

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

CALL TO ORDER: By Francis Mitchell, Chairman, Ways & Means Committee, at 6:02PM

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

ALSO PRESENT: Peter Tortorici Legislative Chair, Legislator Steven Cuddeback, Legislator Daniel Schuster, Legislator Roger Mills, Legislator Cynthia Aikman, 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, Paul Padlick Deputy Treasurer, George Wethey Highway Superintendent, Jeff Edwards Civil Service Commissioner, Stephne, Lynch Director of Planning, Fred Lewis Data Processing, Kate O'Connell Director of Mental Health, Brian Dahl Director of EMO/EMS, 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.

Legislator Steven Cuddeback, sitting in for Legislator Raymond Lockwood, as Deputy for Judicial & Public Safety Committee, approved by Legislator Mitchell.

MINUTES TO APPROVE: 2-24-09, motion by Axton, 2nd by Petrus, all in favor.

3-9-PW-3 Authorization to enter into an Assured Maintenance Agreement for the Historic Post Office Temperature Control system. **Motion by Axton, 2nd by Cuddeback, all in favor.**

3-9-PW-4 Authorizing the Superintendent of Building and Grounds to authorize final payment for the electrical contractor for Cayuga County Office Building Heating Project. **Motion by Axton, 2nd by Cuddeback, all in favor.**

3-9-PW-5 Authorizing the Superintendent of Building and Grounds to authorize final payment for the plumbing contractor for Cayuga County Office Building Heating Project. **Motion by Axton, 2nd by Cuddeback, all in favor.**

3-9-WM-2 Authorizing Correction of Tax Errors in Several Towns. **Motion by Mitchell, 2nd by Petrus, all in favor.**

Motion by Petrus to bundle res. #'s HH-1, 2, 3, 4, 5, 6, 7, 8, 11, 13., 2nd by Cuddeback, all in favor.

3-9-HH-1 Authorizing the Chairman of the Legislature and the Director of Health & Human Services to enter into a contract with Stafkings Healthcare Systems.

3-9-HH-2 Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into a contract with Mary Lou Barrette, RD as a Nutrition Consultant.

3-9-HH-3 Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into a service contract with Therapy Partners in OT, PT and Speech-Language pathology, PLLC.

3-9-HH-4 Authorizing the Chairman of the Legislature and the Director of Health & Human Services to enter into a contract with Optimum Partners to update the Community Health Assessment.

- 3-9-HH-5 Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into a contract with Industrial Medicine Associates, PC (IMA).
- 3-9-HH-6 Authorizing the Chairman of the Legislature and the Director of Health & Human Services to renew a Contract with Med Rev Recoveries, Inc. for the provision of Debt Recovery Services.
- 3-9-HH-7 Authorizing the Chairman of the Legislature and the Director of Health & Human Services to amend the contract with Chapel House (Temporary Homeless Shelter).
- 3-9-HH-8 Authorizing the Chairman of the Legislature and the Director of Health & Human Services to accept Federal Funding attached to the Community Solutions for Transportation Grant.
- 3-9-HH-11 Authorizing the Chairman of the Legislature and the Director of the Office for the Aging to sign contracts with various subcontractors.
- 3-9-HH-13 Authorize the Chairman of the Legislature and the Director of the Community Mental Health Center to enter into an agreement with Hillside Children's Center, Inc. to provide customized services.
- 3-9-HH-9 Authorizing the Administrator of the Nursing Home to accept proposals for computer hardware at the Nursing Home. **Motion by Petus, 2nd by Murphy, all in favor.**
- 3-9-HH-12 Authorizing the filling of a part-time staff Social Worker position at the Community Mental Health Center. **Motion by Petrus, 2nd by Cuddeback, all in favor.**
- 3-9-HH-14 **(Added 3-17-09)** Authorizing a Salary Adjustment in Part IV of the County of Cayuga 2009 Compensation Plan for Part-Time and Contractual Staff Psychiatrists. **Motion by Cuddeback, 2nd by Murphy, all in favor.**
- 3-9-GO-1 **(Revised 3-17-09)** Fixing Day and Notice of Public Hearing on a Local Law Establishing the Office of County Auditor for Cayuga County. **Motion by Mahunik, 2nd by Murphy, all in favor.**
- 3-9-GO-2 **(Added 3-16-09)** Resolution to Urge all State Representatives to Support Current Legislation to Give a CDL Waiver to the Fire Service. **Motion by Chapman, 2nd by Cuddeback. Discussion: Chapman motion to pull and clarify. Fred Westphal, Co. Attorney clarified for Chapman, all in favor.**
- 3-9-PL-1 Authorizing the Director of the Employment and Training Department to Create and Hire Three (3) Temporary Workforce Development Program Assistants (100% Federal Funds) to Assist in Operating the Summer Youth Employment Training Program. **Motion by Murphy, 2nd by Cuddeback, all in favor.**
- 3-9-PL-2 **(Revised 3-3-09)** Authorizing the Filing of an Application for State Assistance from the Household Hazardous Waste (HHW) State Assistance Program and Signing of the Associated State Contract, under the Appropriate Laws of New York State. **Motion by Murphy, 2nd by Cuddeback, all in favor.**
- 3-9-PL-3 **(Revised 3-3-09)** Authorizing the Award of Professional Services Contract for Subdivision Survey Work at the Aurelius Business Park to Facilitate Park

Subdivision and Development. **Motion by Murphy, 2nd by Cuddeback, all in favor.**

- 3-9-PL-4 (Added 3-3-09) To Adopt Local Law No. ____ for the Year 2009, amending Local Law No. 3 of 1994 and Local Law No. 5 of 2007 to Continue the Room Tax for Three Years. **Motion by Murphy, 2nd by Cuddeback, all in favor.**
- 3-9-PW-1 Approving Contract with Auburn Telstar Display Fireworks, Inc. other expenses associated with the annual July Third event at Emerson Park. **Motion by Axton, 2nd by Cuddeback, all in favor.**
- 3-9-PW-2 Authorizing the Cayuga County Highway Department to repair and resurface the Merry Go Round parking lot at Emerson Park. **Motion by Axton, 2nd by Cuddeback, all in favor.**
- 3-9-PW-6 Resolution to Authorize Hire of 10 Seasonal Laborers. **Motion by Axton, 2nd by Cuddeback, all in favor.**
- 3-9-PW-8 Authorization for the Superintendent of Highways to fill an Automotive Mechanic (Diesel) Position with the Highway Department. **Motion by Axton, 2nd by Petrus, all in favor.**
- 3-9-PW-9 Authorizing the County Highway Superintendent to purchase 4 Chainsaws. **Motion by Axton, 2nd by Cuddeback, all in favor.**
- 3-9-PW-10 (added 3/4/09) Authorizing the Clerk of the Cayuga County Legislature to advertise for sealed bids for the hiring of a Project Manager for the 146 North Street project. **Motion by Axton, 2nd by Petrus, all in favor.**
- 3-9-PW-11 (added 3/4/09) Authorizing the Clerk of the Cayuga County Legislature to advertise for sealed bids for the removal of Hazardous substances located within the structures at 2 Park Avenue, Auburn, New York. **Motion by Axton, 2nd by Petrus, all in favor.**
- 3-9-PW-12 (added 3/4/09) Authorizing the Clerk of the Cayuga County Legislature to advertise for sealed bids for air monitoring during the removal of Hazardous Substances from the structures at 2 Park Avenue, Auburn, New York. **Motion by Axton, 2nd by Petrus, all in favor.**
- 3-9-PW-13 (added 3/4/09) Authorizing the Clerk of the Cayuga County Legislature to advertise for sealed bids for Abatement Design Specifications for 2 Park Avenue, Auburn, New York. **Motion by Axton, 2nd by Petrus, all in favor.**
- 3-9-PW-14 (added 3/4/09) Authorizing the Clerk of the Cayuga County Legislature to advertise for sealed bids for Demolition of the Structures located at 2 Park Avenue, Auburn, New York. **Motion by Axton, 2nd by Petrus, all in favor.**
- 3-9-PW-15 (added 3/5/09) Authorizing the Purchasing Agent to solicit an RFQ to provide qualified personnel to act as a Cayuga County Compliance Officer. **Motion by Axton, 2nd by Petrus, all in favor.**
- 3-9-JP-1 Authorizing the Chairman of the Legislature to Accept a Grant from the New York State Sheriff's Association's Sheriff's Cooperative Traffic Safety Initiative. **Motion by Cuddeback, 2nd by Petrus, all in favor.**
- 3-9-JP-2 Authorizing the Treasurer's Dept. to Amend the 2009 Sheriff's Budget to Accept Reimbursement for the Overtime in Support of the New York New Jersey

Regional Fugitive Task Force for the Period January 27 – September 30, 2009.
Motion by Cuddeback, 2nd by Petrus, all in favor.

- 3-9-JP-3 Authorizing the Sheriff of Cayuga County to Purchase Three (3) New Marked Patrol Cars to Replace Three (3) Existing Patrol Cars that have Exceeded their Useful Life Span and have Accumulated High Mileage. **Motion by Cuddeback, 2nd by Petrus, all in favor.**
- 3-9-JP-4 Authorizing the Sheriff of Cayuga County to Employ Seasonal Personnel for the Marine Unit. **Motion by Cuddeback, 2nd by Petrus, all in favor.**
- 3-9-JP-5 **(Added 3-3-09)** Authorizing the Chairman of the Cayuga County Legislature and the Sheriff of Cayuga County to Enter into a Memorandum of agreement with the New York State Dept. of Correctional Services for Usage of the Secure Prisoner Unit Located at SUNY Upstate Medical University. **Motion by Cuddeback, 2nd by Petrus, all in favor.**
- 3-9-JP-6 **(Added 3-12-09)** Authorization for the Emergency Management Office to Transfer \$7,500.00 from Line A36424-5400 to Line A36402-52000 of the State Aid Disaster Preparedness Fund. **Motion by Cuddeback, 2nd by Petrus, all in favor.**

EMERGENCY AUTHORIZATION FOR HIRING:

Whereas, it has been past practice to have a resolution adopted to fill vacancies for the past several years due to restrictions on hiring adopted by the Legislature; and,
Whereas, departments are still processing resolutions to fill established positions which are in the current adopted budget per past practice; and
Whereas, a procedure needs to be in place to hire on an emergency basis;
Now therefore be it agreed that the undersigned, pursuant to past practice and the County Manager, do hereby authorize on an emergency basis the filling of the following:
Department: **Cayuga County Sheriff's Office** Position: **Detective**
REASON: **Due to a resignation in the Criminal Investigation Division, one Detective Position is in need of being filled as soon as possible due to work load demands. There is not a current valid civil service list to fill this position and the next test for Detective is not being offered until June 2009. Until an eligible list is established, the Sheriff's Office wishes to rotate on a temporary and equitable basis, four Sheriff's Deputies presently employed with the Cayuga County Sheriff's Office in an effort to maintain sufficient coverage in CID. During each Deputies' rotation, each would receive compensation at the Detective rate of pay, as is already accounted for in the 2009 budget.**
Motion by Cuddeback, 2nd by Petrus, all in favor, except Axton abstained.

- 3-9-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 Mitchell, 2nd by Petrus, all in favor.**
- 3-9-WM-3 Directing the County Treasurer to Pay Dog Tax Monies as Apportioned. **Motion by Cuddeback, 2nd by Murphy. Motion by Cuddeback to amend amount to \$9,999.99, 2nd by Cuddeback, all in favor. Resolution as amended, all in favor.**
- 3-9-WM-6 **(Pulled at W& M's)** Resolution in Support of Collateral Source Legislation, Governor's Executive Budget (S.56-A/A156-A, part HH, section 13) and Authorizing Chairman of the Cayuga County Legislature to Sign op/ed piece.
Pulled
- 3-9-WM-7 **(Added 3-16-09)** Authorizing the Chairman of the County Legislature to Sign Contract with PSTEK and Expend Funds from Capital "H" Project No. 07-05

(Tyler Software) to Accommodate Software Expense. **Motion by Petrus, 2nd by Murphy, all in favor.**

3-9-WM-4 **(Revised 3-16-09)** 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, 2nd by Petrus. Discussion: Mahunik, what is the goal? Mitchell, standard 2 week pay system, now we are paying ahead of time. Axton, should be paid for hours worked. Mahunik, how many are lagged now and how many more will it effect? Wayne, 140 to 150 now and 100 more will be effected. Mitchell, we need to do it now. Wayne, 4 options: 1. rolling pay period ½ day for each pay period for 20 weeks. 2. the employee can sell up to 10 vacation days or 20 compensatory days if applicable to replace any of option 1. ½ day. 3. A one time stipend would be paid by the County to all non bargaining employees. This stipend would not be added to an employee's base salary. 4. A rolling pay day could be used. Schuster, elected, fixed term are exempt, but could volunteer. Wayne, yes and I will do that. Fred, you would need to sign a contract. Tortorici, I support pay lag, but would like to do one week this year one week next year. Mills, need to be done in one calendar year. Mahunik, before we make a decision, stipend offer, we need to know cost to County. Petrus, still a lot of question ask to table, Tortorici agrees. Wayne will get information and bring to Legislature meeting. Motion to table (to get more information) by Petrus, 2nd by Tortorici, all in favor.**

Motion by Mitchell, 2nd by Petrus to bundle Regular Resolution No. 1 to 8, all in favor.

1. Auth. payment of **February** 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 Axton, 2nd by Murphy to go into Executive Session at 7:16PM, all in favor. re: Personnel Contract

Motion by Cuddeback, 2nd by Petrus to come out of Executive Session at 7:34PM, all in favor.

Motion by Cuddeback, 2nd by Murphy to adjourn at 7:35 PM, all in favor.

Motion to approve minutes 1st Lockwood, 2nd Petrus, Committee members all in favor, passed. 3/12/09.