

**MINUTES  
WAYS & MEANS COMMITTEE  
FRANCIS MITCHELL, CHAIR  
FEBRUARY 17, 2009, 6:00PM, CCOB C.R. #1**

**CALL TO ORDER:** By Francis Mitchell, Chairman, Ways & Means Committee, at 6:00PM

**MEMBERS PRESENT:** Francis Mitchell, Chairman, David Axton, Michael Chapman, Raymond Lockwood, Linda Murphy, Patrick Mahunik, Ann Petrus.

**ALSO PRESENT:** Peter Tortorici Legislative Chair, Legislator Steven Cuddeback, Legislator Daniel Schuster, Wayne Allen Co. Manager, Fred Westphal Co. Attorney, David Gould Sheriff, Michael Pawlenko, Blds. & Ground Supervisor, Alan Kozlowski Director of Real Property, Nancy Siefka Director of Office for the Aging, Jim Orman Treasurer, George Wethey Highway Superintendent, Steve Johnson, Director of IT, Deb Schwarting Community Services Board Member, Jon Budelmann District Attorney, Karen Killips Deputy Director Mental Health, Karen Wida NYSNA, Alice Sears PHN (CHHA), Vera Turek Health Care Nurse Supervisor (CHHA), Katy Fedigan Home Health Aide (CHHA), Katie Lacey Commissioner Board of Elections, Elane Daly Director of H&HS, Debra English, Nursing Home Administrator, Gary Duckett Director of Parks & Trails, Gitana Mirochnik Citizen Reporter and Sheila Smith Leg. Assist/Deputy Clerk.

**MINUTES TO APPROVE:** 1-20-09, motion by Chapman, 2<sup>nd</sup> by Mahunik, all in favor.

Chairman Mitchell appointed Ann Petrus as his Deputy Chair for Ways & Means Committee.

Motion by Lockwood, 2<sup>nd</sup> by Chapman to approve Marla Connelly to the Health Consortium Board of Directors, all in favor.

**RESOLUTIONS:**

**Motion by Petrus to bundle #'s HH-1, 2, 3, 6, 7, 8, 9, 10, 11, 15, and 16, 2<sup>nd</sup> by Lockwood all in favor.**

- 2-9-HH-1 Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Contract with Kim Jablonski to Provide Physical therapy Services for CHHA.
- 2-9-HH-2 Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into a contract with Sibley Nursing Personnel Service, Inc. Motion by
- 2-9-HH-3 Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into a contract with Sibley Nursing Personnel Service, Inc. for Home Health Aide Scheduling Services.
- 2-9-HH-6 Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into a Contract with Unity House for the Provision of Congregate Care.
- 2-9-HH-7 Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into a Contract with Hillside Children's Center to Provide One Non-Secure Detention Bed for the Period of January 1, 2009 – December 31, 2009.

- 2-9-HH-8 Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Renew the Contract with the Cayuga County Sheriff's Dept. to Provide Security and Transportation Services.
- 2-9-HH-9 Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Renew the Contract with the Cayuga/Seneca Community Action Agency, Inc. for the Provision of **Non-Residential** Domestic Violence Services.
- 2-9-HH-10 Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Renew the Contract with the Cayuga/Seneca Community Action Agency, Inc. for the Provision of **Residential** Domestic Violence Services.
- 2-9-HH-11 Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Renew a Contract with Huntington Family Center, Inc.
- 2-9-HH-15 Authorizing the Chairman of the Legislature and the Director of the Office for the Aging to Sign a Contract with Seneca Cayuga ARC for Caregiver Respite Services.
- 2-9-HH-16 Authorizing the Chairman of the Legislature and the Director of the Office for the Aging to Sign Contracts with Various Subcontractors for Senior Nutrition Program Services.

**End bundled resolutions.**

- 2-9-HH-4 **(Revised 2-13-09)** Authorizing the Director of Health & Human Services to **Create and Fill 2 RPN Positions in CHHA. Motion by Petrus, 2<sup>nd</sup> by Lockwood, all in favor.**
- 2-9-HH-5 Authorizing the Director of Health & Human Services to Fill Three Part-Time RPN Vacancies and One Full-Time RPN Vacancy at the CHHA Due to Resignations. **Motion by Petrus, 2<sup>nd</sup> by Lockwood. Discussion: Mahunik, fill vacancies at CHHA, why? Petrus, RFP will take at least a year, time concern, don't want to shorten staff. Elane Daly, Director Health & Human Services, serving 269 patients, we need to be able to staff referrals. Mahunik, what are the case loads? Elane Daly, Director Health & Human Services, 20 patients per nurse, higher rate if we farm out to another agency, cheaper if we higher Part-Time help, it's half the cost. Axton, we need productivity report. Elane Daly, Director Health & Human Services, I will get that for you. All in favor.**
- 2-9-HH-17 Authorize the Filling of a Full-Time Staff Psychiatrist at the Community Mental Health Center of Cayuga County and Rescinding Resolution #806-08. **Motion by Petrus, 2<sup>nd</sup> by Lockwood, all in favor.**
- 2-9-HH-18 Authorize the Filling of a Full-Time Social Worker (CMH) Position at the Community Mental Health Center of Cayuga County Due to a Resignation. **Motion by Petrus, 2<sup>nd</sup> by Lockwood, all in favor.**
- 2-9-HH-19 Authorize Renovation at the Community Mental Health Center of Cayuga County. **Motion by Petrus, 2<sup>nd</sup> by Axton, all in favor.**

- 2-9-HH-20 **(Received 2-5-09)** Authorizing the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home to Accept a Proposal for Monitoring and Testing of the Fire Control System at the Nursing Home. **Motion by Petrus, 2<sup>nd</sup> by Chapman, all in favor.**
- Motion by Petrus to bundle HH-21 and 22, 2<sup>nd</sup> by Lockwood, all in favor.**
- 2-9-HH-21 **(Received 2-6-09)** Authorizing the Filling of the Position of Director of Cayuga County Community Mental Health Services Setting Salary and Authorizing Chairman of the Cayuga County Legislature to Sign Agreement.
- 2-9-HH-22 **(Received 2-13-09)** Adopting the Recommendation of the Community Services Board to Appoint Katherine O'Connell as the Executive Director to the Community Services Board at a Salary of \$31,000.
- 2-9-GO-1 **(Revised 2-17-09)** Authorizing the Information Technology Department to Purchase Workstations. **Motion by Chapman, 2<sup>nd</sup> by Murphy, all in favor.**
- 2-9-GO-2 Authorizing the Information Technology Department to Purchase E-Mail System. **Motion by Chapman, 2<sup>nd</sup> by Lockwood, all in favor.**
- 2-9-GO-5 Amending Travel/Training Policy for County Employees. **Motion by Chapman, 2<sup>nd</sup> by Petrus, all in favor.**
- 2-9-GO-8 **(Received 2-10-09)** Authorizing Cayuga County to Utilize Wyoming County Printer Cartridge Bid. **Motion by Chapman, 2<sup>nd</sup> by Petrus, all in favor.**
- 2-9-GO-9 **(Received 2-10-09)** Authorizing the Chairman of the Legislature and the Commissioners of the Cayuga County board of Elections to Sign Contracts for HAVA Funds for the Board of Elections. **Motion by Petrus, 2<sup>nd</sup> by Murphy, all in favor.**
- 2-9-PL-1 Authorizing the Chairman to Sign an Agreement with Carl Latting to speak at Cayuga Works Career Center Youth Leadership Forum. **Motion by Petrus, 2<sup>nd</sup> by Lockwood, all in favor.**
- 2-9-PL-3 Authorization to Consolidate Agricultural District 1, 2 and 4 into Consolidated District Number 4 and Consolidate Agricultural Districts 3 and 5 into Consolidated District Number 5 while continuing Agricultural District Number 6 without modification as recommended by the Agriculture and Farmland Protection Board. **Motion by Lockwood, 2<sup>nd</sup> by Petrus, all in favor.**
- 2-9-PL-4 **(Received 2-9-09)** Fixing Day and Notice of Public Hearing on a Local Law Amending Local Law NO. 3 of 1994 to continue the Room Tax for Three Years. **Motion by Petrus, 2<sup>nd</sup> by Lockwood, all in favor.**
- 2-9-PL-5 **(Received 2-10-09)** Appropriation for Cayuga County Water and Sewer Authority. **Motion by Chapman, 2<sup>nd</sup> by Petrus, all in favor.**
- 2-9-PW-1 Approving an Agreement with Owasco Flats Reserve, Inc. similar to the Agreement with the Friends of the Sterling Nature Center, Inc. **Motion by Axton, 2<sup>nd</sup> by Lockwood, all in favor.**
- 2-9-PW-2 Authorizing the Purchase of a Snow Blower for Parks and Trails use. **Motion by Petrus, 2<sup>nd</sup> by Lockwood, all in favor.**

- 2-9-PW-3 Authorizing the Transfer of Funds from the 2009 Emerson Park Equipment Budget account to Capital H 08-2 for Emerson Park Pavilion renovations and amending Capital "H" Project No. 08-2. **Motion by Axton, 2<sup>nd</sup> by Lockwood, all in favor.**
- 2-9-PW-4 Authorizing the Hiring of Seasonal Staff for the Parks & Trails Department for the 2009 Season. **Motion by Petrus, 2<sup>nd</sup> by Murphy, all in favor.**
- 2-9-PW-5 Authorizing the Purchase of Flowers for the various Flowerbeds at Emerson Park. **Motion by Axton, 2<sup>nd</sup> by Murphy, all in favor, except Lockwood abstained.**
- 2-9-PW-6 Authorizing the Clerk of Cayuga County Legislature and the Superintendent of Buildings and Grounds to advertise and receive request for proposals for Architectural services to design roof repair or roof replacement of the Historic Post Office and Courthouse. **Motion by Petrus, Murphy, all in favor.**
- 2-9-PW-7 Authorizing the Clerk of Cayuga County Legislature and the Superintendent of Buildings and Grounds to advertise and receive bids for repair of floors at the Public Safety Building. **Motion by Lockwood, 2<sup>nd</sup> by Chapman, all in favor.**
- 2-9-PW-9 Authorization to renew the water treatment Agreement for County Building HVAC systems. **Motion by Axton, 2<sup>nd</sup> by Lockwood, all in favor.**
- 2-9-PW-10 Authorization to enter into an Assured Maintenance Agreement for the Public Safety Building Temperature Control System. **Motion by Petrus, 2<sup>nd</sup> by Murphy, all in favor.**
- 2-9-PW-11 Authorizing the purchase of Surplus Equipment from Cortland County. **Motion by Axton, 2<sup>nd</sup> by Lockwood, all in favor.**
- 2-9-PW-12 Budget Transfer of the 2009 Cayuga County Highway Budget for Salt. **Motion by Axton, 2<sup>nd</sup> by Lockwood, all in favor.**
- 2-9-PW-13 To increase the hours worked of the Data Entry Machine Operator from 35 to 40 hours per week at the Highway Department. **Motion by Petrus, 2<sup>nd</sup> by Murphy, all in favor.**
- 2-9-PW-14 **(Received 2-11-09)** Authorization to Renew an Assured Maintenance Agreement for the County Office Building Security System. **Motion by Lockwood, 2<sup>nd</sup> by Petrus, all in favor.**
- 2-9-JP-1 Authorizing the Chairperson of the Legislature to Sign a One Year Contract with Infoadvantage, Inc., to Provide Support for Double-Take Software at Back up E-911 Center. **Motion by Lockwood, 2<sup>nd</sup> by Petrus, all in favor.**
- 2-9-JP-2 Authorizing Urging the State to Partner with Counties in the Development of a Comprehensive Statewide Interoperable Communications Network. **Motion by Petrus, 2<sup>nd</sup> by Lockwood, all in favor.**
- 2-9-JP-3 Authorization to Fill a Vacant Emergency Services Dispatcher Position. **Motion by Lockwood, 2<sup>nd</sup> by Petrus, all in favor.**

**Announcement by Lockwood, the Radio Committee will meet Wednesday, February 18<sup>th</sup> at 5:30PM, Chambers, Cayuga County Office Building, 6<sup>th</sup> Floor.**

- 2-9-JP-9      **(Received 2-13-09)** Authorization to Fill Two (2) Vacant Part-Time Emergency Services Dispatcher Sub-Positions. **Motion by Lockwood, 2<sup>nd</sup> by Petrus, all in favor.**
- 2-9-JP-4      Authorizing Cayuga County Permission to Seek Appropriate Relief from the NYS Division of Parole and the Dept. of Correctional Services Relating to Housing State –Ready Inmates and Parole Violators, Including Seeking Reasonable Compensation for any such Inmate Housed at the Cayuga County Jail. **Motion by Lockwood, 2<sup>nd</sup> by Chapman, all in favor.**
- 2-9-JP-5      Authorizing the Treasurer’s Dept. to Amend the 2009 Sheriff’s Budget to Accept the 2008/2009 Byrne Jag Grant (Justice Assistance Grant) from the NYS Division of Criminal Justice Services. **Motion by Petrus, 2<sup>nd</sup> by Murphy, all in favor.**
- 2-9-JP-6      Authorizing the sheriff of Cayuga Count to Transfer Monies from the Sheriff’s 2009 Custody Building Maintenance Budget Line A31504-54012 to the Sheriff’s 2009 Custody Equipment Line A31502-52000 for the Purchase of Restroom Cleaner and Disinfectant. **Motion by Lockwood, 2<sup>nd</sup> by Chapman, all in favor.**
- 2-9-JP-7      **(Revised 1-5-09)** Authorize the Sheriff to **Abolish One Corrections Sergeant Position and fill Two Vacant Corrections Officer Positions** in the Custody Division of the Cayuga County Sheriff’s Office. **Motion by Lockwood, 2<sup>nd</sup> by Murphy, all in favor.**
- 2-9-JP-8      Authorizing the Sheriff of Cayuga County to Purchase Thirteen (13) Laptop Computers and Associated Equipment that will be used in Patrol Cars for Mobile Reporting and Automatic Vehicle Locators. **Motion by Lockwood, 2<sup>nd</sup> by Chapman, all in favor.**

**Axton**, to Jon Budelmann, how did you make out on your investigator deal?

**Jon Budelmann**, District Attorney, Civil Service Law section 211, because my investigator was hired from the Sheriff’s Dept., even though he is the most cost effective person for the position, he is limited under section 211 as to how much money he can make, under 212 the limit is \$30,000.00, right now his pay is \$43,000.00, and their not going to change that. The solution for me would be to find another employee who can get the waiver and be there full time instead of hiring Part-Time people, which would be a problem with continuity and security and other issues. Now the issue were looking at, because we forced Steve to come back to work, they are looking for \$6,000.00 back from him. Right now I don’t have a solution.

**Axton**, I will make a motion at Tuesday’s Legislative meeting to move the position to the Sheriff’s Budget line.

**Jon Budelmann**, District Attorney, you’re going to take away my investigator and move it to the Sheriff’s Office, what is the justification?

**Axton**, it’s been four months and we don’t have a solution.

**Jon Budelmann**, District Attorney, back in December we talked you said you would give me until the end of February.

**Axton**, I spoke with Mr. Chapman and he was not happy with that, said till the end of January, and we haven’t heard anything.

**Petrus**, when did your investigator come back on board?

**Jon Budelmann**, District Attorney, we got the 211 waiver in September, October 28, we heard that they were not going to let him earn his salary, October 30 was the last day he worked. He came back to work on or about December 7, he was out about 5 weeks, not earning any salary. Need to find a solution to the problem, I need a investigator.

**Axton**, he was out for 5 weeks without pay and without a leave of absence.

**Petrus**, what is the maximum that he can earn.

**Jon Budelmann**, District Attorney, \$30,000.00, because he retired from the Sheriff's Office.

**Petrus**, if it's a \$13,000 difference, if Steve wants this job could he work for the \$30,000.00.

**Jon Budelmann**, District Attorney, if you cut it at \$30,000.00 and cut my resources that way, he could potentially work, but I would rather have full time and put someone else in there.

**Lockwood**, I agree with Ms. Petrus.

**Petrus**, now your saying that he will have to go off the books again.

**Jon Budelmann**, District Attorney, yes he will reach his maximum sometime in September.

**Petrus**, what is your preference?

**Jon Budelmann**, District Attorney, I want to keep my full time investigator in my office to do the things I need him to do. I would like to keep him at the \$43,000.00. The only issue in my mind is the 211 waiver, Steve was grandfathered in under the old 211 section, the new one didn't take effect until October or November.

**Petrus**, what does that allow you to do?

**Jon Budelmann**, District Attorney, it would allow someone that didn't work for the county to earn the \$43,000.00 that position pays right now. Steve was limited to \$30,000.00 because he worked for the county, anyone else would be able to make the \$43,000.00 if you have the waiver.

**Axton**, the first Public Safety meeting in November, you told us you were going to be looking for a full time investigator. You went November, December and didn't find one, what makes you think you're going to find one now. You told us in committee, you were going to move forward and look for an investigator when we weren't happy with what was going on. You didn't find one, you just brought your old investigator back.

**Jon Budelmann**, District Attorney, he came back in December.

**Axton**, yes he did, but the issue is you were looking in the first part of November, you were going to look for an investigator.

**Jon Budelmann**, District Attorney, I told you I had people in mind. I did extensive interviewing when I hired this investigator, there is a number of people I can hire almost immediately when I resolve this issue. The issue is he came back in December, he was only out for that short period of time, if he is not there, he's no good to us.

**Axton**, my main issue is, you came to us and asked permission for a leave of absence, we declined it, so he didn't report to work for 5 weeks.

**Jon Budelmann**, District Attorney, yes we took him off payroll.

**Axton**, you brought him back, knowing that he can't earn the money, he'll have to give it back, so he's working for free. We have had 4 months to tell with this and we haven't, so what are you going to do.

**Jon Budelmann**, District Attorney, In November I was looking to see if I could get around this denial of the 211 waiver

**Mitchell**, I think you need to continue this discussion do so between yourselves.

2-9-WM-1 Authorizing Correction of Tax Errors in Several Towns. **Motion by Petrus, 2<sup>nd</sup> by Lockwood, all in favor**

**Excused Petrus at 6:50PM**

2-9-WM-2 Requesting State Home Rule Legislation for Extension of Additional 1% Sales Tax to November 30, 2011. **Motion by Lockwood, 2<sup>nd</sup> by Murphy, all in favor.**

2-9-WM-3 Realizing a Savings of Insurance Cost Estimated Budgeted Amounts, Increasing Contingent Account and Reducing Transfers to Highway Department. **Motion by Mitchell, 2<sup>nd</sup> by Lockwood, all in favor.**

2-9-WM-4 Funding for Provision for Salary Adjustment Account. **Motion by Lockwood, 2<sup>nd</sup> by Chapman, all in favor.**

**Wayne Allen**, County Manager, I handed out a report for the first month on vacancies, net savings of \$48,000.00.

2-9-WM-5 **(Tabled at Ways & Means)** Instituting a Two Week Pay Lag for certain Employees in Parts II, III, and IV of the Cayuga County's Compensation Plan. Motion by Mitchell, 2<sup>nd</sup> by Murphy.

**Discussion:**

**Fred Westphal**, County Attorney, I would like to review with Faye Hatfield, Director of Human Resources/Civil Services.

**Lockwood**, what about new employees, is it fair to do this to them?

**Wayne Allen**, County Manager, add language, hence forth, once you adopt this any new hire, a two week lag will be instituted, which means for the first two weeks they would not get paid.

**Mitchell**, it's a half day for the next 20 pay periods.

**Lockwood**, I was just thinking of people that were just hired on.

**Jon Budelmann**, District Attorney, its two weeks pay this year.

**Mitchell**, we can't make it retroactive, we need to phase it in.

**Tortorici**, they're actually not losing, if they left they would get two weeks pay.

**Axton**, actually they would get more, it's based on their current pay.

**Jon Budelmann**, District Attorney, this year a 5% cut. It is singling out the non-bargaining people, because all the negotiating units are going to have retro pay that they are going to hold back on, like the Sheriff's, so it's not actually coming out of their pocket per say. When you have non-represented people, and your cutting them, it becomes a legal issue.

**Mitchell**, that State of New York, works on a cash basis, unlike us, our budget is not affected, we still have to accrue that payroll.

**Fred Westphal** County Attorney, just want to make it clear, it does not apply to those non-bargaining that are elected or fixed term, by law.

**Wayne Allen** County Manager, Mr. Chairman, my pay will be lagged.

**Motion by Lockwood, 2<sup>nd</sup> by Murphy to table, all in favor.**

**Katie Murane, Partnership for Results**, this is a Safe School Healthy Student's Grant. It would involve some rural school districts in the County. The districts that would be involved are Union Springs, Southern Cayuga, Cato, and Moravia. Jordan Elbridge would also be included because there are Cayuga County students that go there. Auburn and Port Byron are precluded from this because they were part of a Safe Schools Grant 7 years ago and they can't be part of this and Weedsport has opted out. It is a 4 year grant, 1.5 million dollars, it's to put a variety of programs into the schools. It has no monetary effect on the county at all. There is no obligation to continue any programs. Lead educational agency for this will probably be Union Springs School District. No financial impact on any of the schools. We need to have the County sign a memorandum of agreement for support to get the programs into the schools, again, no impact on their individual budgets. A copy of the memorandum of agreement has been sent to Fred Westphal County Attorney or his review.

**Motion by Lockwood, 2<sup>nd</sup> by Axton to have Fred Westphal prepare resolution, all in favor.**

Monthly Resolutions Assignments as follows:

#1 & 6	Francis Mitchell
#2 & 3	Pat Mahunik
#4 & 5	Ann Petrus
#7	David Axton
#8	Michael Chapman

Will be mailed out with your packets.

**Mitchell bundled monthly resolutions #1-8, 2<sup>nd</sup> by Lockwood, all in favor.**

1. **(Revised 2-17-09)** Auth. payment of **January** Audit of Claims
2. Auth. payment of Utilities.
3. Auth. payment of Claims for Thruway Tolls.
4. Auth. payment of Claims for the Nursing Home
5. Auth. payment of Claims for the Sr. Nutrition Program.
6. Auth. payment of Claims for Credit Card Charges.
7. Auth. payment of Claims for Various Equipment Leases.
8. Auth. payment of Various Capital "H" Projects.

**Motion by Lockwood to adjourn at 7:12PM, all in favor.**

**Motion by Axton, 2<sup>nd</sup> by Petrus to approve minutes of 2/24/09, all in favor.**