way and easement to the Town of Fleming for its water and sewer lines located within the bounds of Cross Road, Town of Fleming.

Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon and Pinckney, approved by 2/3 vote all voting in favor except Bennett abstained.

**RESOLUTION NO. 305-13**

**08/27/13 PRO-creatfillFTClerk**

**AUTHORIZATION TO CREATE & FILL 1 CLERK FT POSITION IN THE  
CAYUGA COUNTY PROBATION DEPARTMENT**

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

Mr. David Axton, Chairman, Ways & Means Committee

WHEREAS, the Interim Probation Director submitted a New Position Duty Statement for a Clerk F/T position to the Civil Service Commission on July 30, 2013; and

WHEREAS, the Interim Probation Director was requested to proceed with the Resolution indicated above pending approval by the Cayuga County Civil Service Commission; and

WHEREAS, the workloads have increased significantly in the past 2 years effecting the efficiency of the probation clerical staff to meet the demands of the sentencing Courts and entering data for opening and closing probation supervision cases; and

WHEREAS, the money exists in the 2013 budget for the FT Clerk position under A31401-51001 of the Probation Department budget; and

WHEREAS, the authorization to create and fill the FT Clerk position by October 1st of 2013 would result in a savings of \$15,811.00 to the County in the 2013 budget; now therefore be it

RESOLVED, that the Clerk FT position be created in the Probation Department and that the Interim Probation Director be authorized to fill the Clerk FT position, and be it further

RESOLVED, that the position be filled in accordance with the Cayuga County Rules & Regulations and the Policies of the County of Cayuga.

Signed by Cuddeback, Axton, Bennett, Didio, Farrell, Pinckney, Whitman, Fearon, Mahunik and Pecher.

**RESOLUTION NO. 306-13****Date: 8/27/13 ShrFillJailVacancy****AUTHORIZE THE SHERIFF TO FILL ONE VACANT SHERIFF CUSTODY OFFICER POSITION IN THE CUSTODY DIVISION OF THE CAYUGA COUNTY SHERIFF'S OFFICE.**

BY: MR. STEVEN CUDDEBACK, Judicial &amp; Public Safety Committee

MR. DAVID AXTON, Chairman, Ways &amp; Means Committee

WHEREAS, a Sheriff Custody Officer (Position Control No. 004717-SYS) retired effective December 31, 2011 leaving a vacancy in the Cayuga County Sheriff's Department Custody Division; and

WHEREAS, it is mandated by the New York State Commission of Correction that the Cayuga County Sheriff's Department Custody Division maintain a certain number of Custody Officer Positions to comply with the minimum staffing complement as the services provided by these positions are critical for maintaining the safe, smooth and efficient operation of the Sheriff's Office Custody Division and due to this vacancy, reduces the minimum staffing to one below state mandates; and

WHEREAS, it is now necessary to fill this vacant position from the civil service eligibility list so that the recruit may attend the upcoming academy; and

WHEREAS, this position is designated and accepted in the 2013 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 Cuddeback, Axton, Bennett, Didio, Farrell, Pinckney, Whitman, Fearon, Mahunik and Pecher.

**RESOLUTION NO. 307-13****(8.27.13) COA LL Port Byron Lease e911 FIXrev****FIXING DAY AND NOTICE OF PUBLIC HEARING ON ADOPTING LOCAL LAW NO. \_\_\_\_ FOR THE YEAR 2013. A LOCAL LAW AUTHORIZING THE COUNTY OF CAYUGA TO LEASE PART OF THE PREMISES, COMMONLY KNOWN AS ORCHARD STREET, PORT BYRON, NEW YORK, VILLAGE OF PORT BYRON, TAX MAP NO. 81.19-2-57, COUNTY OF CAYUGA, STATE OF NEW YORK, FROM THE VILLAGE OF PORT BYRON FOR A TERM OF 99 YEARS.**

BY: MR. STEVEN CUDDEBACK, Chairman, Judicial &amp; Public Safety Committee.

MR. TUCKER WHITMAN, Chairman, Public Works 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 27, 2013, a proposed local law entitled:

“LOCAL LAW NO. \_\_\_\_\_ FOR THE YEAR 2013. A LOCAL LAW AUTHORIZING THE COUNTY OF CAYUGA TO LEASE PART OF THE PREMISES, COMMONLY KNOWN AS ORCHARD STREET, PORT BYRON, NEW YORK, VILLAGE OF PORT BYRON, TAX MAP NO. 81.19-2-57, COUNTY OF CAYUGA, STATE OF NEW YORK, FROM THE VILLAGE OF PORT BYRON FOR A TERM OF 99 YEARS.”

Now, therefore, be it

RESOLVED, that a public hearing shall be held concerning the proposed local law before the Cayuga County Legislature on September 24, 2013, at 6:30 P.M., at the Cayuga County Office Building, 160 Genesee Street, Auburn, New York, and the Clerk of the Cayuga County Legislature is hereby directed to give due legal notice of said public hearing as provided by statute.

Signed by Cuddeback, Axton, Bennett, Didio, Farrell, Pinckney, Runkle, Fearon, Whitman, Fearon, Mahunik and Pecher.

**RESOLUTION NO. 308-13**

**AUGUST 27, 2013 DA.VICTIMWITNESS.2013**

**AUTHORIZING THE DISTRICT ATTORNEY TO ACCEPT AN ANNUAL GRANT FROM THE NEW YORK STATE CRIME VICTIMS BOARD, IN ORDER TO CONTINUE THE FULL-TIME POSITION OF “VICTIM/WITNESS COORDINATOR” IN THE DISTRICT ATTORNEY’S OFFICE TO COMPLY WITH LEGAL REQUIREMENTS AND CARRY OUT THE TERMS OF THE GRANT PROGRAM.**

BY: Hon. Steven E. Cuddeback, Chairman Judicial & Public Safety and  
Hon. David R. Axton, Chairman Ways & Means

WHEREAS, the Cayuga County District Attorney’s Office has been awarded a Grant with annual award amount of \$34,287 (reduced by \$700) from the New York State Crime Victims Board for contract period October 1, 2013 through September 30, 2014 to continue operation of a Victim/Witness Services Program out of the District Attorney’s Office, and

WHEREAS, the grant program requires the District Attorney to continue in his office the position of “Victim/Witness Program Coordinator,” and

WHEREAS, the grant program requires the District Attorney to comply with legal requirements and to carry out the terms of the grant program, so as to provide the appropriations and revenues necessary to support the services associated with the grant, NOW, after due deliberation it is hereby

RESOLVED, that the District Attorney is authorized to accept the said Grant, and it is further

RESOLVED, that the full-time position of “Victim/Witness Program Coordinator” is continued in the District Attorney’s Office with an annual salary as set forth in the Cayuga County Compensation Plan for Non-Bargaining Employees, Part II, for the appropriated year, and it is further

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

Signed by Cuddeback, Axton, Bennett, Didio, Farrell, Pinckney, Whitman, Fearon, Mahunik and Pecher.

**RESOLUTION NO. 309-13****(8.27.13) COA LL BesseeLease911 ADP**

**TO ADOPT LOCAL LAW NO. 4 FOR THE YEAR 2013. A LOCAL LAW AUTHORIZING THE COUNTY OF CAYUGA TO LEASE PART OF THE PREMISES, COMMONLY KNOWN AS 2189 MOTT ROAD, CATO, NEW YORK, TOWN OF IRA TAX MAP NO. 39.00-1-2.2, COUNTY OF CAYUGA, NEW YORK, FROM DONNA BESSEE FOR A TERM OF 99 YEARS.**

BY: MR. STEVEN CUDDEBACK, Chairman, Judicial & Public Safety Committee.  
MR. TUCKER WHITMAN, Chairman, Public Works Committee  
MR. DAVID AXTON, Chairman, Ways and Means Committee

WHEREAS, Local Law No. 4 for the year 2013, a Local Law authorizing the County of Cayuga to lease part of the premises, commonly known as 2189 Mott Road, Cato, New York, Town of Ira Tax Map No. 39.00-1-2.2, County of Cayuga, New York, from Donna Bessee for a term of 99 years; and

WHEREAS, pursuant to law and after proper notice having been given, the County Legislature held a public hearing on said Local Law No. 4 for the year 2013 on August 27, 2013 at 5:45 P.M.; now, therefore be it

ENACTED, that the Cayuga County Legislature does hereby adopt Local Law No. 4 for 2013 authorizing the County of Cayuga to lease part of the premises, commonly known as 2189 Mott Road, Cato, New York, Town of Ira Tax Map No. 39.00-1-2.2, County of Cayuga, New York, from Donna Bessee for a term of 99 years; and be it further

RESOLVED, that the Clerk of the County Legislature publish notice of the adoption of the 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 Cuddeback, Axton, Bennett, Didio, Farrell, Pinckney, Runkle, Fearon, Whitman, Fearon, Mahunik and Pecher, approved by majority vote, all voting in favor.

**RESOLUTION NO. 310-13****(8/27/13) LEG Reject Plan2014rev2**

**AUTHORIZING THE CAYUGA COUNTY LEGISLATURE TO REQUEST THE INTERNATIONAL JOINT COMMISSION TO REJECT THE PROPOSED PLAN2014 IN ITS ENTIRETY**

BY: Hon. Michael V. Didio, Cayuga County Legislator, District 14

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 the stated purpose of the new plan, known as PLAN2014 is to reverse environmental damage caused by the current regulation plan (58D), particularly with regard to the restoration of 65,000 acres of shoreline meadow marsh; and

WHEREAS, PLAN2014 will increase the current range of water levels that private and public riparian property owners relied on for the last 50 years and according to a peer review conducted by the National Academy of Sciences, the potential environmental benefits in the IJC's studies are based upon speculative and unreliable research; and

WHEREAS, projected 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 riparian properties (estimated at over \$2.2 million per year, which is likely an underestimate) and negatively impacting sport fishing and recreational boating economics across the entire region (estimated at over \$94 million per year); and



WHEREAS, PLAN2014 greatly decreases protections that exist in the current plan, replacing them with a plan that results in the transfer of prosperity from Cayuga County and other Lake Ontario communities to Hydropower (NYPA and others) who will realize a benefit of approximately \$5.3 million per year on average; and

WHEREAS, Cayuga County residents who own property or businesses along 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 PLAN2014 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, that the Cayuga County Legislature does hereby respectfully request that the International Joint Commission reject in its entirety all current plans for the implementation of the PLAN2014; and be it further

RESOLVED, that the Cayuga County Legislature does hereby respectfully request 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 Cayuga County where impacts have been identified as the most acute; and be it further

RESOLVED, that as part of this analysis/study, Cayuga County recommends that 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 analysis/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, New York State Governor Andrew M. Cuomo, the New York Department of State, Joe Martens, Commissioner of the New York State Department of Environmental Conservation, the New York State Environmental Facilities Corporation, United States Senator Charles E. Schumer, United States Senator Kirsten E. Gillibrand, United States Congressman Dan Maffei, Senate Environmental Conservation Committee, State Senator John A. DeFrancisco; State Senator James L. Seward; State Senator

Michael F. Nozzolio; New York State Assemblyman Robert Oaks, New York State Assemblyman Gary Finch, and all others deemed necessary and proper.

Signed by Chapman, Runkle, Barski, Whitman, Fearon, Mahunik, Axton, Pecher, Lattimore, Farrell, Cuddeback, Didio, Pinckney, Bennett and Aikman.

**Executive Session: Regarding Contract negotiations**

**Motion by Runkle to go into executive session at 6:56 PM, 2<sup>nd</sup> by Didio, all in favor.**

**Motion by Aikman to come out of executive session at 7:10 PM, 2<sup>nd</sup> by Pinckney, all in favor.**

**Motion by Fearon to adjourn at 7:10 PM, 2<sup>nd</sup> by Cuddeback, all in favor.**

**MINUTES  
CAYUGA COUNTY LEGISLATURE  
September 24, 2013 at 5:30PM**

**WELCOME:** In case of an emergency, please exit to the rear of the chambers. You will have to take the stairs down to the basement, turn right and exit through the rear door. Please note; the elevators will not function. If anyone is unable to use the stairway, please go to caucus room No. 2 located behind the chambers and emergency personnel will be notified.

**Restrooms are located in the main hallway and handicapped restroom is located behind the chambers.**

**CALL TO ORDER:** Hon. Michael Chapman, Chairman at 5:30PM

**ROLL CALL:** Sheila Smith, Clerk of the Legislature, all Legislator's present.

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**DEATHS:** Our sincere condolences to the families and friends of:  
New York National Guard Staff Sgt. Todd Lobraico Jr., a resident of New Fairfield, Connecticut, died of small arms fire while on patrol outside Bagram Air Base. He was a member of the 105<sup>th</sup> Security Forces Squadron, which is an element of the 105<sup>th</sup> Airlift Wing at Stewart Air National Guard Base at Newburgh, N.Y.

**PUBLIC HEARINGS opened at 5:33 PM:**

To adopt Local Law No. \_\_\_\_ for the year 2013, a Local Law for Tobacco Retail Licensing Ordinance.

To adopt Local Law No. \_\_\_\_ for the Year 2013, A Local Law to Prevent the Spread of Aquatic Invasive Species in Cayuga County.

**Public speaking on behalf of the Public Hearing to adopt Local Law No. \_\_\_\_ for the year 2013, a Local Law for Tobacco Retail Licensing Ordinance.**

Patricia Briest- Nurse Practitioner

She discusses being a partner with physicians to help their patients quit smoking. She says that the medical community is very concerned about the marketing of tobacco companies and they are targeting to the youth. She shows different products that were being sent to a friend's 18 year old daughter. She says they are making cigarettes look very appealing with packaging and gimmicks. She also talks about a new way student athletes are getting their nicotine fix but cutting in between their toes and placing nicotine packets instead of smoking. She hopes that the law will pass tonight because it is one step closer to making a difference.

JP McCandless- Attached

Kathy Duckett- Attached

Matt Jones- Attached

Irv Lyons- Attached

Dana Mandel- Attached

Jason Warshaw- American Cancer Society

He describes what he sees on a weekly basis and has the unfortunate opportunity to see people get lung cancer diagnoses. He says here is an opportunity to show the importance of the law and the issue of tobacco use. He says we need to look out for the safety and protection of adolescences and asks the legislature to please continue to support the cause.

**Public speaking on behalf of Public Hearing to adopt Local Law No. \_\_\_\_ for the Year 2013, A Local Law to Prevent the Spread of Aquatic Invasive Species in Cayuga County.**

Keith Batman- Attached

**PRESENTATIONS:STAR Presentation, Jeff Bartholomew, Regional Manager (ORPTS) Office of Real Property Tax Services- Attached**

**SCAT Van Presentation, Phyllis Van Horn, President and Dick Miller, Treasurer- Attached**

**PROCLAMATIONS:** Sheriff's Week in Cayuga County

National Recovery Month

United Way Day in Cayuga County

Coaching Legends Gino Alberici and Ron Crowell Day in Cayuga County

Histiocytosis Awareness Month

**PUBLIC TO 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.

**Public Hearings Closed at 6:31 PM**

**MINUTES: For approval: 7/23/13, Motion by Didio, 2<sup>nd</sup> by Pinckney, all in favor. For reading: 8/27/13**

**CCC REPORT:** Dr. Daniel Larson- Attached

Farrell asks if there was there an audit done. Larson says he invited SUNY to come in and assist with the budget and that everything was done appropriately but no audit was done. Farrell asks about a \$500,000 and something bill from Hueber-Breuer and if that was put into next year's budget. Larson says it was not included into the budget. He says the costs were not between the Board and Hueber-Breuer, but between the Faculty-Student Association and Mr. Breuer. There has been an agreement drawn up with Hueber-Breuer whereby the College shall pay \$10,000 beginning September 1, 2013 and will continue

with \$25,000 monthly installment payments over the period of time October 1, 2013 to December 1, 2014. The money has been put into a budget line to gradually start making payments. Farrell asks if it is possible to utilize this year's numbers to forecast chargeback rates. Larson responds that it has been done and they are being cautious so they are not hit with a negative note.

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

Didio- Inter County of Western NY first time in 50 years held at Cayuga County October 18<sup>th</sup> at the pavilion, kicked off by Legislator Aikman, information with a booth, several pieces that the Sheriff will bring up, Alcohol and Substance Abuse Committee great committee, Lake Management Council been going forward put together some information for violations and now with the realization to understand what the health laws are.

**COUNTY ADMINISTRATOR'S REPORT:** Suzanne Sinclair

Sinclair says she has met almost all Department Heads and will be gone the rest of the week attending the NYSAC conference which she is looking forward to.

**CHAIRMAN'S REPORT:** Michael Chapman

Chapman talks about Double Days and having a great time. He hoped to continue doing that and thanks Bennett for establishing those contacts. He discusses weekly meetings with Loretto an Mercy to move the project forward and the ground breaking for the project will be October 8<sup>th</sup>. He says the list has been revised again so there will additional invites being sent out. He encourages the Legislators to go to the ground breaking event. He says on September. 12<sup>th</sup>, he traveled to NYC with Deb English to attend hearings to finalize the funds. He says Oct 3<sup>rd</sup> will hopefully be the last meeting and then can go ahead and speak about other matters under the guidance of Loretto during the transition period.

**Motion by Didio, 2<sup>nd</sup> by Cuddeback, all in favor.**

**APPOINTMENTS AND RE-APPOINTMENTS:**

Cayuga-Cortland Workforce Investment Board:

Mr. Demetrius Murphy, 25 Bradford St., Auburn, NY 13021, Term 7-1-13 to 6-30-16

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

**COMMUNICATIONS AND ANNOUNCEMENTS:**

1. Received a card from the family of Ann Rita Petrus, "Your kind and thoughtful expression of sympathy is deeply appreciated and gratefully acknowledged."
2. A letter to Chapman from Senator Seward regarding the legislature's resolution no. 310-13 relating to the proposed "Plan 2014" of the International Joint Commission.
3. A letter to Chapman from Governor Andrew Cuomo in regards to Cayuga County being awarded \$127,000 under the FY2013 State Homeland Security Grant Program.
4. A letter to Smith from Real Property Analyst 2 Brian Moon, in regards to a list of Certified 2013 State Equalization Rates.

5. A letter to Chapman from Commissioner Jerome Hauer in regards to Cayuga County being awarded \$36,000 from the NYS Division of Homeland Security and Emergency Services under the FY2013 Hazmat Grant Program.

6. A proclamation received by Governor Cuomo declaring September 15-21, 2013 as Sheriff's Week.

## RESOLUTIONS

### **RESOLUTION NO. 311-13**

**9/24/13 AP Audit September 2013 (A)**

#### **AUTHORIZING THE COUNTY TREASURER TO PAY AUGUST 13-AUGUST 26, 2013 AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on **September 24, 2013**, audit claims against the County of Cayuga in the aggregate sum of \$529,210.44, 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, 2012.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney and Whitman.

### **RESOLUTION NO. 312-13**

**9/24/13 AP Audit September 2013 (B)**

#### **AUTHORIZING THE COUNTY TREASURER TO PAY AUGUST 27-SEPTEMBER 9, 2013 AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on **September 24, 2013**, audit claims against the County of Cayuga in the aggregate sum of \$752,048.27, 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, 2012.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney and Whitman.

### **RESOLUTION NO. 313-13**

**(09/24/13) TRE DELETE TAX LIENS**

#### **RESOLUTION TO DELETE UNENFORCEABLE TAX LIENS**

BY: David Axton, Chairman, Ways & Means Committee

WHEREAS, the following liens are filed in the Cayuga County Clerk's Office against property located in the Town of Sennett, identified as Tax Map # 102.04-1-45.2-13 and assessed to John Schmoke on the 2009, 2010, 2011 and 2012 Tax Roll for said Town as follows; and

Tax Year	Base Tax	Interest	Fees	Total Amount
2009	\$2,617.20	\$1,203.91	\$150.00	\$3,971.11
2010	\$2,815.77	\$957.36	\$150.00	\$3,923.13
2011	\$2,617.04	\$575.75		\$3,192.79
2012	\$2,697.58	\$269.76		\$2,967.34

WHEREAS, interest and penalties for the 2013 tax year should be waived as follows: \$90.89 interest and \$54.10 penalty; and

WHEREAS, this parcel is a suffix and only pertained to the value of a building; and

WHEREAS, the structures that were previously on this parcel for which the taxes were assessed to and liens applicable to, are no longer there making the lien unenforceable; and

WHEREAS, a new structure is in place and the owner will be responsible for paying the new base tax amount for the 2012 school taxes, the 2013 Town/County taxes and the 2013 School taxes; and now be it

RESOLVED, the liens for tax years 2009, 2010, 2011 & 2012, filed in the Cayuga County Clerk's Office under tax map number 102.04-1-45.2-13 are deleted and interest and penalties for the 2013 tax year are waived.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney and Whitman.

**RESOLUTION NO. 314-13**

**(SEPTEMBER 24, 2013) RPCORRECTGENOABILLSEPT**

**AUTHORIZING CORRECTION OF TAX ERRORS IN THE TOWN OF GENOA**

BY: David Axton, Chairman, Ways & Means Committee

WHEREAS, petitions for corrections have been received by the Director of Real Property Tax, from the Town Assessors to correct clerical errors or an error in essential fact as specified below, as existed on the 2013 School Tax Roll, and;

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

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

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

RESOLVED, that a corrected 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 2013 School Tax Roll shall also be corrected as follows:

Town of Genoa: Tax Map # 239.00-1-4.11. This parcel applied for and qualified for the Agricultural Exemption that was not placed on the assessment roll. The Agricultural Exemption should be applied to the 2013 School tax bill.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney and Whitman.

**RESOLUTION NO. 315-13**

**(September 24, 2013) HD HRI Integrated Cancer Serv. 2013  
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: Patrick Mahunik, 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 \$63,222 for the period of July 1, 2013 through June 29, 2014; 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 2013 Budget in the following manner:

Increase Appropriation Account #40234 54000	\$63,222
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Increase Revenue Account #40230 43423	\$63,222
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Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Aikman, Barski, Bennett, Lattimore, Runkle, Pinckney and Whitman.

**RESOLUTION NO. 316-13**

**(September 24, 2013) HD Childhood Lead Grant 2013-2015  
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE  
DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A 2-YEAR  
CONTRACT WITH NYS DEPARTMENT OF HEALTH TO PARTICIPATE IN  
THE 100% FUNDED "CHILDHOOD LEAD POISONING PREVENTION  
PROGRAM" FOR THE PERIOD 10/1/13 – 9/30/15**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, NYS Department of Health awarded the Cayuga County Health Department a 2-year, 100% reimbursable grant to participate in the "Childhood Lead Poisoning Prevention Program" for the period October 1, 2013 through September 30, 2015; and

WHEREAS, the Department has been awarded \$47,815 for year one of the contract; and

WHEREAS, in order to carry out the terms of this grant, the 2013 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 authorized to enter into a 2-year contract (October 1, 2013 - September 30, 2015) with the NYS Department of Health to participate in the "Childhood Lead Poisoning Prevention Program," and to accept \$47,815 for year one of this contract; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the following amendments to the 2013 Health Department Budget:

Increase Appropriation Account #A40284 54000 \$47,815

Increase Revenue Account #A40280 43428 \$47,815

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 Axton, Cuddeback, Fearon, Mahunik, Pecher, Aikman, Barski, Bennett, Lattimore, Runkle, Pinckney and Whitman.

### **RESOLUTION NO. 317-13**

#### **(9/24/13) HS Child Care Fraud Prevention Grant & Create Fill PT Investigator AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH NYS OCFS TO ACCEPT A 100% FUNDED CHILD CARE FRAUD PREVENTION AND DETECTION INCENTIVE GRANT AND TO CREATE AND FILL A PART TIME SOCIAL SERVICES INVESTIGATOR POSITION**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, NYS OCFS (Office of Children and Family Services) originally awarded Cayuga County's Human Services Department a 100% funded Child Care Fraud Prevention and Detection Incentive Grant in the amount of \$40,000; and

WHEREAS, the Department was recently notified of the State's intent to continue funding for this initiative at 80% of the initial award; and

WHEREAS, this Grant provides local social services districts with the resources needed for detecting, prosecuting and preventing child care subsidy fraud; and

WHEREAS, in order to implement this Grant, we are proposing to create and fill a Part-Time Social Services Investigator position in the Case Integrity Unit of Human Services to perform the research and field investigations as it relates to Child Day Care Services; and

WHEREAS, the Cayuga County Civil Service Commission has reviewed the New Position Duties Statement submitted for this position, and has classified it as a Part-Time Social Services Investigator, Grade 15, Part II of the Cayuga County Compensation Plan, Non-Bargaining Employees; 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 NYS OCFS to accept a 100% funded Child Care Fraud Prevention and Detection Incentive Grant in the amount of \$31,997 for the period 4/1/13-3/31/14; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the necessary journal and accounting entries to the Human Services 2013 Budget as follows:

Increase Revenue Account (Salaries) #60101 54262	\$31,997
Increase Expenditure Account (DSS Administration) #A60100 43610	\$31,997
And be it further	

RESOLVED, that the Cayuga County Legislature create, in the Case Integrity Unit of Human Services, a Part-Time Investigator position (100% funded through this Grant) set at an hourly rate of \$19.95/hr. for step 1 and a probationary hourly rate of \$19.80, in Part II of the Cayuga County Compensation Plan, Non-Bargaining Employees; that the Director of Health & Human Services be authorized and directed to fill the newly created Part-Time Investigator position in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga; and if funding ceases for the position, it will be abolished.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Aikman, Barski, Bennett, Lattimore, Runkle, Pinckney and Whitman.

### RESOLUTION NO. 318-13

(Sept. 24, 2013) HS Fill Caseworker CPS (Sept 2013)

#### AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO FILL A CASEWORKER VACANCY IN CHILD PROTECTIVE SERVICES (CPS) DUE TO RESIGNATION OF INCUMBENT

BY: Patrick Mahunik, 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 Child Protective Services of Human Services (position control #002156) effective September 14, 2013 due to resignation of incumbent; and

WHEREAS, this position is responsible to investigate Child Protective Reports in the CPS 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 2013 budget; NOW, THEREFORE BE IT

RESOLVED, that the Director of Health & Human Services is authorized and directed to fill the Caseworker position in Child Protective Services in accordance with Civil Services Rules and Regulations and the policies of the County of Cayuga.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Aikman, Barski, Bennett, Lattimore, Runkle, Pinckney and Whitman.

### RESOLUTION NO. 319-13

(September 24, 2013) HS HEAP/Catholic Charities 2013

#### 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, 2013 THROUGH APRIL 30, 2014

BY: Patrick Mahunik, 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 \$75,796 for the period 9/1/13 – 4/40/14; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the County’s Human Services 2013 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 Axton, Cuddeback, Fearon, Mahunik, Pecher, Aikman, Barski, Bennett, Lattimore, Runkle, Pinckney and Whitman.

**RESOLUTION NO. 320-13**

**(September 24, 2013) HS Fill HS Examiner FS 2013**

**AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO FILL A FULL-TIME HUMAN SERVICES EXAMINER POSITION (50% FUNDED) IN THE FOOD STAMP UNIT OF HUMAN SERVICES**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, there will be a Full-Time Human Services Examiner vacancy (position control #002139) in the Food Stamp Unit of Human Services due to retirement of the incumbent effective September 28, 2013; and

WHEREAS, this position is necessary for the effective and efficient operation of the Food Stamp Unit of Human Services; and

WHEREAS, this position is 50% federally funded; and

WHEREAS, sufficient funding exists in the 2013 Human Services’ Budget to support this position; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized to fill the Full-Time Human Services Examiner vacancy in the Food Stamp Unit and any fill behind that may occur, in a manner consistent with the rules and regulations of the County of Cayuga and the Cayuga County Civil Service Commission.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Aikman, Barski, Bennett, Lattimore, Runkle, Pinckney and Whitman.

**RESOLUTION NO. 321-13**

**Action 9/24/2013 MHAgmtPlayTherapyTrain9.13**

**AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES TO ENTER INTO AN AGREEMENT WITH INTEGRATIVE COUNSELING SERVICES, PLLC FOR PLAY THERAPY STAFF TRAINING**

BY: Patrick Mahunik, Chair, Health and Human Services Committee, and David Axton, Chair, Ways and Means Committee

WHEREAS, the Mental Health Center of Cayuga County serves approximately 200 children at any point in time. Our staff would benefit from training specific to working with that population. Play Therapy is a unique modality that uses developmentally appropriate play-based models and techniques in working with children; and

WHEREAS, Integrative Counseling Services, PLLC offers Play Therapy training by Dr. Jodie Mullen, a recognized expert in the field; now, therefore, be it

RESOLVED, that the Director of Community Services be authorized to enter into an agreement with Integrative Counseling Services, PLLC for Play Therapy training for fourteen (14) Mental Health Center staff at a total cost of \$2,594. Funding for this is budgeted in the 2013 County Budget as Conference Fees, line A43104-54067.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Aikman, Barski, Bennett, Lattimore, Runkle, Pinckney and Whitman.

**RESOLUTION NO. 322-13**

**Action: 9/24/13 MHRentUH.PROS.2013**

**AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES AND THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO AMEND A LEASE AGREEMENT WITH UNITY HOUSE OF CAYUGA COUNTY, INC.**

BY: Mr. Patrick Mahunik 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 is in need of additional office space at the 146 North Street, Mental Health Center site; and

WHEREAS, resolution number 65-13 authorized a lease between the County and Unity House. This resolution will increase that space from 3,000 to 3,393 square feet in the Mental Health Building, the terms of which were established at \$7.70 per square foot of Shared Use area and \$11.00 per square foot of Designated Use area; now; therefore, be it

RESOLVED, that the Director of Community Services and the Chairman of the Cayuga County Legislature be authorized to amend the lease with Unity House of Cayuga County, Inc. to increase the amount of leased space under the same terms and conditions stated in the existing lease agreement.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Aikman, Barski, Bennett, Lattimore, Runkle, Pinckney and Whitman.

**RESOLUTION NO. 323-13**

**Action 9/24/2013 MH Pharmacy Alliance.2013**

**AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES TO SIGN AN AGREEMENT WITH THE MINNESOTA MULTISTATE CONTRACTING ALLIANCE FOR PHARMACY**

BY: Mr. Patrick Mahunik, Chair, Health and Human Services Committee, and Mr. David Axton, Chair, Ways and Means Committee.

WHEREAS, for several years the Cayuga County Community Mental Health Center has included the cost of certain injectable medications in the county budget with offsetting revenue; and

WHEREAS; while these medications are very effective, they are also very expensive; and

WHEREAS, the NYS Office of Mental Health is recommending that service providers join the Minnesota Multi-State Contracting Alliance for Pharmacy to allow the County to purchase these medications from a wholesaler rather than from local vendors, and

WHEREAS, the County desires to pursue this option in order to obtain the lowest price for these medications; now, therefore, be it

RESOLVED, that the Director of Community Services be authorized to sign an agreement with the Minnesota Multi-State Contracting Alliance for Pharmacy. If it is determined that the medications cannot be obtained from a local vendor at an equal or lesser cost, the Mental Health Center will be permitted to purchase medical supplies through vendors identified by the contracting alliance.

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

**RESOLUTION NO. 324-13**

**Action 9/24/2013 MHBudget.Meds.2013**

**AMENDING THE 2013 MENTAL HEALTH DEPARTMENT BUDGET FOR MEDICATIONS**

BY: Mr. Patrick Mahunik, Chair, Health and Human Services Committee, and Mr. David Axton, Chair, Ways and Means Committee.

WHEREAS, the Mental Health Department employs several individuals licensed by the State of New York to prescribe medications; and

WHEREAS, they have found the use of long acting injectable medications to be very beneficial and are increasingly prescribing these medications for individuals diagnosed with mental illness; and

WHEREAS, in many instances the department must purchase the medications and subsequently bill for the injections; and

WHEREAS, the budgeted amount in the 2013 County Budget will not be adequate to cover the costs now projected for the year; therefore, be it

RESOLVED, that the Cayuga County Treasurer be directed and authorized to make the necessary accounting entries in the 2013 Cayuga County Budget as follows:

Increase Expenses A43104.54056 Prescriptions & Drugs by \$ 77,000

Increase Revenue A43100.41628 MH Risperdal by \$ 77,000  
 Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Aikman, Barski, Bennett,  
 Lattimore, Runkle, Pinckney and Whitman.

**RESOLUTION NO. 325-13**

**9/24/13 NH impactbargainingrev7**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF THE CAYUGA COUNTY NURSING HOME TO NEGOTIATE AND TO ENTER INTO AGREEMENTS WITH CIVIL SERVICE EMPLOYEES UNION (CSEA) AND TO ENTER INTO AN AGREEMENT WITH NEW YORK STATE NURSES ASSOCIATION (NYSNA) ALONG WITH THE NON-UNION EMPLOYEES OF THE NURSING HOME TO RECOGNIZE EMPLOYEES WORK AT THE NURSING HOME WITH A STAY/ATTENDANCE RETENTION PAYMENTS AND RELEASE/STAY PAYMENT.**

BY: David Axton, Chairman, Ways and Means Committee

Patrick Mahunik, Chairman, Health and Human Services Committee

WHEREAS, Cayuga County Nursing Home will cease operations and its Certificate of Need will be transferred to a new corporation called Auburn Senior Services, Inc.; and

WHEREAS, the HEAL 21 grant has a provision to recognize employees through a stay/attendance retention payment package and provides that said monies may be reimbursed from the HEAL 21 funds; and

WHEREAS, the County has negotiated a Stay/Attendance Retention Payments and Release/Stay Payment agreement with NYSNA and is offering a Stay/Attendance Payments and Release/Stay Payment program to its Nursing Home non-bargaining employees during this transition period of ending the County's operation of the Nursing Home and the transfer of its Certificate of Need and employees to a new entity (copies attached); and

WHEREAS, the County is negotiating a Stay/Attendance Retention Payments and Release/Stay Payment with CSEA; and

WHEREAS, the Agreements and terms, copies attached, define specific pay outs over the entire period of transition; now therefore be it

RESOLVED that the Chairman of the Legislature and the Director of the Cayuga County Nursing Home are authorized to negotiate and to enter into Stay/Attendance Retention Payments and Release/Stay Payment Agreement with CSEA and with the Cayuga County Compensation Plan Part IV employees at the Nursing Home; and be it further

RESOLVED, that the proposed Stay/Attendance Retention Payments and Release/Stay Payment Agreement with NYSNA and the proposed program for non-bargaining employees of the County Nursing Home are hereby approved and the Chairman of the Cayuga County Legislature and the Director of the Cayuga County Nursing Home are authorized and directed to execute and implement same; and be it further

RESOLVED, that the costs be paid through the enterprise account of the nursing with reimbursement from the New York State Department of Health with HEAL 21 grant funds.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Aikman, Barski, Bennett, Lattimore, Runkle, Pinckney and Whitman.

**RESOLUTION NO. 326-13**

**Action Sept 24, 2013 MHFillCMHN.SepSept2013**

**AUTHORIZE THE FILLING OF A VACANT COMMUNITY MENTAL HEALTH NURSE SUPERVISOR POSITION AT THE COMMUNITY MENTAL HEALTH CENTER DUE TO A RESIGNATION**

BY: Mr. Patrick Mahunik, Chair Health and Human Services Committee, and Mr. David Axton, Chair Ways and Means Committee.

WHEREAS, there will be a vacant full-time Community Mental Health Nurse Supervisor position in the Cayuga County Community Mental Health Center as the result of a retirement from position control number 5497; and

WHEREAS, this position is critical to the operation of the department; and

WHEREAS, the position (5497) is reflected in the 2013 County Budget, line A43101-51001, now, therefore, be it

RESOLVED, that the Director of Community be authorized and is hereby directed to fill the position of one Community Mental Health Nurse Supervisor in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Aikman, Barski, Bennett, Lattimore, Runkle, Pinckney and Whitman.

**Motion by Farrell to amend the Local Law to reinstate that with the exception of 2014, the total number of New and Renewed Tobacco Retail Licenses issued by the Department in a given year shall not exceed the number of Tobacco Retail Licenses that were issued the previous year, 2nd by Aikman, amendment failed all voting nay**

**RESOLUTION NO. 327-13**

**(9/24/13) COA LL ord tobacco retail license REV 2 ADP**

**TO ADOPT LOCAL LAW NO. 5 FOR THE YEAR 2013, A LOCAL LAW FOR TOBACCO RETAIL LICENSING ORDINANCE**

BY: Mr. Patrick Mahunik, Chairman, Health & Human Services Committee

WHEREAS, Local Law No. 5 for the year 2013, a Local Law for Tobacco Retail Licensing Ordinance; and

WHEREAS, pursuant to law and after proper notice having been given, the County Legislature held a public hearing on said Local Law No. 5 for the year 2013 on September 24, 2013 at 6:30 P.M.; now, therefore be it

ENACTED, that the Cayuga County Legislature does hereby adopt Local Law No. 5 for 2013, Tobacco Retail Licensing Ordinance; 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 Mahunik and Pecher.

**Passed by Majority Vote all voting aye, 883.**

**Motion by Fearon to amend the 5th Whereas to 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, 2nd by Pecher, all voting aye except Pinckney, Mahunik, Aikman and Lattimore, motion approved by show of hands. Original Resolution as amended passed by show of hands all voting aye except Lattimore, Aikman, and Pinckney.**

**RESOLUTION NO. 328-13**

**9/24/13 COL studentgovtsunset13rev**

**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 22, 2013; 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 2013 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.

**RESOLUTION NO. 329-13**

**9/24/13 PB DESIGNATECCCVB\_ASTPA\_2014**

**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 2014 STATE PROGRAM YEAR AND DESIGNATING THE PROGRAM PROJECT DIRECTOR**

BY: Mr. Paul W. Pinckney, Chair, Planning and Economic Development

WHEREAS, the Cayuga County Convention and Visitors Bureau ("CCCVB") is the not-for-profit corporation designated by the Cayuga County Legislature to develop and implement a comprehensive tourism promotion and marketing program for the County; and

WHEREAS, a 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 for 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 2014 Program Year; and it be 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 Pinckney, Aikman, Barski, Cuddeback, Farrell, and Fearon.

**RESOLUTION NO. 330-13**

**9/24/13 COALL PREVENT INVASIVE SPECIES ADP  
TO ADOPT LOCAL LAW NO. 6 FOR THE YEAR 2013, A LOCAL LAW TO  
PREVENT THE SPREAD OF AQUATIC INVASIVE SPECIES IN  
CAYUGA COUNTY**

BY: MR. PAUL PINCKNEY, CHAIRMAN, PLANNING COMMITTEE  
MR. DAVID AXTON, CHAIRMAN, WAYS & MEANS COMMITTEE

WHEREAS, LOCAL LAW NO. \_\_6\_\_ FOR THE YEAR 2013, A LOCAL LAW TO PREVENT THE SPREAD OF AQUATIC INVASIVE SPECIES IN CAYUGA COUNTY; AND

WHEREAS, PURSUANT TO LAW AND AFTER PROPER NOTICE HAVING BEEN GIVEN, THE CAYUGA COUNTY LEGISLATURE HELD A PUBLIC HEARING ON SAID LOCAL LAW NO. \_\_6\_\_ FOR THE YEAR 2013 ON SEPTEMBER 24, 2013, AT 6:30 P.M.; AND

WHEREAS, THE CAYUGA COUNTY LEGISLATURE, IN FULL COMPLIANCE WITH ARTICLE 8 OF THE ENVIRONMENTAL CONSERVATION LAW AND REGULATIONS ADOPTED PURSUANT THERETO BY THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION OF THE STATE OF NEW YORK (COLLECTIVELY, “SEQRA”), HAS MADE A DETERMINATION THAT ADOPTION OF THE PROPOSED LOCAL LAW WILL NOT HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT AND HAS THEREFORE, AS LEAD AGENCY IN THE SEQRA REVIEW HAS ADOPTED A NEGATIVE DECLARATION FOR THE PROPOSED ACTION; NOW THEREFORE BE IT

ENACTED, THAT THE CAYUGA COUNTY LEGISLATURE DOES HEREBY ADOPT LOCAL LAW NO. \_\_6\_\_ FOR 2013, TO PREVENT THE SPREAD OF AQUATIC INVASIVE SPECIES IN CAYUGA COUNTY; AND BE IT FURTHER

RESOLVED, THAT THE CLERK OF THE 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, Aikman, Barski, Cuddeback, Axton, Mahunik, Pecher, Whitman, Farrell, and Fearon.

**RESOLUTION NO. 331-13****9/24/13 COA LL prevent invasive species SEQRev****MAKING A NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE IN RELATION TO ADOPTION OF LOCAL LAW NO. 6 FOR THE YEAR 2013, A LOCAL LAW TO PREVENT THE SPREAD OF AQUATIC INVASIVE SPECIES IN CAYUGA COUNTY**

BY: Mr. Paul Pinckney, Chairman, Planning Committee

Mr. David Axton, Chairman, Ways &amp; Means Committee

WHEREAS, in Resolution No. 330-13 of 2013, the Cayuga County Legislature would adopt a Local Law to prevent the spread of aquatic invasive species in Cayuga County (the "Action"); and

WHEREAS, the Cayuga County Legislature, in compliance with Article 8 of the Environmental Conservation Law and Regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively, "SEQRA"), has reviewed and accepted as adequate a SEQRA short Environmental Assessment Form with respect to that Action and has determined that there are no other Involved Agencies in the review of this Action, as such term is defined under SEQRA; now therefore be it

RESOLVED, by the Cayuga County Legislature, as follows:

1. The Cayuga County Legislature hereby declares itself Lead Agency in the SEQRA review, as such term is defined under SEQRA;
2. On recommendation of the Cayuga County Department of Planning and Economic Development that the legislative Action included in Resolution No. 330-13 of 2013 is an Unlisted Action as such term is defined under SEQRA; and
3. The Cayuga County Legislature, as Lead Agency, hereby makes a Negative Declaration of environmental significance, as such term is defined under SEQRA, in regard to the Action included in Resolution No. 330-13 of 2013.

Signed by Pinckney, Aikman, Barski, Cuddeback, Axton, Mahunik, Pecher, Whitman, Farrell, and Fearon.

**RESOLUTION NO. 332-13****Date: September 24, 2013 hwyTVsnowcontract13-14****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, 2013; 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 flat 2% increase on all contract parts with no fuel and salt adjustment for the 2013-2014 season, 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 2% raise over the 2012-2013 contract totaling \$1,289,715 to be paid to the towns and villages for the 2013-2014 snow removal season; and be it further

RESOLVED, the County Attorney is to review agreements before signing.  
Signed by Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon and Pinckney.

**RESOLUTION NO. 333-13**

**Date: September 24, 2013 HWYappthwysuper**

**AUTHORIZING APPOINTMENT OF COUNTY HIGHWAY SUPERINTENDENT**

BY: Tucker Whitman, Chairman, Public Works Committee

David Axton, Chairman, Ways & Means Committee

WHEREAS, The Public Works Committee has appointed George Wethey to serve as County Highway Superintendent on April 27, 2009; and

WHEREAS, he desires to carry on as Highway Superintendent for Cayuga County; and

WHEREAS, Highway law §100 lists the appointment for a County Superintendent of Highways as four years; and

WHEREAS, the County is still in negotiations with other bargaining units in regard to salary and benefits, and

WHEREAS, the annual salary for position of Highway Superintendent is in Part III of the County Compensation Plan and needs to be listed as such; now therefore be it

RESOLVED, that the Cayuga County Legislature does hereby appoint Mr. George Wethey as County Highway Superintendent for a term of four years effective upon completion of the current term through December 31, 2017; and be it further

RESOLVED, that the annual salary for the position of County Highway Superintendent will be set at the same rate of compensation as in the year 2013 at \$69,712 for year 2014; and be it further

RESOLVED, that upon the settlement of a contract between the County of Cayuga and CSEA general bargaining unit, that a local law will be held to extend the same yearly percentage increase for the above said position.

Signed by Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon and Pinckney.

**RESOLUTION NO. 334-13**

**(9/24/13) PT Grant Application Emerson Park 9 13**

**MEMORIALIZING SUPPORT FOR PARTICIPATION IN THE LOCAL WATERFRONT REVITALIZATION PROGRAM AND ENVIRONMENTAL PROTECTION FUND MUNICIPAL GRANT PROGRAM**

BY: Tucker Whitman, Chairperson, Public Works

Dave Axton, Chairperson, Ways & Means Committee

WHEREAS, the County of Cayuga desires to consider the undertaking of certain improvements to Emerson Park including the addition of docking space for boats and improvements to the boat launch, to boat launch access road, to the entrance and exit road; and

WHEREAS, the Cayuga County Legislature approved Resolution 203-13 authorizing the Parks Department to hire edr Companies to design and develop cost estimates for the proposed improvements; and

WHEREAS, to this end, the County of Cayuga seeks to apply for grant funding from the New York Department of State – Local Waterfront Revitalization Program, and the Office of Parks, Recreation & Historic Preservation - Environmental Protection Fund Municipal Grant Program to assist with funding these improvements; now, therefore be it

RESOLVED, that the County of Cayuga is hereby authorized to submit an application through the Consolidated Funding Application process, specifically the New York Department of State - Local Waterfront Revitalization Program, and the Office of Parks, Recreation & Historic Preservation-Environmental Protection Fund Municipal Grant Program for purposes of undertaking the Emerson Park improvements, and, be it further

RESOLVED, that the Chairman of the Cayuga County Legislature, or his designee, shall act as the Contact Person and that such Contact Person shall execute all financial and/or administrative documents relating to the grant programs; and, be it further

RESOLVED, that the projects for which the grant application shall be submitted are for the County of Cayuga to undertake certain improvements to Emerson Park; and, be it further

RESOLVED, that the maximum amount of money to be applied for from the New York Department of State - Local Waterfront Revitalization Program shall be \$205,752, with the County contributing a maximum local share of fifty percent.

RESOLVED, that the maximum amount of money to be applied for from the Office of Parks, Recreation & Historic Preservation - Environmental Protection Fund Municipal Grant Program shall be \$339,698, with the County contributing a maximum local share of twenty-five percent.

Signed by Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Cuddeback, Fearon and Pinckney.

### **RESOLUTION NO. 335-13**

**9/24/2013 BLD COB ID System 2013**

#### **AUTHORIZATION TO ENTER INTO A SERVICE AGREEMENT WITH LINSTAR FOR THE ID BADGE SYSTEM FOR THE COUNTY**

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

WHEREAS, the County Office Building Security system in on a Maintenance Agreement and the new ID badge system is integrated with this system; and

WHEREAS, the ID badge systems extended warranty period has ended and a service agreement is needed; and

WHEREAS, in discussion with IT, since the two systems are integrated, it would be advantages to combine the two service agreements, now therefore be it

RESOLVED, that the ID badge system service agreement be pro-rated to end the same time as the County Office Building Security System and be paid out of Buildings account A16204-54045 at a cost not to exceed \$1,455.00, and be it further

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

RESOLVED, that since the two systems are integrated, the Service Agreements will be combined into one when the renewal comes up in February; and be it further

RESOLVED, that the Superintendent of Buildings and Ground will budget for this agreement in account A16204 54045 in the 2014 budget; and be it further

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

Signed by Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Cuddeback, Fearon and Pinckney.

**RESOLUTION NO. 336-13**

**9/24/2013 BLD Hardenburg Cap H 13-02 funding**

**TRANSFERRING FUNDS TO COVER REPAIR OF THE HARDENBURG BUILDING FAÇADE AT 95 GENESEE STREET AUBURN NY CAPITAL H 13-02 AND AWARDDING CONTRACTOR**

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

WHEREAS, on May 23<sup>rd</sup> 2013 part of the façade of the Hardenburg Building fell and Resolution 213-13 Authorized the emergency spending to remove the façade and to provide temporary measures for the safety of the community and also authorized Beardsley Design Associates to design a repair/replacement of the removed facade and that funding for this emergency; and

WHEREAS, expenditures should be properly documented in any building project and Resolution 238-13 established Capital H 13-02 for this project; and

WHEREAS, we have received 5 quotes for the repairs and are as follows; Delta Construction King Ferry \$39,989.00, Marten-Zombak Construction, East Syracuse \$28,000.00, Bouley Associates, Auburn \$33,300.00, TAB Contracting Auburn \$26,000.00, and J. Juhl Construction Inc. Auburn \$27,500.00, and

WHEREAS, there is only \$24,881.48 available in capital H 13-02 and will not cover the cost of repair; now therefore be it

RESOLVED, that \$3,500.00 be transferred from account A10144 54131 (insurance) in to Capital H 13-02 for a balance of \$28,381.48 available for the project, and be it further

RESOLVED, that the project be awarded to TAB Contracting of Auburn in the amount of \$26,000.00; and be it further

RESOLVED, that the Superintendent of Buildings and Ground will oversee this repair; and be it further

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

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

Signed by Whitman, Axton, Runkle, Didio, Mahunik, Pecher, Cuddeback, Fearon and Pinckney.

**RESOLUTION NO. 337-13****9/24/2013 BLD Sprinkler Inspection Agreement 2013****AUTHORIZATION TO ENTER INTO AN INSPECTION AGREEMENT WITH DAVIS-ULMER FOR THE HARDENBURG BUILDING AND THE CAYUGA COUNTY MENTAL HEALTH CENTER**

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

WHEREAS, the Fire Protection Sprinkler systems at the Hardenburg Building and Cayuga County Mental Health Center are required to be inspected annually; and

WHEREAS, Davis-Ulmer has provided an 3 year Inspection Agreement for a cost of \$475.00 annually (\$237.50 each building); now therefore be it

RESOLVED, that the Cayuga County Chairman is authorized and directed to sign all necessary documents from Davis-Ulmer to implement the intent of this resolution; and be it further

RESOLVED, that the Superintendent of Buildings and Ground will schedule the inspections; and be it further

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

Signed by Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon and Pinckney.

**RESOLUTION NO. 338-13****Date: September 24, 2013 HWY Fuel Mgmt. Software****AUTHORIZING THE SUPERINTENDENT OF HIGHWAYS TO UTILIZE THE TOWN OF VERONA FUEL MANAGEMENT SOFTWARE BID**

BY: Tucker Whitman, Chairman Public Works Committee

David Axton, Chairman Ways and Means Committee

WHEREAS, the Highway Department and Motor Pool has a need to upgrade its fuel management system; and

WHEREAS, the Town of Verona awarded a bid for fuel management software and OPW fuel management system installed by LaValley Brothers Construction, Inc. in August 2013; and

WHEREAS, the current fuel management software is run on WindowsXP which will soon be unsupported; and

WHEREAS, the current fuel management system was damaged by an apparent voltage spike and is in need of repairs; and

WHEREAS, the OPW Fuel Management System installed by LaValley Brothers Construction, Inc. meets the needs of the Motor Pool and Highway department; and

WHEREAS, it is agreeable by both the Town of Verona and LaValley Brothers Construction, Inc. to utilize this bid and honor the pricing to Cayuga County; and

WHEREAS, under General Municipal law sections 103 and 104 this can be done; therefore now be it

RESOLVED, to allow the Superintendent of Highways to purchase fuel management software from LaValley Brothers Construction, Inc. piggy-backing off of the Town of Verona agreed pricing for software; and be it

RESOLVED, to use budget allocation and to transfer within DM accounts to pay the \$21,250 anticipated cost of fuel management software, installation, and training:

DM51304 54018	Computer Software	\$14,077	Budgeted for 2013
DM51304 54021	Auto/Truck Parts	\$ 2,500	Transfer to DM51304 54018
DM51304 54135	Training	\$ 2,173	Transfer to DM51304 54018
DM51314 54021	Auto/Truck Parts	\$ 2,500	Transfer to DM51304 54018

RESOLVED, that the County Chairman and the County Highway Superintendent be and is hereby authorized to sign an agreement,

purchase from successful bidders and to pay from appropriated funds.

Signed by Whitman, Axton, Mahunik, Pecher, Cuddeback, Fearon, and Pinckney.

**RESOLUTION NO. 339-13**

**9/24/2013 BLD Awarding Electrical Energy Bid 2013 Rev 1**

**AWARDING THE BID FOR ELECTRICAL ENERGY FOR VARIOUS COUNTY ACCOUNTS**

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

WHEREAS, The Cayuga County Purchasing Policy requires any purchase in excess of \$9,999.99 to use New York State contract, County contract or Group Purchasing contract or to go out for Sealed Bid; and

WHEREAS, there are 83 ESCO approve by the New York State Public Service Commission that could possibly bid, a bid list will be attached to this resolution; and

WHEREAS, since there is only a short window to accept the bid and that a special Legislature meeting does not have to convene to approve the Electrical Energy bid this Resolution proposes to give the authority to the Chairman of the Cayuga County Legislature to award the Electrical Energy Bid to the lowest responsible bidder or to reject the bids and go out for rebids until the natural gas bid is awarded; now therefore be it

RESOLVED, that the Cayuga County Legislature hereby authorizes the Chairman of the Cayuga County Legislature to award the Electrical Energy Bid to the lowest responsible bidder or to reject the bids and go out for rebids until the natural gas bid is awarded; and be it further

RESOLVED, that a list of all bidder and their bids will be attached to this resolution; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature may sign any and all Electrical Energy contracts, to implement the intent of this resolution; be it further

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

Signed by Whitman, Axton, Mahunik, Pecher, Cuddeback, Fearon, and Pinckney.

**RESOLUTION NO. 340-13****9/24/13 SHR-FUNDING FROM DEFRANCISCO****AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO ACCEPT MONIES FROM SENATOR DEFRANCISCO'S OFFICE THROUGH THE DIVISION OF CRIMINAL JUSTICE EARMARKED FOR LAW ENFORCEMENT AND PERMITTING FOR THE TREASURER'S DEPARTMENT TO AMEND THE 2013 LAW ENFORCEMENT BUDGET**

BY: MR. STEVEN CUDDEBACK, Judicial &amp; Public Safety Committee

MR. DAVID AXTON, Chairman, Ways &amp; Means Committee

WHEREAS, the Cayuga County Sheriff's Office was contacted by Senator John A. DeFrancisco's office and given \$20,000.00 of funding to be earmarked for equipment; and

WHEREAS, the Cayuga County Sheriff's Office is in need of an update to its current Accident Reconstruction and Crime Scene Documentation Program which is in excess of 10 years old and takes several operators to effectively document an accident; and

WHEREAS, Senator DeFrancisco's Office has approved the expenditure of said funding for this system: now therefore be it

RESOLVED, that the 2013 Cayuga County Sheriff's Law Enforcement Operating Budget be amended to allow the following changes: An increase in the Revenue Line A31100 43088 State Aid-State Legislature of \$20,000.00 and an increase in the Expenditure Account A31100 52100 Equipment - Trackable of \$20,000.00: and be it further

RESOLVED, that the Cayuga County Sheriff's Office be allowed to purchase THE SOKKIA SX Robotic Total Station with Bluetooth, accessory pack, full software upgrade and a handheld data collector with the above funding; and be it further

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

Signed by Cuddeback, Axton, Bennett, Didio, Farrell, Pinckney, Whitman, Fearon, Mahunik and Pecher.

**RESOLUTION NO. 341-13****9.24.13 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 &amp; 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 10/1/13 – 9/30/14; and be it further



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

Signed by Cuddeback, Axton, Bennett, Didio, Farrell, Pinckney, Whitman, Fearon, Mahunik and Pecher.

**RESOLUTION NO. 342-13**

**9.24.13 911ftESDfillrev**

**AUTHORIZATION TO FILL TWO VACANT EMERGENCY SERVICES DISPATCHER POSITIONS**

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

WHEREAS, there is money in the 911 budget account A30201 51001 to fund positions; 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 Cuddeback, Axton, Didio, Farrell, Pinckney, Whitman, Fearon, Mahunik and Pecher.

**RESOLUTION NO. 343-13**

**(9.24.13) COA LL Pine St. Port Byron Lease e911 FIX**

**FIXING DAY AND NOTICE OF PUBLIC HEARING ON ADOPTING LOCAL LAW NO. \_\_\_\_ FOR THE YEAR 2013. A LOCAL LAW AUTHORIZING THE COUNTY OF CAYUGA TO LEASE PART OF THE PREMISES, COMMONLY KNOWN AS PINE STREET, PORT BYRON, NEW YORK, VILLAGE OF PORT BYRON, TAX MAP NO. 81.20-2-16.2, COUNTY OF CAYUGA, STATE OF NEW YORK, FROM THE VILLAGE OF PORT BYRON FOR A TERM OF 99 YEARS.**

BY: MR. STEVEN CUDDEBACK, Chairman, Judicial & Public Safety Committee.  
MR. TUCKER WHITMAN, Chairman, Public Works 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 24, 2013, a proposed local law entitled:

“LOCAL LAW NO. \_\_\_\_ FOR THE YEAR 2013. A LOCAL LAW AUTHORIZING THE COUNTY OF CAYUGA TO LEASE PART OF THE PREMISES, COMMONLY KNOWN AS PINE STREET, PORT BYRON, NEW YORK, VILLAGE OF PORT BYRON, TAX MAP NO. 81.20-2-16.2, COUNTY OF CAYUGA, STATE OF NEW YORK, FROM THE VILLAGE OF PORT BYRON FOR A TERM OF 99 YEARS.”

Now, therefore, be it

RESOLVED, that a public hearing shall be held concerning the proposed local law before the Cayuga County Legislature on October 22, 2013, at 6:30 P.M., at the Cayuga County Office Building, 160 Genesee Street, Auburn, New York, and the Clerk of the Cayuga County Legislature is hereby directed to give due legal notice of said public hearing as provided by statute.

Signed by Cuddeback, Bennett, Farrell, Whitman, Axton and Fearon.

**Motion by Didio to adjourn at 7:28 PM, 2<sup>nd</sup> by Cuddeback, all in favor.**

**MINUTES  
CAYUGA COUNTY LEGISLATURE  
OCTOBER 22, 2013 AT 10:00AM  
STUDENT GOVERNMENT DAY**

**WELCOME:** In case of an emergency, please exit to the rear of the chambers. You will have to take the stairs down to the basement, turn right and exit through the rear door. Please note; the elevators will not function. If anyone is unable to use the stairway, please go to caucus room No. 2 located behind the chambers and emergency personnel will be notified.

Restrooms are located in the main hallway and handicapped restroom is located behind the chambers.

**CALL TO ORDER:** Hon. Michael Chapman, Chairman at 10:00 AM.

**ROLL CALL:** Sheila Smith, Clerk of the Legislature, all Legislator’s present.

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**DEATHS:** Our sincere condolences to the families and friends of: Edward Watkins, a veteran of the U.S. Navy, and retired from the Cayuga County Sheriff’s office following 31 years of service as a Deputy Sheriff. He was a life member of Fleming Fire Department Company #1, and a member of the SK Post of the American Legion. He had also served as Fire Commissioner for the Town of Owasco.

The 50<sup>th</sup> Anniversary of President John F. Kennedy’s assassination- November 22nd

**PUBLIC HEARING opens at 10:04 AM:**

To adopt Local Law No. \_\_\_\_\_ authorizing the County of Cayuga to lease part of the premises, commonly known as Pine Street, Port Byron, New York, Village of Port Byron, Tax Map No. 81.20-2-16.2, County of Cayuga, State of New York, from the Village of Port Byron for a term of 99 years.

**STUDENTS ASSIGNED TO LEGISLATORS:**

<b>Legislator</b>	<b>Student</b>	<b>School</b>
Michael Chapman, Chair, District 2	Rebecca Hunter	Cato Meridian High School
Tucker Whitman, District 1	Mason Craine	Red Creek High School
David Axton, District 3	Cierra Axton	Port Byron High School
	Mike Vitale	Port Byron High School
Mark Farrell, District 4	Hannah Lane	Weedsport High School
Paul Pinckney, District 5	Emily Sweeney	Union Springs High School
Joseph Runkle, District 6	Cody Clink	Auburn High School
Fearon, District 7	Schlyer Delamarter	Union Springs High School

Hans Pecher, District 8	Alexis Medina	Southern Cayuga High School
Steven Cuddeback, District 9	Taylor Wilkinson	Moravia High School
Joseph Bennett, District 10	Jazmine McNair	Auburn High School
Stephen Barski, District 11	Alyssa Long	Auburn High School,
Patrick Mahunik, District 12	Meghan Delaney	Auburn High School
Timothy Lattimore, District 13	Anna Spin	Auburn High School
Michael Didio, District 14	Jack Burgmaster	Auburn High School
Cynthia Aikman, District 15	Emma Blodgett	Auburn High School
Sheila Smith, Clerk of Legislature	Dylan Whittico	Jordan Elbridge High School
Fred Westphal Co. Attorney	Zach Recckio	Port Byron High School
Suzanne Sinclair, Co. Administrator	Zachery LeCuyer	Cato Meridian High School

**PRESENTATIONS:** Jamie Ciaschi- President and owner of H&J Hospitality

**Presentation: Jamie Ciaschi**

Ciaschi introduces some people that have come in support of H&J Hospitality; Tony Francescelli- President of the Emerson Foundation, Dan Fessenden- Executive Director of the Emerson Foundation and Dale Crowley-Owner of Crowley Lightning Protection. He starts by saying that he is here to request a contract extension. He says they currently have a contract through 2015 and they are requesting a 3 year contract extension. He says the reason for that is they need to solidify the contract now to continue the momentum they have now at the facility. He says there are bookings flowing in everyday and they build a very good base of business. He says they really need the approval to book events from 2016 and beyond. He says at this point there is no contract for 2016 and people who are planning events which are mostly weddings are planning 2 years out. He says it is very important that we have the ability to book in 2016 because we will be getting those inquiries very soon. He says he is also building his marketing and business strategy 3 to 5 years out. He says he can't do that unless he has the ability and the security of knowing he will be around in 2016. He says otherwise they will be stinting their growth. He discusses the food and beverage industry and how it takes 5 years to establish a business in the industry. He says they have been there a year and a half and have gotten a good start. He says they need to continue to build the base over a 5 year period and if it is cut short then the full opportunity will not be realized. He says they want to continue their relationship with the county and he wants to be here in 2016. He recognizes some of his key staff. He discusses the financial information and the original projections. He says the projected food and beverage revenue and says the variance is about 27 percent and going to a projected variance of about 23 percent. He says if they have the opportunity to promote the business he thinks they can close that gap even more. He says the point is, do you want a company who sets the bar low and thinks they can only do half a million a year or a company like H&J that sees the potential to put in a projection that is reasonable. He believes that it is important when you build a business plan you have to put a little stretch and reasonable assumptions and aggressive targets in front of yourselves or you will not reach those goals. He says that is exactly what they have done at the pavilion. He mentions that for the month of October they are going to finish with the strongest food and beverage sales since they have opened and next year's bookings are stronger at this point than last year was. He discusses the risks of putting an RFP out and the risk of changing

vendors. He says that nothing has really changed at the pavilion since he has been running it to justify a change in the original bids that were put forth. He says that the momentum needs to be kept going. He says if they chose to put out an RFP they will have to stop their marketing, they prevent themselves from growth and they can't move forward. He says that if the legislature agrees to extend the H&J contract there are two improvements he is going to be implementing. He says the first is incremental rent increases for 2016, 2017 and 2018 for the county and he will also be doing a trial service next year on select days for restaurant service. He discusses the risks of going out for RFP and changing vendors there could potential be two companies booking events at the same time. He says that it will create tremendous confusion in the community and it's going to be a huge detriment to that business. He says he brings in a lot of business from outside the county. He says there is potential for the county to lose business if they go with a local company. He says he does not blame the local business owners that want the pavilion and are upset that H&J has it. He says that it has to be looked at from a bigger capability perspective and who has the better quality staff and who can reach the fullest potential of the facility. He also discusses the liquor license and his cannot be transferred so there would be a lapse if there was a change in vendors. He says his license took about 5 months to get because there is in this contract a percentage that goes to the county which requires another level of approval through the New York State Liquor Authority. He says in closing to the legislature that they selected H&J a couple of years ago to run the business because they put forth the best business plan, the strongest management and most experience. He says this is not a material or product and not something that can be thrown out to bid and go with the lowest bidder. He says this is a very specialized service that you have to know what you are doing. He says you have to have qualified people, a good plan, big reach and you have to go outside the county and bring people in. He says they came to Cayuga County and they are trying to help the county grow by bringing in from outside the county to help the county prosper. He says he generates sales tax for the county and a tremendous amount of community sponsorship to fuel local organizations. He says when people come in from outside the county such as brides and grooms and their families they are eating at local restaurants, staying in local hotels, shopping in local stores and checking out the park. He says they are exposing them to that which means they will come back later. He encourages the legislature to vote for H&J and stay with a solid investment so they can continue to grow and pay the county. Fearon says he is in total support of the original resolution and he would like the letter from the President of the Emerson Foundation read out loud. He says he would also like Ciaschi to remind the legislature again of all of the stuff that has been done for not for profits and extra stuff on the side that is not required but is contributing to the community. Ciaschi says that one of the things he committed to early on was supporting this community by spending over \$60,000 dollars this year and he will continue to spend that if he is allowed to stay towards local organizations. He says they really work hard to do their best and go above and beyond by supporting the community. Aikman asks Ciaschi if his contract is extended to out more effort into recruiting more local vendors. She says the critique she has heard during this conversation is that there is still more room for more growth in that area and more local business he could be doing.

**PROCLAMATIONS:** Domestic Violence Awareness Month in Cayuga County  
 Larry Wilt Dedicated Director of Cayuga County Veterans Servicers  
 Mark Cahill Dedicated Veterans Volunteer  
 Paul Farrelly Dedicated Veterans Volunteer  
 Joanne Matthews Dedicated Veterans Driver and Volunteer  
 Robert Pennell Dedicated Veterans Volunteer  
 Steve Weldon Dedicated Veterans Volunteer

**PUBLIC BE HEARD:**

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

**MINUTES:** For Approval: 8/27/13, Motion by Didio, 2<sup>nd</sup> by Pinckney, all in favor.  
 For Reading: 9/24/13

**CCC REPORT:** Dr. Daniel Larson- Attached

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

**Didio reports on the Inter County Association of Western NY that was held last Friday morning in Cayuga County at Emerson Park. He says there were representatives from 11 counties. He thanks everyone that was involved. He says the donations that were sent in were fantastic and thanks everyone for donating. He says there are plans to hold the event next summer.**

**Axton gives an update on NYSAC and says he was named the Chair of the Indian Affairs and Gaming Committee. He says there was one resolution, supporting the Governor's referendum that we will be voting on Election Day. He says that he did not support it in committee but it did make it through committee. He says that it was voted down at the full resolutions committee.**

**Lattimore says as the Chairman of Cayuga County Power Authority he has to mention that we are building a \$100 million dollar milk plant at our industrial site. He says they are also looking at putting in a turbine that will supply not only electricity but hot water and other things.**

**COUNTY ADMINISTRATOR'S REPORT:** Suzanne Sinclair

**CHAIRMAN'S REPORT:** Michael Chapman

**Chapman discusses Inter County and says it was the first time that Cayuga County has hosted the meeting. He says that it was really quite rewarding to be there and the interactions and discussions with everyone was a lot more on a personal level. He says some resolutions went and some did not but they affect us all. He says he is very glad Didio has been able to be an active part for Cayuga County in the organization. He discusses participating in the Domestic Violence Awareness Day event and there was a great turnout. He talks about the new nursing home collaboration groundbreaking event and looking forward to moving ahead. He says he has continued to dialogue with all our State elected Representatives with regard to**

projects that we have asked for grant funding. He says most recently Senator Seward was able to talk to Andrew Kennedy one of the Governor's main people about the dredging project. He says we will continue to remind people in Albany that these are important projects not only to Cayuga County but our neighbors in the entire region. He says that Senator Nozzolio called to tell him he had an opportunity to meet with Commissioner Howard the Homeland Security Chief and he reminded him about us looking for a substantial check to help with our radio project. He says hopefully we will be the recipients for these worthy projects in the near future. He says that he would also like to add to the communications the letter from the Emerson Foundation.

**Motion by Chapman, all in favor except Axton and Aikman.**

**APPOINTMENTS AND RE-APPOINTMENTS:**

**Cayuga County Water and Sewer Authority**

Lester (Buddy) Van Dyke, 12314 Westbury Rd, Red Creek, NY 13143, term – 1/1/14 to 12/31/16

James Taber, 1791 Genesee St., Auburn, NY 13021, term – 1/1/14 to 12/31/16

Herb Marshall, 8016 Powers Rd, Port Byron, NY 13140, term – 1/1/14 to 12/31/16

**Motion by Didio to waive reading of communications and announcements, 2<sup>nd</sup> by Pinckney, all in favor except Lattimore wants #7 to be read out loud.**

**COMMUNICATIONS AND ANNOUNCEMENTS:**

1. Received a card from the family of Norma D. Riffle, "Your kind and thoughtful expression of sympathy is deeply appreciated and gratefully acknowledged."

2. Received a letter giving notice to NYMIR celebrating their 20<sup>th</sup> anniversary and thanking Cayuga County for its continued commitment. They also gave Cayuga County an American flag.

3. A letter to Morgan from Eileen Murphy of the NYS Department of Environment Conservation acknowledging the receipt of the Resolution requesting that the International Joint Commission reject in their entirety all current plans for the implementation of Plan 2014.

4. A letter to Smith from Darrel Aubertine Commissioner of Agriculture and Markets in regards to Resolution No. 265-13, a district review plan to modify, Cayuga County Agricultural District No.5.

5. A letter from Greg Rigby, Conservative Party Chairman, in regards to the Cayuga County Conservative Party strongly opposing the resolution increasing Legislator's salaries.

6. A letter from Jim Brewster of Conquest in regards to the proposal to increase County Legislator's salaries and not agreeing with the increase.

7. A letter to Chapman from Kerry Malloy Snyder, J.D. Assistant Director of New England Law Boston. The letter is in regards to the proposal for a Local Law for Tobacco Retail Licensing Ordinance.

8. **(Added at Legislature Meeting and read out loud)** A letter from Anthony Franceschelli, President of the Emerson Foundation, regarding H&J Hospitality.

Fearon says he would like the letter from the Emerson Foundation also read. He also discusses the letter that was just read about the salary of legislators. He says that 5 full-time legislators making a salary of about \$30,000 a year would cost about the same as what the present situation is here. He says the present situation here has not been addressed in almost a decade. He says eventually the issue needs to be dealt with. He says he did not agree with the numbers that were being talked about at one point. Aikman says she wants to respond to Mr. Brewster's comments about the size of the legislature. She says she spent 24 months during her tenure doing the research to try to reduce the size of the legislature to 11. She says because we are not a chartered government the State of New York does not have the rules in place to allow us to reduce our numbers and become a one legislator one vote body. She says it is almost impossible for that reduction. She says we are stuck right now at 15 with the current State of New York Law which she says is the mean and the median for legislators across New York State. She says we are not out of line with our numbers and she says she agrees with Mr. Brewster that we could do better fewer. She says that she was the one who proposed an increase to our remuneration. She adds that every time we hear a report out of Washington we also hear that our representatives are taking money and supporting themselves through special personal packs. She says overtime people are looking at the legislature and asks why we want to serve because we are not earning anything and betting we are getting money illegally. She says she would like to put ourselves in a position that we would be above those recriminations. She thinks that it is appropriate like Fearon said to address this issue in the future. She adds that she and Fearon will not be sitting on the body in 2016 so she did not make those recommendations for her own benefit. Fearon says that if the legislature was going to be reconfigured it could not happen before January 1, 2018 and we would have to have weighted vote, every legislator running two years from now would have to run for a two year slot and when the people who are being elected this year for the four year slot everyone would have to go out of office simultaneously. He says this is because there would need to be new districts drawn up and people would have to run for those new districts. He says even if the body wants to look into doing so the nearest date to make the change would be January 2018. Lattimore says that when we were a Board of Supervisors we reduced it from 21 to 15. He thinks that with getting out of the nursing home business and home health aides reduces the workload of the body so it should be reduced. Chapman says it seems to him this is a topic that needs to be discussed in committee and brought forward. Aikman says if we are going to do what Fearon said the weights would be more disparate to get to a smaller body there would be a more unequal weighting of legislators because towns have to be kept together. She says to Lattimore that it is not legally possible at this time so we can wish and want for it but it's not doable. She says to Lattimore she wishes he would stop recommending it until he solves the problem of why it's undoable. Lattimore says where there is a will there is a way. Fearon says he thinks the matter needs to be dealt with but we need to wait until the new body starts in January.



**RESOLUTION NO. 344-13**

**10/22/13 AP Audit October 2013 (A)**

**AUTHORIZING THE COUNTY TREASURER TO PAY SEPTEMBER 10-23, 2013  
AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on **October 22, 2013**, audit claims against the County of Cayuga in the aggregate sum of \$1,078,190.73, therefore be it

RESOLVED, that the Clerk of this Legislature file a certified list of claims so audited with the County Treasurer, and be it further

RESOLVED, that the County Treasurer be and he hereby is authorized and directed 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, 2012.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney and Whitman.

**RESOLUTION NO. 345-13**

**10/22/13 AP Audit October 2013 (B)**

**AUTHORIZING THE COUNTY TREASURER TO PAY  
SEPTEMBER 24-OCTOBER 7, 2013 AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on **October 22, 2013**, audit claims against the County of Cayuga in the aggregate sum of \$1,344,193.17, 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, 2012.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney and Whitman.

**RESOLUTION NO. 346-13**

**October 22, 2013 RPESRImaintenance**

**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, 2014; and

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

WHEREAS, the total cost for the maintenance being \$9,150.00, which is presently budgeted in account A13554-54018, computer software, of the 2013 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 \$9,150. Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney and Whitman.

**PULLED**

**PULLED**

**PULLED**

**RESOLUTION NO. 347-13**

**10/22/13 W&M – ReapptCounty Auditor**

**AUTHORIZING THE REAPPOINTMENT OF THE COUNTY AUDITOR;  
SETTING SALARY; AND AUTHORIZING CHAIRPERSON OF THE CAYUGA  
COUNTY LEGISLATURE TO EXECUTE AN EMPLOYMENT AGREEMENT.**

BY: David Axton, Chairman, Ways & Means Committee

WHEREAS, Local Law No. 2 for the year 2009 established the office of County Auditor; and

WHEREAS, Michele Anthony has served as County Auditor under an agreement that will expire December 31, 2013; and

WHEREAS, the Ways & Means Committee recommends the reappointment of Michele Anthony as County Auditor for the calendar year 2014; now therefore be it,

RESOLVED, that Michele Anthony is hereby appointed as the County Auditor for the period beginning January 1, 2014, and ending on December 31, 2014, and be it further

RESOLVED, that the salary will be \$55,000.

**RESOLUTION NO. 348-13**

**(October 22, 2013) HD Fill Director Comm Health**

**AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICES TO FILL  
A DIRECTOR OF COMMUNITY HEALTH SERVICES POSITION IN THE  
HEALTH DEPARTMENT DUE TO RETIREMENT AND TO SET THE SALARY**

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

David Axton, Chairman of the Ways & Means Committee

WHEREAS, there will be a Director of Community Health Services vacancy, position control #002038, at the County Health Department due to retirement effective November 30, 2013; and

WHEREAS, this position involves direct responsibility to manage, coordinate and plan health services that are governed under NYS Article 28, Diagnostic and Treatment Clinic; NYS Article 36, Licensed Home Care Services Program; oversight of the Nurse Family Partnership Program; and the WIC Nutrition Program; and

WHEREAS, the Department requests that the salary for this position be set at \$58,000 annually; and

WHEREAS, sufficient funding exists in the Health Department's 2013 Budget to support this position; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services is authorized to fill the Director of Community Health Services vacancy in the Health Department in a manner consistent with the rules and regulations of the County of Cayuga and the Cayuga County Civil Service Commission; and be it further

RESOLVED, that the salary for this position be set at \$58,000 annually, and the Compensation Plan be changed to reflect the change in salary for this position; and be it further

RESOLVED, that the Director of Health & Human Services be authorized to allow for two weeks of cross-training for the successor.

Signed by Mahunik, Aikman, Barski, Bennett, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman.

**RESOLUTION NO. 349-13**

**Action 10/22/2013 MH ContractCCSI2013rev**

**AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES AND THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN A CONTRACT WITH COORDINATED CARE SERVICES, INC.**

By: Hon. Patrick Mahunik, Chair Health & Human Services Committee  
Hon. David Axton, Chair Ways & Means Committee

WHEREAS, the New York State Office of Mental Health has changed many of the regulations pertaining to operations of mental health programs in the State including changes to billing requirements; and

WHEREAS, many of these changes are directly related to medical services provided by mental health practitioners; and

WHEREAS, the department has determined that the nursing staff spends a significant amount of time dedicated to medical support tasks which limit their availability to provide direct patient care; and

WHEREAS, Coordinated Care Services, Inc. (CCSI) has successfully provided consultative services to many behavioral health organizations including the Community Mental Health Center, is highly recommended by the NYS Office of Mental Health, is the sole provider of this service type specializing in behavioral health care, and has the expertise available to analyze current nursing operations and provide findings and recommendations regarding optimum staff utilization; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of Community Services be authorized to enter into an agreement with Coordinated Care Services, Inc. for the provision of technical assistance services in the amount of \$5,500.

Signed by Mahunik, Aikman, Barski, Bennett, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman.

**RESOLUTION NO. 350-13**

**Action October 22, 2013 MH.MHANYS.2013**

**AMENDING THE 2013 MENTAL HEALTH BUDGET FOR ADDITIONAL DESIGNATED FUNDING RECEIVED**

BY: Mr. Patrick Mahunik, Chair, Health and Human Services Committee, and  
Mr. David Axton, Chair, Ways and Means Committee.

WHEREAS, through the New York State Office of Mental Health, the County Mental Health Department was awarded five thousand dollars (\$5,000) from the Mental Health Association of New York State (MHANYS) for suicide prevention activities; and

WHEREAS, these funds were not anticipated nor reflected in the 2013 Mental Health Budget now, therefore, be it

RESOLVED, that the Cayuga County Treasurer be directed and authorized to make the necessary accounting entries to the 2013 Cayuga County Budget as follows:

Increase State Grants, A43100-43508 by	\$5,000
Increase Grant Expenditures, A43104-52015 by	\$5,000

Signed by Mahunik, Aikman, Barski, Bennett, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman.

**RESOLUTION NO. 351-13**

**Action: October 22, 2013 MH BudAdjustUnity2013**

**AMENDING THE MENTAL HEALTH 2013 BUDGET TO INCREASE STATE AID FUNDING FOR UNITY HOUSE OF CAYUGA COUNTY, INC.**

BY: Mr. Patrick Mahunik, 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, additional state aid has been allocated to Unity House of Cayuga County, Inc. as an adjustment to funding and received by the County in 2013; and

WHEREAS, these 100% state funds were not anticipated in the 2013 budget and it is now necessary to reflect those dollars to allow the County to make payment to Unity House of Cayuga County, Inc.; now, therefore, be it

RESOLVED, that the 2013 budget be modified as follows:

Increase line	A43500-43501 State Aid OASAS	Revenue by	\$8,000
Increase line	A43504-54316 Unity House Alcohol	Expense by	\$8,000

and be it further

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

Signed by Mahunik, Aikman, Barski, Bennett, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman.

**RESOLUTION NO. 352-13**

**Action 10/22/13 MH CreateFillBillingOct2013rev**

**AUTHORIZING THE CREATION AND FILLING OF A PART-TIME CODING AND BILLING SPECIALIST POSITION AT THE CAYUGA COUNTY COMMUNITY MENTAL HEALTH CENTER**

BY: Mr. Patrick Mahunik, Chair, Health and Human Services Committee, and  
Mr. David Axton, Chair, Ways and Means Committee.

WHEREAS, there will be a vacant full-time Senior Clerk position in the Cayuga County Community Mental Health Center as the result of a retirement from position control number 2130; and

WHEREAS, this position is dedicated to patient fees billing functions and, as such, fills a critical need in the department; and

WHEREAS, the position (2130) is reflected in the 2013 County Budget, line A43101-51001 as a full time position; and

WHEREAS, the department has determined that specialized billing and coding skills would better meet the needs of the department; now, therefore, be it

RESOLVED, that the position of Coding and Billing Specialist be created and placed within Part II, pay grade 9 for \$17.48 per hour for probation and \$17.63 per hour at step 1, of the Cayuga County Compensation Plan under Community Mental Health; and be it further

RESOLVED, that the Director of Community Services be authorized and is hereby directed to fill the position of one part-time Coding and Billing Specialist in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga; and be it further

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

Signed by Mahunik, Aikman, Barski, Bennett, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman.

**RESOLUTION NO. 353-13**

**Action 10/22/13 MHCCreateFillSWAOct13rev**

**AUTHORIZING THE CREATION AND FILLING OF A SOCIAL WORK ASSISTANT POSITION AT THE CAYUGA COUNTY COMMUNITY MENTAL HEALTH CENTER AND ABOLISHING AN INTENSIVE CASE MANAGER**

BY: Mr. Patrick Mahunik, Chair, Health and Human Services Committee, and Mr. David Axton, Chair, Ways and Means Committee.

WHEREAS, there will be a vacant full-time Intensive Case Manager position in the Cayuga County Community Mental Health Center as the result of a retirement from position control number 7303; and

WHEREAS, the position was created based on NYS Office of Mental Health regulations based on the Adult Intensive Case Management Program; and

WHEREAS, the Adult Intensive Case Management Program has been converted by the State to Care Management with revised regulations regarding staffing; and

WHEREAS, these changes now allow us to meet the staffing requirements with a Social Work Assistant (MH); now, therefore, be it

RESOLVED, that the position of Social Work Assistant (MH) be created; and be it further

RESOLVED, that the position of Intensive Case Manager, position code 7303, be abolished; and be it further

RESOLVED, that the Director of Community Services be authorized and is hereby directed to fill the position of one Social Work Assistant (MH) in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga; and, be it further

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

Signed by Mahunik, Aikman, Barski, Bennett, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman.

**RESOLUTION NO. 354-13**

**Action Oct 22, 2013 MHCCreateFillSrCMHNOct2013rev**

**AUTHORIZE THE CREATION AND FILLING OF A SENIOR COMMUNITY MENTAL HEALTH NURSE POSITION AT THE COMMUNITY MENTAL HEALTH CENTER AND ABOLISHING ONE BEHAVIORAL HEALTH CARE NURSE POSITION**

BY: Mr. Patrick Mahunik, Chair, Health and Human Services Committee, and Mr. David Axton, Chair, Ways and Means Committee.

WHEREAS, there is a vacant nursing position at the Community Mental Health Center due to a resignation. The Behavioral Health Care Nurse will be promoted to the vacant position resulting in a secondary vacancy; and

WHEREAS, the Behavioral Health Care Nurse title was created to provide mental health services within the County Jail but those needs are now met by the nursing staff assigned to the Sheriff's Department; and

WHEREAS, the duties of the nursing staff at the Community Mental Health Center have changed as well as increased over the past several years; and

WHEREAS, it has been determined that a Senior Community Mental Health Nurse would best suit the services now required; now, therefore, be it

RESOLVED, that the position of Senior Community Mental Health Nurse be created and placed within the Cayuga County Compensation Plan, NYSNA, under Community Mental Health, at pay grade 19; and be it further

RESOLVED, that the position of Behavioral Health Care Nurse be abolished in the Mental Health Department and the dollars budgeted for that position be used to fund a Senior Community Mental Health Nurse; and be it further

RESOLVED, that the Director of Community Services be authorized and is hereby directed to fill the position of one Senior Community Mental Health Nurse in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga

Signed by Mahunik, Aikman, Barski, Bennett, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman.

### **RESOLUTION NO. 355-13**

**Action 10/22/13 MHFillSrClerkOct2013rev**

#### **AUTHORIZE THE FILLING OF A SENIOR CLERK POSITION AT THE COMMUNITY MENTAL HEALTH CENTER DUE TO A RETIREMENT.**

BY: Mr. Patrick Mahunik, Chair, Health and Human Services Committee, and Mr. David Axton, Chair, Ways and Means Committee.

WHEREAS, there will be a vacant full-time Senior Clerk position in the Community Mental Health Center of Cayuga County as the result of a retirement from position control number 2130; and

WHEREAS, this position is devoted to billing functions related to obtaining reimbursement for services provided and, as such, fills a critical need in the department; and

WHEREAS, the position (2130) is reflected in the 2013 County Budget, line A43101-51001 as a full time position; and

WHEREAS, the incumbent has indicated an interest in part time work; therefore, be it

RESOLVED, that the Director of Community Services be authorized and is hereby directed to fill the position (2130) Senior Clerk on a part-time basis, not to exceed 17 hours weekly, in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga; and be it further

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

Signed by Mahunik, Aikman, Barski, Bennett, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman.

**RESOLUTION NO. 356-13**

**Date of Meeting: 10/22/13 NH mdstdrs**

**AUTHORIZING THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ACCEPT A PROPOSAL FOR REPLACEMENT OF DOORS AT THE NURSING HOME.**

BY: Patrick Mahunik, Chairman, Health & Human Services Committee  
David Axton, Chairman, Ways & Means Committee

WHEREAS, there are a nine doors at the Nursing Home in need of replacement, and  
WHEREAS, the several firms were asked to submit proposals; and,  
WHEREAS, two (2) firms responded with proposals; and,  
WHEREAS, the following proposals were received:

Mid-State Door for \$ 15,532.; and,

Welch Construction for \$19,957; and

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

WHEREAS, the proposal submitted by Mid-State Door contains all of the elements anticipated in the specifications; now therefore be it,

RESOLVED, that the proposal be awarded to Mid-State Door for \$15,532.00 (Fifteen Thousand Five Hundred Thirty-Two dollars).

Signed by Mahunik, Aikman, Barski, Bennett, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman.

**RESOLUTION NO. 357-13**

**DATE: 10/22/13 OFAAmendBudgetOct13**

**AUTHORIZING TO AMEND THE COUNTY 2013 BUDGET FOR THE PROVISION OF INCREASED HOME DELIVERED MEALS BY THE OFFICE FOR THE AGING SENIOR NUTRITION PROGRAM.**

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

WHEREAS, it is projected that the home delivered meal program will serve 6000 more meals in 2013 than estimated in the County 2013 budget; and

WHEREAS, home delivered meals play an important role in helping Cayuga County seniors maintain good health and promote independence; and

WHEREAS, the cost per meal per contractual agreement with Advanced Meals is \$4.47 per meal through December 31, 2013; now, therefore, be it

RESOLVED, that the County Treasurer be authorized and directed to amend the Year 2013 Office for the Aging Budget by transferring \$26,820 from A10164 54000 Contingency Fund to A67734 54420 Senior Meals.

Signed by Mahunik, Aikman, Barski, Bennett, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman.

**RESOLUTION NO. 358-13****10.22.13 NH MEDICARENGSMTR****AUTHORIZING THE PAYMENT OF A MEDICARE OVERPAYMENT MATTER AND THE LOAN OF MONIES FROM THE A FUND TO THE NURSING HOME E FUND. (2/3)**

BY: Hon. Patrick Mahunik, Chair Health & Human Services Committee  
 Hon. David Axton, Chair Ways & Means Committee

WHEREAS, the Cayuga County Nursing Home discovered that is received Medicare payments for services that were provided to residents for which it did not have recertification orders signed by a physician following the resignation of a medical records clerk; and

WHEREAS, communications and settlement negotiations are ongoing with the National Government Services, Inc. (NGS) unit; and

WHEREAS, NGS submitted a remittance dated October 10, 2013 for recovery of the sum of \$402,618.82 as the amount identified by the Cayuga County Nursing Home as the amount of the overpayment; and

WHEREAS, it is the intent of the Cayuga County Nursing Home to pay this sum, but due to cash flow issues, is seeking to borrow the sum form the County of Cayuga until, with the receipt of IGT monies, its fund balance will be in a fiscal position to repay the advance; now therefore be it

RESOLVED that the Cayuga County Nursing Home and the County of Cayuga consent to the payment of the sum of \$402,618.83, which sum has been identified by the Cayuga County Nursing Home as the amount of the Medicare overpayment for the period 2008-2012; and be it further

RESOLVED, that the County of Cayuga will loan the sum of \$402,618.82 from its A Fund to the Cayuga County Nursing Home's E Fund for the repayment of the overpayment to NGS; and be it further

RESOLVED, that the Cayuga County Nursing Home will repay the A Fund loan when there asre sufficient funds in its E Fund to repay the loan; 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 Aikman, Barski, Bennett, Pecher, Axton, Fearon, and Whitman, approved by 2/3 vote all voting aye.

**RESOLUTION NO. 359-13****10.22.13 COL amendrulesoforderrev2****AUTHORIZING THE AMENDMENT OF THE RULES OF ORDER – SECTION II RULE NO.7 AGENDA AND 8 MINUTES, SECTION III – COMMITTEES, RULE NO. 5: COMMITTEE MINUTES.**

BY: Mr. George Fearon, Chairman Government Operations

WHEREAS, from time to time the Cayuga County Legislature reviews its Rules of Order-Cayuga County Legislature and thereafter considers making changes thereto; and

WHEREAS, clarification has been requested to bring the Rules of Order up to the electronic age; and

WHEREAS, Government Operations Committee asks that the Rules of Order be amended to reflect this changes; now therefore be it



RESOLVED, that the Rules of Order-Cayuga County Legislature shall be amended as follows:

**SECTION II MEETINGS OF THE LEGISLATURE**

**RULE NO. 7: AGENDA** – An agenda of the order of business shall be *available electronically not less than* five (5) days prior to the regular meeting.

**RULE NO. 8: MINUTES** – *minutes shall be taken and recorded for each meeting. Minutes shall cover all items listed on the agenda or considered by the Legislature. Original print minutes will be kept in the Clerk of the Legislature Office. Draft Electronic copies of the minutes will be available to the Legislature prior to the meeting. Legislators may report errors or omissions to the Clerk of the Legislature Office giving the Clerk the opportunity to do corrections before the minutes are considered at a meeting. Minutes will be approved at the next regularly scheduled committee meeting; once final approval is received they will be posted electronically for public access.*

**SECTION III-COMMITTEES**

**RULE NO. 5: COMMITTEE MINUTES** – *minutes shall be taken and recorded for each meeting. Minutes shall cover all items listed on the agenda or considered by the Committee. Original print minutes will be kept in the Clerk of the Legislature Office. Draft Electronic copies of the minutes will be available to the Legislature prior to the meeting. Legislators may report errors or omissions to the Clerk of the Legislature Office giving the Clerk the opportunity to do corrections before the minutes are considered at a meeting. Minutes will be approved at the next regularly scheduled committee meeting; once final approval is received they will be posted electronically for public access.* Committee minutes shall include a listing of the members present and the members absent, the subject matter for which the meeting was called, action taken and other pertinent information.

Signed by Fearon, Aikman, Didio and Runkle.

**RESOLUTION NO. 360-13**

**10/22/13 PUR awardcopypaper rev**

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

BY: George Fearon, Chairman, Government Operations Committee  
David Axton, Chairman, Ways & Means Committee

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

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

WHEREAS, the following bids were received based on estimated bi-annual use and the NYS contract current cost:

Vendor Name	8.5x11 est.usage 460	8.5x14 est.usage 25	11x17 est. usage 4
Hummel’s	\$25.50/case	\$40.00/case	\$30.00/case
Office Max	\$25.99/case	\$37.00/case	\$27.99/case
Staples (NYS Contract)	\$36.90/case	\$50.44/case	\$38.60/case

and,

WHEREAS, Hummel’s is able to provide the necessary services at the lowest cost; now therefore be it,

RESOLVED, that the bid be awarded to Hummel's at an estimated bi-annual usage cost of \$12,850.00, which is a savings of \$5,539.40, bi-annually from the current NYS contract price for copier paper.

Signed by Fearon, Aikman, Didio, Lattimore, Runkle, Axton, Cuddeback, Mahunik, Pecher, Pinckney and Whitman.

**RESOLUTION NO. 361-13**

**10.22.13 IT entré renewalrev2**

**AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO SIGN A ONE YEAR RENEWAL AGREEMENT WITH ENTRE COMPUTER SERVICES, INC. FOR INFORMATION TECHNOLOGY SERVICES**

BY: Hon. George Fearon Chairman of the Government Operations Committee  
Hon. David Axton Chairman of the Ways and Means Committee

WHEREAS, Cayuga County's Information Technologies Department is staffed by Entre pursuant to contracts which commenced March 1, 2011; and

WHEREAS, Resolution No. 42-11 authorized the County to entered into a Master Services Agreement with Entre Computer Services, Inc. for three years; and

WHEREAS, the agreement is for a period of three (3) years and may be extended for two (2) additional one (1) year terms by providing Entre with ninety (90) days' notice; and

WHEREAS, the Government Operations Committee has recommended that the County enter into a one (1) year extension of said contracts on the same terms and conditions as the 2011 contracts; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute agreements with Entre for the provision of Information Technology services to the County of Cayuga on the same terms and conditions as the 2011 agreements for the period March 1, 2014- February 28, 2015.

Signed by Fearon, Aikman, Barski, Farrell, Axton, Cuddeback, Mahunik, Pecher, Pinckney and Whitman.

**RESOLUTION NO. 362-13**

**(10/22/2013) CC Leave Bank 2013**

**AUTHORIZING THE CREATION OF A TEMPORARY LEAVE BANK FOR A CAYUGA COUNTY CLERK EMPLOYEE**

BY: MR. GEORGE FEARON, Chairperson, Government Operations Committee  
MR. DAVID AXTON, Chairperson, Ways and Means Committee

WHEREAS, an employee of the Cayuga County Clerk's Office has a family member that continues to have medical issues which has as necessitated the employee to take FMLA and will continue to necessitate intermittent FMLA for at least several more months; and

WHEREAS, discussion has occurred over this issue with representatives of the County and CSEA and both parties have agreed to allow the creation of a temporary leave bank at the request of fellow employees to address the immediate loss of income for the employee; NOW THEREFORE BE IT

RESOLVED, the Cayuga County Legislature hereby approves this leave bank (subject also has approval of the CSEA officials); and be it further

RESOLVED, that the Cayuga County Legislature authorizes and directs all those steps that may be required to undertake this temporary leave bank in accordance with the following conditions:

All other leaves shall have been exhausted by the employee.

All County employees may be permitted to donate personal, vacation, or comp. time in no less than half-day increments, at any amount up to a grand total of ninety-five work days.

All leave donations shall be in writing on a standardized leave bank form.

Leave time shall be used by the employee in accordance with the CSEA contract, using one full day from each donation before additional days are utilized from donors making multiple day donations.

Signed by Fearon, Aikman, Didio, Barski, Farrell, Axton, Pecher and Whitman.

**RESOLUTION NO. 363-13**

**(10.22.13) COA LL Pine Street Port Byron Lease e911 ADP**

**TO ADOPT LOCAL LAW NO. 7 FOR THE YEAR 2013. A LOCAL LAW AUTHORIZING THE COUNTY OF CAYUGA TO LEASE PART OF THE PREMISES, COMMONLY KNOWN AS PINE STREET, PORT BYRON, NEW YORK, VILLAGE OF PORT BYRON, TAX MAP NO. 81.20-2-16.2, COUNTY OF CAYUGA, STATE OF NEW YORK, FROM THE VILLAGE OF PORT BYRON FOR A TERM OF 99 YEARS**

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

Mr. Tucker Whitman, Chairman, Public Works Committee

Mr. David Axton, Chairman, Ways and Means Committee

WHEREAS, Local Law No. 7 for the year 2013, a Local Law authorizing the County of Cayuga to lease part of the premises, commonly known as Pine Street, Port Byron, New York, Village of Port Byron, Tax Map No. 81.20-2-16.2, County of Cayuga, State of New York, from the Village of Port Byron for a term of 99 years; and

WHEREAS, pursuant to law and after proper notice having been given, the County Legislature held a public hearing on said Local Law No. 7 for the year 2013 on October 22, 2013 at 10:00 A.M.; now, therefore be it

ENACTED, that the Cayuga County Legislature does hereby adopt Local Law No. 7 for 2013 authorizing the County of Cayuga to lease part of the premises, commonly known as Pine Street, Port Byron, New York, Village of Port Byron, Tax Map No. 81.20-2-16.2, County of Cayuga, State of New York, from the Village of Port Byron for a term of 99 years; and be it further

RESOLVED, that the Clerk of the County Legislature publish notice of the adoption of the 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 Cuddeback, Axton Bennett, Didio, Pinckney, Whitman, Mahunik and Pecher.

**DEFEATED**

**DEFEATED**

**DEFEATED**

**Motion by Aikman to amend the resolution to have the funds of \$25,000 kept in the contingency account into the 2014 Budget for use of CCPUSA in the future and added to any dollars that might be budgeted for CCPUSA in the 2014 Budget and that the money would be released when a match is secured that is not the County's,**

2<sup>nd</sup> by Fearon. Amendment is defeated by Majority Vote: Noes- Didio, Pecher, Whitman, Pinckney, Cuddeback, Barski, Lattimore and Chapman, Ayes- Aikman, Axton, Farrell, Runkle, Fearon, Bennett and Mahunik, 466/417. Motion by Aikman to offer another amendment that the \$25,000 is kept in the contingency account for the 2014 Budget, 2<sup>nd</sup> by Fearon. Amendment is defeated by Majority Vote: Noes- Didio, Pecher, Whitman, Pinckney, Cuddeback, Barski, Lattimore and Chapman, Ayes- Aikman, Axton, Farrell, Runkle, Fearon, Bennett and Mahunik, 466/417. Motion by Cuddeback to call the question on original resolution as written. Original resolution is defeated by 2/3 Vote (166 Majority needed to pass): Noes- Aikman, Pecher, Axton, Farrell, Fearon, Bennett and Chapman, Ayes- Didio, Whitman, Pinckney, Runkle, Cuddeback, Barski, Mahunik and Lattimore, 119/130.

### RESOLUTION NO. 364-13

**October 22, 2013 (2/3 Vote) PB CCPUSA FY2013Contingencyrev Funds  
AUTHORIZING THE TRANSFER OF \$25,000 FROM FY 2013 CCPUSA  
CONTINGENCY ACCOUNT TO THE FY 2013 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. (2/3)**

Paul Pinckney Chairman, Planning & Economic Development

David R. Axton, Chairman, Ways and Means Committee

WHEREAS, the Cayuga County Public Utility Services Agency (“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 Cayuga County to operate as a public electric utility service with the power, among other things, to purchase electrical energy, gas or alternative energy from 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

WHEREAS, the CCPUSA has prepared a Request for Proposals (RFP) for engineering services related to the preparation of an engineering and economic feasibility study for the design, development and operation of a combined heat and power facility to be located at or proximate to the Cayuga County Industrial Park in the Town of Aurelius (the Cayuga CHP Plant) that would be positioned, upon development and operation, to generate electricity and thermal energy specifically tailored to the operational and demand needs of the Cayuga Milk Ingredients (CMI) milk processing facility currently under construction and the CHP Plant may have the capacity to deliver, under the authority of CCPUSA, electricity and heat to the CMI facility at rates competitive with current and projected retail market rates for such electricity and heat; and

WHEREAS, the feasibility study will provide the required economic analysis and pro-forma, produce site-specific 30%-level engineering designs and establish a baseline development scope which the CCPUSA can utilize to solicit competitive design, build and operate proposals from qualified energy development companies; and

WHEREAS, the successful development and operation of a CHP facility at the Cayuga County Industrial Park will demonstrate the reliable delivery of electricity and heat to existing tenants at the Park at rates competitive with current and projected retail

market rates and thereby establish a proven model for expansion of the CHP to accommodate future industrial tenants within the Park and act as a proactive incentive for new economic development and job creation within the County's Industrial Park; and

WHEREAS, the approved CCPUSA budget for fiscal year 2013 allocated \$25,000.00 to the Agency providing the funding and capacity for CCPUSA to engage in the development and deployment of energy development projects for the benefit of Cayuga County such as the CHP feasibility study; and

WHEREAS, to advance this project the CCPUSA requires access to the \$25,000 in FY2013 CCPUSA budgeted funds from CCPUSA Contingent Account 10164-54505 for engineering and legal services related to development of the feasibility study; and

WHEREAS, with approved access to the FY13 CCPUSA budgeted funds the CCPUSA will finalize and circulate the RFP and secure competitive proposals with a defined fee allowing CCPUSA to move forward with the study immediately or return to the County Legislature to seek approval and authorization to access additional funds if there is a funding gap for the project, with such funding approval at the discretion of the legislature; and

WHEREAS, the Cayuga County Legislature supports the CCPUSA role and responsibility to develop energy projects that benefit the County and promote economic development within the County Industrial Park and therefore wishes to provide the CCPUSA with access to FY13 CCPUSA contingency funds for the technical and legal services associated with this CCPUSA project; NOW, THEREFORE, BE IT

RESOLVED, by the Cayuga County Legislature as follows:

1. The County Treasurer is hereby authorized and directed to transfer \$25,000.00 from CCPUSA Contingency Account 10164-54505 to CCPUSA Appropriations Account 10144 54505; and
2. The County Treasurer is authorized to pay \$25,000.00 from CCPUSA Contingency Account 10164-54505 to CCPUSA upon receipt of a County voucher from CCPUSA for the agency's use in securing legal and/or engineering technical services for the project as outlined in this Resolution; and be it further

RESOLVED, that this resolution shall take effect immediately.

**Motion by Fearon to amend to go back to the original resolution as seen below, 2<sup>nd</sup> by Aikman, passed by Majority Vote: Ayes- Aikman, Pecher, Axton, Farrell, Runkle, Fearon and Chapman, Noes- Didio, Whitman, Pinckney, Cuddeback, Bennett, Barski, Mahunik and Lattimore, 457/426.**

### **RESOLUTION NO. 365-13**

**(10/22/13) PT Pavilion Caterer Extension 10 22 13**

### **AUTHORIZING THE LICENSE AGREEMENT WITH H AND J HOSPITALITY, INC. TO OPERATE THE EMERSON PARK PAVILION TO BE EXTENDED FOR ONE THREE YEAR TERM**

By: Tucker Whitman, Chairman, Public Works

David Axton, Chairman, Ways and Means Committee

WHEREAS, the License agreement with H and J Hospitality includes a clause allowing three, three year extension options upon the request of the Licensee and with the approval of the Cayuga County Legislature; and

WHEREAS, the Licensee has requested an extension; now, therefore be it

RESOLVED, that the County Attorney is hereby authorized and directed to update the license agreement; and be it further

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

**RESOLUTION NO. 366-13**

**(10/22/13) PT Pavilion Window Replacementrev2**

**AUTHORIZING THE FRED L. EMERSON FOUNDATION TO REPLACE THE WINDOWS AT THE EMERSON PARK PAVILION BUILDING AND AUTHORIZING AND DIRECTING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO EXECUTE AN AGREEMENT WITH THE EMERSON FOUNDATION.**

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

WHEREAS, the Fred L. Emerson Foundation recently paid for a major renovation to the Emerson Park Pavilion; and

WHEREAS, the Foundation is requesting permission to replace all the windows in the building at their expense; and

WHEREAS, the proposed windows would improve the energy efficiency of the building and reduce the cost of maintenance at no cost to the taxpayers; and

WHEREAS, by Resolution No. 202-13 that Cayuga County Legislature declared that: "THE PRESERVATION COVENANT BETWEEN THE COUNTY OF CAYUGA AND THE NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION EXPIRES ON OCTOBER 31, 2013 AS A GRANT FOR CONTRIBUTION FOR REPAIR WORK AT THE PAVILION AWARDED IN 1989; now, therefore be it

RESOLVED, that The Fred L. Emerson Foundation working with the pavilion caterer, the parks department and the County Building Codes Enforcement Officer is hereby authorized to replace the windows in the pavilion; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute an agreement with the Emerson Foundation.

Signed by Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon and Pinckney.

**RESOLUTION NO. 367-13**

**Date: October 22, 2013 HWYstatesnowagree2013-14rev**

**AUTHORIZING THE COUNTY CHAIRMAN TO SIGN THE SNOW REMOVAL AGREEMENT WITH NYS DOT FOR THE 2013-2014 SEASON**

BY: Tucker Whitman, Chairman, Public Works Committee  
David Axton, Chairman, Ways & Means Committee

WHEREAS, The Public Works Committee has recommended that the County Highway Department continue to conduct snow removal operations on the State Highways; and

WHEREAS, the present agreement (agreement No. D009816) expires on June 30, 2013; and

WHEREAS, the State will compensate the County in the amount of \$706,451.02 for snow removal service for the 2013-2014 season; now therefore be it

RESOLVED, to authorize the Chairman of the Cayuga County Legislature to sign the Agreement to Extend Municipal Snow and Ice Control Agreement with the State of New York for the 2013-2014 season

Signed by Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon and Pinckney.

**RESOLUTION NO. 368-13**

**Date: October 22, 2013 HWY capHLongHillbridge**

**AUTHORIZING THE ESTABLISHMENT OF CAPITAL H [PROJECT #13-03]  
FOR THE REPLACEMENT OF LONG HILL BRIDGE, BIN 3311680 AND  
TRANSFERRING FUNDS FROM THE HIGHWAY BUDGET  
AND GENERAL FUND LOAN**

By: Tucker Whitman, Chairman Public Works Committee

David Axton, Chairman Ways and Means Committee

WHEREAS, resolution #156-12 authorized the implementation and funding in the first instance 100% of the federal-aid and state Marchiselli program-aid eligible costs for County Road 43C (Long Hill) over Owasco Inlet bridge BIN 3311680, P.I.N. 3754.75 replacement project; and

WHEREAS, the initial approved allocations for this project are \$51,000 for the engineering/design phase (PIN 3754.75.121) and \$20,000 for the ROW phase (RI & RA, PIN 3754.75.221), and is to be reimbursed at 80% Federal Aid, 15% State Marchiselli aid, and 5% Cayuga County; now therefore be it

RESOLVED, that the Cayuga County Legislature hereby establishes Capital H No. 13-03 in the amount of \$71,000 for the replacement of the Long Hill bridge (BIN 311680, P.I.N. 3754.75); the source of said funds will be up to \$71,000 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, that Cayuga County's estimated share of the project in the amount of \$3,550 be transferred from Account D51134 54107 - Bridge to Capital H # 13-03; and be it further

RESOLVED, that the Cayuga County Treasurer is authorized and directed to make the necessary

Signed by Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon and Pinckney.

**RESOLUTION NO. 369-13**

**Date: October 22, 2013 HWYwintertemp2013**

**AUTHORIZATION TO HIRE SEASONAL LABORERS  
FOR 2013/2014 SNOW SEASON**

BY: Tucker Whitman, Chairman, Public Works Committee

David Axton, Chairman, Ways & Means Committee

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

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

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

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

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

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

Signed by Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon and Pinckney.

**PULLED      PULLED      PULLED**

**RESOLUTION NO. 370-13**

**10/22/2013      BLD Parking Agreement for Soules & Dunn Associates rev 2  
AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE  
TO SIGN A LICENSE AGREEMENT WITH SOULES & DUNN ASSOCIATES  
FOR 20 PARKING SPACES IN THE COUNTY PARKING LOT AT 172  
GENESEE STREET, PARCEL ID NUMBER 115.60-1-36 AND 10 PARKING  
SPACES BEHIND THE HISTORIC POST OFFICE AT 1 SOUTH GREEN  
STREET, PARCEL ID NUMBER 115.60-2-64.**

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

WHEREAS, Soules & Dunn Associates has requested to lease 20 parking spaces at the County parking lot at 172 Genesee Street, Auburn, NY, Parcel ID number 115.60-1-36 and 10 spaces behind the Historic Post Office at 1 South Green Street, Parcel ID number 115-2-64; and

WHEREAS, Soules & Dunn Associates has agreed to lease these 30 parking spaces at an annual cost of \$275.00 per space for a total of \$8,250.00 annually; now therefore be it

RESOLVED, that Soules & Dunn Associates will consent to a License Agreement with County of Cayuga for 20 parking spaces at 172 Genesee Street, Auburn, NY, Parcel ID 115.60-1-36, and 10 parking spaces behind the Historic Post Office at 1 Green Street, Parcel ID number 115.60-2-64 that can be revoked with a 30 day notice; and be it further

RESOLVED, that Soules and Dunn will lease these 30 spaces at \$275.00 each for a total of \$8,250.00 for a 1 year period starting in March 1, 2014 and will be reviewed for renewal at the end of this 1 year period; and be it further

RESOLVED, that the Cayuga County Chairman is authorized and directed to sign all necessary documents to implement this agreement; and be it further

RESOLVED, that a Capital Reserve Fund for parking lot maintenance be created and titled "Parking Lot maintenance", and that the monies collected from the agreement be placed in this fund; and be it further

RESOLVED, that the Superintendent of Buildings and Grounds will monitor the agreement; and be it further

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



**RESOLUTION NO. 371-13**

**(10/22/13)**

**PT Transfer Cato Parcel Hemler 10 13 Rev2**

**DECLARING A PARCEL OF REAL PROPERTY APPROXIMATELY 0.054+/- ACRES SUBJECT TO A FINALIZED ABANDONMENT MAP LOCATED IN THE TOWN AND VILLAGE OF CATO DIRECTLY ALONG THE ROAD IN FRONT OF TAX MAP NUMBER 45.20-2-39.1 AS SURPLUS AND AUTHORIZING AND DIRECTING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO CONVEY THE PARCELS TO PATRICIA HEMLER ONCE ALL CONCERNS OF THE COUNTY OF CAYUGA AND THE STATE OF NEW YORK ARE SATISFIED. (2/3)**

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

WHEREAS, Patricia Hemler is owner of a parcel of land know as tax map number 45.20-2-39.1; and

WHEREAS, part of the building located on the Hemler parcel is within the road right of way; and

WHEREAS, the NYSDOT Regional Mapping Unit has determined that the NYSDOT only has the right to operate, repair, and maintain Route 34 as a state highway within the Cayuga County right-of-way; and

WHEREAS, the State cannot legally convey any of the original road to a third party because the State does not have fee ownership of it; and

*WHEREAS, the State has no interest in part of this parcel comprising approximately 0.054 +/- acres; and*

WHEREAS, the process to transfer the property to Hemler would require the State to abandon the property and the County to transfer it to Hemler; and

WHEREAS, *the State* will not proceed with the abandonment unless the County agrees to accept the abandonment and subsequently convey the property to Hemler; and

WHEREAS, the County will require Hemler to pay for a survey of the property and the State will require the Hemler to pay for the creation of an abandonment map by a licensed surveyor; and

WHEREAS, the County will require the survey verify that the parcel to be transferred in no way interferes with the County’s trail located on nearby parcels 45.20-2-41, 45.20-2-44 and 52.00-1-4; and

WHEREAS, Hemler has agreed to pay for to cost of the survey and the abandonment map; now therefore be it

RESOLVED, that the Cayuga County Legislature, *if the parcel to be transferred in no way interferes with the County’s trail located on nearby parcels 45.20-2-41, 45.20-2-44 and 52.00-1-4*, hereby declares the parcel defined above as surplus property; and be it further

RESOLVED, that upon completion of the survey and abandonment map and following the approval of same by the State and County the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute all legal documents required implementing the intent of this resolution which is to accept the abandonment from the state and convey the parcel to Hemler, *upon payment by Helmer of the sum of \$* \*\*\*.

Signed by Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon and Pinckney, approved by 2/3 Vote all voting aye.

**RESOLUTION NO. 372-13****(10/22/13) PT WestBarrierBarTransferemnd166-13****AMENDING RESOLUTION 166-13 WHICH AUTHORIZED THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN ANY AND ALL PAPERWORK NECESSARY TO ALLOW THE TRANSFER OF WEST BARRIER BAR TO THE STATE OF NEW YORK (2/3)**

By: Mr. Tucker Whitman, Chairman, Public Works

Mr. David Axton, Chairman, Ways &amp; Means Committee

WHEREAS, the Cayuga County Legislature passed Resolution 405-07 authorizing the chairman of the Cayuga County Legislature to sign an intermunicipal agreement with the Town of Sterling and the Village of Fair Haven transferring ownership of West Barrier Bar to the Town and Village after five years; and

WHEREAS, the Cayuga County Legislature passed Resolution 545-11 authorizing the Chairman of the Cayuga County Legislature to sign a one year extension to that intermunicipal agreement; and

WHEREAS, the Cayuga County Legislature passed Resolution No. 166-13 which authorized and directed to Chairman of the Cayuga County Legislature to sign the necessary documents to allow the transfer of the property to the State of New York upon the condition that the State of New York will transfer the parcel to the village of Fair Haven; and

WHEREAS, the New York State Office of Governmental services indicated in an e-mail dated September 25, 2013 indicated that: "The deed to the State may not be subject to a reverter clause that if the parcel is not conveyed to the Village it will revert to the County. I suggest moving forward with the deed and the Letters Patent. The recording of the Letters Patent with the Department of State will occur right after the deed to the State is recording in the Cayuga County Clerk's Office"; and

WHEREAS, in order to move forward and to complete the transaction Resolution No. 166-13 requires an amendment to remove the condition clause from the transaction; ; now, therefore, be it

RESOLVED, that the County Attorney is hereby authorized and directed to generate the necessary documents to allow the transfer; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to sign the necessary documents to allow the transfer of the property to the State of New York; and be it further

RESOLVED, that Resolution 166-13 is amended consistently with this resolution. Signed by Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon and Pinckney, approved by 2/3 Vote all voting aye.

**RESOLUTION NO. 373-13****Date: 10/22/13 PT EmerFoundPaverRepairDonation 10 13rev****AUTHORIZING ACCEPTANCE OF A DONATION OF FUNDS IN THE AMOUNT OF \$4,900.00 FROM THE FRED L. EMERSON FOUNDATION, AMENDING THE 2013 PARKS BUDGET, AND AWARDING CONTRACT.**

By: Tucker Whitman, Chairperson, Public Works

David Axton, Chairperson Ways &amp; Means Committee

WHEREAS, the Emerson Park Pavilion recently received extensive and costly renovations as a result of a generous financial donation from The Fred L. Emerson Foundation; and

WHEREAS, the Foundation is generously offering to pay for the expense of replacing the pavers disturbed during the site work in support of the Pavilion renovation; and

WHEREAS, four (4) contractors inspected the work site and the lowest and only bidder was Locust Hill Nursery at a quote of \$4,900.00, which figure is acceptable to The Fred L. Emerson Foundation; now therefore be it

RESOLVED, that the Cayuga County Legislature gladly accepts from The Fred L. Emerson Foundation a donation in the amount of \$4,900.00 for the project; and be it further

RESOLVED, that the 2013 Parks Budget be amended by increasing Account No. A 71104-42705, Gifts and Donations, by the sum of \$4,900.00 and increasing Account No. A 71104-54146, Repairs, by the sum of \$4,900.00 and be it further

RESOLVED, that Locust Hill Landscaping is hired to make the repairs at a cost not to exceed \$4,900.00 AND THE Chairman of the Cayuga County Legislature is hereby authorized and directed to execute the documents necessary to implement the agreement; 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 Whitman, Axton, Pecher, Cuddeback, Fearon, Mahunik and Pinckney.

**RESOLUTION NO. 374-13**

**Action Date 10.22.13 911 ftESDfilloct13rev**

**AUTHORIZATION TO FILL A VACANT EMERGENCY SERVICES DISPATCHER POSITION**

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

WHEREAS, the Cayuga County 911 Center currently has one vacant Full-Time Emergency Services Dispatcher position; and

WHEREAS, it is necessary to fill the Emergency Services Dispatcher positions for continuity of services; and

WHEREAS, there is money in the 911 budget account A30201 51001 to fund positions; now therefore be it

RESOLVED, that position (#01886) be filled, and that the 911 Administrator be hereby authorized to fill the vacant Emergency Services Dispatcher position from the existing Civil Service list; and be it further

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

Signed by Cuddeback, Axton, Didio, Farrell, Pinckney, Whitman and Fearon.

**RESOLUTION NO. 375-13**

**(10.22.13) EMO 2013SHSPGRANT**

**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 2013 BUDGET (A 3640) BY CREATING A REVENUE AND A CONTRACTUAL LINE IN ORDER TO ACCEPT AND EXECUTE THE PURPOSES OF THE GRANT.**

BY: Mr. Steven E. Cuddeback, 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 \$95,250.00 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, backfill 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 44320	
FED AID - Homeland Security 13 .....		\$95,250.00
Create Contractual Account	A36474 54525	
Homeland Security 13 .....		\$95,250.00

Signed by Cuddeback, Axton, Bennett, Didio, Pinckney, Whitman, Fearon, Mahunik and Pecher.

**RESOLUTION NO. 376-13**

**10/22/13 PRO- Enter Into Agreementw/Automon, LLCrev5  
AUTHORIZING THE COUNTY TO PURCHASE CASELOAD EXPLORER  
SOFTWARE AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY  
LEGISLATURE TO SIGN DOCUMENTS**

By: Hon. Steve Cuddeback, Chairman, Judicial & Public Safety Committee  
Hon. David Axton, Chairman, Ways & Means Committee

WHEREAS, the Cayuga County Probation Department is requesting legislative approval to upgrade their probation case management system; and

WHEREAS, the total cost of the software is \$49,540, which includes the first year’s maintenance cost of \$6,579, that begins 6 months after the installation of the software; and

WHEREAS, funding for the software can be transferred from excess funds in Budget Line Accounts A31401 51001 Salary and A10144 54131 Insurance, into A31404 54018 Computer Software; now, therefore, be it

RESOLVED, that the Cayuga County Legislature approves the purchase of Caseload Explorer software from AutoMon, LLC; and be it further

RESOLVED, that the following budget transfer be made in order to purchase the software:

Decrease Account A31401 51001 Salary	\$42,000
Decrease Account A10144 54131 Insurance	\$10,000
Increase Account A31404 54018 Computer Software	\$50,000

;and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute a Work Order and a Software Maintenance Agreement,, copies of which are attached; and be it further

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

Signed by Cuddeback, Axton, Pinckney, Whitman, Cuddeback, Fearon, Mahunik and Pecher.

**RESOLUTION NO. 377-13**

**10/22/13 SHR Purchase Taser/Radar**

**AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO PURCHASE SPEED RADAR UNITS AND TASERS FOR THE LAW ENFORCEMENT DIVISION OF THE CAYUGA COUNTY SHERIFF'S OFFICE**

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

WHEREAS, the Cayuga County Sheriff's Office, Law Enforcement Division, is in the process of replacing outdated Speed Radar Units presently being used and issuing Tasers to all its Deputy Sheriffs; and

WHEREAS, Oneida County advertised and received sealed bids from various companies and based upon the final quotes received, the Cayuga County Sheriff's Office wishes to piggy-back and utilize the most cost-effective bids pursuant to General Municipal Law Sections 103 and 104; and

WHEREAS, Decatur Electronics is able to supply 5 Speed Radar Units, plus necessary accessories, for a cost of \$8,725.00 and TASER International is able to supply 5 Tasers, 20 Cartridges, a Dataport Kit and other pertinent equipment for a cost of \$5,523.20; and

WHEREAS, there are sufficient funds in the Sheriff's 2013 Law Enforcement Minor Equipment Line A311042 54224 to purchase these items; now therefore be it

RESOLVED, that the Cayuga County Sheriff is authorized to purchase 5 Speed Radar Units, plus necessary accessories, for a cost of \$8,725.00 from Decatur Electronics and to purchase 5 Tasers, 20 Cartridges, a Dataport Kit and other pertinent equipment for a cost of \$5,523.20 from TASER International piggy-backing off of the sealed bids received from Oneida County (Bid Ref. # 1664 and Bid Ref. # RFB-1668 respectively); and it is further

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

Signed by Cuddeback, Axton, Bennett, Didio, Farrell, Pinckney, Whitman, Fearon, Mahunik and Pecher.

**RESOLUTION NO. 378-13**

**10/22/13 SHR ApprissMOU**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND THE SHERIFF OF CAYUGA COUNTY TO ENTER A MEMORANDUM OF UNDERSTANDING WITH APPRISS FOR A FREE MOBILEPATROL SMARTPHONE APPLICATION**

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

WHEREAS, Appriss has the capability to configure a free MobilePatrol smartphone application that will provide users with, among other things, current Cayuga County Jail inmate information, a listing of sex offenders in the community, offender release notifications/alerts on a 24/7 basis, a list of active warrants, and the ability to report crime tips directly to the Sheriff's Office; and

WHEREAS, the Cayuga County Sheriff's Office believes the creation and availability of such an application will assist in keeping this community safe and informed; and

WHEREAS, this application is offered to the Cayuga County Sheriff's Office at no cost; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature and the Sheriff of Cayuga County are hereby authorized to execute the necessary documents to enter a Memorandum of Understanding for the development, maintenance and support of a MobilePatrol application for Apple iOS and Android operating systems.

Signed by Cuddeback, Axton, Bennett, Didio, Farrell, Pinckney, Whitman, Fearon, Mahunik and Pecher.

**RESOLUTION NO. 379-13**

**10/22/13 SHR New World Systems Renewalrev1**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE SHERIFF OF CAYUGA COUNTY TO RENEW THE STANDARD SOFTWARE MAINTENANCE AGREEMENT WITH NEW WORLD SYSTEMS TO PROVIDE RECORDS MANAGEMENT, MOBILE SERVICES AND AUTOMATIC VEHICLE LOCATOR (AVL) SERVICES.**

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

WHEREAS, the Cayuga County Sheriff's Office, Road Patrol Division, utilizes New World Systems for Records Management, Mobile Services and Automatic Vehicle Locator (AVL) services; and

WHEREAS, the present Standard Software Maintenance Agreement expires on December 31, 2013; and

WHEREAS, New World Systems has submitted a renewal Standard Software Maintenance Agreement starting January 1, 2014 and terminating December 31, 2014; and

WHEREAS, pricing for the one -year contract is **\$15,687**; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature and the Sheriff of Cayuga County is hereby authorized to sign the Standard Software Maintenance Agreement with New World Systems for the total amount of **\$15,687** for the period covering January 1, 2014 through December 31, 2014; and be it further

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

Signed by Cuddeback, Axton, Pinckney, Whitman, Fearon, Mahunik and Pecher.

**RESOLUTION NO. 380-13**

**10/22/13 SHR SLETPP Grant**

**AUTHORIZING THE SHERIFF'S OFFICE TO APPLY AND ACCEPT FUNDING THROUGH THE 2013 SLETPP (STATE LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM) GRANT FROM THE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES TO SUPPORT PREVENTION AND PREPAREDNESS EFFORTS AND AMEND THE 2013 SHERIFF'S GRANTS BUDGET TO ACCEPT THE 2013 FUNDING**

By: MR. STEVEN CUDDEBACK, Judicial & Public Safety Committee  
MR. DAVID AXTON, Chairman, Ways & Means Committee

WHEREAS, the Sheriff's Office applied for and received funding of \$31,750 for a Grant from the Division of Homeland Security and Emergency Services to provide funding for the law enforcement community to support their terrorism and preparedness efforts; and

WHEREAS, all equipment and training through the Grant will require no match of funding by the County and will be 100% funded by the Department of Homeland Security; now therefore be it

RESOLVED, that the Cayuga County Sheriff's Office is hereby permitted to apply for monies available through the Department of Homeland Security State Law Enforcement Prevention Program; and be it further

RESOLVED, that the Chairman of the Legislature be authorized to sign the necessary documentation to accept the 2013 funding; and be it further

RESOLVED, that the Cayuga County Sheriff's Grant Budget be amended to increase A31130 44500 DHSES SLETPP 2013 by \$31,750 and increase A31132 52100 DHSES SLETPP 2013 by \$31,750: and be it further

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

Signed by Cuddeback, Axton, Bennett, Didio, Farrell, Pinckney, Whitman, Fearon, Mahunik and Pecher.

**RESOLUTION NO. 381-13**

**10/22/13 SHR OPER STONEGARD**

**AUTHORIZING THE CAYUGA COUNTY SHERIFF'S OFFICE TO APPLY FOR THE 2013 OPERATION STONEGARDEN GRANT FROM THE NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES**

By: MR. STEVEN CUDDEBACK, Judicial & Public Safety Committee  
MR. DAVID AXTON, Chairman, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Office wishes to apply for a Grant from the NYS Division of Homeland Security and Emergency Services; and

WHEREAS, this Grant would facilitate law enforcement partnerships in a joint mission to enhance security through joint patrols with the Border Patrol and State Police, those areas of the County along routes of ingress from international borders deemed under protected by the Office of Homeland Security; and

WHEREAS, the Grant proposal would 100% fund equipment, associated costs and overtime benefits; now therefore be it

RESOLVED, that the Cayuga County Sheriff's Office be allowed to apply for funding under the Operation Stonegarden Grant.

Signed by Cuddeback, Axton, Bennett, Didio, Farrell, Pinckney, Whitman, Fearon, Mahunik and Pecher.

### **RESOLUTION NO. 382-13**

**(10/22/13) EMO-Accept2013HazMatGrant**

**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 2013 HAZARDOUS MATERIALS GRANT TO BE UTILIZED FOR SUSTAINMENT AND MAINTENANCE OF THE REGIONAL HAZARDOUS MATERIALS RESPONSE CAPABILITIES, AND TO SUPPORT HAZARDOUS MATERIALS REGIONAL RESPONSE WITH EQUIPMENT AND SUPPLIES DEEMED APPROPRIATE FOR CBRNE (CHEMICAL, BIOLOGICAL, RADIOLOGICAL, NUCLEAR, & EXPLOSIVE) RESPONSE, AND TO AUTHORIZE THE CAYUGA COUNTY TREASURER TO AMEND THE EMERGENCY MANAGEMENT 2013 BUDGET (A 3640) BY CREATING A REVENUE AND A CONTRACTUAL LINE IN ORDER TO ACCEPT AND EXECUTE THE PURPOSES OF THE GRANT.**

BY: Mr. Steven E. Cuddeback, 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) 2013 Hazardous Materials Grant Program to implement a local program of Hazardous Materials Equipment sustainment and maintenance; and,

WHEREAS, Cayuga County Office of Emergency Services 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, upon bid completion of any bidding process 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 for the purchase of equipment 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 2013 Emergency Management A3640 Budget in the following manner:

Create Revenue Account	A36470 44329	
HOMELAND SECURITY HAZMAT 13 .....		\$36,000.00
Create Contractual Account	A36474 54526	
HOMELAND SECURITY HAZMAT 13 .....		\$36,000.00

Signed by Cuddeback, Axton, Bennett, Didio, Farrell, Pinckney, Whitman, Fearon, Mahunik and Pecher.

**RESOLUTION NO. 383-13**

**10/22/13 SHR ROADPATROLVEHICLEPURCHASE**

**AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO REPLACE  
A 2008 DODGE DURANGO THAT HAS BEEN RENDERED INOPERABLE  
DUE TO A FIRE IN THE ENGINE COMPARTMENT**

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

WHEREAS, the Cayuga County Sheriff’s Office, Law Enforcement Division, has a marked 2008 Dodge Durango (VIN 1D8HB38N48F148368) that has been rendered inoperable due to an electrical issue that caused a fire in the engine compartment; and

WHEREAS, the County’s insurance carrier, Wright Risk Management, has offered to settle the total loss value of the vehicle for \$29,032.18; and

WHEREAS, pursuant to NYS Contract No. PC65855, the Cayuga County Sheriff’s Office can purchase a new patrol vehicle for a cost not to exceed \$29,032.18, which price includes outfitting of necessary radio equipment; and now therefore be it

RESOLVED, that the Treasurer’s Department will amend the Sheriff’s Law Enforcement Budget to create Line No. A31100 42680 Insurance Recoveries for \$29,032.18 to accept the settlement from Wright Risk Management and increase Budget Line No. A31102 52006 Unmarked Vehicles by \$29,032.18; and it is further

RESOLVED, that the Cayuga County Sheriff’s Office be authorized to purchase with the settlement funds from Wright Risk Management a new patrol vehicle pursuant to NYS Contract No. PC65855 for a cost not to exceed \$29,032.18; which price includes outfitting of necessary radio equipment and it is further

RESOLVED, that upon the delivery of the new patrol vehicle, the existing Dodge Durango will be delivered to the Clerk of the Cayuga County Legislature for disposal; and further be it

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

Signed by Cuddeback, Axton, Pinckney, Whitman, Fearon, Mahunik and Pecher.

**RESOLUTION NO. 384-13**  
**(10/22/13)**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE  
TO SIGN CONTRACT WITH THE NEW YORK STATE  
OFFICE OF INDIGENT LEGAL SERVICES**

BY: MR. STEVEN CUDDEBACK, 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 \$179,400 in funding to Cayuga County; and

WHEREAS, these monies will be utilized for the purpose of improvements in the delivery of indigent defense services to eligible persons at a defendant's first court appearance; 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 Cuddeback, Axton, Bennett, Didio, Farrell, Pinckney, Whitman, Fearon, Mahunik and Pecher.

**RESOLUTION NO. 385-13**

**10/22/2013 PRO-FILL PROBATION DIRECTOR II**

**AUTHORIZATION TO FILL THE VACANCY FOR PROBATION DIRECTOR II  
AT THE CAYUGA COUNTY PROBATION DEPT.**

Steve Cuddeback, Chairman, Judicial & Public Safety Committee

David Axton, Chairman, Ways & Means Committee

WHEREAS, a vacancy for this position has existed since the retirement of the Probation Director II on August 31, 2012; and

WHEREAS, the results of the Civil Service Exam for this position on June 1, 2013 have been returned to the Civil Service Department; and

WHEREAS, there are candidates for this position and legislative approval is necessary to certify a list of eligible candidates; and

WHEREAS, there is existing money in the A31401-51001 line of the Probation Department Budget to fund the position; now, therefore, be it

RESOLVED, that authority from the legislature to fill the Probation Director II position be granted; and be it further

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

Signed by Axton, Bennett, Didio, Farrell, Whitman, Fearon and Pecher.

**RESOLUTION NO. 386-13**

**(October 22, 2013) DA ATP Grant.2013rev**

**AUTHORIZING THE CONTINUATION OF THE DISTRICT ATTORNEY’S ENHANCED FELONY PROSECUTION PROJECT AND THE RECEIPT AND DISTRIBUTION OF AID TO PROSECUTION TO FUND SAME**

By: Steven E. Cuddeback, Judicial & Public Safety, and David R. Axton, Chairman, Ways and Means

WHEREAS, Cayuga County has been awarded \$29,200 Aid to Prosecution for the continuation of the District Attorney’s Enhanced Felony Prosecution Project; and

WHEREAS, the grant contract period is 4/1/2013 thru 3/31/2014, and

WHEREAS, the District Attorney’s Office has a 2013 Budget Revenue Account A11650 43029 State Aid – Aid to Prosecution; and

WHEREAS, effective 4/1/2013 the ADA “Job 2” On-Call 2013 salaries need to be amended in Part IV of the 2013 Cayuga County Compensation Plan, and

WHEREAS, the Cayuga County Legislature supports enhanced prosecution initiatives; now therefore, be it

RESOLVED, that Cayuga County accepts the \$29,200 Aid to Prosecution Award (\$22,674 – Salaries [Munis A11651 61004]; \$6,526 - Fringe [A11651 58001 FICA 7.65% - \$2,234 & A11651-58002 Retirement 14.7% - \$4,292])

RESOLVED, that pursuant to the Award Contract Budget of the District Attorney’s Enhanced Felony Prosecution Project, the following “on-call supplement” will be added to the 2013 base salary of:

**A11651 61004 SALARY – ON-CALL (EFPP)**

Position #004891-SYS (Chief Assistant District Attorney) .....	\$4,644
Position #004896-SYS (Assistant District Attorney) .....	\$1,058
Position #004895-SYS (Assistant District Attorney) .....	\$4,707
Position #004892-SYS (STOP DWI Assistant District Attorney) .....	\$4,947
Position #004894-SYS (STOP VAW Assistant District Attorney) .....	\$3,079
Position #005252-SYS (Assistant District Attorney) .....	\$4,239
TOTAL .....	\$22,674
FRINGE BENEFITS A11651 58001 FICA .....	\$2,234
FRINGE BENEFITS A11651 58002 RETIREMENT .....	\$4,292
TOTAL .....	\$6,526

RESOLVED, that the foregoing salary adjustments (**increases only**) and fringe will be retroactive back to 4/1/2013, otherwise the resolution will be effective immediately 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

RESOLVED, that upon discontinuance of the Aid to Prosecution monies set forth in the Grant Award Agreement between the NYS Division of Criminal Justice Services and Cayuga County for the continuation of the District Attorney’s Enhanced Felony Prosecution Project, the foregoing “on-call supplement” added to the base salaries herein, shall be eliminated; and be it further

RESOLVED, that the Cayuga County Compensation Plan be amended in accordance with this resolution; and be it further

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

Signed by Cuddeback, Axton, Bennett, Didio, Whitman, Fearon and Pecher.

**RESOLUTION NO. 387-13**

**10.22.13 COR emndoncmnrct**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO EXECUTE AN AMENDMENT TO THE 2012 AGREEMENT WITH THE ONONDAGA COUNTY MEDICAL EXAMINERS FOR AUTOPSIES, ON CALL SERVICES AND, OTHER RELATED PROFESSIONAL SERVICES.**

By: Hon. Steven Cuddeback, Chair Judicial & Public Safety Committee

Hon. David Axton, Chair Ways & Means Committee

WHEREAS, Resolution No. 166-12 authorized the Chairman of the Cayuga County Legislature and the Cayuga County Coroner to execute contract with the County of Onondaga for medical examiner services and forensic laboratory services; and

WHEREAS, there presently exists a need for additional on call services with the Cayuga County Coroner's Office; and

WHEREAS, the Onondaga County Medical Examiner's Office is willing and able to provide such on call services and a copy of its proposal is attached; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute amendments to the 2012 agreement with the Onondaga County Medical Examiner's Office to cover on call services, effective to October 1, 2013.

Signed by Axton, Bennett, Didio, Whitman, Fearon and Pecher.

**MOTION NO. 388-13**

**October 22, 2013**

**TABLED**

Motion by Legislator Stephen Barski on fixing the day and notice of the public hearing to appeal the Local Law No. 2 for the Year 1994, the Local Law making the position of Chairman of the Cayuga County Legislature full-time and establishing the salary for the said position, he is proposing to make it a part-time position, no 2<sup>nd</sup>. Motion by Pecher to refer it to committee and table the motion, 2<sup>nd</sup> by Aikman, all in favor except Barski.

**MOTION NO. 389-13**

**October 22, 2013**

**TABLED**

Motion by Legislator Stephen Barski to set the salary of the Chairman of the Cayuga County Legislature to \$15,000 for the year 2014 and thereafter, 2<sup>nd</sup> by Bennett. Motion by Aikman to table, 2<sup>nd</sup> by Pecher, all in favor except Barski.

**Motion by Axton to adjourn at 11:40PM, 2<sup>nd</sup> by Whitman, all in favor.**

**MINUTES**  
**SPECIAL LEGISLATURE MEETING**  
**THURSDAY, November 7, 2013, 6:00PM**  
**160 GENESEE ST, 6<sup>th</sup> FLOOR, CHAMBERS,**  
**AUBURN, NY 13021**

**WELCOME:** In case of an emergency, please exit to the rear of the chambers. You will have to take the stairs down to the basement, turn right and exit through the rear door. Please note, the elevators will not function. If anyone is unable to use the stairway, please go to the safe room, located behind the chambers, caucus room #2.

Restrooms are located in the main hallway and handicapped restroom is located behind the chambers.

**CALL TO ORDER:** Hon. Michael Chapman, Chairman at 6:00 PM.

**ROLL CALL:** Sheila Smith, Clerk of the Legislature, all Legislator's present, except Pinckney, Cuddeback and Barski

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**TOPIC: Presentation of Tentative Budget**

Whitman says that the 3 percent increase on the levy is within our limit and then asks what our limit is. Sinclair responds she does not have an exact number but it is about \$400,000 higher than what the increase is. Whitman asks if Sinclair is proposing using \$450,000 for Highway equipment out of the fund balance. Sinclair responds yes because one of the things that happened is a pattern of peaks and valleys trying to replace the equipment. She says the county ended up bonding for some of the equipment and if the relationship between the highway fund and the machinery fund comes back into balance the way it's supposed to those peaks and valleys will go away. She says then it will be a self-funded thing as the equipment is used to do the work of the highway. She says that it will then provide the funds to replace the equipment over the life. She says instead of depreciation a replacement cost is used. She says with replacement cost those rental rates get looked at every year because things change in the equipment market so the rental rate is adjusted that the highway pays to the machinery fund to maintain and replace the equipment. Whitman says that we have no schedule to replace equipment. Sinclair responds that is on her 2014 list. Whitman says we cannot keep doing it with fund balance. Sinclair says that she agrees. Marinelli explains that it is in the budget. She says what Sinclair is explaining is that they are flowing it from the A fund to the D and then it is falling out into the use of the fund balance. Farrell asks Sinclair if there are any positions that are being reduced. Sinclair responds that they did shift some positions. She says there were some added positions as well.

She says that a part-time prosecutor position with the DA and a one maintenance employee at the nursing home. Farrell asks Sinclair about additional bonding and what we are forecasting the county is going to be bonding for 2014. Sinclair responds there is some more money being spent on the 911 radio project. Farrell says the fund balance of \$14,746,000 at the end of 2013. He asks if we have finalized everything for 2012 and we know exactly what we used as far as fund balance. Marinelli responds that yes 2012 is final. Farrell asks if the figure being used for 2013 is still an estimate. Marinelli says that yes it is still an estimate. Farrell asks about Medicaid and the local decrease on it and he asks about 2015 and the state taking over more of the Medicaid. Sinclair responds that is what she understands. Farrell asks what the financial impact is when that occurs. Sinclair responds that we would end up spending less in a weekly share. Farrell asks Sinclair if she knows what kind of figures we are looking at. Sinclair responds that she does not. Marinelli responds to Farrell and says the local share will not change that much it is really the administration of the Medicaid that is going to be taken over. She says we will still be required to have that local share and there has been a cap that is going to be set for our county. She says the reason it has dropped and will drop a little more in 2015 is because of some enhanced federal funding due to the new Obama care. She says that there will still be \$14 million dollar expenditure and she does not think it will change dramatically below that. Farrell asks about the nursing home and the best case scenario of where we will see the substantial savings and not utilizing 1 or 1.5 out of our fund balance to operate. Sinclair responds that there will be some expenditure's that are unknown because of the nature of the Medicaid people. She says they may come back and say they should not have been paid x amount. She says the savings will not be seen per se except that we will not be paying out. She says the nursing home has not always lost money and this year they happen to have the cash to fill in their budgeted amount. She says really the situation will change entirely because it is going to change ownership, She says that she does not think that there will be significant savings on an ongoing basis. Chapman says that we are going to have expenses because we still own the building. He says we are going to be a landlord for 15 months. Farrell says he understands that and says that he is looking at the fund balance figured forecast. He says he is looking at that to see when we will be able see some significant savings so that we will be able to start recouping and building the fund balance again. Marinelli responds to Farrell that in the budget there is nothing to give the nursing home money she says that the E fund is their fund balance. She says that the nursing home is going to use 1.5 of their own fund balance which they do have. She says that what we don't know is if at some point something is left over that could come back. She says we did not budget for that because we have no idea and it would be a t least a year and a half from now to know that. She says there is no A fund expenditure that will go away. Farrell says so the 1.5 is not a part of the 4. Sinclair responds that it is not.

Motion by Runkle to go into executive session at 6:42 PM, 2<sup>nd</sup> by Didio, all in favor,

**EXECUTIVE SESSION RE: Collective negotiations pursuant to article fourteen of the civil service law**

**Motion by Aikman to come out of executive session at 7:06 PM, 2<sup>nd</sup> by Bennett, all in favor.**

**Motion by Didio to adjourn at 7:06 PM, 2<sup>nd</sup> by Bennett, all in favor.**

**MINUTES  
CAYUGA COUNTY LEGISLATURE  
DECEMBER 2, 2013 AT 6:00PM**

**WELCOME:** In case of an emergency, please exit to the rear of the chambers. You will have to take the stairs down to the basement, turn right and exit through the rear door. Please note; the elevators will not function. If anyone is unable to use the stairway, please go to caucus room No. 2 located behind the chambers and emergency personnel will be notified.

Restrooms are located in the main hallway and handicapped restroom is located behind the chambers.

**CALL TO ORDER:** Hon. Michael Chapman, Chairman at 6:00PM

**ROLL CALL:** Sheila Smith, Clerk of the Legislature, all Legislators present

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**DEATHS:** Our sincere condolences to the families and friends of:  
Kevin Howe of Moravia worked for Cayuga County Highway Department.

Lawrence Axton, an equipment operator with the Cayuga County Highway Department for more than 30 years, a member of the New Hope Fire Department, a life member of the Cayuga County Fire Police Association, the Finger Lakes Old Time Farmers Tractor Club, and of the Niles Senior Citizens.

The 50<sup>th</sup> Anniversary of President John F. Kennedy's assassination- November 22nd

**PUBLIC HEARING: None**

**PRESENTATIONS:** Janice Sanders & Gilda Brower, from the Tomatofest, takes the opportunity to thank the Legislators for the opportunity to pass out the checks. They explain they had to mail the checks out early but they just want to make everyone aware of the pantries need. Sanders says the Tomatofest has donated over \$365,000 to food pantries over the past 28 years.

**PROCLAMATIONS:** Employee Learning Week in Cayuga County  
Cayuga County Salutes Steven P. Westmiller  
Cayuga County Salutes Jonathan J. Westmiller

**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.  
**Meta Reister, leader for Cayuga Lake Junior Grange. She wanted to thank the**



Legislature for funding the projects that the children did at the County Fair that was held in Weedsport. She shows off the many different projects the children completed.

Stephanie Somes discusses the 4H club and being involved for several years. She talks about a letter she wrote to the Legislator's in regards to an incident that happened at the Big 6 picnic at the County Fair. She says she was told it was discussed and shortly later she received a letter from Doug Ververs about her daughter and herself being terminated from the 4H Club. She says due to that letter she has requested an appearance in front of the CCE Board Meeting. She says she has now sent three letters requesting a meeting and has been denied. She says they stated that she had drugs and weapons at the Big 6 picnic and she says she would like them to prove that. She says her daughter was called a liar and that she did not register her animals. She says that she has proof that she registered her animals. She says they are saying she must prove to them by December 13<sup>th</sup>, 2013 but they are denying her request for a meeting.

**MINUTES:** For Approval: 9/24/13, 10/22/13 & 11/7/13, Motion by Didio, 2<sup>nd</sup> by Pinckney, all in favor.

**CCC REPORT:** Jeff Edwards will be introducing the new CCC President Dr. DeCinque

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

Didio discusses the Inter County Association of Western NY and that Cayuga County meeting in October was well accepted by those in attendance. He says that June 2014 is open and he has secured that date to hold Inter County again. He says that the Watershed Inspector has moved onto Monroe County and the position will be rebuilt with more definitive responsibilities and requirements. He says that at the Alcohol and Substance Committee next week they will be entertaining ideas for some type of educational program for students and parents.

Lattimore says as Chairman of the power authority he would move to approve the lighting change at the college. He thinks that the new lights would save a lot of energy costs at the college.

Fearon says that hopefully the Legislature approves the budget changes from Ways & Means and hopefully we do more tonight. He says he thinks there is a lot that still needs to be done. He says if we compare ourselves to the census in 2000 we have an older population, more unemployment and our population is down by 2,441. He says we do not need to procrastinate about getting this budget taken care of because otherwise it will be a very difficult situation in a year. He says we are going to have to make some hard decisions that we don't really want to do but we need to do for our tax payers.

**COUNTY ADMINISTRATOR'S REPORT:** Suzanne Sinclair-Attached

**CHAIRMAN'S REPORT:** Michael Chapman

Chapman discusses the nursing home and hopefully we continue to communicate with our federal elected officials and those that have the power to authorize the operation of the Mercy and Cayuga County Nursing Home under one entity. He says he made contact with the Governor's office last week and they would construct a letter and send it out to one of his former federal colleagues and they will continue to be available for any help that we need. He says the Marine Corp. celebrated in 238<sup>th</sup> birthday on November 9<sup>th</sup> and there was a flag raising ceremony. He talks about the wonderful Veterans event on November 11<sup>th</sup> in the park. He says we have completed bargaining with CSEA and await their ratification vote but everything looks good. He talks about the Legislators orientation and thanks Aikman for putting it together and that it went very well.

Motion by Fearon, 2<sup>nd</sup> by Lattimore, all in favor except Aikman.

**APPOINTMENTS AND RE-APPOINTMENTS:****Cayuga County Water and Sewer Authority**

Paul Dudley, 11194 Bonta Ridge, Meridian, NY 13113, term-1/1/14-12/31/15

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

**COMMUNICATIONS AND ANNOUNCEMENTS:**

1.) Received Resolution No. 159 from Delaware County requesting introduction of Home Rule Legislation authorizing imposition of a wireless surcharge in Delaware County Department of Emergency Services.

2.) Received Resolution No. 160 from Delaware County urging New York State to restore the Historic 50/50 state/local cost sharing for the state's mandated Safety Net Program or provide more program control to local Social Services Districts commensurate with counties increased fiscal responsibility for the Program Department of Social Services.

3.) Received Resolution No. 161 from Delaware County calling on the Governor and State Legislature to continue to partner with counties to successfully reform Juvenile Justice Programs while avoiding cost shifts to counties Department of Social Services.

4.) Received Resolution No. 303 from Essex County supporting Statewide Ballot Proposal #5 in relation to a land exchange in the State Forest Preserve with NYCO Minerals, Inc.

5.) Received a letter from NYS Department of Environmental Conservation acknowledging the receipt of the Cayuga County Legislature's Resolution requesting that the International Joint Commission reject in their entirety all current plans for the implementation of Plan 2014.

6.) Received a thank you card from the family of Kevin Howe acknowledging with grateful appreciation your kind expression of sympathy.

7.) Received an article from Budelmann regarding November 3-9, 2013 being a week dedicated to fraud awareness, detection & prevention.

**8.) Chapman received a letter informing him that his locality has been awarded a Governor’s Traffic Safety Committee (GTSC) Ignition Interlock Device Monitoring award in the amount of \$ 12,674 to support probation supervision and monitoring services.**

CAYUGA COUNTY LEGISLATURE  
RESOLUTIONS 12-2-13

**RESOLUTION NO. 390-13**

**11/26/13 AP Audit November 2013 (A)**

**AUTHORIZING THE COUNTY TREASURER TO PAY OCTOBER 8-28, 2013  
AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on **November 26, 2013**, audit claims against the County of Cayuga in the aggregate sum of \$747,761.83, 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, 2012.

Signed by: Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 391-13**

**11/26/13 AP Audit November 2013 (B)**

**AUTHORIZING THE COUNTY TREASURER TO PAY  
OCTOBER 29-NOVEMBER 12, 2013 AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on **November 26, 2013**, audit claims against the County of Cayuga in the aggregate sum of \$937,343.27, 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, 2012.

Signed by: Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 392-13**

**(11/26/13) TRE cost Allocation**

**AWARD PROPOSAL FOR COST ALLOCATION PLAN**

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

WHEREAS, Cayuga County is in need of a Central Services Cost Allocation Plan, and

WHEREAS, this information is used by County Offices, primarily, the Department of Social Services, to claim Federal Aid for indirect costs and State Aid for maintenance in lieu of rent, and

WHEREAS, requests for proposals were solicited and received and Venesky and Company was awarded the contract for 2010, 2011 and 2012 at \$12,000 per year, and

WHEREAS, terms of the contract allow it to be extended for 2013 and 2014 at the same cost per year, and

WHEREAS, this contractor has clearly demonstrated to be the most qualified to provide the maximum benefit to the County; NOW BE IT THEREFORE

RESOLVED, that the Chairman of the Legislature be authorized to enter into a contract with Venesky and Company to provide this service to the County.

Signed by: Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 393-13**

**(11/26/13) RPS collegeChargeback**

**AUTHORIZE DIRECTOR OF REAL PROPERTY SERVICES TO APPORTION  
COMMUNITY COLLEGE COSTS FOR TAX PURPOSES**

By: David Axton, Chairman, Ways & 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 2014 county/town tax bills, the costs as certified by the County Treasurer for Community College purposes as follows:

City of Auburn	178,327.25	Town of Moravia	56,862.28
Town of Aurelius	27,856.78	Town of Niles	13,454.23
Town of Brutus	47,967.10	Town of Owasco	36,647.84
Town of Cato	24,752.37	Town of Scipio	13,141.14
Town of Conquest	26,807.64	Town of Sempronius	14,926.14
Town of Fleming	13,633.90	Town of Sennett	40,494.40
Town of Genoa	30,441.22	Town of Springport	14,795.20
Town of Ira	19,020.32	Town of Sterling	31,575.64
Town of Ledyard	21,407.57	Town of Summerhill	40,056.90
Town of Locke	38,060.69	Town of Throop	13,755.90
Town of Mentz	35,812.60	Town of Venice	7,254.00
Town of Montezuma	14,801.97	Town of Victory	12,569.47
		<b>Total</b>	<b>774,422.55</b>

Signed by: Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 394-13**

**(11/26/13) RPS adoptequalizationrates**

**TO ADOPT EQUALIZATION RATES FOR  
THE APPORTIONMENT OF THE 2014 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 2014 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	90.00	Town of Owasco	87.00
Town of Cato	100.00	Town of Scipio	99.00
Town of Conquest	100.00	Town of Sempronius	100.00
Town of Fleming	38.17	Town of Sennett	100.00
Town of Genoa	100.00	Town of Springport	89.00
Town of Ira	100.00	Town of Sterling	96.00
Town of Ledyard	100.00	Town of Summerhill	100.00
Town of Locke	106.66	Town of Throop	100.00
Town of Mentz	100.00	Town of Venice	97.00
Town of Montezuma	89.00	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 2014 be obtained and made on the basis of such percentages.

Signed by: Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 395-13**

**(11/26/2013) RPs 2500 or less correction**

**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 2014 calendar year.

Signed by: Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 396-13  
(11/26/13) RPS omittedtax2014  
AUTHORIZING THE LEVY OF OMITTED TAXES**

By: David Axton, Chairman, Ways & 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 **\$19,312.48** shall be levied against the property owners in their respective municipalities who are liable for said tax; and be it further

<b>Omitted Tax</b>		<b>Omitted Tax</b>	
<b>Municipality</b>	<b>Amt</b>	<b>Municipality</b>	<b>Amt</b>
Cato	1,765.05	Owasco	4,815.66
Fleming	1,874.61	Sempronius	233.32
Genoa	709.84	Sennett	4,635.22
Ledyard	1,038.27	Throop	1,768.94
Locke	272.83	Venice	961.87
Niles	1,236.87		
<b>GRAND TOTAL</b>		<b>19,312.48</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, Cuddeback, Pecher and Whitman, all in favor.

**RESOLUTION NO. 397-13  
(11/26/13) RPS proratedotowns14  
PRORATE COSTS OF SERVICES 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 \$72,787.64. This total is computed on one-third salary plus fringes of the Supervising RPTS Specialist (\$56,542.28), the Sr. GIS/Tax Map Technician (\$65,642.21), and the Director of RPTS (\$96,180.60). This cost is then prorated back to the towns by the number of parcels per town; and it is

RESOLVED, that the Office of Real Property Services is hereby authorized to charge the cost back to the Towns for the annual licensing fee for users of the New York State Real Property System, in the amount of \$21,850. This licensing fee has been established in accordance with Section 190-5.4(B) of the Rules for Real Property Tax Administration.

Signed by: Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 398-13**

**11/26/2013 COL Set Public Hearing to Adopt Budget14**

**SETTING DATE FOR PUBLIC HEARING ON TENTATIVE COUNTY BUDGET.**

BY: David Axton, Chairman, Ways & Means Committee

WHEREAS, a tentative County Budget for the year 2014 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. \_\_\_\_\_, reflecting appropriations, revenues and resultant effects for the year 2014, shall be submitted to a public hearing as required by Section 359 of the County Law and that the Clerk of the Legislature is hereby authorized to prepare 100 copies of the budget pursuant to law; and be it further

RESOLVED, that the salaries for the Legislators shall be as follows:

Chairman	\$30,000
Vice Chairman	11,600
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 2014 is set for **December 12, 2013 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, Cuddeback, Fearon, Mahunik, Pecher, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 399-13**

**11/19/13 ADM – Reappt County Auditorrev3**

**AUTHORIZING THE REAPPOINTMENT OF THE COUNTY AUDITOR;  
SETTING SALARY; AND AUTHORIZING CHAIRPERSON OF THE CAYUGA  
COUNTY LEGISLATURE TO EXECUTE AN EMPLOYMENT AGREEMENT.**

BY: David Axton, Chairman, Ways & Means Committee

WHEREAS, Local Law No. 2 for the year 2009 established the office of County Auditor; and

WHEREAS, Michele Anthony has served as County Auditor under an agreement that will expire December 31, 2013; and

WHEREAS, the Ways & Means Committee recommends the reappointment of Michele Anthony as County Auditor for another term; now therefore be it,

RESOLVED, that Michele Anthony is hereby appointed as the County Auditor for the period beginning January 1, 2014, and ending on December 31, 2017., and be it further

RESOLVED, that effective January 1, 2014 the annual salary shall be \$55,000.00; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute an employment agreement with the County Auditor; and be it further

RESOLVED, that the County Compensation Plan be amended as required by this resolution.

Signed by: Cuddeback, Fearon, Pecher and Whitman, all in favor.

**Motion by Fearon to move all 3 college resolutions, 2<sup>nd</sup> by Lattimore**

**Discussion:**

Farrell asks if it would be additional bonding. Westphal responds that yes it would be additional. Bennett and Aikman say they will be abstaining from all 3 college resolutions due to conflict. Didio asks if the \$736,000 is in addition to. Westphal respond yes, in addition to the stage lighting and \$50,000. He responds the reason they are broken down is the period of probable usefulness in different so from a bonding standpoint they would be treated differently. Didio asks when the last time they were replaced. Fearon says it's original and never been replaced so it's getting close to 50 years. Cuddeback asks about the issuance of bonds for \$736,000 and the funds that are available from the state. Chapman responds the funds that are available from the state would cover 50 percent. Cuddeback asks if \$736,000 is the county share or if it is the total cost and the state will cover 50 percent. Westphal responds that there is a repayment process and the county has to advance the monies. He says there is then a 30 to 45 day window after the claim is submitted and then DASNY will return the monies to the county. He says the short term borrowing may be for \$736,000 but the long term borrowing would be for half of that. He says it is just to have the cash flow available to complete the project. Cuddeback says so in theory the debt to the tax payer would only be half of \$736,000. Westphal responds yes. Lattimore believes that NYSERTA has funding available and was wondering if the college had looked into any grants. DeCinque says that he was not aware of it. Fearon says he does not think NYSERTA would cover this type of situation. Chapman asks if there was any contact with NYSERTA and Edwards responds he does not know. Pecher asks if it is coming out of the college budget or if it is in addition to. Westphal says that the college chargebacks will continue to flow to the county so overtime college chargebacks will pay for all of the bonding the county puts forth. He says it may take some amount of time. Cuddeback says unless he is mistaken the college chargebacks are spent for the next 34 years he believes in the Fulton project and other various things. He says those chargeback monies coming in unless something drastically changes are encumbered. He says if we really want to get the job done just raise the tax levy 1 percent and pay for it. Mahunik asks what the urgency on the phone system.



DeCinque says yes and the system that is there is very old and also the new system would provide a lot of safety upgrades. Motion by Pecher to table all three resolutions, 2<sup>nd</sup> by Barski, all in favor, except Bennett and Aikman abstain.

**TABLED      TABLED      TABLED**

**RESOLUTION NO. 400-13**

**11.26.13 COA clgevoiprev4**

**BOND RESOLUTION OF THE COUNTY OF CAYUGA, NEW YORK,  
ADOPTED ON NOVEMBER 26, 2013 AUTHORIZING ISSUANCE OF UP TO  
\$736,000.00 BONDS OF THE COUNTY OF CAYUGA TO ACQUIRE AND  
INSTALL A VOICE OVER INTERNET PROTOCOL (VOIP) TELEPHONE  
SYSTEM NETWORK THROUGHOUT CAYUGA COMMUNITY  
COLLEGE FACILITIES. (2/3)**

By: David Axton, Chair Ways and Means Committee

WHEREAS, Section 215 of the County Law empowers the County Legislators of Cayuga County, New York (the "County") to adopt a resolution for the acquisition by purchase of real and personal property for lawful county purposes; and

WHEREAS, the County Legislators of the County have determined that it is necessary for the County to undertake a certain project (the "Project") consisting of the acquisition, installation and implementation of a voice over internet protocol (VOIP) telephone system network and switch technology throughout Cayuga Community College facilities; 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 and undertaking the Project constitutes such an action; and

**NOW, THEREFORE BE IT RESOLVED ON NOVEMBER 26, 2013 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 determines that the Project constitutes a Type II Action pursuant to Part 617.5(c)(25) of the Regulations and as such is not subject to review under SEQRA.

Section 2. For the specific object or purpose of the acquisition, installation and implementation of a voice over internet protocol (VOIP) telephone system network and switch technology throughout Cayuga Community College facilities, including all related environmental studies, architectural, legal and engineering fees, and all other necessary costs incidental to such acquisition, there are hereby authorized to be issued \$736,000 bonds of said County or in house borrowing pursuant to the provisions of the Local Finance Law or in house borrowing. Undertaking the Project, at a maximum estimated cost of \$736,000 is hereby approved.

Section 3. The plan for the financing of the aforesaid specific object or purpose is by the issuance of up to \$736,000, or such amount less than \$736,000 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, or in house borrowing hereby authorized to be issued pursuant to the Local Finance Law and the levy of a tax to pay interest on said obligations, and by the application of state and/or federal assistance available or to any revenues available for such purpose from any other source.

Section 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 without limitation as to rate or amount 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) It is hereby determined that the period of probable usefulness of the aforesaid specific objects or purposes is 5 years under subdivision 32 of paragraph a. of Section 11.00 of the Local Finance Law; 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 not 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.

**TABLED      TABLED      TABLED**  
**RESOLUTION NO. 401-13**

**11.26.13    CCC voipstgltngcpthrev5**

**APPROVING THE PURCHASE AND INSTALLATION OF A VOICE OVER  
INTERNET PROTOCOL (VOIP) TELEPHONE SYSTEM AND TELEVISION  
STUDIO LIGHTING SYSTEM AT THE AUBURN CAMPUS AND CREATING  
CAPITAL “H” Project No. CC 2013-01 (2/3).**

By: David Axton, Chair, and Ways and 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; and

WHEREAS, the Project has been designated as a Type II Action requiring no review in accordance with the provisions of the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the estimated cost of the project is \$786,000.00 and a request is made to establish Capital “H” Project No. CC 13-01 (CC VOIP/Stage lighting Project); now therefore, be it

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 local funds and the remaining fifty percent to be sought from New York State funds; and be it further

RESOLVED, that in order to carry out the Project, the County Treasurer be and he is hereby authorized and directed to create Capital "H" Project No. 13-01 (CC VOIP/ Stage lighting Project) in an amount not to exceed \$786,000.00 source of funding County Bonding pursuant to Resolutions No. \*\*\*-13; and be it further

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

**TABLED      TABLED      TABLED**

**RESOLUTION NO. 402-13**

**11.26.13    COA clgestgltngrev4**

**BOND RESOLUTION OF THE COUNTY OF CAYUGA, NEW YORK,  
ADOPTED ON NOVEMBER 26, 2013 AUTHORIZING ISSUANCE OF UP TO  
\$50,000.00 BONDS OF THE COUNTY OF CAYUGA TO ACQUIRE AND  
INSTALL TELEVISION STUDIO LIGHTING EQUIPMENT AT  
CAYUGA COMMUNITY COLLEGE. (2/3)**

By: David Axton, Chair Ways and Means Committee

WHEREAS, Section 215 of the County Law empowers the County Legislators of Cayuga County, New York (the "County") to adopt a resolution for the acquisition by purchase of real and personal property for lawful county purposes; and

WHEREAS, the County Legislators of the County have determined that it is necessary for the County to undertake a certain project (the "Project") consisting of the acquisition and installation of television studio equipment at Cayuga Community College; and

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

**NOW, THEREFORE BE IT RESOLVED ON NOVEMBER 26, 2013 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 determines that the Project constitutes a Type II Action pursuant to Part 617.5(c)(25) of the Regulations and as such is not subject to review under SEQRA.

Section 2. For the specific object or purpose of the acquisition and installation of television studio equipment at Cayuga Community College, including all related environmental studies, architectural, legal and engineering fees, and all other necessary costs incidental to such acquisition, there are hereby authorized to be issued \$50,000 bonds of said County pursuant to the provisions of the Local Finance Law. Undertaking the Project, at a maximum estimated cost of \$50,000 is hereby approved.

Section 3. The plan for the financing of the aforesaid specific object or purpose is by the issuance of up to \$50,000, or such amount less than \$50,000 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, or in house bonding hereby authorized to be issued

pursuant to the Local Finance Law and the levy of a tax to pay interest on said obligations, and by the application of state and/or federal assistance available or to any revenues available for such purpose from any other source.

Section 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 without limitation as to rate or amount 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) It is hereby determined that the period of probable usefulness of the aforesaid specific objects or purposes is 5 years under subdivision 32 of paragraph a. of Section 11.00 of the Local Finance Law; 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 not 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.

**RESOLUTION NO. 403-13**

**(November 26, 2013) HD Bike/Pedestrian/Wheel Sport Safety 2013  
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: Patrick Mahunik, 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 \$14,005 for the period October 1, 2013 through September 30, 2014 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 \$14,005 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 2013 Budget in the following manner:

Increase Revenue Account #A40270 43427 ..... \$14,005

Increase Appropriation Account #A40274 54000 ..... \$14,005

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

**RESOLUTION NO. 404-13**

**(11/26/13) HD Venesky D&TC 2013**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND  
THE DIRECTOR OF HEALTH & HUMAN SERVICES TO RENEW OUR  
CONTRACT WITH JACK VENESKY, CPA, FOR AUDITING AND  
CONSULTING SERVICES FOR THE HEALTH DEPARTMENT’S  
DIAGNOSTIC AND TREATMENT CENTER**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, the Health Department desires to obtain professional accounting and auditing services for its Diagnostic and Treatment Center Program to properly compile the AHCF-1 (D&TC) Medicaid Cost Reports to be filed with the New York State Department of Health (NYSDOH) for the cost reporting years 2012, 2013 and 2014 when the NYSDOH issues the requests for each year; and

WHEREAS, we have successfully utilized the services of Mr. Venesky, CPA, for Medicaid Cost Reports in the past; NOW, THEREFORE BE IT



RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to renew the 3-year contract from October 1, 2012 through August 30, 2015 with Jack Venesky, CPA, at an annual cost of:

- \$4,500 for preparation of the cost report, or
- \$7,500 for preparation and audit of the cost report.

The expenditure will be funded through Account #A40104 54059 of the Health Department’s Budget.

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

**RESOLUTION NO. 405-13**

**(November 26, 2013) HD Immunization Billing Grant 2013**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH HRI, INC. AND ACCEPT THE IMMUNIZATION BILLING GRANT FROM HRI, INC. IN THE AMOUNT OF \$21,500**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, HRI, Inc. has awarded the Cayuga County Health Department a \$21,500 Immunization Billing Grant to work together with Madison, Lewis, Oneida, Otsego, Jefferson, Saratoga, and Warren Counties towards development of a customized electronic immunization billing system so the counties can bill more easily for immunizations they provide; and

WHEREAS, to develop an effective, user friendly and efficient electronic billing system, the eight counties will employ the Business Process Analysis graphical modeling methodology (BPA) developed by the Public Health Informatics Institute to evaluate our collective Local Health Department billing needs and processes, while incorporating the basic billing requirements as outlined in the *Immunization Billing by Local Health Departments: NYS Strategic Plan and the Elements for Successful Immunization Billing Practice at New York State’s Local Health Departments Reports*; and

WHEREAS, Madison County has experience in the BPA methodology and will provide training to the county partners and assist them through this process; and

WHEREAS, software system training is also incorporated in the funding; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services be authorized to contract with HRI, Inc. to accept the Immunization Billing Grant in the amount of \$21, 500 for the term specified by HRI, Inc., and to enter into subcontracts and purchase equipment and supplies as necessary to implement this grant; and be it further

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 2013 budget in the following manner:

- Increase Revenue Account #A40150 43414 ..... \$21,500
- Increase Appropriation Account #40154 54005 ..... \$21,500

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

**RESOLUTION NO. 406-13****(Nov. 26, 2013) HD Fill 2 PT Lactation Peer Counselors WIC  
AUTHORIZING THE DIRECTOR OF HEALTH & HUMAN SERVICE  
TO FILL 2 PT LACTATION PEER COUNSELOR POSITIONS IN  
THE HEALTH DEPARTMENT'S WIC PROGRAM**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, the Health Department has two PT Lactation Peer Counselor position vacancies in their WIC Program. The positions were vacated on 9/24/13 (position control #007063); and on 9/23/13 (position control #007391); 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 requires 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; and

WHEREAS, these positions are 100% funded through the WIC Program Grant;  
NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the two vacated PT Lactation Peer Counselor positions in accordance with Civil Services Rules and Regulations and the policies of the County of Cayuga; and be it also

RESOLVED, that as these positions are 100% funded through the WIC Program Grant, if funding ceases, the positions will be abolished.

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

**RESOLUTION NO. 407-13****(Nov. 26, 2013) HD Finger Lakes Answering Service  
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND  
THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO  
AN AGREEMENT WITH FINGER LAKES ANSWERING SERVICE**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Health Department has utilized the services of the Finger Lakes Business Services, Inc., DBA Finger Lakes Answering Services, for many years; and

WHEREAS, these services are provided 24 hours per day, seven days per week answering the lines that are forwarded to the Finger Lakes Answering Service and handling the calls and delivering the messages as instructed by the Cayuga County Health Department staff; and

WHEREAS, the fees for services are as follows with fixed charges based on a 28-day billing period:

<b>Base Rate:</b> .....	\$95.00
Operator Time Included up to 90 min.	
Equipment Time Included up to 35 min.	
<b>Overage – Operator Time:</b> .....	\$ 0.90/min
<b>Overage – Equipment Time:</b> .....	\$ 0.13/min
<b>Line Charge:</b> .....	\$ 3.50
<b>Holiday Charge (7 times per year):</b> .....	\$ 8.00 (per holiday)

and

WHEREAS, the Department desires to renew the Agreement with this agency for their services; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into an Agreement with Finger Lakes Answering Services at the rates listed above for the period December 1, 2013 through November 31, 2014, and authorized to renew the Agreement annually unless amended.

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

**RESOLUTION NO. 408-13**

**(November 26, 2013) HS SNAP-ED Cornell Coop 2013**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ACCEPT FUNDING FOR THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM – EDUCATION AND CONTRACT WITH CORNELL COOPERATIVE EXTENSION FOR RELATED SERVICES**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
David Axton, Chairman of the Ways & Means Committee

WHEREAS, the Human Services Department acts as the lead agency in regards to the claiming and reporting of the Supplemental Nutrition Assistance Program – Education (SNAP-Ed) to the State; and

WHEREAS, this program provides nutrition education activities to any individual or household potentially eligible to participate in the SNAP-Ed, 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 SNAP-Ed 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 SNAP-Ed for the period October 1, 2013 through September 30, 2014 in the amount of \$67,296, 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 2013 budget in the following manner:

Increase Expenditure Account A60704 54227 Education Services to Recipients ..... \$67,296  
 Increase Revenue Account A60700 44670 Education Services to Recipients ..... \$67,296  
 Signed by Mahunik, Aikman, Bennett, Lattimore, Pecher, Runkle, Axton, Cuddeback, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 409-13**

**November 26, 2013 HS Trans Function IT**

**AUTHORIZING IMPLEMENTATION OF TRANSFER OF FUNCTION OF  
 A SR. COMPUTER SYSTEMS TECHNICIAN IN THE HUMAN SERVICES  
 DEPARTMENT TO THE INFORMATION TECHNOLOGY DEPARTMENT  
 PURSUANT TO THE RECOMMENDATION OF THE DIRECTOR OF  
 HEALTH AND HUMAN SERVICES AND THE DIRECTOR OF  
 INFORMATION TECHNOLOGY**

BY: Patrick Mahunik, Chairman of the Health & Human Services Committee  
 David Axton, Chairman of the Ways & Means Committee

WHEREAS, currently, a Sr. Computer Systems Technician position exists in the Human Services Department (position control #004044SYS); and

WHEREAS, upon administrative review by both the Director of Health & Human Services and the Director of Information Technology, it has been determined that this Sr. Computer Systems Technician's function is a better fit under the jurisdiction of the Information Technology Department; and

WHEREAS, in anticipating this Transfer of Function, the Information Technology Department will fund the Sr. Computer Systems Technician position in their 2014 Budget; NOW, THEREFORE, BE IT

RESOLVED, that the Transfer of Function of the position described above be hereby ordered and initiated with the effective date of transfer to be January 1, 2014, or as soon as practicable as directed by the County Attorney; and be it further

RESOLVED, that the Director of Health & Human Services be hereby directed to post a certified list of employees as attached pursuant to NYS CS Law, Section 70.2 "as soon as practicable after the adoption of a law, rule, order or other action direction such as 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 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 Mahunik, Aikman, Bennett, Lattimore, Pecher, Runkle, Axton, Cuddeback, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 410-13**

**Action 11/26/13 MH NPP Contract 11/13**

**AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES AND THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN A CONTRACT FOR NURSE PRACTITIONER IN PSYCHIATRY SERVICES.**

WHEREAS, the Community Mental Health Center needs additional psychiatric services to meet the needs of Cayuga County residents; and

WHEREAS, Linda Sillars, NPP, PLLC has expressed a willingness to provide services to the County on a contractual basis at a rate of \$75 per hour; and

WHEREAS, sufficient funds are available in budget line A43104-54059, Professional Services; and

WHEREAS, contracted services do not incur additional costs for fringe benefits, and time off resulting in lost revenue for the department, or legacy retirement costs; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of Community Services be authorized to enter into an agreement with Linda Sillars, NPP, PLLC for the provision of psychiatric services.

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

**RESOLUTION NO. 411-13**

**11/26/13 MH Allyn Grant 11/13**

**AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES TO ACCEPT A GRANT FROM THE ALLYN FOUNDATION.**

By: Mr. Patrick Mahunik, Chair, Health and Human Services Committee, and Mr. David Axton, Chair, Ways and Means Committee.

WHEREAS, the Community Mental Health Center of Cayuga County has been awarded a grant from the Allyn Foundation in the amount of \$17,500 specifically for the provision of Mental Health First Aid Training, and

WHEREAS, in order to carry out the terms of this grant, the 2013 Mental Health Department budget must be amended so as to provide the appropriations and revenues necessary to implement the grant; now therefore, be it

RESOLVED, that the Director of Community Services be authorized to accept these funds; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make all necessary journal and accounting entries and to amend the Mental Health Department's 2013 budget in the following manner;

Increase revenue A43100-42705	Gifts and Donations	\$17,500
Increase expenditures A43102-52015	Grant Expenditures	\$17,500

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

**RESOLUTION NO: 412-13****November 26, 2013 NH auditrev****AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND THE COUNTY ADMINISTRATOR TO EXTEND AN AGREEMENT FOR AUDITING THE CAYUGA COUNTY NURSING HOME.**

BY: Patrick Mahunik , Health and Human Service

Davis Axton, Ways and Means

WHEREAS, the Cayuga County Nursing Home is required to have a an annual independent audit of financial statements; and

WHEREAS, Buffington and Hoatland CPAs, PLLC, has conducted this annual audit for the Cayuga County Nursing Home for the past 3 years in a satisfactory manner; and

WHEREAS, Buffington and Hoatland CPAs, PLLC has certified the nursing home cost reports during the same time period; and

WHEREAS, Buffington and Hoatland CPAs, PLLC have agreed to extend the current agreement for 1 year with a 2.4% increase; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature and County Administrator are authorized to extend the agreement with Buffington and Hoatland CPAs, PLLC for \$12,700 for 2013 financial reports; and be it further

RESOLVED, that funds be allocated from the budget account titled Fiscal-Audit E45134 45006.

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

**RESOLUTION NO. 413-13****DATE: 11/26/13 OFAAmendMealContractNov13****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. Patrick Mahunik, Chair, Health & Human Services Committee, and Mr. David Axton, Chair, Ways and Means Committee

WHEREAS, the County and Advanced Institutional Support Services (the "Contractor") previously entered into an agreement dated January 1, 2011 pursuant to which the Contractor agreed to provide certain food services to specific elderly populations of the County as described in the Agreement; and

WHEREAS, the County and the Contractor previously amended the agreement on July 1, 2013 pursuant to its terms to keep in effect the cost of providing food during the period of July 1, 2013 through December 31, 2013 of Four Dollars and 47/100 (\$4.47) per meal.

NOW THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislative is authorized to amend the contract with Advanced Institutional Support Services to extend the contract period for one year, effective January 1, 2014 through December 31, 2014; and be it further

RESOLVED, that the rate per meal will remain at Four Dollars and 47/100 (\$4.47) for the above time of period unless it is mutually agreed upon by both parties to amend the price during this time period.

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

**RESOLUTION NO. 414-13**  
**11-26-13 COL Excavation/Trenching Policy**  
**ADOPTING THE CAYUGA COUNTY EXCAVATION/TRENCHING**  
**SAFETY POLICY FOR COUNTY EMPLOYEES.**

BY: Hon. George Fearon, Chairman Government Operations

WHEREAS, the County Legislature has adopted numerous policies and procedures for conducting County business and others which are mandated by Federal and State governments; and

WHEREAS, the County wishes to adopt an Excavation/Trenching Safety Policy; now, therefore be it

RESOLVED, the County Legislature does hereby adopt the attached Excavation/Trenching Safety Policy; and be it further

RESOLVED, that said Policy be numbered Section 75 in the County Policy Manual and distributed by the Clerk of the Legislature to all County Department Heads; and it is further

RESOLVED, that this resolution will take effect immediately upon adoption.

Signed by Fearon, Aikman, Barski, Didio, Farrell and Runkle, all in favor.

**RESOLUTION NO. 415-13**  
**11/26/2013 COL dog quarantine**  
**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, 2014, 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, Barski, Didio, Farrell and Runkle, all in favor.

**RESOLUTION NO. 416-13**  
**11/26/2013 COL Night Quarantine Dogs**  
**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, 2014 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, Farrell and Runkle, all in favor.

**RESOLUTION NO. 417-13**

**11/26/13 COL annexfinalmeet13**

**DESIGNATING DECEMBER 17, 2013, AS THE DATE OF  
THE FINAL MEETING OF THE CAYUGA COUNTY LEGISLATURE  
FOR THE FISCAL YEAR 2013.**

BY: Hon. George Fearon, Chairman, Government Operations

WHEREAS, at the November 26, 2013 meeting of the Cayuga County Legislature, it was agreed that the final meeting of the year be held on, December 17, 2013; now, therefore, be it

RESOLVED, that it is hereby confirmed that this December 17, 2013 meeting is hereby designated to be the final meeting of the Cayuga County Legislature for the fiscal year 2013, subject to the right of the Chairman to call a special meeting, if necessary.

Signed by Fearon, Aikman, Didio, Farrell and Runkle, all in favor.

**RESOLUTION NO. 418-13**

**(11/26/13) IT frontrunner phone system maintenancegmtrev**

**AUTHORIZING THE CHAIRPERSON OF THE CAYUGA COUNTY  
LEGISLATURE TO ENTER INTO A PHONE SYSTEM MAINTENANCE  
AGREEMENT WITH FRONTRUNNER NETWORK SYSTEMS CORP.**

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 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 selected Frontrunner Network Systems Corp. to provide the necessary service required to maintain the phone system,, at a cost not to exceed \$19,129.00; NOW THEREFORE BE IT;

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized to enter into a support service agreement for \$13,708.96 and a software assurance contract for \$5,420.04 with Frontrunner Network Systems Corp. for the period of 11/27 2013 thru 11/26/2014; 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, Barski, Didio, Farrell, Runkle, Axton, Cuddeback, Mahunik, Pecher and Pinckney, all in favor.



**RESOLUTION NO. 419-13**  
**11/26/13 IT Onlinetechnicalreferencetraining**  
**AUTHORIZING TO ENTER INTO AN AGREEMENT**  
**WITH SAFARI BOOKS ONLINE.**

BY: George Fearon, Chairman of the Government Operations Committee  
David Axton, Chairman of the Ways and Means Committee

WHEREAS, Cayuga County's Information Technology Department has an ongoing need for technical reference and training material; and

WHEREAS, the content of this technical reference and training material is continuously changing and updated regularly; and

WHEREAS, the content of this technical reference and training material is copyright protected; and

WHEREAS, the most effective way to obtain this material is through subscription service; and

WHEREAS, the County has selected Safari Books Online to provide this subscription service., NOW THEREFORE BE IT;

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized to enter into a subscription service agreement for \$2,982.00 with Safari Books Online for the period of 12/01 2013 thru 11/30/2014; 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, Barski, Didio, Farrell, Runkle, Axton, Cuddeback, Mahunik, Pecher and Pinckney, all in favor.

**RESOLUTION NO. 420-13**  
**(11-26-13) CC SR CLERK PTrev**  
**AUTHORIZATION TO FILL A PART-TIME SENIOR CLERK POSITION 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 a part time Senior Clerk to accomplish the demands and responsibilities for recording and maintaining records in an electronic and digitized format; and

WHEREAS, the funding for the Part Time Senior Clerk Position #07314 has been appropriated in the 2013 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 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 the 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, Aikman, Barski, Didio, Axton, Cuddeback, Mahunik, Pecher, Whitman and Pinckney, all in favor.

**RESOLUTION NO. 421-13****(11/26/13) PT ATV Trail Agreement 11 13****AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN AN AGREEMENT WITH THE OSWEGO VALLEY ATV CLUB TO ALLOW ACCESS TO THE HOJACK TRAIL FROM OSWEGO COUNTY WEST TO THE CATO/FAIR HAVEN TRAIL AND FOR THE ENTIRE LENGTH OF THE CATO/FAIR HAVEN TRAIL FOR THE 2014, 2015 AND 2016 SEASONS**

By: Tucker Whitman Chairperson, Public Works

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

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

WHEREAS, for 2014, 2015 and 2016 the Oswego Valley ATV Club has again requested permission to use the Hojack Trail from Oswego County west to the Cato/Fair Haven Trail and for the entire length of the Cato/Fair Haven Trail; and

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

WHEREAS, the definition of an ATV is a 4 wheeled vehicle that travels on low pressure tires, with a seat that is straddled by the operator, and with handlebars for steering control. Riders are permitted but must maintain a safe position behind the driver. Vehicles such as LUV (Light Utility Vehicles) or UV (Utility Vehicles) which typically have side by side seats and a steering wheel, are not considered ATV's UNLESS THEY MEET THE NEW YORK STATE DEPARTMENT OF MOTOR VEHICLES DEFINITION OF AN ATV AND ARE LICENSED AND REGISTERED AS AN ATV and will not be allowed to use the trail except for situations in which the club would need this type of vehicle for use in maintenance or repair of trails. ATV's must have stock, unmodified, factory installed exhaust systems with spark arresters. Motorcycles or any other 2 or 3 wheeled vehicles are not considered ATV's and therefore will not be allowed on trails. No homemade ATV will be considered an approved ATV by definition; and

WHEREAS, the proposed agreement is supported by the local politicians, the Park Commission and Legislators Whitman and Chapman; now, therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to sign an agreement with The Oswego Valley ATV Club to allow ATV use on the Cayuga County Hojack Trail from Oswego County west to the Cato/Fair Haven Trail and the entire Cato/Fair Haven Trail for the 2014 season (from April 15, 2014 to the opening day of deer season 2014), the 2015 season (from April 15, 2015 to the opening day of deer season 2015) and the 2016 season (from April 15, 2016 to the opening day of deer season 2016); and be it further

RESOLVED, that the Parks and Trails Department is authorized and directed to review the trail with The Oswego Valley ATV Club before it is opened to ATV use, during the season and after the season to verify that the agreement has been complied with.

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

**RESOLUTION NO. 422-13**

**11/26/13 PT Cato Brutus Trail Cap H 07-02 Res 11 13**

**AUTHORIZING THE TRANSFER OF YEAR END 2013 CATO-FAIR HAVEN TRAILS CONTRACTUAL BUDGET FUNDS IN AN AMOUNT NOT TO EXCEED \$3,781.00 TO CAPITAL H FUND 07-02 TO BE USED AS MATCHING FUNDS FOR IMPROVEMENTS TO THE CATO-BRUTUS TRAIL AS REQUIRED BY THE TRANSPORTATION ENHANCEMENT PROGRAM (TEP) GRANT FOR THE PROJECT.**

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, Resolution 341-07 authorized and directed the Cayuga County Treasurer to establish Capital "H" 07-02 entitled Cato- Brutus Trail Grant; and

WHEREAS, it is anticipated that the 2013 Cato-Fair Haven Contractual budget account A71154-54000 will have a balance of \$3,781.00, now therefore be it

RESOLVED, that the Cayuga County Treasurer is hereby directed to transfer into Capital "H" 07-02, remaining funds not to exceed \$3,781.00 from the 2013 Cato-Fair Haven Contractual budget account A71154-54000 to be used toward the County's matching obligation as recipient of the TEP funding.

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

**RESOLUTION NO. 423-13**

**November 26, 2011 PW\_EmerParkBoatLaunchSEQRANegDec**

**DECLARING THE CAYUGA COUNTY LEGISLATURE LEAD AGENCY UNDER SEQRA FOR THE EMERSON PARK BOAT LAUNCH AND ROAD IMPROVEMENTS PROJECT AND CONCLUDING ENVIRONMENTAL REVIEW BY DETERMINING NO SIGNIFICANT ENVIRONMENTAL IMPACT**

BY: Mr. Tucker Whitman, Chair, Public Works Committee  
Mr. David Axton, Chair, Ways and Means

WHEREAS, Cayuga County intends to undertake necessary reconstruction and improvements to an existing public boat launch and access roads at Emerson Park ("the Project"); and

WHEREAS, the Cayuga County Legislature, in undertaking and funding the Project is required to comply to the requirements of Article 8 of the New York State Environmental Conservation Law, known as the State Environmental Quality Review Act, and regulations at 6 NYCRR Part 617 adopted thereunder (collectively, "SEQRA"); and

WHEREAS, on August 27, 2013 the Cayuga County Legislature, through approval and adoption of Cayuga County Legislative Resolution # 299-13, declared its intent to be lead agency under SEQRA and began a coordinated environmental review with other involved agencies; and

WHEREAS, on September 11, 2013 county staff contacted the following involved and interested agencies: the New York State (NYS) Department of Environmental Conservation, the NYS Department of State Office of Communities and Waterfronts, the NYS Department of Transportation, the NYS Office of General Services, the NYS Office of Parks, Recreation and Historic Preservation (OPRHP), the NYS OPRHP Division for Historic Preservation, the City of Auburn, and the Town of Owasco; and

WHEREAS, none of the contacted agencies expressed opposition to the Cayuga County Legislature serving as lead agency for the environmental review of the Project; and

WHEREAS, between September 11 and October 23, 2013 county staff received comments from involved and interested agencies regarding potential environmental impacts of the Project, which comments have been incorporated into a Full Environmental Assessment Form ("Full EAF") including Parts 1, 2 and 3, attached hereto and made part of this Resolution; and

WHEREAS, the Cayuga County Legislature has reviewed the comments received, the Project information provided in the Full EAF and other supporting information to identify all relevant areas of environmental concern and to determine if the action may have a significant adverse impact on the environment; and

WHEREAS, the Cayuga County Legislature has set forth its determination of significance in a written form containing a reasoned elaboration as to its determination why it believes this Project will not have a significant adverse impact on the environmental impact, which determination is attached hereto and made part of this Resolution;

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

1. The Cayuga County Legislature hereby designates itself as lead agency under SEQRA for the purposes of environmental review of this Project;
2. Based on the Full EAF and other supporting information, the Cayuga County Legislature declares that the Project will not result in any adverse environmental impacts and therefore will NOT have a significant impact on the environment;
3. The Cayuga County Legislature authorizes and directs the Chairman of the Legislature to execute any documents necessary to publish, file and circulate this determination of significance;
4. The Cayuga County Legislature authorizes and directs the Clerk of the Legislature and/or staff the Clerk may designate to file the Notice of Determination of Significance with:
  - a. The Town Supervisor of the Town of Owasco as the chief elected officer of the political subdivision where the project is located;
  - b. The Cayuga County Legislature as the lead agency;
  - c. All involved agencies;
  - d. Any person who has requested a copy; and
  - e. The NYS Environmental Notice Bulletin.
5. This Resolution shall take effect immediately upon approval.

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

**RESOLUTION NO. 424-13**

**11/26/2013 BLD Parking Agreement for Soules & Dunn Associates Rev  
AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE  
TO SIGN A LICENSE AGREEMENT WITH SOULES & DUNN ASSOCIATES  
FOR 30 PARKING SPACES IN THE COUNTY PARKING LOT AT 172  
GENESEE STREET, PARCEL ID NUMBER 115.60-1-36.**

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

WHEREAS, Soules & Dunn Associates has requested to lease 30 parking spaces at the County parking lot at 172 Genesee Street, Auburn, NY, Parcel ID number 115.60-1-36.

WHEREAS, Soules & Dunn Associates has agreed to lease these 30 parking spaces at an annual cost of \$275.00 per space for a total of \$8,250.00 annually; now therefore be it

RESOLVED, that Soules & Dunn Associates will consent to a License Agreement with County of Cayuga for 30 parking spaces at 172 Genesee Street, Auburn, NY, Parcel ID 115.60-1-36 that can be revoked with a 30 day notice; and be it further

RESOLVED, that Soules and Dunn will lease these 30 spaces at \$275.00 each for a total of \$8,250.00 for a 1 year period starting in March 1, 2014 and will be reviewed for renewal at the end of this 1 year period; and be it further

RESOLVED, that the Cayuga County Chairman is authorized and directed to sign all necessary documents to implement this agreement; and be it further

RESOLVED, that a Capital Reserve Fund for parking lot maintenance be created and titled "Parking Lot Maintenance", and that the monies collected from the agreement be placed in this fund; and be it further

RESOLVED, that the Superintendent of Buildings and Grounds will monitor the agreement; and be it further

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

Signed by Axton, Pecher, Cuddeback and Pinckney, all in favor.

**RESOLUTION NO. 425-13**

**11/26/2012 BLD Temp Seasonal Help rev1  
AUTHORIZATION TO HIRE A TEMPORARY SEASONAL HELP  
TO COVER A MEDICAL LEAVE OF AN EMPLOYEE IN  
THE BUILDINGS AND GROUNDS DEPARTMENT.**

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

WHEREAS, an employee filling a Janitors position in the Buildings and Grounds Department is on medical leave and could be out of work a few months, and

WHEREAS, the Buildings and Grounds Department presently has 2 unfunded unfilled positions and another open position would severely tax the department's ability to service the County's facilities this winter season and request a Part Time Laborer to assist in the department; and

WHEREAS, the Civil Service Commission has approved the specifications for the temporary Laborer position at \$10.00 per hour; and

WHEREAS, there is funding for this position in the Buildings and Grounds Department account A16201 51002 salaries part time and an appropriate candidate will be identified to fill the position; now therefore be it

RESOLVED, that the Superintendent of Buildings and Grounds be hereby authorized to temporary fill a position of Laborer 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 19 hours a week and no more than 120 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, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 426-13**

**November 26, 2013 HWY fillMEOL3844**

**AUTHORIZATION FOR SUPERINTENDENT OF HIGHWAYS  
TO FILL A MOTOR EQUIPMENT OPERATOR –  
LIGHT (3844) WITHIN THE HIGHWAY DEPARTMENT**

BY: Tucker Whitman, Public Works Committee

David Axton, Chairman, Ways & Means Committee

WHEREAS, a Motor Equipment Operator Light position was vacated due to promotion; and

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

WHEREAS, this position (Position Control #003844) 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, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 427-13**

**Date: 11/26/13 P&T Sterling Nature Cent Cap Reserve 11 13**

**AUTHORIZING THE TRANSFER OF REMAINING 2013 STERLING NATURE  
CENTER CONTRACTUAL BUDGET FUNDS IN THE AMOUNT NOT TO  
EXCEED \$6,792.00 TO THE CAPITAL RESERVE FUND ESTABLISHED FOR  
BUILDING IMPROVEMENTS AT THE STERLING NATURE CENTER**

By: By: Tucker Whitman, Chairperson, Public Works

David Axton, Chairperson, Ways & Means Committee

WHEREAS, Resolution 706-09 authorized the establishment of a Capital Reserve Fund for building improvements at the Sterling Nature Center; and

WHEREAS, the Public Works Committee advised the Parks Department that due to the high cost to make the current building exterior maintenance free, it may be better to construct a new building; and

WHEREAS, the legislature recognizes the need to make major improvements to the existing building or construct new; now therefore be it

RESOLVED, that the Cayuga County Treasurer is hereby directed to transfer funds remaining in the Sterling Nature Center contractual budget not to exceed \$6,792.00 from the as described below to the Capital Reserve Account for building improvements at the Sterling Nature Center:

A71134-54012- BLD MAINT .....	754.00
A71134-54032- GASOLINE .....	350.00
A71134-54048- BOOKS .....	206.00
A71134-54055- POSTAGE .....	158.00
A71134-54058- PROF DUES .....	50.00
A71134-54059- PROF SERV .....	2081.00
A71134-54070- STAT & FRM .....	156.00
A71134-54074- DEPT EXP .....	121.00
A71134-54101- PROMOTION .....	938.00
A71134-54150- NEW EXHB .....	600.00
A71134-54164- SPC PROG .....	120.00
A71134-54270- SNOW REM .....	1258.00

**TOTAL ..... \$6,792.00 , and be it further**

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

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

**RESOLUTION NO. 428-13**

**(11/26/13) BLD unifiedcourtsystem**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN A CONTRACT WITH THE UNIFIED COURT SYSTEM FOR COURT CLEANING AND MINOR REPAIRS**

BY: MR. TUCKER WHITMAN, Chairman, Public Works Committee

MR. DAVID AXTON, Chairman, Ways & Means Committee

WHEREAS, Cayuga County is required by law to furnish and maintain adequate court facilities for use by trial courts of the State of New York; and

WHEREAS, the State of New York provides State Aid to cover the cost of cleaning, minor repairs and preventative maintenance services for court facilities; now, therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature is authorized to enter into a 5 year contract with the State of New York Unified Court System for the period April 1, 2013 thru March 31, 2018, and be it further

RESOLVED, that the proposed budget for the first year of services shall be \$189,283 retro active to April 1, 2013, and be it further

RESOLVED, that the treasurer is authorized to accept these grant funds annually for the duration of the grant period, and be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed Signed by Whitman, Axton, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 429-13**

**11/26/2013 BLD Advertise for bids Courthouse roof**

**AUTHORIZING THE CAYUGA COUNTY ADMINISTRATOR AND THE SUPERINTENDENT OF BUILDINGS AND GROUNDS TO ADVERTISE FOR SEALED BIDS FOR THE ROOF REPLACEMENT OF THE CAYUGA COUNTY COURTHOUSE 158 GENESEE STREET, AUBURN NEW YORK**

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

WHEREAS, Cayuga County has been working infrastructure of their buildings and the Courthouse roof is in need of replacement and,

WHEREAS, Beardsley Design Associates was contracted to design the specifications for the replacement of the Courthouse roof and they are completed and ready to advertize for bids; therefore let it be

RESOLVED, that the Cayuga County Administrator and the Superintendent of Buildings and Grounds are authorizing to advertise for sealed bids for the replacement of the Courthouse roof.

Signed by Whitman, Axton, Bennett, Pecher, Runkle, Cuddeback, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 430-13**

**11.26.13 911 nysdecMOU**

**AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO SIGN A MEMORANDUM OF UNDERSTANDING WITH THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION FOR USE OF THE FROZEN OCEAN TOWER SITE LOCATED ON QUARRY ROAD.**

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

WHEREAS, the New York State Department of Environmental Conservation (DEC) is experiencing radio system coverage gaps in Cayuga County; and

WHEREAS, the DEC and the County declare that it is to their mutual advantage to share space at the County's Frozen Ocean tower, located on County-owned land, to enhance the Department's ability to deliver services to the local community; and

WHEREAS, the County agrees to permit the Department to utilize an existing antenna and transmission line located at the top of the tower and provide space and power for the Department's radio equipment in the County's equipment shelter; and

WHEREAS, the DEC will be responsible for the removal of abandoned antennas and transmission lines that threaten the integrity of the tower in exchange for free access to the site; now therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to sign an agreement with the New York State Department of Environmental Conservation for use of the Cayuga County Frozen Ocean Tower site.

Signed by Cuddeback, Axton, Bennett, Didio, Farrell, Pinckney, Whitman, Fearon, Mahunik and Pecher, all in favor.



**RESOLUTION NO. 431-13**

**11/26/13 911 Motorolamaintrev5**

**AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO SIGN A FIVE YEAR MAINTENANCE AGREEMENT WITH MOTOROLA SOLUTIONS FOR MAINTENANCE OF THE NEW EMERGENCY COMMUNICATIONS SYSTEM.**

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

WHEREAS, Cayuga County has implemented a New Emergency Communications System; and

WHEREAS, the extended warranty on the infrastructure and equipment will expire on January 1, 2016 as outlined in the Motorola contract; and

WHEREAS, this infrastructure requires continuous monitoring and maintenance for both infrastructure protection and responder safety; and

WHEREAS, Motorola has provided the CNYICC with a five years flat rate maintenance proposal from January 1, 2014 through December 31, 2018, with cost savings based on a multi-year commitment; and

WHEREAS, Cayuga County is warranted through 2015; obligated to pay \$375,968 annually for years 2016, 2017, and 2018 for continuous monitoring and maintenance of the infrastructure of the new emergency communications system; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature be authorized to sign a five year contract with Motorola for a term commencing January 1, 2014 and ending December 31, 2018; and be it further

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

Signed by Cuddeback, Axton, Bennett, Didio, Farrell, Pinckney, Whitman, Fearon, Mahunik and Pecher, all in favor.

**RESOLUTION NO. 432-13**

**(11/26/13) PRO indigent legalservicesrev**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN A CONTRACT WITH THE NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES AND AMEND BUDGET**

BY: MR. STEVEN CUDDEBACK, 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 \$179,400 in funding to Cayuga County, over a 3 year period beginning January 1, 2014; and

WHEREAS, these monies will be utilized for the purpose of improvements in the delivery of indigent defense services to eligible persons at a defendant's first court appearance; 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 2014 budget be amended as follows:

Account	Increase
A11704 54244 Grant Expenditures	\$59,800
A11700 43072 Indigent Grant	\$59,800

,and be it further

RESOLVED, that the treasurer is authorized to accept these grant funds annually for the duration of the grant period, and be it further

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

Signed by Cuddeback, Axton, Bennett, Farrell, Pinckney, Whitman, Fearon, Mahunik and Pecher, all in favor.

### **RESOLUTION NO. 433-13**

**11/26/13 SHR Emergency Leave Bank**

#### **AUTHORIZING THE CREATION OF A TEMPORARY LEAVE BANK FOR A CAYUGA COUNTY SHERIFF'S EMPLOYEE**

BY: Hon. Steven Cuddeback, Chairman Judicial and Public Safety Committee; and Hon. David Axton, Chairman, Ways & Means Committee

WHEREAS, an employee of the Cayuga County Sheriff's Office has a serious illness requiring treatment that will necessitate extended leave for treatment and recovery; and

WHEREAS, this employee has worked for Cayuga County since August 27, 2001 and due to this illness has exhausted all leave time accruals that will result in loss of income beginning the pay period of November 8, 2013; and

WHEREAS, discussion has occurred over this issue with representatives of the County and SEACC and both parties have agreed to allow for the creation of a temporary leave bank at the request of fellow employees to address the immediate loss of income for the employee; therefore be it

RESOLVED, that the Cayuga County Legislature hereby approves this temporary leave bank (subject also has approval of the SEACC officials); and be it further

RESOLVED, that the Cayuga County Legislature authorizes and directs all those steps that may be required to undertake this temporary leave bank in accordance with the following conditions:

- All other leave shall have been exhausted by the employee.
- All County employees may be permitted to donate personal, vacation or compensation time in no less than half-day increments, at any amount up to a grand total of ninety-five work days
- All leave donations shall be in writing on a standardized leave bank form,
- Leave time shall be used by the employee in accordance with the SEACC contract, using one full day from each donation before additional days are utilized from donors making multiple day donations.

Signed by Cuddeback, Axton, Bennett, Didio, Farrell, Pinckney, Whitman, Fearon, Mahunik and Pecher, all in favor.

**RESOLUTION NO. 434-13**

**11.26.13 COR keyliverytransagmntrev2**

**AUTHORIZING THE CHAIRPERSON OF THE CAYUGA COUNTY  
LEGISLATURE TO SIGN A TRANSPORTATION AGREEMENT  
WITH KEY LIVERY, INC.**

By: Hon. Steven E. Cuddeback, Judicial & Public Safety,

Hon. David R. Axton, Chairman, Ways and Means

WHEREAS, the Cayuga County Coroner's Office requires transportation services to transport decedent's to the Onondaga County Medical Examiner's Office; and

WHEREAS, Key Livery, Inc., has provided such services in the past for the Cayuga County Coroner's Office; and

WHEREAS, the Coroner's Office requests that a contract be entered into with Key Livery, Inc. to provide such services for such services; and

WHEREAS, the monies are presently budgeted in the 2013 Coroner's Office; now therefore be it

RESOLVED, that the Chairperson of the Cayuga County Legislature is hereby authorized and directed to execute a contract with Key Livery, Inc. to provide transportation services for the Cayuga County Coroner's Office.

Signed by Cuddeback, Axton, Bennett, Pinckney, Whitman and Mahunik, all in favor except Farrell abstains.

**RESOLUTION NO. 435-13**

**11.26.13 911 ftSESDcreatefillrev2**

**AUTHORIZATION TO CREATE AND FILL ONE SUPERVISING  
EMERGENCY SERVICES DISPATCHER (SESD) POSITION  
TO MAINTAIN CONTINUITY OF SERVICES.**

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

Mr. David Axton, Chairperson, Ways & Means Committee

WHEREAS, Cayuga County has recently deployed a New Emergency Communications System; and

WHEREAS, the Cayuga County E-911 Center has recently implemented Emergency Medical Dispatch; and

WHEREAS, Cayuga County E-911 is working to enhance training of staff; and

WHEREAS, it is critical that we ensure that the appropriate policies and procedures are followed and that consistent training of all aspects of the position are consistently reviewed and understood by all staff; and

WHEREAS, there are sufficient monies in the 2013 Budget, 911 salary account to pay for the new position; now therefore be it

RESOLVED, that the Cayuga County Legislature approve the creation and filling of one additional Supervising Emergency Services Dispatcher for the purposes of training assistance; 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; and be it further

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

Signed by Cuddeback, Axton, Farrell, Pinckney, Fearon, Mahunik and Pecher, all in favor except Cuddeback, Barski, Bennett, Pecher and Whitman.

**Motion No. 436-13 December 2, 2013**

Motion by Axton to make amendment to the 2014 tentative budget as amended, of \$64,274 to cover salary, social security, retirement, health insurance and dental insurance for the Supervising Emergency Services Dispatcher position, 2<sup>nd</sup> by Pinckney, all in favor except Whitman, Cuddeback, Bennett, Pecher and Barski.

**RESOLUTION NO. 437-13**

**11/26/13 COA Budget Recommendations 14.W&M  
WAYS AND MEANS RECOMMENDATION ON  
2014 BUDGET OFFICER'S TENTATIVE BUDGET.**

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

WHEREAS, the Ways and Means Committee has reviewed the 2014 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 2014 Tentative Budget, to the County Legislature for its consideration.

**LEGISLATIVE CHANGES**

**PASSED BY WAYS & MEANS COMMITTEE  
TO AMEND THE 2014 TENTATIVE BUDGET**

<b>A Fund</b>		<b>New Total</b>
<b>Original Fund Balance Contribution</b>		4,533,829
House Keeping Changes	290,726	4,824,555
Ways & Means Changes	(225,758)	4,598,797
Department Changes	(926,438)	3,672,359
Additional W&M Changes	(106, 100)	3,566,259

		<b>New Total</b>	<b>Tax Levy Inc</b>
<b>Original Property Tax Levy</b>		36,765,404	3.00%
House Keeping Changes	0	36,765,404	3.00%
Ways & Means Changes	0	36,765,404	3.00%
Department Changes	0	36,765,404	3.00%
Additional W&M Changes	0	36,765,404	3.00%

<b>D Fund</b>		<b>New Total</b>
<b>Original Fund Balance Increase</b>		(33,339)
House Keeping Changes		(33,339)
Ways & Means Changes	(7,000)	(40,339)

**WAYS AND MEANS CHANGES  
HOUSEKEEPING REQUESTED CHANGES  
TO AMEND THE 2014 TENTATIVE BUDGET**

**Mental Health Dept**

Increase Salary for Staff Psychologist

	<b>PAGE</b>	<b>REVENUE</b>	<b>EXPENSE</b>	<b>NEW TOTAL</b>
A43101 51001 Salaries	93		178,346	2,180,379
A43101-58001 Social Security			13,109	168,818
A43101- 58002 Retirement			45,531	434,572
A43101-58003 Health Insurance			4,654	248,210
A43101-58004 Dental Insurance			395	13,822
		Sub-Total		242,035

**County Clerk**

Increase Retirees Health Insurance

A14101-5800	37		48,691	61,924
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**TOTAL**

290,726

**LEGISLATIVE CHANGES  
PASSED BY WAYS & MEANS COMMITTEE  
TO AMEND THE 2014 TENTATIVE BUDGET**

	<b>PAGE</b>	<b>REVENUE</b>	<b>EXPENSE</b>	<b>NEW TOTAL</b>
Legislative Contracts				
Decrease Libraries	7		(29,250)	0
A74101-54000				
Decrease Water & Sewer Authority				
A10144-54512	3		(50,000)	0
Decrease				
CCPUSA				
A10164-54505	4		(25,000)	0
Decrease Community				
Preservation Committee			(1,575)	0
A7520-54000	7			
Decrease Cayuga Museum of History			(8,775)	0
A74504-54000	7			
Decrease Merry Go Round				
Playhouse			(5,000)	0
A75404-54000	8			

Decrease Cayuga County Arts Council A75604-54000	8	(1,000)	0
Decrease Federation of Conservation Clubs A87204-54000	139	(900)	0
Civil Service			
Move EAP funds to Contingency			
Decrease A 14304-54059	48	(20,000)	1,750
Increase A 10164-54000	4	20,000	145,000
Parks			
Decrease A71104-54252	126	(4,000)	24,000
Decrease A71104-54253	126	(1,738)	8,190
Decrease A71104-54254	126	(700)	3,000
Parking Permits			
Decrease A 11654-54242	17	(2,320)	1,680
Decrease A40104-54242	87	(4,520)	4,480
Vacation Pay-out			
Decrease A10401 51008	10	(1,000)	0
Decrease A 11651 51008	16	(14,412)	0
Decrease A11661 51008	18	(2,716)	0
Decrease A11671 51008	19	(734)	0
Decrease A11681 51008	20	(2,393)	0
Decrease A36401 51008	79	(3,000)	0
Decrease A40101 51008	85	(4,000)	0
Decrease A60101 51008			
Decrease A60101 51008	106	(15,000)	0
Minor Equipment			
Decrease A 11654-54224	17	(4,000)	0
Decrease A 14104-54224	38	(1,000)	0
Decrease A 14114-54224	40	(1,000)	0
Decrease A 14204-54224	46	(1,000)	0
Decrease A31104-54224	65	(18,100)	0
Decrease A31114-54224	66	(1,000)	0
Decrease A31504-54224	70	(12,000)	0
Decrease A40724-54224	83	(650)	0
Decrease A60104-54224	108	(4,000)	0
Decrease A66104-54224	119	(625)	0
Decrease A67724-54224	122	(600)	0
Decrease A71104-54224	126	(3,750)	0
TOTAL		0	(225,758)

D FUND

Vacation

Pay-out

Decrease D51101 51008	150	(6,000)	0
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Minor Equipment

Decrease D50104-54224	149	(1,000)	0
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TOTAL		0	(7,000)
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**DEPARTMENT HEAD SUGGESTIONS  
TO AMEND THE 2014 TENTATIVE BUDGET**

		PAGE	REVENUE	EXPENSE	NEW TOTAL
<b>County Clerk</b>					
Decrease A 14104-54152	Micro film	38		(2,000)	13,000
<b>Records Retention</b>					
Decrease A14604-54045	Mach Maint	41		(1,600)	0
Decrease A 14604-54084	Travel OOC			(250)	0
	Record's Total		0	(1,850)	
<b>County Attorney</b>					
Decrease A14204-54074	Dept Exp	46		(2,000)	6,000
	Parks				
Decrease A71101-51003	Sal OT			(2,555)	3,000
Decrease A71104-54016	Uniform			(258)	700
Decrease A71104-54022	Elec Maint			(140)	700
Decrease A71104-54068	Water			(2,000)	5,000
Decrease A71104-54074	Det Exp			(2,000)	11,542
Decrease A71104-54101	Promotion			(500)	4,112
Decrease A71104-541 OB	Restroom			(461)	4,000
Decrease A71104-54112	Mileage			(50)	250
Decrease A71104-54147	Park Improv			(2,500)	2,500
Decrease A71114-54012	Build Maint			(576)	1,800
Decrease A71114-54074	Dept Exp			(400)	1,000
Decrease A71114-54150	New Exhib			(1,000)	1,453
Decrease A71134-54012	Build Maint			(500)	1,600
Decrease A71134-54024	Gas Heat			(500)	4,500
Decrease A71134-54043	Landfill			(306)	250
Decrease A71134-54048	Books			(206)	0
Decrease A71134-54059	Prof Serv			(500)	2,750
Decrease A71134-54070	New Exhib			(156)	0
<b>Decrease A71134-54150</b>	<b>New Exhib</b>	<b>129</b>		<b>(200)</b>	<b>800</b>
	<b>Park's Total</b>		<b>0</b>	<b>(14,808)</b>	

**Sheriff**

Increase A31500-42451	Jail Inmates	67	400,000		900,000
Decrease A31102-52100	Equip Track	62		(2,000)	12,000
Decrease A31100-42545	Pistol Permits	64	(5,000)		15,000
Decrease A31104-54008	Auto Exp	64		(5,000)	195,000
Decrease A31504-54008	Auto Exp	69		(2,000)	10,000
Decrease A31504-54012	Build Maint	69		(5,000)	100,000
Decrease A311 04-54032	Gas	64		(1,600)	2,000
Decrease A31504-54028	Food Service	69		(2,000)	452,000
Decrease A31504-54038	Inmate Service	69		(2,000)	33,000
Decrease A31504-54043	Landfill	69		(1,000)	1,500
Decrease A31504-54044	Laundry	69		(1,500)	6,000
Decrease A31504-54046	Equip rental	69		(1,000)	9,000
Decrease A31104-54046	Equip rental	64		(2,000)	13,000
Decrease A31104-54049	Supplies	64		(1,000)	13,000
Decrease A31104-54058	Prof Dues	64		(200)	1,000
Decrease A31104-54059	Prof Service	64		(500)	500
Decrease A31504-54063	Radio	70		(1,000)	5,000
Decrease A31104-54066	Reprod Exp	64		(1,000)	0
Decrease A31504-54135	Training	70		(2,000)	5,000
Decrease A31504-54138	Elect Monit	70		(1,100)	0
Decrease A31504-54153	Photo Supplies	70		(500)	0
Decrease A31504-54178	Construction	70		(2,000)	23,000
Decrease A31504-54187	Dental	70		(1,000)	19,000
Decrease A31104-54190	SWAT	65		(3,000)	3,000
Decrease A311 04-54194	Towing	65		(1,000)	1,500
Decrease A31104-54197	Radar Maint	65		(500)	0
Increase A31504-54199	Drug testing	70		110	150
Decrease A31104-54235	Traffic Safety	65		(500)	500
Decrease A31504-54255	SERT	70		(1,750)	5,000
Decrease A31104-54415	Forensics	65		(2,000)	7,000
	Sheriffs Total			395,000	(44,040)

**Mental Health**

Decrease A43101-51002	PT Salary	93		(3,000)	,008
Decrease A43101-51001	FT Salary	93		(4,000)	,176,379
Decrease A43101-58001	Soc Sec	93		(536)	,282
Decrease A43101-58002	Retirement	93		(444)	,128
Decrease A43101-58003	Health Ins	93		(1,061)	,149
Decrease A43101-58004	Dental Ins	93		(66)	,756
Decrease A43101-58005	WKRS Comp	94		(245)	,690
Decrease A43104-54085	Tuition	95		(3,023)	

**Increase A43100-42410 Prop Rental** **45,803**

**Mental Health's Total 4,431 (12,375)**



**Veterans**

Decrease A65104-54008	Auto Exp	116	(500)	12,000
Decrease A65104-54018	Compt Soft	117	(200)	1,000
Decrease A65104-54049	Supplies	117	(500)	2,500
Decrease A65104-54055	Postage	117	(200)	600
Decrease A65104-54084	Travel OOC	117	(150)	600
	<b>Veteran's Total</b>		<b>0</b>	<b>(1,550)</b>

**Health Dept**

Decrease A40824-54039	Auto Ins	91	(400)	0
Decrease A40824-54114	Liab Ins	91	(751)	0
Decrease A40824-54052	Med Supplies	91	(400)	1,500
Decrease A40824-54067	Conf Fees	91	(300)	1,000
Decrease A40104-54016	Unif Allow	86	(150)	900
Decrease A40104-54049	Supplies	86	(1,000)	8,000
Decrease A40104-54113	Env Test	87	(750)	2,000
Decrease A40104-54067	Conf Fees	87	(500)	1,000
<b>Increase A40100-41602</b>	<b>Environ Fees</b>	<b>85</b>	<b>6,500</b>	<b>96,000</b>
	<b>Health Dept's Total</b>		<b>6,500</b>	<b>(4,251)</b>

**Social Services Dept**

Decrease A61004-54000	Medicaid	111	(50,000)	14,302,000
Decrease A60101-58007	Unemployment	107	(2,500)	2,500
Decrease A61294-54000	State Training			
	Schools	113	(100,000)	250,000
<b>Increase A60700-43670</b>	<b>Services</b>	<b>110</b>	<b>200,000</b>	<b>1,200,000</b>
	<b>Social Services Total</b>		<b>200,000</b>	<b>(152,500)</b>

**E-911**

Decrease A30204-54031	Fuel Oil	60	(5,000)	10,000
Decrease A30204-54045	Mach Maint	60	(3,000)	2,500
Decrease A30204-54075	Telephone	60	(5,000)	250,000
<b>Decrease A30204-54063</b>	<b>Radio</b>	<b>60</b>	<b>(21,000)</b>	<b>183,000</b>
	<b>E-911 Total</b>		<b>0</b>	<b>(34,000)</b>

**Assessment**

<b>Increase A13550-42210</b>	<b>Assess Tax</b>	<b>34</b>	<b>2,487</b>	<b>72,487</b>
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**EMO**

Increase A36400-44305	EMO	79	3,680	33,680
Decrease A36404-54018	Comp Sft	79	(150)	200
Decrease A36404-54030	Food Meetings	79	(250)	0
Decrease A36404-54062	Purch Cloth	80	(50)	350
Decrease A36404-54067	Conf Fees	80	(100)	750
Decrease A36404-54072	Subscriptions	80	(175)	0
	<b>EMO Total</b>		<b>3,680</b>	<b>(725)</b>

<b>Fire &amp; Fire Training Tower</b>					
Decrease	A34104-54018	Comp Soft	77	(150)	200
Decrease	A34104-54048	Books	77	(50)	200
Decrease	A341 04-54055	Postage	77	(50)	250
Decrease	A341 04-54063	Radio	77	(250)	1,250
Decrease	A34104-5407 4	Dept Exp	77	(250)	1,750
Decrease	A34104-54409	Fire Inv	77	(250)	4,250
Increase	A34110-42000	Misc Rev	78	300	1,500
Decrease	A3411°4-54049	Supplies	78	(50)	200
Decrease	A34114-54059	Prof Services	78	(50)	1,750
		<b>Fire Total</b>		<b>300</b>	<b>(1,100)</b>
<b>EMS</b>					
Decrease	A40724-54047	Mach Repair	83	(500)	1,500
Decrease	A40724-54049	Supplies	83	(50)	700
Decrease	A40724-54055	Postage	83	(50)	200
Decrease	A40724-54063	Radio	83	(250)	1,250
Decrease	A40724-54067	Conf Fees	83	(300)	1,500
Decrease	A40724-54246	MCI	84	(250)	1,250
Decrease	A40724-54247	CISM	84	(250)	1,250
Decrease	A40724-54248	Rehab	84	(250)	1,250
		<b>EMS Total</b>		<b>0</b>	<b>(1,900)</b>
<b>Planning</b>					
Decrease	A80204-54059	Prof Services	136	(1,500)	2,500
Decrease	A80204-54161	Waste Reduction	136	(1,000)	0
Decrease	A80200-42118	Waste Reduction	135	(2,000)	18,000
Decrease	A80204-54164	Spec Prog	137	(4,000)	36,000
Decrease	A87404-54059	Prof Services	139	(6,000)	22,000
		<b>Planning Total</b>		<b>(2,000)</b>	<b>(12,500)</b>
<b>OFA</b>					
Decrease	A67721-51 002	PT Salary	120	(11,900)	82,539
Decrease	A67721-58001	Soc Sec	120	(875)	35,533
Decrease	A67721-58005	WKS Comp	120	(416)	16,872
		<b>OFA Total</b>		<b>0</b>	<b>(13,191)</b>
<b>IT</b>					
Decrease	A 16104-54045	Mach Main!	13	(11,000)	115,000
Decrease	A16104-54074	Dept Exp	13	(2,000)	13,000
Decrease	A 16104-54135	Training	13	(3,000)	12,000
		<b>IT Total</b>		<b>0</b>	<b>(16,000)</b>

Monday, December 2, 2013

375

**Civil Service**

Decrease	A 14304-54074	Dept Exp	48	(1,000)	3,000
Decrease	A14304-54070	Stat & Forms	48	(150)	850
Decrease	A 14304-54118	Cont Agree	48	(100)	600
<b>Civil Service Total</b>				<b>0</b>	<b>(1,250)</b>

<b>Revenue</b>	<b>Expense</b>
<b>Increases</b>	<b>Decreases</b>

<b>TOTAL</b>	610,398	(316,040)
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<b>Total Impact on Fund Balance</b>	926,438
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**LEGISLATIVE CHANGES  
PASSED BY WAYS & MEANS COMMITTEE  
TO AMEND THE 2014 TENTATIVE BUDGET**

	<b>PAGE</b>	<b>REVENUE</b>	<b>EXPENSE</b>	<b>NEW TOTAL</b>
<b>Legislative Contracts</b>				
Increase CEDA				
A 10104-54229	3		175,000	350,000
<b>Sales Tax</b>				
Increase Sales Tax Revenue				
A10100-41110		350,000		43,350,000
Increase Sales Tax Distributions				
A 10154-54505	4		175,000	21,675,000
Decrease Grant Writing Contract				
A 10104-54059	2		(100,000)	60,000
<b>Parks</b>				
Increase A71100-42457 Park Parking	124	6,100		56,100
<b>TOTAL</b>			356,100	250,000
<b>Total Impact on Fund Balance</b>	106,100			

Signed by Cuddeback, Fearon, Pecher and Whitman, all in favor.

**Motion No. 438-13****December 2, 2013**

Motion by Farrell to amend the 2014 tentative budget, Line Item# D51101-51003-(Hwy Dept.) Salary Overtime amend from \$276,185 and reduce it by \$40,000 to make it \$236,185, 2<sup>nd</sup> by Fearon, all in favor.

**Motion No. 439-13****December 2, 2013**

Motion by Farrell to amend the 2014 tentative budget, Line Item# D51104-54089<sub>d</sub> (Hwy Dept.) Pipe, amend from \$48,825 and reduce it by \$6,825 to make it \$42,000, 2<sup>nd</sup> by Pinckney, all in favor.

**Motion No. 440-13****December 2, 2013**

Motion by Farrell to amend the 2014 tentative budget, Line Item# D51104-54059-(Hwy Dept.) Professional Services, amend from \$20,000 and reduce it by \$2,500 to make it \$17,500, 2<sup>nd</sup> by Axton, all in favor.

**Motion No. 441-13****December 2, 2013**

Motion by Farrell to amend the 2014 tentative budget, Line Item# D51104-54096-(Hwy Dept.) Other Rental, amend from \$45,000 and reduce it by \$2,500 to make it \$42,500, 2<sup>nd</sup> by Runkle, all in favor.

**Motion No. 442-13****December 2, 2013**

Motion by Farrell to amend the 2014 tentative budget, Line Item# D51144-54015-(Hwy Dept.) Contract Plow, amend from \$65,000 and reduce it by \$45,000 to make it \$20,000, 2<sup>nd</sup> by Fearon, all in favor.

**Motion No. 443-13****December 2, 2013**

Motion by Farrell to amend the 2014 tentative budget, Line Item #A10404-54067-Legislative Conferences, amend from \$17,000 and reduce it by \$10,000 to make it \$7,000 and take \$4,500 to move to the probation part time salary Line Item #A31401-51002, 2<sup>nd</sup> by Pecher.

Motion by Aikman to amend Farrell's motion and to reduce the Line Item #A10404-54067-Legislative Conferences from \$17,000 to \$8,500 and take \$4,500 to move to the probation part time salary Line Item #A31401-51002, 2<sup>nd</sup> by Pinckney, all in favor except Fearon, Barski, Didio, Bennett and Pecher, amendment approved, motion as amended approved, all voting in favor except Pecher and Whitman.

**TABLED****TABLED****TABLED****Motion No. 444-13****December 2, 2013**

Motion by Farrell to amend the 2014 tentative budget, and remove the Line Item #A11651-51002-(District Attorney) Salary PT in the amount of \$22,377 and to move the vehicle of the PT investigator to DSS and remove the \$17,777 from the DSS budget for the vehicle, 2<sup>nd</sup> by Fearon.

Motion by Cuddeback to table Farrell's motion, 2<sup>nd</sup> by Didio, all in favor except Fearon, Mahunik, Aikman, Axton and Farrell.

**Motion No. 445-13**

**December 2, 2013**

Motion by Fearon to do the proper accounting moves to balance the budget and move \$100,825 to the general fund, 2<sup>nd</sup> by Bennett, all in favor.

**TABLED      TABLED      TABLED**

**Motion No. 446-13**

**December 2, 2013<sup>d</sup>**

Motion by Fearon to remove two road patrol positions effective April 1, 2014, 2<sup>nd</sup> by Farrell.

Motion by Farrell to table Fearon's motion, 2<sup>nd</sup><sup>d</sup> by Cuddeback, all in favor except Fearon.

**Motion No. 447-13**

**December 2, 2013**

Motion by Pecher to raise the tax levy amount to the maximum allowed by the tax cap (clarified by Chairman Michael Chapman maximum tax cap 3.5%), 2<sup>nd</sup> by Fearon, all in favor except Pinckney, Barski, Mahunik, Whitman, Bennett, Didio and Axton.

**Motion by Didio to go into executive session at 7:43 PM, 2<sup>nd</sup><sup>d</sup> by Barski, all in favor.**

**Executive Session re: Discussions regarding proposed pending or current litigation, Rite Aid v. City of Auburn**

**Employment history of a particular person**

**Motion by Pinckney to come out of executive session at 8:30 PM, 2<sup>nd</sup><sup>d</sup> by Didio, all in favor.**

**Motion No. 448-13**

**December 2, 2013**

Motion by Pinckney that the County Attorney not be re-appointed at the end of 2013 and that a job posting be constructed and advertised for the County Attorney position, 2<sup>nd</sup> by Didio, motion passed by show of hands 10-4, Axton excused.

**Motion by Pinckney to adjourn at 8:37 PM, 2<sup>nd</sup><sup>d</sup> by Didio, all in favor.**

**SPECIAL LEGISLATURE MEETING  
THURSDAY, DECEMBER 12, 2013, 6:00PM  
160 GENESEE ST, 6<sup>th</sup> FLOOR, CHAMBERS,  
AUBURN, NY 13021**

**CALL TO ORDER:** Hon. Michael H. Chapman, Chairman, at 6:00 PM.

**ROLL CALL:** Sheila Smith, Clerk of the Legislature, all Legislators present.

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**TOPIC:** Public Hearing on the County Budget 6:00PM- Opened at 6:01 PM.

**PUBLIC TO BE HEARD:**

Elaine Meyers - Attached – She speaks about continuing support for Cayuga County libraries.

Cathy Sheils- Attached- She speaks about continuing support for Cayuga County libraries.

Michael Homyn- He discusses a news article about mandates choking county budgets. He says they talk about the rising costs of the mandates and how they are going to be paid for. He says he thinks the county has to utilize more areas in the county to try to bring income in. He feels that the County Legislators should look into a way to utilize Emerson Park or other things more.

**Motion No. 449-13**

**December 12, 2013**

Motion by Whitman to increase line A11651-51002 by \$27, 976, line A11651-58001 by \$2,056, line A11651-58002 by \$5,730, and line A11651-58003 by \$977.00 which would reinstate the position for a part time position in the District Attorney's office, 2<sup>nd</sup> by Cuddeback, passed by majority vote, ayes- Didio, Whitman, Pinckney, Runkle, Cuddeback, Bennett, Barski and Lattimore, noes- Aikman, Pecher, Axton, Farrell, Fearon, Mahunik and Chapman, 465/418.

**Discussion:**

Whitman says that he thinks we will have a lot of dark days ahead if we only prosecute crime if we can put it in a revenue line. He says crime is crime and we need to go after it. He says it is at an all-time high and a bad time to cut position there. Mahunik says there are a couple of ways to fight crime and it is not always through prosecution. He says it was shared the other night that administrative hearings were ineffective. He says he looked at the web site that night and found that out of 30 administrative cases all were disqualified from benefits going into the future except for one. He says he continued to look at the site and found that the percentage is pretty high. He says to keep in mind there are multiple ways to

fight crime. Cuddeback says he had an opportunity to speak with the people in the investigative unit at the District Attorney's Office and today there were 20 cases on the desk to go through prosecution totaling over \$100,000 in savings to taxpayers. He says in several of the cases people were trading or selling their benefits cards for drugs. He says in many cases after it was processed by the DA's office it was handed over to NYS Drug Task Force so as far as crimes goes our ability to fight them in a lot of circumstances one leads right into another. He believes it is a very important program and was utilized last year and worked quite successfully. He says it works hand in hand with the fraud unit with DSS and they also would like to have it proceed next year. He says perhaps the Legislature could get quarterly audits of their progress to make sure there is more revenue saved then putting out in out of pocket costs. Chapman says hopefully Budelmann would be able to come in month by month and give that report. Budelmann responds it can be done however the legislature would like. Chapman responds that at least at the Judicial Committee would be a good avenue to report to. Chapman asks Budelmann what the turnaround time is from when his office gets a case and its adjudicated. Budelmann says every case is different some are still pending from September and most are resolved already. He gives an average of about three months.

Motion No. 450-13

December 12, 2013

Motion by Lattimore to put \$29,250 back into the library budget from the fund balance, 2<sup>nd</sup> by Pinckney, defeated by 2/3 vote, noes- Didio, Aikman, Pecher, Whitman, Axton, Farrell, Pinckney, Runkle, Bennett, Barski, Mahunik and Chapman, ayes- Fearon, Cuddeback and Lattimore, 197/52.

Motion No. 451-13

December 12, 2013

Motion by Axton to reduce Soil & Water budget by \$150,000, 2<sup>nd</sup> by Whitman

#### Discussion:

Axton does not think it is where it should be but cutting it \$150,000 is a step. He says that he thinks we need to be where other county averages are which are in the \$200,000 to \$300,000 range. He says we are currently at \$723,358 dollars which is three times the state average. He says we can no longer afford to do this and there needs to be cultural change there. He says if it has to be staff cutting so be it. He says we have such a small control of non-mandated costs that this is one of the only areas that he sees that we can make any headway. He says his proposal is for a reduction of \$150,000 but it does it by separating it into three different appropriations. He says one would be in the general fund and last year they spent \$521,821 which he would like to lower to \$368,358. He says Watershed Management last year actuals were \$85,230 this year \$87,000. He says Wheat Harvesting last year was \$116,500 he would like to increase to \$118,000. He says what that does is keep those two vital operations intact and would force them to look at other avenues to increase their general fund which could be part time seasonal employment or charging for services that we currently do not charge for.

Motion by Pinckney to amend Axton's motion and reduce Soil & Water by 5%, total cut of \$36,117, 2<sup>nd</sup> by Didio

**Discussion:**

Pinckney says he does not agree with Axton's total presentation. He says he has been out there two year and he has come to learn what they do out there. He says to cut it that much that soon would not be viable. Mahunik asks Kierst what it is going to costs his departments between the two scenarios. Kierst says that it would definitely go towards cutting people at that point. He says that what they have tried to do is to use people to write grants which have brought in over \$1 million dollars. He says if they start cutting people that generate the funds it will affect them by how they can protect water quality. He says they do their best to leverage the money that the legislature gives them. He says that they have talked about going outside of the county to work but they want to keep their services in the county for the residents that help pay for their services. He says they work with agriculture every day and they get additional funds from the state which they put towards agricultural and environmental management program. He says that program goes out and delivers the funds and they work with the farms to develop management plans. Mahunik asks about the \$1 million dollar worth of grants and if it restricts them from charging farm owners. Kierst responds it includes a minimum of 25% so the land owner contributes 25% towards the costs. He says where they have limited it is they don't necessarily charge for personnel time. He says if they try to get a lot of money for themselves out of the grant it lowers their ranking and therefore ruins the possibility of them getting the grant. Axton comments that our grants are extremely low compared to what other counties are getting. He says that most counties are all receiving from their counties \$200,000 to \$300,000 and the rest is made up from grants and charging for their services. He says we give away a lot of our services which is fantastic if we could afford it. He says we are currently owed \$1.2 million dollars from Soil & Water that we had to loan them years ago. He says there is no plan to pay us back and last time he heard was \$50,000 a year. He says what that really amounts to is us appropriating them money to pay us money back that does not even exist. He says the digester is running at 50 percent and the power that we are going to purchase from them isn't any cheaper than what we can buy off the grid. He say that we cannot afford it anymore and we need to get down in a range that other counties are at. Cuddeback says the Skaneateles Lake Watershed for a long time has subsidized farmers and Ag projects in that watershed for 30 years or longer. He asks Kierst what percent that watershed pays. Kierst responds 100 percent. Cuddeback says it is a very active program and it has been going on for a long time. He says they pay 100 percent because the City of Syracuse had the good foresight to see that lake and the drinking water from it had to be kept pristine. Chapman says by law the City of Syracuse controls that watershed and has the final say of rules and regulations around that lake. Pinckney says he believes that there was a check delivered to the county today for \$50,000. Kierst says yes he dropped it off today to the Treasurer's Office. Lattimore says that there is probably \$100,000 worth of heat that is not being used at the jail. He says we are in the stage to have an exchanger there to utilize that energy. He says if we put the exchanger in and lower the heat in the building we can run the digester at 100 percent instead of 50 percent. Axton says that is not true at all and it ends up costing us more because we have to upgrade the system at the jail. He says the payout was going to be over 30 years to break even



on it so it was actually going to be a cost deterrent. Axton says that you cannot compare us to Onondaga County and more people have public drinking water than we do in this county. Pinckney says that last year he believes Westphal and Squires did an RFP for a quote roughly \$160,000 that they were looking at borrowing. He says that it certainly would not take 30 years to pay back. Cuddeback calls the question on the amendment.

Motion by Pinckney to amend Axton's motion and reduce Soil & Water by 5%, total cut of \$36,117, 2<sup>nd</sup> by Didio, passed by majority vote ayes-Didio, Farrell, Pinckney, Runkle, Cuddeback, Barski, Mahunik, Lattimore, noes- Aikman, Pecher, Whitman, Axton, Fearon, Bennett and Chapman, 461/422.

Motion as amended, passed by majority vote, ayes- Didio, Whitman, Farrell, Pinckney, Runkle, Cuddeback, Barski, Mahunik and Lattimore, noes- Aikman, Pecher, Axton, Fearon, Bennett and Chapman, 514/369.

Motion No. 452-13

December 12, 2013

Motion by Latimore to put \$25,000 back into CCPUSA's budget, 2<sup>nd</sup> by Pinckney

#### Discussion:

Chapman asks Lattimore where the money would come from. Lattimore responds from the tax levy. Pinckney says the issue last year was that it was to come out of contingency a year ago. Aikman says we put it in the tax levy and then kept in contingency until there was a business plan presented. Pinckney says by shutting these funds off we are telling the taxpayers who voted heavily in favor of this that we are not in favor of getting cheap renewable energy in the county. Axton asks since CCPUSA has existed what they have done. Lattimore says there was a hearing here the other day in regards to NYSEG trying to build additional lines. He says we know those companies are owned by British and the Spanish and says the more competition we have in our utilities the better for the customer. He says the biggest thing in dependability. Pinckney says that CCPUSA has three things they are trying to get involved with where they would get a small percentage to generate income to be self-sustaining. He says to wheel the power to Cayuga Milk Plant or to Soil & Water. He says CCPUSA does not have much money to work with. He says that part of the allocations with the power purchase agreements that they are looking to have done the business plan is also developing in that. He says that they have talked to Justin Miller and others that are helping CCPUSA do that and as we all know legal fees are not cheap. He says that is where their monies and efforts have been going for the past two years. He says to come to the meetings to find out what they are talking about and where they are trying to go. Chapman asks Pinckney what wheeling means. Pinckney says they would be the middle man with no expense or liability to the county. Chapman asks who pays the fee to the middle man. Pinckney responds that the customer would. Chapman says if the county was to enter into an agreement to buy power from Soil & Water and then CCPUSA gets involved and asks if CCPUSA would take a part of the fee that the county pays. Pinckney says by law they can be the body that wheels that because the county cannot do it themselves. He says CCPUSA might take some kind of percentage to generate some income. Chapman asks from Soil & Water or from

the count. Pinckney says that they would get it from the county. He says it is a savings by offering it back through Soil & Water for a cheaper rate where we are not paying the delivery charges. Cuddeback says there are also other projects in the county. He says there is a project in Moravia that has been on the back burner because of the fact there is no power authority to help them. He says there is a farm right across the road from the prison that has a dam on it that used to power the Village of Moravia. He says there are some companies that have looked at the site but unfortunately the power cannot be delivered across the street. He says that it would have to go through a power authority which is what CCPUSA would be. Chapman says that he would have to look into that because he believes that the law has been changed and you can go across the road with your power that you generate. He says that it is being done in Utica presently. Cuddeback says you can go across the road with power to your own facility. Aikman calls the question.

Motion by Latimore to put \$25,000 back into CCPUSA's budget, 2<sup>nd</sup> by Pinckney, defeated by majority vote, noes- Aikman, Pecher, Axton, Farrell, Fearon, Bennett, Mahunik and Chapman, ayes- Didio, Whitman, Pinckney, Runkle, Cuddeback, Barski and Lattimore, 467/416.

**PUBLIC TO BE HEARD:**

Elaine Meyers-

She says that \$29,000 or \$48,000 is a rounding error in the budget. She says what the legislature is saying about their commitment to education, free access and information and leveling the playing field for all children and adults in our county is appalling to her. She says she would hope the legislature would consider going to \$48,000. She says to look at the conversations the legislature is having about not agreeing on details about hundreds of thousands of dollars. She says the legislature is making a critical statement about the values in this county.

Fearon says one of the speakers talked about bringing more revenue into the county and people going other places to buy. He says if we could promote buying local instead of traveling to another county it could increase sales tax revenue and be very beneficial to the county.

Motion by Axton to adjourn at 7:01PM, 2<sup>nd</sup> by Didio, all in favor.

Motion by Runkle to go into executive session at 7:02PM , 2<sup>nd</sup> by Didio, all in favor.

**EXECUTIVE SESSION: Pending Litigation – Camardo v. City of Auburn and others**

Motion by Didio to come out of executive session at 7:35PM, 2<sup>nd</sup> by Axton, all in favor.

Motion by Didio to adjourn at 7:35PM, 2<sup>nd</sup> by Pinckney, all in favor.

**MINUTES  
CAYUGA COUNTY LEGISLATURE  
DECEMBER 17, 2013 AT 6:00PM**

**WELCOME:** In case of an emergency, please exit to the rear of the chambers. You will have to take the stairs down to the basement, turn right and exit through the rear door. Please note; the elevators will not function. If anyone is unable to use the stairway, please go to caucus room No. 2 located behind the chambers and emergency personnel will be notified.

Restrooms are located in the main hallway and handicapped restroom is located behind the chambers.

**CALL TO ORDER:** Hon. Michael Chapman, Chairman at 6:00PM

**ROLL CALL:** Sheila Smith, Clerk of the Legislature, all Legislators present

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**DEATHS:** Our sincere condolences to the families and friends of:  
Eileen (Redmond) Shufelt a prior Deputy Clerk of the Cayuga County Legislature.

**PUBLIC HEARING: None**

**PRESENTATIONS: None**

**PROCLAMATIONS:**

**PUBLIC BE HEARD:**

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

**MINUTES: For Approval: 12/2/13 & 12/12/13, Motion by Didio, 2<sup>nd</sup> by Pinckney, all in favor.**

**CCC REPORT:** Dr. DeCinque-Attached

Chapman asks if there will be a follow up meeting with Oswego. DeCinque responds no, but with the approval from his board tomorrow they do plan to establish a Fulton Campus Advisory Board. He says it will begin to bring together some of the Oswego people into having discussions with college personnel about services additional services in that area. He says following their meeting he thinks what twill do is wait and see if Cayuga County and the College Board of Trustees would like to continue to pursue those conversations.

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

Didio discusses the Alcohol Substance Abuse Community Service and says it is moving forward with an education program that will be directed towards children and parents. He says the Lake Management Council is moving forward with their new position title is Watershed Specialist. He says there is an increase in salary, benefits, responsibilities and duties. He says they have been approved with the application and they are going out setting dates for interviews. He says he will have more information in January.

Chapman asks if Pinckney and Aikman have anything to report from the REDC. Aikman responds they had a report from the President of ESF and wonderful new alternative energy applications are happening throughout the state.

Lattimore says that in regards to energy Aikman just brought up he thinks we were the only county that did not have an application in for alternative energy.

Chapman says there were some fire advisory bi law changes that were put into the Box. He asks the Legislature to take a look at them. He says in January they will be looking for any changes that are desired by this body, so they can move ahead. He says he will look to Farrell to give a report in the coming months.

**COUNTY ADMINISTRATOR'S REPORT:** Suzanne Sinclair

Sinclair discusses recently attending the Government Finance Officers Association meeting and an interesting discussion with the CFO of Onondaga County regarding some of the benefits they experienced realigning their departments and programs. She says she had a similar kind of discussion with City Manager, Doug Selby, about things that the county and city might look at sharing proposals we could bring back to their respective bodies.

**CHAIRMAN'S REPORT:** Michael Chapman

Chapman says thank you to the Legislators that will be leaving at the end of this term. He says he wants to thank them for their support, teamwork, interest in the committees they were assigned to and projects that they helped look over. He also thanks them for their assistance in the budget process and hopefully it will be successful at the end of the night.

**APPOINTMENTS AND RE-APPOINTMENTS:****Board of Health:**

Keith Batman, 3649 Keesee Road, Moravia 13118 Term: 1/1/14 – 12/31/14

Dr. F. Donald Hoffman, 14 Alden St., Auburn 13021 Term: 1/1/14 – 12/31/17

**Cayuga County Planning Board: Term 1-1-2014 to 12-31-2014**

Keith Welch, 3149 Center Rd., Moravia, NY 13118, term, re-appointment (Chairman)

Patricia Bianconi, PO Box 197, Aurora, NY 13026, term, re-appointment (Vice-Chair)

Darrin Rooker, 73 Green St., Port Byron, NY 13140, term, new appointment (Secretary)

**Ag & Farm Protection Board:**

Dave Shurtleff, 1972 Weatherly Road, Cato, NY 13033, term, 1-1-2014 to 12-31-2017, re-appointment

Jamie Edelstein, 3745 Allen Road, Cato, NY 13033, term, 1-1-2014 to 12-31-2017, re-appointment

Dennis, Eckel, 12530 Follett Rd., Martville, NY 13111, term 1-1-2014 to 12-31-2014, new appointment

**Aikman says her policy is to vote against the appointments until at least half of the appointed members are women. She believes these appointments are one of the most important things that they do as a local County Legislature. She says in an attempt to serve toward that end she sent the Chairman a list of people who are interesting in serving today and the list is all women.**

**Motion by Chapman, all in favor, except Aikman.**

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

#### **COMMUNICATIONS AND ANNOUNCEMENTS:**

1.) Letter from the Town of Sennett regarding a proposal for a zone change for property located on Rte. 34 and Turnpike Road filed with the Town of Sennett.

2.) Letter from Legislator George Fearon to officially notify Chapman that he is resigning from the Cayuga County Community College Trusteeship representing the Cayuga County Legislature. He goes on to say that Stanley J. Kott will also be resigning as a Trustee of the Community College effective December 31, 2013 and he is willing to serve out his term as a Trustee of the Community College.

3.) Letter from Charles Greene, current president of the Owasco Watershed Lake Association and the supervisor-elect of the Town of Niles. The letter is in regards to the Legislature considering a budget decrease to Soil and Water and being against it.

4.) Letter from Kenneth Kudla, a member of the Owasco Watershed Lake Association in regards to being against a budget decrease to Soil and Water.

5.) Letter from Doug Kierst, Cayuga County SWCD Executive Director, in regards to the SWCD 2014 Budget proposal. He explains in the letter what the budget cut will do and recommendations he would make to his Board of Directors.

#### **CAYUGA COUNTY LEGISLATURE RESOLUTIONS 12-17-13**

#### **RESOLUTION NO. 453-13**

**12/17/13 AP Audit December 2013 (A)**

#### **AUTHORIZING THE COUNTY TREASURER TO PAY NOVEMBER 13-25, 2013 AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on **December 17, 2013**, audit claims against the County of Cayuga in the aggregate sum of \$1,085,598.96, 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, 2012.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 454-13**

**12/17/13 AP Audit December 2013 (B)**

**AUTHORIZING THE COUNTY TREASURER TO PAY  
NOVEMBER 26-DECEMBER 9, 2013 AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on **December 17, 2013**, audit claims against the County of Cayuga in the aggregate sum of \$1,151,945.46, therefore be it

RESOLVED, that the Clerk of this Legislature file a certified list of claims so audited with the County Treasurer, and be it further

RESOLVED, that the County Treasurer be and he hereby is authorized and directed to pay the several claims so audited and charge the amounts to the several appropriations made therefore in the County Budget finalized on December 13, 2012.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 455-13**

**(12/17/2013) RPS watersewerlevy14-Rev  
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 relieved 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 relieved 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.

Unpaid Water and Sewer Charges Relieved onto County Tax Bill				
Municipality		Town Water	CCSWA Water	Town Relevy Total
		and/or Sewer Relevy	and/or Sewer Relevy	
Aurelius		12,732.80	565.43	13,298.23
Brutus			5111.95	5,111.95
Fleming (Water/Sewer 1 line)		41,174.15		41,174.15
Genoa		6,721.93		6,721.93
Locke		8,804.46		8,804.46
Mentz			2793.74	2,793.74
Montezuma		866.14		866.14
Owasco (Water/Sewer 1 line)		114,252.85		114,252.85
Springport		16,305.78		16,305.78
Sennett		707.40	546.44	1,253.84
Throop			5253.81	5,253.81
Sterling			16833.44	16,833.44
<b>Totals</b>		<b>\$201,565.51</b>	<b>\$31,104.81</b>	<b>\$232,670.32</b>

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

**RESOLUTION NO. 456-13  
 (12/17/13) RPS villagetaxrelevy14-revised  
 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:

Village	Village Tax & Penalty	7% County Fee	Total Releivy
Aurora	3,184.82	222.94	3,407.76
Cato in Cato	2,583.98	180.87	2,764.85
Cato in Ira	2,013.26	140.91	2,154.17
Cayuga	11,475.13	803.26	12,278.39
Fair Haven	13,295.10	930.64	14,225.74
Meridian	5,645.92	395.22	6,041.14
Moravia	21,044.55	1,473.12	22,517.67
Port Byron	24,729.78	1,731.05	26,460.83
Union Springs	14,928.84	1,045.02	15,973.86
Weedsport	18,056.22	1,263.94	19,320.16
<b>Totals</b>	<b>116,957.60</b>	<b>8,186.97</b>	<b>125,144.57</b>

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

**RESOLUTION NO. 457-13**  
**(12/17/13) RPS CCSWAtaxlevy2014**  
**AUTHORIZING THE LEVY OF TAXES FOR**  
**THE CCSWA IN COUNTY WATER DISTRICT 3 &**  
**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 2014 tax roll, are hereby approved:

**WATER DISTRICT 3**

Aurelius       \$13,991.36  
Fleming         \$479.95

**SEWER DISTRICT 2**

Sterling        \$181,220.00

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 458-13**  
**(12/17/2013) 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 **\$510,867.25**, the same being the net amount collected from the taxation of mortgages for the period April 1, 2013, to September 30, 2013; and

WHEREAS, there is in the County Treasurer's Account No. T-58, the amount of **\$510,867.25** 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 **\$510,867.25** to the City of Auburn and the several Towns and Villages of the County of Cayuga in the following amounts:

City of Auburn	\$ 115,599.52	Montezuma	\$ 7,326.76
Aurillus	\$ 22,166.23	Marble	\$ 14,804.40
Cayuga Vlp	\$ 1,655.36	Marble Vlp	\$ 5,529.68
Brutus	\$ 16,940.25	Niles	\$ 16,572.08
Weedsport Vlp	\$ 9,857.03	Owasco	\$ 39,616.03
Cato	\$ 29,237.46	Scipio	\$ 8,854.76
Cato Vlp	\$ 1,026.28	Sempronius	\$ 5,213.00
Meridian Vlp	\$ 1,148.12	Sennett	\$ 46,005.75
Conquest	\$ 13,149.38	Springport	\$ 6,967.97
Piering	\$ 28,277.19	Union Springs V	\$ 2,314.40
Genoa	\$ 16,990.52	Sterling	\$ 16,519.43
Ira	\$ 12,290.24	Fair Haven Vlp	\$ 10,922.12
Cato Vlp	\$ 673.06	Summerhill	\$ 4,707.13
Ledyard	\$ 15,091.38	Throop	\$ 12,913.41
Aurora Vlp	\$ 3,042.82	Venice	\$ 3,543.41
Lodi	\$ 6,136.06	Victory	\$ 9,049.29
Mentz	\$ 3,924.17		
Port Byron Vlp	\$ 2,072.57		
		<b>Grand Total</b>	<b>\$ 610,867.26</b>

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney and Whitman, all in favor.

**RESOLUTION: 459-13**

**(12/12/13) RPS ANNUAL BUDGET 14**

**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, 2014 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).

Annual Town Budgets for the 2014 Tax Year							
(in thousands of dollars by town and district, in most budgets)							
12/5/2013							
Town	Highway Outside	General Outside	Total Outside	Highway Townside	General Fund Townside	Total Townside	Grand Total to Raise
Aurelius	-	-	-	-	250,203	250,203	250,203
Brutus	-	-	-	195,500	125,204	320,704	320,704
Cato	-	-	-	69,276	466,774	536,050	536,050
Conquest	-	-	-	94,840	29,995	124,835	124,835
Fleming	-	-	-	-	-	-	-
Garda	-	-	-	134,722	66,411	201,133	201,133
Ira	-	-	-	229,655	211,996	441,651	441,651
Ledyard	-	-	-	-	96,949	96,949	96,949
Lodie	-	-	-	299,576	130,248	429,824	429,824
Mantz	-	47,000	47,000	-	224,540	224,540	271,540
Montaduma	-	-	-	116,222	9,248	125,470	125,470
Montevia	22,134	-	22,134	131,972	212,543	344,515	366,649
Niles	-	-	-	100,481	-	100,481	100,481
Owaco	-	-	-	52,208	52,208	106,416	106,416
Sidlo	-	-	-	225,000	-	225,000	225,000
Sempronius	-	-	-	209,730	19,925	229,655	229,655
Sennett	-	-	-	-	-	-	-
Springport	-	-	-	-	77,400	77,400	77,400
Starling	-	-	-	174,151	224,295	498,446	498,446
Summerhill	-	-	-	227,099	20,679	247,777	247,777
Thross	-	-	-	186,800	-	186,800	186,800
Verde	-	-	-	216,200	164,800	481,000	481,000
Victory	-	-	-	244,690	35,643	400,333	400,333
<b>Totals</b>	<b>22,134</b>	<b>47,000</b>	<b>70,134</b>	<b>2,239,222</b>	<b>2,550,250</b>	<b>5,789,572</b>	<b>5,959,706</b>

Code	Town	District	Total Taxable Value	Amount to Raise
FD201	<b>Aurelius</b>	Fire District	211,226,785	277,535.76
LD201		Elmhurst Light	10,984,830	3,000.00
LD202		Mullen Drive Light	2,745,900	900.00
SD201	(units)	Elmhurst Sewer	88.00	11,000.00
WD201		Water 1	18,553,341	49,140.00
WD202		Water 2	62,991,326	12,500.00
WD203		Water 3	10,946,300	0.00
WD206	(with Fleming)	Co Water District 3 Phase 1A	11,017,629	13,991.36
LD221	<b>Brutus</b>	Shadybrook Light	900,000	3,771.00
WD221	(units)	Eastern Brutus Water Dist 2	701.00	170,000.00
WD 223	(units)	Water District 3	16.00	7,875.00
WD 224	(units)	Water District # 4	6.00	3558.00
WD226	(units)	Water District # 6	4.00	475.00
SD221		Sewer District # 1	4.00	1100.00
WD227		Water District # 7	47.04	9512.00
WD228		Water District # 8	84.00	27030.00
FD241	<b>Cato</b>	Fire Protection, Meridian	83,371,181	84,181.72
FD242		Fire Protection, Cato	19,432,652	24,064.81
FD243		Fire Protection, Weedsport	30,122,334	23,281.47
AM241	town & two vlgs	Ambulance Service	125,846,817	28,358.00
FP261	<b>Conquest</b>	Fire Protection	90,590,025	88,000.00
LD261		Conquest Light	2,533,698	1,500.00

FP281	<b>Fleming</b>	Fire Protection	91,670,049.00	200,980.00
LD281		Lakeview Light	1,012,890.00	700.00
LD282		Lake Avenue Light	748,926.00	550.00
LD283	(units)	Owasco Terrace Light	21.00	500.00
SD281	(units)	General Sewer (special)	677.00	43,130.00
SD282	(units)	Sewer O&M	672.00	174,000.00
WD281	(units)	Water #1 (special)	966.75	103,929.00
WD282	(with Aurelius)	Co Water District 3 Phase 1A	144,260.00	479.95
WD283	(units)	Water O&M	948.75	118,800.00
WD286	units	Water District # 6	57.40	31,326.41
DD281	units	Forest Hill Drainage	14.00	355.00
SL281		Seymour Library	62,967,772.00	76,866.36
FD301	<b>Genoa</b>	Fire District, King Ferry	102,174,803.00	56,866.53
FD302		Fire District, Genoa	70,732,932.00	106,916.49
LD301		King Ferry Light	7,648,400.00	3,800.00
LD302		Genoa Light	12,292,350.00	7,000.00
WD301		Genoa/King Ferry Water	26,793,387.00	29,580.00
FP321	<b>Ira</b>	Fire Protection, Ira	63,848,062.00	86,870.00
FP322		Fire Protection, Cato	31,521,400.00	39,734.00
LD321		Light	1,099,389.00	1,950.00
FD341	<b>Ledyard</b>	Fire District, King Ferry	21,204,788.00	11,801.76
FD342		Fire District, SLV	44,563,616.00	40,152.77
FD343	(town)	Fire District Aurora/Ledyard	78,939,475.00	97,619.78
FD344	(village)	Fire District Aurora/Ledyard	46,676,621.00	57,722.22
AM341	(town)	Southern Cay. Ambulance	62,116,618	23,800.00
FD361	<b>Locke</b>	Fire District	82,116,455.00	145,930.00
LD361		Light	11,064,436.00	5,995.00
FP381	<b>Mentz</b>	Fire Protection	49,000,073.00	79,693.00
FD401	<b>Montezuma</b>	Fire District	51,832,611.00	97,700.00
FD422	<b>Moravia</b>	Fire District, Joint (town)	95,154,531.00	108,756.43
FD423		Fire District, Joint (village)	53,791,344.00	61,480.57
FD441	<b>Niles</b>	Fire District, Three Town	235,178,408.00	275,361.77
GR441	(units)	Garbage & Refuse	795.00	125,000.00
FD461	<b>Owasco</b>	<b>Fire District</b>	315,809,634.00	448,234.00
SD461		Sewer 1 OM	146,121,667.00	410,551.77
SD466	(units)	Sewer 2 CC	239.50	50,349.88
SD467		Sewer 2 OM	55,311,824.00	15,300.00

SL461		Seymour Library	316,006,120.00	169,245.22
WD461		Water 1 OM	277,053,975.00	57,704.90
WD462	(units)	Water 1 FL7 CC SPEC	10.50	4,102.54
WD463	(units)	Water 1 FL9 CC SPEC	24.00	7,872.25
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	pre calc	22,485.55
SD472	(units)	Sw#1 Melrose/Havens Improve.	998.50	33,882.23
SD473		Sewer 1 Rehab CC #1	998.50	53,130.54
SD474		Sewer 1 Rehab CC #2	239.50	12,743.88
FD481	<b>Scipio</b>	Fire District, SLV	117,012,630.00	106,495.84
FD501	<b>Sempronius</b>	Fire District, Three Town	74,478,578.00	87,204.23
FD521	<b>Sennett</b>	Fire District	326,221,030.00	356,874.00
LD521		Light District, Sennett	16,076,469.00	2,900.00
LD522		Light District, Butera Drive	7,044,464.00	1,100.00
SD522	(units)	Sewer O & M	318.00	231,705.00
SD525		Sewer Capital Project	35,768,387.00	22,255.00
SL521		Seymour Library	105,415,325.00	49,118.37
WD521		Water 1	40,033,442.00	9,625.00
WD522		Water 2	59,835,887.00	22,125.00
WD523		Water 3 service	28,709,470.00	29,150.00
WD525	(units)	Water 5	3.50	280.00
WD526		Water 6	4,504,987.00	5,833.00
WD528		Water 6 ext	4,889,916.00	4,000.00
WD529		Water 1 Capital Project	44,193,318.00	22,200.00
WD530		Water 3 Capital Project	30,531,194.00	6,750.00
WD532	(units)	Water Debt Extension	18.00	9,500.00
WD533		Water 6 Ext curr user Cap Cost	8,637,800.00	2,835.00
WD534		Water 6 ext non user Cap Cost	20,878,109.00	52,375.00
WD535		Water 6 ext non user O & M	22,932,709.00	18,852.00
WD536		Water 2 ext curr user Cap Cost	60,287,606.00	37,978.00
WD538		Water 6 Ext 2007 Cap Cost	3,691,100	17,000.00
FD541	<b>Springport</b>	Fire District, town	115,351,128.00	141,527.46
FD542		Fire District, village	56,751,147.00	69,629.54
SD541	(units)	Sewer District 1	373.00	102,946.20
SD542	(units)	Sewer District 1 ext 1	42.00	11,591.80
WD541	(units)	Water District 1	373.00	95,108.71
WD542	(units)	Water District 1 ext 1	42.00	10,709.29
WD543	(units)	Water District 1 ext 2	16.00	9,352.98
WD544	(units)	Water District # 2	310.00	193,434.02
WD546	(units)	WD 2 Vac. Agricult	82.00	20,787.28
WD547	(units)	WD 2 Vac. Residential	4.00	1,277.34

FP561	<b>Sterling</b>	Fire Protection, Fair Haven #1	71,492,886.00	65,217.00
FP562		Fire Protection, Fair Haven #2	28,835,300.00	29,790.00
FP563		Fire Protection, Red Creek	15,760,468.00	16,745.00
LD561		Light District, Sterling	3,420,020.00	1,480.00
LD562		Light District, Martville	4,153,310.00	1,475.00
SD561vlg		County Sewer Phase 1A	70.35	14,070.00
SD561tov		County Sewer Phase 1A	1.00	200.00
SD562 vlg		County Sewer Phase 1B	257.60	51,520.00
SD563 vlg (units)		County Sewer Phase 2	140.90	28,180.00
SD563 tov (units)		County Sewer Phase 2	71.45	14,290.00
SD565tov (units)		County Sewer Phase 4	11.50	2,300.00
SD565vlg (units)		County Sewer Phase 4	174.30	34,860.00
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	113,463,365.00	172,067.00
WD601		Water District	36,166,584.00	121,500.00
FD621	<b>Venice</b>	Fire District, SLV	70,510,422.00	63,531.40
FD622		Fire District, Genoa	17,346,089.00	26,219.51
FD623		Fire District, King Ferry	6,282,707.00	3,496.71
LD621		Light District, Poplar Ridge	6,437,200.00	180.00
FP641	<b>Victory</b>	Fire Protection, Victory	55,433,049.00	72,797.00
FP642		Fire Protection, Cato	4,068,141.00	5,000.00
FP643		Fire Protection, Red Creek	13,710,000.00	17,139.00
LD641 (units)		Light District, Victory	52.00	1,400.00
LD642 (units)		Light District, Westbury	34.00	500.00

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 460-13**  
**12/17/2013 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>, 2014.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 461-13**  
**(12/17/13) TRE delete tax liens**

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

By: David Axton, Chairman, Ways & Means Committee

WHEREAS, the following liens are filed in the Cayuga County Clerk's Office against property located in the Town of Scipio, identified as Tax Map # 144.00-1-9.-6 and assessed to James H. Burlew and Lisa Savage-Burlew on the 2009, 2010, 2011, 2012 and 2013 Tax Roll for said Town as follows; and

Tax Year	Base Tax	Interest	Fees	Total Amount
2009	\$407.07	\$179.11		\$586.18
2010	\$579.62	\$185.48	\$150.00	\$915.10
2011	\$569.64	\$113.93		\$683.57
2012	\$573.83	\$45.91		\$619.74

WHEREAS, the 2013 tax is as follows: \$470.91 base tax, \$29.73 interest and \$24.55 penalty and fees; and

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

WHEREAS, this is a duplicate parcel, which has now been appropriately deleted from the tax roll so that it will no longer generate tax bills; and now be it

RESOLVED, that all previously mentioned liens filed in the Cayuga County Clerk's Office and 2013 property tax under tax map number 144.00-1-9.-6 be deleted.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 462-13**  
**12/17/13 COL signtaxrolls13**

**APPROVE THE TAXES AS EXTENDED AND AUTHORIZE THE CHAIRMAN AND THE CLERK OF THE LEGISLATURE TO SIGN THE TAX ROLLS.**

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 warrants attached to said rolls as provided by the Tax Law of the State of New York and deliver the said rolls to the respective Supervisors for transfer to their respective Collectors.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 463-13**  
**12/17/13 COL yearend.W&M13**

**AUTHORIZING ACCOUNTS PAYABLE YEAR END ADJUSTMENTS  
 -2013 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 2013; 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, Cuddeback, Fearon, Mahunik, Pecher, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 464-13**  
**12/17/13 COL AnnexTaxWarrant13**  
**DESIGNATING DECEMBER 17, 2013, 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 17th, 2013 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, 2014.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 465-13**  
**12/17/13 COL ctytax2014**  
**DIRECTING THE LEVY OF TAX AGAINST THE CITY OF AUBURN**  
**FOR COUNTY PURPOSES FOR 2014**

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

WHEREAS, the total amount of taxes levied against the County of Cayuga for the year 2014, in accord with Section 360 of the County Law, and pursuant to the duly adopted County Budget for 2014 in which the City of Auburn participates is \$ 37,247,280.00; and

WHEREAS, apportionment of this amount to all municipalities has been made and determined by applying the equalization table as adopted by Resolution No. 394-13 on December 2, 2013, and now, therefore, be it

RESOLVED, that the City of Auburn's share of County Taxes is computed to be \$ 8,099,833.00 for 2014, which is directed to be levied against city properties; and be it further

RESOLVED, effective January 1, 2014, there is due and payable to the Cayuga County Treasurer by the City of Auburn residents for County Tax Purposes, the following A430 account charges covering expenses related to the preparation and mailing of 2013 (prior year) tax bills to city residents for county taxes, a total of \$ 3,712.84 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. 393-13, duly adopted on December 2, 2013 is \$ 178,327.25, due and payable to the County Treasurer to be itemized on the county tax bills going to city property owners; and be it further

RESOLVED, that the Clerk of the Legislature be and is hereby directed to deliver and file with the City of Auburn, a certified copy of this resolution.

Signed by Axton, Cuddeback, Fearon, Pecher, Pinckney and Whitman, all in favor.

### **RESOLUTION NO. 466-13**

**(12/17/13) RPS extend levy 14**

#### **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 & 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:

- a. 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.
- b. To set the rates for town purposes, including special districts, and for County tax purposes, said amounts being based on **Resolution No. 494-13** adopting the County budget for 2014, approved by the Cayuga County Legislature on December 17, 2013, and resolutions passed by the other 32 municipal subdivisions of the County, adopting their respective budgets for 2014; 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, Cuddeback, Fearon, Pecher, Pinckney and Whitman, all in favor.



**RESOLUTION NO.467-13**  
**(12.17.13) CSEAAGENT12-14**  
**APPROVING THE COLLECTIVE BARGAINING AGREEMENT**  
**BETWEEN THE CIVIL SERVICE EMPLOYEES ASSOCIATION, INC.**  
**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 CSEA are parties to a Collective Bargaining Agreement governing terms and conditions of employment for certain employees of the County; and

WHEREAS, CSEA submitted terms for a successor agreement to its membership for consideration; and

WHEREAS, the membership of CSEA approved and ratified the terms for a successor agreement on December 9, 2013; and

NOW THEREFORE, in consideration of the mutual agreements reached between the County of Cayuga and the Cayuga County Unit of Cayuga Local 806, Civil Service Employees' Association, Inc., Local 1000, AFSCME, AFL-CIO, 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

Signed by Axton, Cuddeback, Fearon, Pecher, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 468-13**  
**11/26/13 W&MAPPOINTED/ELECTED-2013ptIIIrev3**  
**AUTHORIZING SALARY ADJUSTMENTS FOR PART III, APPOINTED**  
**AND ELECTED OFFICIALS, OF THE COUNTY OF CAYUGA**  
**COMPENSATION PLAN FOR THE YEAR 2013 and 2014.**

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

WHEREAS, the County of Cayuga and the New York State Nurses Association, have agreed on a new Collective Bargaining Agreement for years 2012 - 2014; and

WHEREAS, the County of Cayuga is in negotiations with the Unit of Cayuga Local 806, Civil Service Employees Association, Inc., Local 1000 and the Sheriff's Employees' Association of Cayuga County; and

WHEREAS, the County desires, to provide a monetary consideration for Part III, appointed and elected officials for the years 2013 and 2014 except as stated below; and

WHEREAS, appointed and elected officials with health insurance coverage, began participating in a new 3-tier co-pay pharmacy program effective 1/1/2013 which has resulted in considerable savings for the County; and

WHEREAS, it is the intent to provide a cost of living increase for the work performed by appointed and elected officials; now therefore be it

RESOLVED, that except as stated hereafter, the annual salaries for PART III, APPOINTED AND ELECTED OFFICIALS for the year 2013, retro-active to 1/1/2013, and 2014 effective 1/1/2014, shall be adjusted as set forth below:

Effective 1/1/13, 1.5% shall be added to all 2012 base wages and salaries, including steps; longevity amounts and the Increment/Longevity columns shall not be increased; and be it further

Effective 1/1/14, 1.75% shall be added to all 2013 base wages and salaries, including steps; longevity amounts and the Increment/Longevity columns shall not be increased; and be it further

RESOLVED, that the following exceptions shall apply due to the position already receiving an increase in 2013 or 2014, was newly created in 2013, the position was filled by a new incumbent in 2013 or it is specifically identified for exclusion:

2013 EXCEPTIONS:

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

- A. DIRECTOR OF REAL PROPERTY TAX SERVICE
- B. CLERK TO THE LEGISLATIVE BOARD and DEPUTY CLERK TO LEGISLATIVE BOARD
- C. CORONER
- D. COUNTY ADMINISTRATOR
- E. COUNTY ATTORNEY
- F. COUNTY AUDITOR
- G. COUNTY HIGHWAY SUPERINTENDENT
- H. COUNTY TREASURER
- I. DISTRICT ATTORNEY
- J. BOARD OF ELECTION COMMISSIONER, PART TIME
- K. SHERIFF
- L. LEGISLATOR, MAJORITY LEADER, MINORITY LEADER, COMMITTEE CHAIRS, CHAIRPERSON, VICE CHAIRMAN

2014 EXCEPTIONS:

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

- A. DIRECTOR OF REAL PROPERTY TAX SERVICE
- I. DISTRICT ATTORNEY
- C. CORONER
- J. BOARD OF ELECTION COMMISSIONER, PART TIME
- K. SHERIFF
- K. LEGISLATOR, MAJORITY LEADER, MINORITY LEADER, COMMITTEE CHAIRS, CHAIRPERSON, VICE CHAIRMAN

;and be it further

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

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney and Whitman, all in favor except Aikman.

**RESOLUTION NO. 469-13**

**11/26/13 W&M NONBARGAIN-2013-14rev5**

**AUTHORIZING SALARY ADJUSTMENTS FOR PART II and PART IV OF THE COUNTY OF CAYUGA COMPENSATION PLAN FOR NON BARGAINING EMPLOYEES FOR THE YEARS 2013 and 2014.**

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

WHEREAS, the County of Cayuga and the New York State Nurses Association, have agreed on a new Collective Bargaining Agreement for years 2012 - 2014; and

WHEREAS, the County of Cayuga is in negotiations with the Unit of Cayuga Local 806, Civil Service Employees Association, Inc., Local 1000 and the Sheriff’s Employees’ Association of Cayuga County; and

WHEREAS, the County desires, to provide a monetary consideration for Part II and Part IV Non Bargaining employees for the years 2013 and 2014, except as stated below; and

WHEREAS, full time non-bargaining employees began participating in a new 3-tier co-pay pharmacy program effective 1/1/2013 which has resulted in considerable savings for the County; and

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

RESOLVED, that except as stated hereafter, the annual salaries for PART II and PART IV, NON BARGAINING EMPLOYEES for the year 2013, retro-active to 1/1/2013, and for the year 2014 shall be adjusted as set forth below:

Effective 1/1/13, 1.5% shall be added to all 2012 base wages and salaries, including steps; longevity amounts and the Increment/Longevity columns shall not be increased; and be it further

Effective 1/1/14, 1.75% shall be added to all 2013 base wages and salaries, including steps; longevity amounts and the Increment/Longevity columns shall not be increased; and be it further

RESOLVED, that the following exceptions shall apply due to the position already receiving an increase in 2013, was newly created in 2013 or the position was filled by a new incumbent in 2013:

**EXCEPTIONS FOR 2013:**

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

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

- |  |   |
|--|---|
| 1. Director of Real Property Tax Service       | 13. Indigent Defendant, Administrator, PT |
| 2. Civil Service, Commissioner, Chairperson PT | 14. Indigent Defendant, Deputy Admin, PT  |
| 3. Civil Service, Commissioner, PT             | 15. County Auditor                        |
| 4. Clerk to the Legislative Board              | 16. Legislative Chairperson               |
| 5. Coroner                                     | 17. Legislative Majority Leader           |
| 6. County Administrator                        | 18. Legislative Minority Leader           |
| 7. County Attorney                             | 19. Legislator                            |
| 8. County Clerk                                | 20. Legislative Committee Chairs          |
| 9. County Highway Superintendent               | 21. Legislative Vice Chairman             |
| 10. County Treasurer                           | 22. Sheriff                               |
| 11. District Attorney                          | 23. Director of Health and Human Services |
| 12. Elections, Commissioner, PT                |   |

- B. EMPLOYEES REPRESENTED BY NYSNA PART I, CSEA PART I, SEACC Part I, DEPUTY SHERIFF  
POLICE ASSOCIATION PART I
- C. JAIL PHYSICIAN, PART TIME
- D. COURT ATTENDANT, PART TIME
- E. SPECIAL PATROL OFFICER, PART TIME
- F. ALL SEASONAL EMPLOYEES IN ALL DEPARTMENTS
- G. MEDICAL CONSULTANT, JOB 2 (PHD)
- H. 100% FUNDED JOB 2'S in DISTRICT ATTORNEY'S OFFICE
- I. CCIDA SECRETARY-TREASURER
- J. LABORER PT at MINIMUM WAGE (Parks&Trails position only);
- K. DEPUTY COUNTY TREASURER II
- L. STAFF PSYCHIATRIST PT
- M. ELECTION INSPECTOR, INSPECTOR POLL MANAGER, VOTING MACHINE TECHNICIAN
- N. HEALTH SERVICES AIDE, PT and clerk PT at MINIMUM WAGE at CCNH
- O. MUSEUM DIRECTOR, PART TIME
- P. SOCIAL SERVICES INVESTIGATOR, PART TIME
- Q. DEPUTY CLERK TO THE LEGISLATURE

;and be it further

#### EXCEPTIONS FOR 2014

- A. ALL ELECTED OR APPOINTED FIXED TERM OFFICIALS IN PART III (EXCEPT AS OTHERWISE PROVIDED BY LOCAL LAW)  
, PT

- |  |   |
|--|---|
| 1. Director of Real Property Tax Service       | 13. Indigent Defendant, Administrator, PT |
| 2. Civil Service, Commissioner, Chairperson PT | 14. Indigent Defendant, Deputy Admin, PT  |
| 3. Civil Service, Commissioner, PT             | 15. County Auditor                        |
| 4. Clerk to the Legislative Board              | 16. Legislative Chairperson               |
| 5. Coroner                                     | 17. Legislative Majority Leader           |
| 6. County Administrator                        | 18. Legislative Minority Leader           |
| 7. County Attorney                             | 19. Legislator                            |
| 8. County Clerk                                | 20. Legislative Committee Chairs          |
| 9. County Highway Superintendent               | 21. Legislative Vice Chairman             |
| 10. County Treasurer                           | 22. Sheriff                               |
| 11. District Attorney                          | 23. Director of Health and Human Services |
| 12. Elections, Commissioner, PT                |   |

- B. EMPLOYEES REPRESENTED BY NYSNA PART I, CSEA PART I, SEACC Part I, DEPUTY SHERIFF  
POLICE ASSOCIATION PART I
- C. JAIL PHYSICIAN, PART TIME
- D. COURT ATTENDANT, PART TIME
- E. SPECIAL PATROL OFFICER, PART TIME
- F. ALL SEASONAL EMPLOYEES IN ALL DEPARTMENTS
- G. MEDICAL CONSULTANT, JOB 2 (PHD)

- H. 100% FUNDED JOB 2'S in DISTRICT ATTORNEY'S OFFICE
- I. CCIDA SECRETARY-TREASURER
- J. LABORER PT at MINIMUM WAGE (Parks & Trails position only);
- L. STAFF PSYCHIATRIST PT
- M. ELECTION INSPECTOR, INSPECTOR POLL MANAGER, VOTING MACHINE TECHNICIAN
- N. HEALTH SERVICES AIDE, PT and clerk PT at MINIMUM WAGE at CCNH ;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 2013, and 1as 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.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney and Whitman, all in favor except Aikman.

**RESOLUTION NO. 470-13**

**(12/17/13) LL Increase salary Apptd-Elected Fixed Term FIXrev3  
FIXING DAY AND NOTICE OF PUBLIC HEARING ON A LOCAL LAW  
PROVIDING FOR SALARY INCREASES FOR CERTAIN COUNTY  
OFFICERS AND OFFICIALS APPOINTED OR ELECTED  
FOR A FIXED TERM, DURING THEIR TERM.**

BY: MR. DAVID AXTON, Chairman, Ways & Means Committee.

WHEREAS, there has been duly presented and introduced at a meeting of this County Legislature held on December 17, 2013, a proposed local law entitled: "A LOCAL LAW PROVIDING FOR SALARY INCREASES FOR CERTAIN COUNTY OFFICERS AND OFFICIALS APPOINTED OR ELECTED FOR A FIXED TERM, DURING THEIR TERM."

Now, therefore, be it

RESOLVED, that a public hearing shall be held concerning the proposed local law before the Cayuga County Legislature on January 28, 2014, 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. The provisions of this Local Law are subject to permissive referendum.

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney and Whitman, all in favor except Aikman.

**DEFEATED      DEFEATED      DEFEATED**  
**RESOLUTION NO. 471-13**

**12.17.13    CCC stageltnpcpthrev6**

**APPROVING THE PURCHASE AND INSTALLATION OF TELEVISION  
STUDIO LIGHTING SYSTEM AT THE AUBURN CAMPUS, APPROPRIATING  
MONIES AND CREATING CAPITAL “H” Project No. CC 2013-01 (2/3).**

By: David Axton, Chair, and Ways and 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 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; and

WHEREAS, the Project has been designated as a Type II Action requiring no review in accordance with the provisions of the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the estimated cost of the project is \$50,000.00 and a request is made to establish Capital “H” Project No. CC 13-01 (CC Stage Lighting Project); now therefore, be it

RESOLVED, that County of Cayuga joins with the Board of Trustees of Cayuga Community College in its authorization of the \$50,000 project for the installation of the Television Studio Lighting System at the Auburn campus, with fifty percent of such project costs coming from local funds and the remaining fifty percent to be sought from New York State funds; and be it further

RESOLVED, that in order to carry out the Project, the County Treasurer be and he is hereby authorized and directed to create Capital “H” Project No. 13-01 (CC Stage Lighting Project) in an amount not to exceed \$50,000.00 source of funding County unrestricted, unappropriated fund balance; and be it further

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

Resolution defeated by 2/3 vote, Noes- Pecher, Whitman, Farrell, Cuddeback and Barski, Ayes- Didio, Axton, Pinckney, Runkle, Fearon, Mahunik, Lattimore and Chapman, Abstain- Bennett and Aikman, 81/139/29 (166 votes required to pass)

**RESOLUTION NO. 472-13**

**(Dec. 17, 2013) HD John Tonzi Contract 2014**

**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: Patrick Mahunik, 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 will expire on December 31, 2013; and it is our desire to renew Mr. Tonzi's contract for the period January 1, 2014 through December 31, 2014 at a rate of \$40.00 per hearing, and to renew this contract annually unless amended or changed; and

WHEREAS, in the event a conflict of interest arises which would prevent Mr. Tonzi from conducting a Hearing (i.e., knowing the respondent being charged with Code violations), the Health Department determined it to be necessary, in such an event, to contract with a person qualified to conduct Administrative Hearings on behalf of the Board of Health; 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 from 1/1/14 – 12/31/14, at \$40 per hearing to conduct Administrative Hearings for the Cayuga County Board of Health and that this contract shall be renewed annually unless amended or changed; and be it further

RESOLVED, that in the event a conflict of interest arises that would prevent Mr. Tonzi from conducting a Hearing, a person qualified and approved by the Board of Health to conduct Administrative Hearings will be hired to fill in for Mr. Tonzi on a case-by-case basis at \$40/hearing; and be it further

RESOLVED, that these services be paid from Account #A40104 54172 of the 2014 Health Department Budget.

Signed by Mahunik, Aikman, Bennett, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman, all in favor except  
Lattimore abstains.

**RESOLUTION NO. 473-13**

**(Dec. 17, 2013) HD SPCA Contract 2014**

**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: Patrick Mahunik, 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, 2014 through December 31, 2014 to provide these mandated services (100% State funded); and be it further

RESOLVED, that payment for these services will be from Account #A40104 54123, of the 2014 Health Department Budget.

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

### **RESOLUTION NO. 474-13**

**(Dec. 17, 2013) HD Thadine Collier Contract 2014**

#### **AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF HEALTH & HUMAN SERVICES TO ENTER INTO A CONTRACT WITH THADINE COLLIER, RN**

BY: Patrick Mahunik, Chairman of the Health & Human Service Committee  
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, 2014 through December 31, 2014 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 2014 Health Department Budget.

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

### **RESOLUTION NO. 475-13**

**(December 17, 2013) HD Fingerlakes Dog Protection 2014**

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

BY: Patrick Mahunik, Chairman of the Health & Human Services Committee  
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, 2013, 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, 2014 through December 31, 2014; 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 2014 Health Department budget.

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

**RESOLUTION NO. 476-13**

**12/17/13 MH agencycontracts12.13**

**AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES AND THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN CONTRACTS WITH VARIOUS HUMAN SERVICE AGENCIES FOR SERVICES TO INDIVIDUALS WITH DISABILITIES**

BY: Mr. Patrick Mahunik Chair, Health and Human Services Committee  
Mr. 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 2014 for various programs; and now, therefore, be it

RESOLVED, that the Director of Community 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	52,060	43464.54313

MH	INTEG	190,268	43464.54317
MH	S HOUS	23,020	43464.54320
MH	HOUS	46,051	43464.54321
MH	RESPITE	23,676	43464.54322

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

### **RESOLUTION NO. 477-13**

**Action: October 22, 2013 MH BudAdjustUnity2013**

#### **AMENDING THE MENTAL HEALTH 2013 BUDGET TO INCREASE STATE AID FUNDING FOR UNITY HOUSE OF CAYUGA COUNTY, INC.**

BY: Mr. Patrick Mahunik, 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, additional state aid has been allocated to Unity House of Cayuga County, Inc. as an adjustment to funding and received by the County in 2013; and

WHEREAS, these 100% state funds were not anticipated in the 2013 budget and it is now necessary to reflect those dollars to allow the County to make payment to Unity House of Cayuga County, Inc.; now, therefore, be it

RESOLVED, that the 2013 budget be modified as follows:

Increase line	A43500-43501	State Aid OASASRevenue by	\$8,000
Increase line	A43504-54316	Unity House AlcoholExpense by	\$8,000

and be it further

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

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

### **RESOLUTION NO. 478-13**

**12/17/2013 MH.SSW.AbolishPT&FillFT2013**

#### **AUTHORIZING THE MENTAL HEALTH DEPARTMENT TO FILL A FULL TIME STAFF SOCIAL WORKER POSITION AND ABOLISH A PART TIME STAFF SOCIAL WORKER POSITION**

By: Mr. Patrick Mahunik, Chair, Health and Human Services Committee, and  
Mr. David Axton, Chair, Ways and Means Committee.

WHEREAS, there is an increased demand for social work services in the Mental Health Department; and

WHEREAS, there is a vacant full time Staff Social Worker position, number 2136; and

WHEREAS, there is a filled part-time position (6624) that was converted in the 2014 County budget to increase to 25 hours per week; and

WHEREAS, the current employee in the part-time position is willing to work the additional hours; and

WHEREAS, this is an efficient and effective way to provide the additional services inasmuch as the individual is knowledgeable and experienced in all facets of the position; now, therefore, be it

RESOLVED, that position number 6624, Staff Social Worker (PT) be abolished; and be it further

RESOLVED, that the Director of Community Services be authorized and is hereby directed to fill the position number 2136, Staff Social Worker(FT), in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Barski, Lattimore, Pecher, Runkle, Cuddeback, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 479-13**

**DATE: 12/17/13 OFA Fill Food Services Helper Dec 13**

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

BY: Mr. Patrick Mahunik, Chair, Health & Human Services Committee, and Mr. 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 an unanticipated resignation of an employee effective December 20, 2013; and

WHEREAS, there is funding from the New York State Office for the Aging and the Older Americans Act in the Office for Aging 2013 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 Mahunik, Aikman, Bennett, Pecher, Runkle, Axton, Cuddeback, Fearon, Pinckney and Whitman, all in favor.

**RESOLUTION NO. 480-13**

**12/17/13 COL Designating Newspapers 14**

**DESIGNATING NEWSPAPERS TO PUBLISH COUNTY  
MATTERS FOR THE YEAR 2014**

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 2014.

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, Barski, Didio, Farrell and Runkle, all in favor.

**RESOLUTION NO. 481-13****12/17/13 COL organizeleg2014****TO FIX DATE, TIME AND PLACE OF THE MEETING TO ORGANIZE  
THE CAYUGA COUNTY LEGISLATURE FOR 2014.**

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, 2014 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, Barski, Didio, Farrell and Runkle, all in favor.

**RESOLUTION NO. 482-13****DATE: 12/17/13 COA Fill Paralegal Specialist****AUTHORIZING THE COUNTY ATTORNEY TO FILL A VACANT PARALEGAL  
SPECIALIST POSITION IN THE COUNTY ATTORNEY'S OFFICE**

BY: Mr. George Fearon, Chair, Government Operations Committee, and Mr. David Axton, Chair, Ways and Means Committee.

WHEREAS, there is a vacancy in the Paralegal Specialist position in the County Attorney's Office due to an unanticipated resignation of an employee effective November 29, 2013; and

WHEREAS, there is funding from the County Attorney's 2013 Budget Line A14201-51001 (Salaries) for this position; and

WHEREAS, this position is 100% reimbursed by the Cayuga County Department of Health and Human Services. Now, therefore, be it

RESOLVED, that the County Attorney be authorized and directed to fill the full time Paralegal Specialist position in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga.

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

**RESOLUTION NO. 483-13****12/17/13 P&T Ag Museum Addition Bids and CapH 3304 rev****AUTHORIZING THE ACCEPTANCE OF A BID FOR THE CONSTRUCTION  
OF A CLASSROOM ADDITION TO THE WARD W. O'HARA AGRICULTURAL  
MUSEUM; AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO  
EXECUTE AN AGREEMENT WITH SECOR BUILDINGS SOLUTIONS TO  
CONSTRUCT THE BUILDING AND COMPLETE THE ELECTRICAL WORK  
IN THE BUILDING; AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE**

**TO EXECUTE AN INTER MUNICIPAL AGREEMENT WITH CAYUGA COUNTY SOIL AND WATER CONSERVATION DISTRICT TO PERFORM SITE WORK FOR THE PROJECT AND THE ESTABLISHMENT OF CAPITAL “H” PROJECT NO. 13-04, (AGRICULTURAL MUSEUM CLASSROOM PROJECT).**

BY: Tucker Whitman, Public Works Committee

David Axton, Ways and Means Committee

WHEREAS, the Director of the Ward W. O’Hara Agricultural Museum and the Dr. Joseph F. Karpinski Sr. Educational Center has been working with the Ward W. O’Hara Agricultural Museum Board of Commissioners to generate money to construct a heated classroom addition on the Ward W. O’Hara Agricultural Museum; and

WHEREAS, Resolution 298-13 authorized the Clerk of the Cayuga County Legislature to seek and obtained sealed estimates to construct the 36’X44’ heated classroom; and

WHEREAS, a total of six bids were received as shown below:

Bidder	Building	Electric	Total	Comments
RLS Structures	\$41,500	\$0	\$41,500	No Electric Bid
Secor Building Solutions	\$43,352	\$5,796	\$49,148	Best overall bid!
CB Construction	\$53,998	\$20,197	\$74,195	
Fingerlakes Construction	\$60,176	\$14,800	\$74,976	
Bouley Construction	\$117,000	\$17,000	\$134,000	
FD Taylor	\$126,800	\$12,980	\$139,780	

; and

WHEREAS, the low bidder for the building (RLS Structures) did not bid on the electrical portion of the project; and

WHEREAS, when the low bidders price for the building (\$41,500) is combined with the second lowest bid for the electrical work (\$12,980) the total is \$54,480 which is significantly higher than the second lowest bid (Secor Building Solutions)for the building (\$43,352) and the electrical work (\$5,796) which totals \$49,148; and

WHEREAS, second lowest bidder has successfully completed projects in the park including construction of The Dr. Joseph F. Karpinski Sr. Educational Center; and

WHEREAS, Cayuga County Soil and Water Conservation District has agreed to work with the parks department to prepare the site for the project and to dig the trench for the electrical installation for a price not to exceed \$4,500; and

WHEREAS, the total cost for the site work (\$4,500) and the building with electric (\$49,148) comes to a grand total of \$54,148; and

WHEREAS, funding for the project would be as follows:

1. \$24,148 currently available from the Ward W. O’Hara Agricultural Museum Commission.
  2. \$30,000 from a private donation.
- for a total of \$54,148; and

WHEREAS, the Director of the Ward W. O’Hara Agricultural Museum the Museum Commission are continuing to raise funds and currently have nearly \$10,000 that that could be used for the building if needed; now, therefore be it

RESOLVED, that the County awards the bid for the AGRICULTURAL MUSEUM CLASSROOM PROJECT to Secor Building Solutions as follows: construct the building for \$43,352 plus \$5,796 to complete the electrical; in an amount not to exceed \$49,148; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute an agreement with Secor Building Solutions in an amount not to exceed \$49,148 for the project; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to sign and execute an agreement with the Cayuga County Soil and Water Conservation District in an amount not to exceed \$4,500 for the site work for the project; and be it further.

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to establish Capital "H" Project No. 13-04 (AGRICULTURAL MUSEUM CLASSROOM PROJECT) in the amount of \$54,148 for this project; and be it further,

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to fund the Capital "H" Project No13-04, as follows:

1. \$24,148 from the Ward w. O'Hara Agricultural Museum Commission
2. \$30,000 from a private donation; and be it further

RESOLVED, that no work will begin on the project until the full \$54,148 has been received and deposited in the Capital H.

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

### **RESOLUTION NO.484-13**

**December 17, 2013 HWY amendbdgtsaltREV1**

### **AUTHORIZATION TO AMEND THE 2013 CAYUGA COUNTY HIGHWAY BUDGET FOR SALT**

BY: Tucker Whitman, Chairman, Public Works Committee

David Axton, Chairman, Ways & Means Committee

WHEREAS, in the 2013 Highway budget, a total of \$350,000 was budgeted for salt (D51424 54103 and D51444 54103); and

WHEREAS, it is necessary to amend the 2013 Highway Budget to reflect the increased usage of salt due to the early start and consistency of the 2013-2014 snow season; now therefore be it

RESOLVED, that the County Treasurer be and is hereby authorized and directed to provide for transfer of funds in the following manner:

Appropriations Account	Original Amount	Increase	Decrease	New Amount
D51101 54090 - Traffic Signs	\$30,300.00		\$20,000.00	\$10,300.00
D51104 54089 - Pipe	\$48,325.00		\$10,000.00	\$38,325.00
D51104 54096 - Other Mach Rent	\$55,000.00		\$15,000.00	\$40,000.00
D51134 54104 - Guiderail	\$16,015.00		\$10,000.00	\$6,015.00
D51134 54107 - Bridge	\$55,000.00		\$30,000.00	\$25,000.00
D51444 54105 - Cont Plowing	\$65,000.00		\$30,000.00	\$35,000.00
D51424 54103 - Salt (County)	\$200,000.00	\$80,000.00		\$280,000.00
D51444 54103 - Salt (State)	\$150,000.00	\$35,000.00		\$185,000.00

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, Bennett, Didio, Pecher, Runkle, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 485-13**

**December 17, 2013 HWY bidauth2014**

**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 2014 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, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 486-13**

**December 17, 2013 hwybidext2014**

**RESOLUTION TO EXTEND CERTAIN 2013 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 2013; 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 these items are bid; now therefore be it

RESOLVED, to approve the extension of the following 2013 bids for Highway Equipment and Materials:

Native Stone/Gravel  
Limestone  
Sign Posts  
Sign Faces  
Sign Blanks  
HIP Asphalt Recycling  
Bituminous Concrete  
Transit Mix Concrete

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, Bennett, Didio, Mahunik, Pecher, Runkle, Cuddeback, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 487-13**

**December 17, 2013 Hwy amdbdgtequiprent13**

**AUTHORIZATION TO AMEND THE 2013 CAYUGA COUNTY HIGHWAY BUDGET FOR INTERNAL EQUIPMENT RENTALS**

BY: Tucker Whitman, Chairman, Public Works Committee

David Axton, Chairman, Ways and Means Committee

WHEREAS, after the submission of the 2013 Cayuga County Highway Budget, the usage of Highway equipment has been different than originally predicted; and

WHEREAS, the funds to pay for these expenditures were originally budgeted in several other Highway accounts; and

WHEREAS, it is necessary to amend the 2013 Highway Budget to more accurately reflect the usage of equipment; now, therefore, be it

RESOLVED, that the County Treasurer be and is hereby authorized and directed to provide for transfer of funds in the following manner:

Appropriation Accounts	Current	Increase/Decrease	Revised
D51104 54093 Maintenance of Roads and Bridges	\$ 620,000.00	\$ 358,000.00	\$ 978,000.00
D51134 54093 Capital Improvements	\$ 450,000.00	\$(189,000.00)	\$ 261,000.00
D51204 54093 Bridge Maintenance	\$ 0.00	\$ 6,000.00	\$ 6,000.00
D51424 54093 County Snow	\$ 330,000.00	\$(30,000.00)	\$ 300,000.00
D51444 54093 State Snow	\$ 260,000.00	\$(110,000.00)	\$ 150,000.00
D51484 54093 Other Agencies	\$ 65,000.00	\$(35,000.00)	\$ 30,000.00
<b>TOTALS</b>	<b>\$1,725,000.00</b>	<b>\$ -</b>	<b>\$1,725,000.00</b>

AND BE IT FURTHER

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

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



**RESOLUTION NO. 488-13**

**Date: December 17, 2013 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 & Means Committee

WHEREAS, a Laborer position was vacated in November due to promotion; 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 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, Bennett, Mahunik, Pecher, Runkle, Cuddeback, Fearon and Pinckney, all in favor.

**RESOLUTION NO. 489-13**

**12/17/2013 BLD Transfer Funds to Buildings Reserve Fund 2013rev4**

**TRANSFER FUNDS TO THE 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 2013 budget; now therefore be it

RESOLVED, that under the recommendations of the County Administrator and the direction of the Chairperson of the Cayuga County Legislature, the Chairperson of the Ways and Means Committee, the Cayuga County Treasurer is hereby authorized and directed to transfer \$85,000.00 into the Buildings reserve fund account number A-18860, The source of funding to be the unappropriated and unrestricted fund balance A-19090 from accounts A16204, A16214, A16224 and A16234; 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; **and be it further**

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

Signed by Whitman, Axton, Bennett, Mahunik, Pecher, Cuddeback, Fearon and Pinckney, passed by 2/3 vote, all voting aye 249.

**RESOLUTION NO.490-13****(12/17/13) YB reappoint AC admin 2014****APPOINTING ADMINISTRATOR INDIGENT DEFENDANTS, PART TIME,  
AND SETTING SALARIES FOR ADMINISTRATOR INDIGENT  
DEFENDANTS, PART TIME, AND DEPUTY ADMINISTRATOR  
INDIGENT DEFENDANTS, PART TIME**

BY: MR. STEVEN CUDDEBACK, Chairman, Judicial &amp; Public Safety Committee

MR. DAVID AXTON, Chairman, Ways &amp; 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, the Judicial and Public Safety Committee is recommending the re-appointment of Lloyd E. Hoskins 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, 2014 and ending December 31, 2014, and be it further

RESOLVED, that the salary for Director Indigent Defendants, Part Time, the 2014 calendar year thereafter shall be \$13,625.00; and be it further

RESOLVED, that the salary for Deputy Administrator Indigent Defendants, Part Time for the 2014 calendar year thereafter shall be \$7,155.00; and be it further

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

Signed by Cuddeback, Axton, Bennett, Didio, Farrell, Pinckney, Whitman, Fearon, Mahunik and Pecher, all in favor.

**RESOLUTION NO. 491-13****12.17.13 COR fillptcoronerinvestigatorrev2****AUTHORIZING THE CREATION AND FILLING OF A PART TIME  
CORONER'S INVESTIGATOR IN THE CORONER'S OFFICE  
AND THE TRANSFER OF MONIES. (2/3)**

By: Hon. Steven Cuddeback, Chair Judicial &amp; Public Safety Committee

Hon. David Axton, Chair Ways &amp; Means Committee

WHEREAS, Resolution No. 276-13, adopted July 23, 2013, in part, authorized the creation and filling of a part time Coroner's Investigator in the Coroner's Office on a temporary basis until October 31, 2013; and

WHEREAS, the position was not filled prior to October 21, 2013; and

WHEREAS, the Coroner's Office has requested that the position be filled on a permanent basis; and

WHEREAS, at the regular meeting on November 13, 2013, the Civil Service Commission approved the creation of an additional Coroner's Investigator, part time, and

WHEREAS, the sum of \$3,625.00 is required to fund the part time position through the end of the fiscal year; now therefore be it

RESOLVED, that the Cayuga County Legislature hereby authorizes the Chairman of the Cayuga County Legislature to fill a part time Coroner's Investigator, part time, in the Coroner's Office; and be it further

RESOLVED, that the position be assigned a position control number and be filled in accordance with the Civil Service Rules and Regulations; 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 Cuddeback, Axton, Bennett, Didio, Farrell, Pinckney, Whitman, Fearon, Mahunik and Pecher, passed by 2/3 vote, all voting  
Aye except Cuddeback, 230/19.

**Motion No. 492-13**

**December 17, 2013**

Motion by Chapman to fund the Coroner's Investigator, part time position, increase line item A11851-51002- Salaries by \$3,625.00, line item A11851-58001-Social Security by \$266.00, line item, A11851-58005-Workers Comp by \$126.00, total amount is \$4,017 increase will be attached to the tax levy, 2<sup>nd</sup> by Runkle, all in favor except Axton.

**Motion No. 493-13**

**December 17, 2013**

Motion by Chapman to raise the tax levy to 4.35%, 2<sup>nd</sup> by Runkle, motion passed by majority vote, ayes- Didio, Pecher, Runkle, Fearon, Cuddeback, Bennett, Lattimore and Chapman, noes- Aikman, Whitman, Axton, Farrell, Pinckney, Barski and Mahunik, 502/381.

**Discussion:**

Chapman says by raising it to 4.35% it is utilizing the tax cap credits that are allowed and will be gone after this year. He says he did some math putting the numbers we have today forward for 2015. He says his best guess is that we will probably have to go to the Taxpayers with a 6% increase for the 2015 budget. He says his line of thinking is if we go to the 4.35% this year he does not see us going to 6% for 2015. He says there is also another program that Albany is trying to get movement on about the property tax freeze. He says he suspects that some form of that will take shape and a possibility is the program goes that there will be some credits given which may help us in future budget years. Axton asks if his calculation including taking nothing from fund balance next year. Chapman says no he kept everything about the same. Axton says the problem is next year we cannot take from the fund balance, so he says the 6 number is not going to be real it is going to be more like 8-12. Chapman says that is our policy not the law. He says he was hoping to start and build a cushion. He says he is trying to break it up a little bit and give us a little edge going into the next few years. Sinclair adds that she does not look on it as a cushion but looks at it as reducing the size of the hole we are in. She says if we can this year pass a levy that reduces the size of the hole because that is what we are doing when we spend fund balance to balance the operating budget. She says if we can reduce the size of that hole than that gives us some more leeway next year. Chapman says that we have had tremendous success this year he thinks all the department heads and agencies that we provide support

to have had an understanding and have tried to find money to save. He asks next year and the year after when we have to cut where are we going to go. He says we are going to start pointing fingers at people and when we point fingers at people we are probably going to start diminishing services. He asks the legislature to keep in mind that 23 counties have exceeded the 2 percent tax cap. He says he cannot even imagine how many there will be next year. He says he does not think we are in that position and he does not want us to be going forward. Farrell asks for a dollar figure of going from 3.5 to 4.35 and what we would be picking up. Runkle responds roughly \$300,000. Sinclair thinks it is really more around \$378,000. Farrell asks with the drawl of \$300,000 more he asks what we will end up pulling out of fund balance. Marinelli responds about 3.3. Farrell asks if everything stays the same and we go to do the budget next year how much are we going to looking for out of fund balance. Marinelli responds it will be about the same. Farrell asks Orman when we start going below 10 what it will do to our bond rate. Orman says that is a very good question and it depends on the rating agency. Farrell says he understand where Chapman is coming from but looking at our fund balance from where we were a couple of years ago, where we are going to be at the end of this and where we are going to be net year he says we do need to make some difficult decisions. He says to continue to turn around and say we will pick up \$300,000 from the taxpayers without trying to make the sacrifices that he is saying. He says that it is inevitable that sometime we will have to make those sacrifices. He says he is not comfortable asking for \$300,000 from the taxpayers unless we can match \$200,000 to \$250,000 worth of cuts out of the budget. He says there is no way we will get \$3 million out of our fund balance next year to make this work. He says he knows that Sinclair has stated that starting in January we are going to start going through the budget, but if we can't find \$500,000 now he doesn't know how we will find \$2 million in a 12 month period next year. He says he knows we are going to look at the way we operate and what services we might be able to do without, but at some point in time we need to make the tough decisions. Chapman asks if he knows of any place to find some money. Farrell responds he came in last week with some proposals, but we ended up adding to the budget. He says if that is the thought process of the legislators than proposing cuts isn't going to do us anything. Chapman says he does not disagree with him. He says that he has talked with Sinclair and they are going to look at the budget starting the first of the year. He says they are not going to wait until June or July and start early. He says that one thing that will happen is we often hear of when people need to be replaced or there is a request to fill and the money is in the budget. He says he is going to suggest holding the position open for 30 days unless it is really essential position. He says there will be 30 days in savings and we may find out that we do not need to hang onto those positions. He says he has asked Sinclair when she puts out her numbers and comparisons to provide each department with a dashboard report on how they are doing compared to what we have budgeted. He says as we compare where we are month to month we will be more aware as to what the future might hold. He says to not take advantage of the tax credits under the 2 percent tax cap that re only right now and will not be available next year he thinks it will put us at a greater disadvantage. Farrell asks for a clarification on the budget. He asks what budget takes over if the tentative budget is voted down by the legislature

tonight. Sinclair responds that the budget that will default is the preliminary budget, so it is the tentative budget plus all the changes that have been voted on by the legislature. Axton says he will not support increasing it to 4.35 percent he says what he hope by not increasing it will force the body into making the difficult decisions next year that they will not make this year. Mahunik says that if we do not increase to 4.35 percent it will force the legislator's hands in January and they will have to make difficult decisions. He thinks going forward in January the legislature and department heads need to look at every position and expenditures and if they are truly needed. Whitman says he cannot in good faith overcharge the taxpayers this year to save them next year. Cuddeback says one thing that was mentioned was our bond rating. He says an interesting way to work on our bond rating perhaps is starting in January to take a look at our debt service. He says the college has come before this legislature and previous ones with several wonderful ideas. He says every time we go forward with a program even though we are laying out the money in the end it is like a co-signer and goes right against our debt service which could have an issue with the bond rating. He says another thing is the Fulton Campus and he is not sure when but there is going to be a vacancy up there of a large retail area. He says maybe Planning or CEDA could look at filling that place with retail store or someone who will pay the rent as opposed to turning into classrooms unless they can be filled with students who send all the chargeback money to Cayuga County. Fearon says that we will never solve the problems that are before us now without a combination of revenue from taxes and many cuts. He says that it will have to involve both. He says if things are not dealt with at a proper level and the bond rating goes down and the cost of operating government becomes more which makes the hole even bigger. Bennett says he would like to challenge all the legislator's to take at least a 50 to 100 percent pay cut for at least a year or two. He says it would save us 75,000 to 150,000 dollars a year. Aikman calls the question.

**RESOLUTION NO. 494-13**

**12/17/13 COLADOPTBUDGET2014**

**TO ADOPT THE COUNTY BUDGET FOR 2014**

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 12, 2013** after advertisement as required by law; now, therefore, be it

RESOLVED, that the tentative budget, as heretofore amended, be and hereby is adopted by this Legislature as the budget for the year 2014.

**LEGISLATIVE CHANGES  
PASSED BY Legislature**

**TO AMEND THE 2014 PRELIMINARY BUDGET**

	PAGE	REVENUE	EXPENSE	NEW TOTAL
<b>DA - Fund ADA PT position</b>				
A11651-51002 Salaries PT	142		27,976.00	50,353.00
A11651-58001 Social Security			2,056.00	57,738.00
A11651-58002 Retirement			5,730.00	135,387.00
A30201-58005 Wrks Comp			977.00	27,416.00
<b>Soil And Water</b>				
<b>Conservation District</b>	23		(36,117.00)	687,241.00
A87304-54000				
<b>TOTAL</b>		0.00	622.00	
<b>Total Impact on Tax Levy</b>			622.00	

Signed by Axton, Cuddeback, Fearon, Mahunik, Pecher, Pinckney and Whitman, passed by majority vote, Ayes- Didio, Aikman, Whitman, Runkle, Cuddeback, Bennett, Lattimore and Chapman, Noes- Axton, Farrell, Pinckney, Fearon, Barski and Mahunik, 538/345.

**Motion by Didio to go into executive session at 6:52PM, 2<sup>nd</sup> by Pinckney, all in favor.**

**EXECUTIVE SESSION: Pending Litigation – Camardo v. City of Auburn and others**

**Employment history of a particular person.**

**Motion by Aikman to come out of executive session at 7:39PM, 2<sup>nd</sup> by Mahunik, all in favor.**

**Motion by Fearon to adjourn at 7:39PM, 2<sup>nd</sup> by Cuddeback, all in favor.**