

**MINUTES
WAYS & MEANS COMMITTEE
FRANCIS MITCHELL, CHAIR
JUNE 17, 2008, 6:00PM**

MEMBERS PRESENT: Francis Mitchell Committee Chair, Legislator Ann Petrus Vice Chair, Legislator Raymond Lockwood, Legislator David Axton, Legislator Daniel Schuster, Legislator Christopher Palermo, Legislator Tortorici.

ALSO PRESENT: Chairman Roger Mills, Legislator Patrick Mahunik, County Manager Wayne Allen, Deb English Administrator Cayuga County Nursing Home, Steve Johnson Director of IT, David Gould Sheriff, Al Kozlowski Director of Real Property, Gary Duckett Director of Parks and Recreation, Linda Albrecht Community Services Board Member, Faye Hatfield Director Human Resources/Civil Service, Elane Daly Director of Health & Human Services, Karen Killips Acting Director Mental Health, Jim Orman County Treasurer, Denise Stayton 911 Administrator, Director of Planning Steven Lynch, George Wethey Highway Superintendent, Rick Erland Nutrition Management Service, Fred Westphal County Attorney, Sheila Smith Legislative Assist/Deputy Clerk.

CALL TO ORDER: Francis Mitchell Committee Chair called the meeting to order at 6:00PM.

MINUTES TO APPROVE: Motion by Legislator Lockwood to approve minutes of May 20, 2006, 2nd by Schuster, all in favor

RESOLUTIONS

- 6-8-WM-1 Authorizing the Chairman of the Legislature to Sign an Agreement with Scherrer Auctions to Auction Off Cayuga County Tax Foreclosed Property. Motion by Lockwood, 2nd by Schuster, all in favor.
- 6-8-WM-2 Authorizing the Cayuga County Treasurer to Write a Check out of the T-64 Trust Account (Handicapped Parking Awareness Program Parking Fees) to Options for Independence for the Amount of \$2,500.00. Motion by Lockwood, 2nd by Petrus, all in favor.
- 6-8-WM-3 Authorizing the Chairman of the County Legislature to Sign Contracts for Employee Training Workshops. Motion by Lockwood, 2nd by Petrus, all in favor.
- 6-8-WM-4 Authorization to Fill a Real Property Tax Clerk Position in the County Treasurer's Office. Motion by Schuster, 2nd by Petrus, all in favor.
- 6-8-WM-5 Authorize the Purchasing Agent to Advertise and Receive Bids for Office Supplies and Furniture for Various Cayuga County Dept's. and Agencies. Motion by Lockwood, 2nd by Axton, all in favor.
- 6-8-WM-6 Transferring Funds from the Contingent Account to make Dept's Whole for Worker's Compensation Costs. Motion by Petrus, 2nd by Palermo, all in favor.
- 6-8-PL-1 Authorizing the Cayuga County Employment & Training Department to Enter Into a Lease Agreement with Cayuga Community College and Authorizing the Chairman of the County Legislature to Sign Said Agreement. Motion by Pertru, 2nd by Lockwood, all in favor
- 6-8-PL-3 Authorizing the Signing of a Contract with the Finger Lakes Association for the Transfer of NYSDEC Funding for the Finger Lakes-Lake Ontario Watershed Protection Alliance, SFY 2007-2008 Special Projects Fund. Motion by Lockwood, 2nd by Tortorici, all in favor.
- 6-8-GO-1 Authorizing the Information Technology Department to Renew CISCO Maintenance Agreements for County Networks. Motion by Lockwood, 2nd by Petrus, all in favor.
- 6-8-GO-5 **(Pulled)** Authorization to Create, Fund and Fill the Position of Deputy Clerk to the Legislature II and Unfund Secretary to the Chairperson PT. Motion by Petrus, No second, resolution pulled.

- 6-8-GO-6 Authorization to Fill the Position of Dept. of Motor Vehicles (DMV) Supervisor and to Allow a Two Week Cross Training Period. Motion by Petrus, 2nd by Lockwood, all in favor.
- 6-8-GO-7 Authorizes Cayuga County Clerk to Fill Part-Time Account Clerk. Motion by Axton, 2nd by Schuster, all in favor.
- 6-8-JP-1 Authorizing the Chairman of the Cayuga County Legislature and the County Manager to Sign a Memorandum Transitioning the 911 Dispatchers into the CSEA Contract. Motion by Lockwood, 2nd by Petrus, all in favor, except Axton and Tortorici voting No.
- 6-8-PW-1 Authorizing the Parks and Trails Department to Spend Money in the 2008 Budget to Repair and Replace Curbing in Emerson Park. Motion by Schuster, 2nd by Lockwood, all in favor.
- 6-8-PW-10 Adjustment of Fee for Multiple Day Rental of the Emerson Park Pavilion. Motion by Axton 2nd by Lockwood, all in favor.
- 6-8-PW-3 Authorization to establish a Line Account to Pay for Investigation of Cracks in the Courthouse Walls. Motion by Axton, 2nd by Palermo, all in favor.
- 6-8-PW-4 Authorization to Pay for Compliance Work Done on Underground Tank Audit and Other Compliance Audit Issues. Motion by Axton, 2nd by Petrus, all in favor.
- 6-8-PW-5 Authorization to Pay for Hazardous Materials Survey Work Done on the 911 Radio Buildings Towers. Motion by Lockwood, 2nd by Axton, all in favor.
- 6-8-PW-6 Authorizing Acceptance of Bid for 35 Ton Gooseneck Trailer and Authorize Purchase and Transfer Funds. Motion by Lockwood, 2nd by Palermo, all in favor.
- 6-8-PW-8 Budget Transfer of the 2008 Cayuga County Highway Budget for Diesel Fuel. Motion by Lockwood, 2nd by Axton, all in favor.
- 6-8-PW-9 Authorizing the Amendment of the 2008 Highway Budget Due to an Increase in Cost of Gasoline. Motion by Lockwood, 2nd Axton, all in favor.
- 6-8-PW-2 Authorizing the County Legislature Clerk to Advertise and Seek Sealed Bids for the Removal of the First Set of Underground Storage Tanks Located at the Mental Health Center, Sterling Nature Center and Emerson Park. Motion by Palermo, 2nd by Axton, all in favor.
- 6-8-JP-2 The Cayuga County Sheriff and the Cayuga County Legislature is Requesting New York State to Enact Legislation Prohibiting Text Messaging while Driving a Motor Vehicle. Motion by Lockwood, 2nd by Palermo, all in favor.
- 6-8-JP-3 Authorizing the Treasurer's Dept. to Amend the 2008 Sheriff's Budget to Accept the 2007 LETPP (Law Enforcement Terrorism Prevention Program) from the Office of Homeland Security. Motion by Lockwood, 2nd by Palermo, all in favor.
- 6-8-JP-4 Authorizing the Sheriff of Cayuga county to Transfer \$10,000.00 from the Sheriff's 2008 Budget Line 3150.400.012 (Buildings/Maintenance) to 3150.400.038)Inmate Services/Personal Hygiene) Motion by Lockwood, 2nd by Palermo, all in favor.
- 6-8-JP-5 Authorize the Cayuga County Sheriff to Increase the Fees Charge to the Public for Processing Pistol Permit Applications and Duplicate Pistol Permits. Motion by Lockwood, 2nd by Palermo, all in favor.
- 6-8-JP-6 Authorize the Cayuga County Sheriff to Purchase Forensic Light Source Equipment (Alternate Light Source) and Therefore Authorize the treasurer to Pay the Vender: Spex Forensics, for the Purchase. Motion by Lockwood, 2nd by Petrus, all in favor.
- 6-8-JP-7 Authorizing the Sheriff of Cayuga County to Transfer Monies from the Sheriff's 2008 Custody Operating Budget Contractual Line 3150.400.036A to the sheriff's 2008 Custody Budget Line 3150.400.061A. Motion by Lockwood, 2nd by Palermo, all in favor.

Motion by Petrus to bundle resolutions numbers HH-1,3, 8, 9, 10, 11, 12, and 14, 2nd by Schuster, all in favor.

- 6-8-HH-1 Confirming Memoranda of Agreement Between the New York State Nurses Association and the County of Cayuga.
- 6-8-HH-3 Authorizing the Chairman of the Legislature and the Director of the Office for the Aging to enter into an agreement with BG Media to upgrade the Office for the Aging website to provide a user friendly, easy to navigate website that includes all programs of the Office for the Aging.
- 6-8-HH-8 Authorizing the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home to Accept a Proposal for Replacement of the Fire System.
- 6-8-HH-9 Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into a Service Contract with Catherine Feyerabend, OT, to Provide Occupational Therapy Services for CHHA.
- 6-8-HH-10 Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into a Contract with Northbrook Heights Home for Adults to Provide Aide Services.
- 6-8-HH-11 Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Contract with Multiple Service Agencies (Listed) for the Provision of Child Welfare Placement Services.
- 6-8-HH-12 Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter Into a Contract With Connections to Provide Occupational and Speech Therapy Services for CHHA.
- 6-8-HH-14 Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter Into a Contract for the Provision of Non-Emergency Medical Transportation Services With Auburn Medical Transport.
- 6-8-HH-2 Abolishing an Aging Services Social Worker Position in the Office for the Aging; Creating an Aging Services Specialist Position in that Office; and Authorizing the Director of the Office for the Aging to Fill the Newly Created Aging Services Specialist Position. Motion by Petrus, 2nd by Lockwood, all in favor.

Motion by Petrus to bundle resolutions numbers HH-4 and HH-5, 2nd by Lockwood, all in favor, Except Palermo voting No.

- 6-8-HH-4 To Adopt Local Law NO. for the Year 2008 Setting Forth the Powers, Duties, Mode of Selection and Removal, and Term of Office of the Executive Director of the Cayuga County Community Services Board, Superseding the Provisions of the New York State Mental Hygiene Law Section 41.03.
- 6-8-HH-5 To Adopt Local Law NO. for the Year 2008 Setting Forth the Powers, Duties, Mode of Selection and Removal, and Term of Office of the Director of Cayuga County Community Mental Health Services.
- 6-8-HH-6 Authorize the Creation and Filling of a Full-Time Junior Accountant at the Cayuga County Community Mental Health Center. Motion by Petrus, 2nd by Schuster, all in favor. Discussion, Legislator Lockwood, this is creating a position?
Wayne Allen, we have a Administrator Assistant Position, the person in there was promoted to Deputy. We are now creating another position that is an accountant, at a lower grade. The Administrator Assistant Position is now vacant and will not be funded.
Karen Killips Acting Director Mental Health, it's a savings of \$5,000. per year.
Wayne Allen, unfunded for 3 years, but stays in budget, no money, just holds position.
- 6-8-HH-13 Authorizing the Director of Health & Human Services to Fill an RN Position at the CHHA (Certified Home Health Agency) Division of the Health Department Due to Resignation. Motion by Petrus, 2nd by Lockwood, all in favor.

6-8-HH-15 Authorizing the Director of Health & Human Services to Fill a Temporary Home Care Assistant at CHHA Due to Medical Leave of Absence. Motion by Petrus, 2nd by Lockwood, all in favor.

6-8-HH-16 Authorizing the Director of Health & Human Services to Fill Part-Time Home Health Aide at CHHA. Motion by Petrus, 2nd by Lockwood, all in favor.

6-8-HH-18 Authorize the Chairman of the Cayuga County Legislature and the Acting Director of Community Mental Health Services to Enter into an Agreement with Auburn Memorial Hospital. Motion by Petrus, 2nd by Schuster, all in favor, except Lockwood, Palermo and Tortorici voting No.

Wayne Allen County Manager, I want you to understand that there is \$16,000. applies to overhead cost, the only way that could be spent is if the Legislature would have to amend the budget. If this is revenue coming in that is above budget it will be recorded as revenue and will offset anything we have in our budget. No department can go in there and just spend the money.

Legislator Mahunik, I just want to be sure where the money goes.

Wayne Allen County Manager, the money would go into the general fund at years end and can not be spend without Legislative approval.

6-8-HH-19 Authorize Establishing the Salary and the Filling of a Full-Time Staff Psychiatrist at the Community Mental Health Center of Cayuga County. Motion by Petrus, 2nd by Schuster, all in favor, except Tortorici voting NO.

Legislator Petrus, I would like to see in the contract a job (1) line and a job (2) line, so that we know what the \$146,000.00 is being paid for and the amount that AMH is paying for.

Fred Westphal Co. Attorney, you will also need a clause incase of a salary increase.

Legislator Petrus, I would also like it to show on the check job (1) and job (2).

Legislator Mitchell, we need to start out with a payment schedule every 30 days. I think they should pay the 1st of the month for that month and what happens if they don't pay, needs to be in the contract.

Legislator Tortorici, what if the hospital doesn't pay, we will still meet the needs of Mental Health?

Fred Westphal Co. Attorney, yes, he works full time for us, hospital work is un-related to us.

Legislator Mitchell, we are showing \$146,000.00 as a full time commitment for this job, the contract has not been drafted yet.

Legislator Petrus, the contract will be ready for the Legislative meeting next week.

Fred Westphal Co. Attorney, I will e-mail it all.

Legislator Palermo, so if the hospital stops paying their \$80,000.00, we will continue to pay our \$146,000.00?

Legislator Petrus, I would request a meeting with the Health & Human Services to inform everyone that the hospital would not be able to continue with this obligation and if he wants to continue working for us, that many hours at that price, then fine.

Fred Westphal Co. Attorney, there will be language in the contract, between the County and the Hospital, that the hospital is responsible for that portion. The doctor will be told that ahead of time, that if the hospital doesn't pay we are not obligated to pay the hospital portion.

Debra English, Director of Cayuga County Nursing Home, this is an opportunity to create a winning situation for everyone. We stay in our budget, 146,000.00, hospital gets someone for covering inpatient unit and on call for \$110,000.00, and he gets his pension. We get about 125 hours a week psychiatry time, which is adequate, the hospital gets 159 days of inpatient coverage, plus 122 days of on call.

Legislator Palermo, the Psychiatrist can be on call for the hospital and work simultaneously for us, but we are still his primary responsibility?

Debra English, Director of Cayuga County Nursing Home, yes, he would do the on call on his time.

6-8-HH-20 Authorize the Chairman of the Cayuga County Legislature and the Acting Director of Community Mental Health Services to Enter into an Agreement with Hillside Children's Center to Provide Customized Services. Motion by Petrus, 2nd by Lockwood, all in favor.

Regular Monthly Resolutions numbers 1 to 11, Motion by Petrus, 2nd by Lockwood, all in favor, except Palermo abstained from #8.

Motion by Lockwood to go into executive session re: Contract Negotiations and Pending Litigation, 7:46PM, all in favor. Fred Westphal, County Attorney invited Debra English, Director of Cayuga County Nursing Home to come into the executive session.

Motion by Petrus to come out of executive session at 7:16PM, all in favor.

Rick Erland, Nutrition Management representative, re: food service bid for Cayuga County Nursing Home. We had an increase in wages to employees, some at 8%, we are willing to adjust amount of meals to \$19.19 per resident per meal per day.

Fred Westphal County Attorney, we did not know of the increase in wages.

Rick Erland, Nutrition Management representative, the increase in wages came around the same time as the bid was awarded.

Fred Westphal County Attorney, under the rules of New York State, we can't change it, once there is a bid out and has been accepted, were stuck with it, your stuck with it. The contract has a 90 day out clause. We can't get it done by Friday. We can do 90 day out clause and get new bid out and move forward with this.

Rick Erland, Nutrition Management representative, I was told by my boss we can do the \$19.19 price.

Fred Westphal County Attorney, legally we can't, we have to start the process all over.

Rick Erland, Nutrition Management representative, we have to withdraw bid.

Fred Westphal County Attorney, that is a breach of contract.

Legislator Petrus, can you call the main office and speak with your boss?

Rick Erland, Nutrition Management representative, yes I can call.

Fred Westphal County Attorney, Debra English Director of Cayuga county Nursing Home and Rick Erland, Nutrition Management representative left to make call.

New Business

Roger Mills Chairman, New Business, County owns a piece of property at 25 Prospect St., Auburn, NY. The college would like to raise the building, they need our permission.

Legislator Lockwood, college should do it.

Roger Mills Chairman, we own it, college would pay cost, but we would go out to bid.

Legislator Schuster, do we go out to bid.

Legislator Tortorici, how do we bill for it.

Roger Mills Chairman, we go out to bid and they pay the cost to tear down. I'm asking you how you want to handle this.

Wayne Allen County Manager, we should set up a Capital "H".

Legislator Mitchell, they feel their payments on charge backs that comes to us pays down the principal entirely and we end up footing the bill for their interest on their Capital Projects.

Roger Mills Chairman, we need to send a letter to the college, saying that we don't have a problem with them tearing down the building.

No action taken.

Fred Westphal County Attorney, Debra English Director of Cayuga County Nursing Home and Rick Nutrition Management representative returned from making the call.

Fred Westphal County Attorney, they are walking, wanted \$19.19, not interested in 90 day. We need to take 2nd bidder or go out to bid again.

Motion by Legislator Lockwood to go back into executive session at 7:46PM, all in favor, re: Contract Negotiations.

Motion by Legislator Petrus to come out of Executive session at 8:19PM, all in favor.

Motion by Petrus to adjourn at 8:20PM, all in favor

Motion by Legislator Lockwood, 2nd by Petrus to approve minutes of 6-17-08, all in favor, approved at 7-15-08 Ways & Means Meeting.