

**MINUTES  
WAYS & MEANS COMMITTEE  
FRANCIS MITCHELL, CHAIR  
SEPTEMBER 15, 2009, 6:00PM, CCOB C.R. #1**

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

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

**ALSO PRESENT:** Peter Tortorici Legislative Chair, David Gould Sheriff, Alan Kozlowski Director of Real Property, Gary Duckett Director of Parks & Trails, Nancy Siefka OFA Director, Karen Killips Deputy Director Mental Health, George Wethey Highway Dept. Superintendent, Brian Dahl Director of Emergency Medical Services, Fred Westphal Co. Attorney, Mike Pawlenko Superintendent of Blds. & Grounds, Jim Orman Treasurer, Legislator Roger Mills, Elane Daly Director of Health & Human Services, Steve Lynch Director of Planning, Sarah Gantz Citizen Reporter, and Sheila Smith Legislative Assistant.

**APPOINTMENTS AND RE-APPOINTMENTS:** None

**COMMITTEE DISCUSSION:** Jim Orman, re: Sales Tax and Excise Tax refunds on gasoline purchases. Legislator Mitchell, currently we are not paying the Federal, but we are paying the State and we are paying sales tax .

Jim Orman, I think we are finally headed in the right direction. Currently we have two credit cards, Mobile and Suntrak, used mainly by the Sheriff's Department. We have had problems where they have charged us sales tax at the Cato gas station and sometimes with the marine patrol. We have tracked down where we can stop that, I have talked with both credit card companies, it's difficult with Mobile because I am not listed on the credit card account, but I am still pursuing this. I have the paperwork that need to be filled out to receive a refund. Suntrak does credit us for the excise tax but we still have to pursue the sales tax. I have been working with Evelyn Goodman at the Sheriff's office. I have someone in my office that will begin auditing the accounts payable and will be filling out the paperwork so we can seek the refunds. Also I have asked both the credit card companies if there was a way to issue a card that would automatically exempts us from sales tax, but they don't do that.

Legislator Mitchell, isn't there an ST form we can file with them, giving them the right to, on our behalf, to go after the credit so they shouldn't bill us for that.

Jim Orman, that's right, that's what we are pursuing.

Legislator Mitchell, that's the short version as far as the future goes and State of New York finally did this back in December 08.

Jim Orman, one is going back with this lengthy detailed process and two, making sure it doesn't happen going forward. We have to file the FT500 form for the refund, this allows us to move forward. The amount of savings we will be able to recover could be \$300.00 to several thousand dollars, I don't know yet.

9-9-WM-1 Authorizing Cayuga County Office of Real Property to Develop a Grant Application for the 2009-2010 Grant Cycle. **Motion by Lockwood, 2<sup>nd</sup> by Petrus, all in favor.**

9-9-WM-2 Authorizing the Repurchase of Tax-Delinquent Property Owned by Cayuga County and Authorizing the Deleting of the Tax Map Number on the Assessment Roll and the 2009 Tax Bill. **Motion by Lockwood, 2<sup>nd</sup> by Petrus, all in favor, except Mahunik voting no.**

9-9-WM-3 Authorizing the Chairman of the County Legislature to Sign a Contract for the Professional Services Provided to Administer Physical Fitness. **Motion by Mitchell, 2<sup>nd</sup> by Lockwood, all in favor.**

9-9-JP-1 Authorizing the Sheriff of Cayuga County to Transfer Monies from the Sheriff's 2009 Law Enforcement Budget Line – Auto Expense Other (A31104-54009) to the Sheriff's 2009 Law Enforcement Budget Line – Equipment Marked Patrol Cars (A31102-52005) for the Purchase of Consoles, Auto Details and the Installation of Radio Equipment. **Motion by Lockwood, 2<sup>nd</sup> by Chapman, all in favor.**

- 9-9-JP-2 Authorize the Sheriff to Fill One Vacant Detective Position in the Criminal Investigation Division of the Cayuga County Sheriff's Office. **Motion by Lockwood, 2<sup>nd</sup> by Petrus, all in favor, except Axton abstained.**
- 9-9-JP-3 Authorize the Sheriff to Fill One Vacant Deputy Sheriff Position in the Law Enforcement Division of the Cayuga County Sheriff's Office. **Motion by Lockwood, 2<sup>nd</sup> by Petrus, all in favor.**
- 9-9-JP-4 Authorizing the Cayuga County Sheriff's Office to Purchase Necessary Equipment from Craftmaster Hardware, a Sole Source Provider for Locking Mechanisms Utilized in the Cayuga County Jail. **Motion by Lockwood, 2<sup>nd</sup> by Petrus, all in favor.**
- 9-9-JP-5 Authorizing the Chairman of the Cayuga county Legislature and the Director of Emergency Services to Direct the Deputy Director of Fire/Rescue Services (Fire Coordinator) to Sign on Behalf of Cayuga County and Enter into a Memorandum of Agreement (MOA) with Tompkins County, the Submitting Partner of the Central New York Regional Hazardous Materials Response Consortium for Participation in and the Execution of the New York State Office of Homeland Security Hazardous Materials Grant Program Award. **Motion by Lockwood, 2<sup>nd</sup> by Petrus, all in favor.**
- 9-9-JP-6 **(Added 9-3-09)** Authorization to Change the Titles only within the Custody Division of the Cayuga County Sheriff's Office. **Motion by Lockwood, 2<sup>nd</sup> by Axton, all in favor.**
- 9-9-JP-7 **(Added 9-3-09)** Authorization to Create 10 Positions and Abolish 11 Positions within the Custody Division of the Cayuga County Sheriff's Office. **Motion by Lockwood, 2<sup>nd</sup> by Axton, all in favor.**

**Motion by Petrus to Bundle HH-2, 5, 6, 7, 8, 9 and 11, 2<sup>nd</sup> by Lockwood, all in favor.**

- 9-9-HH-2 Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Renew a Contract with Health Research, Inc. and Accept Funding for Public Health Preparedness/Response for Bioterrorism.
- 9-9-HH-5 Authorizing the chairman of the Legislature and the Director of Helth7 Human Services to Accept State OTDA Funding for the "Back-to-School" Payment.
- 9-9-HH-6 Authorizing the Director of Health & Human Services to Fill an RPN Vacancy (100% Funded) at the Long Term Care Access Office, Division of Human Services
- 9-9-HH-7 Authorize the Filling of a Full-Time Staff Social Worker (CMH) Position at the Community Mental Health Center of Cayuga County **Due to a Resignation.**
- 9-9-HH-8 **(Revised 9-10-09)** Authorize the Filling of a Full-Time Staff Social Worker (CMH) Position at the Community Mental Health Center of Cayuga County
- 9-9-HH-9 Authorizing the Chairman of the Legislature and the Director of the Office for the Aging to Amend Contracts with Various Subcontractors for Title III B Services.
- 9-9-HH-11 **(Added 9/9/09)** 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 outreach activities for the state mandated HEAP Program, and accept Early Outreach funding (100% federally funded), for the period of September 1, 2009 through December 31, 2009.

**End of bundled resolutions**

- 9-9-HH-1 Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into a Memorandum of Understanding with the Auburn YMCA-WEIU. **Motion by Lockwood, 2<sup>nd</sup> by Petrus, all in favor.**
- 9-9-HH-3 Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Renew the Contract with Elizabeth Wolff-Evans, PT, to provide Physical Therapy Services for CHHA. **Motion by Petrus, 2<sup>nd</sup> by Lockwood, all in favor.**

- 9-9-HH-4 Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Renew the Raymond Physical Therapy contract at 0% Increase. **Motion by Lockwood, 2<sup>nd</sup> by Petrus, all in favor.**
- 9-9-HH-12 **(Added 9/9/09)** Authorizing the Chairman of the Legislature and the Director of Health and Human Services to enter into a MOU with Hannibal Central School District for Transportation of a Wheelchair-Bound Special Ed. Child. **Motion by Lockwood, 2<sup>nd</sup> by Petrus, all in favor.**
- 9-9-GO-1 Setting a Fee Schedule for Code Enforcement and Buildings Fire Inspections Services performed by the County at the request of Towns and Villages within Cayuga County. **Motion by Lockwood, 2<sup>nd</sup> by Petrus, all in favor.**
- 9-9-GO-2 **(Added 9-10-09)** Authorization to Create, Set Rate of Pay and Fill Election Worker Positions to be in Compliance with IRS Regulations. **Motion by Chapman, 2<sup>nd</sup> by Lockwood, all in favor.**
- 9-9-GO-3 **(Added 9-15-09)** Rescinding Resolution No. 109-09 Amending the Travel/Training Policy for County Employees. **Motion by Chapman, 2<sup>nd</sup> by Lockwood, all in favor.**
- 9-9-PL-2 Resolution Authorizing the Chairman of the Legislature to Execute a Memorandum of Agreement with the Town of Cato for the provision of Professional Services through the Department of Planning & Economic Development related to preparation of the Town of Cato Agriculture and Farmland Protection Plan. **Motion by Lockwood, 2<sup>nd</sup> by Petrus, all in favor.**
- 9-9-PL-3 **(Added 9-1-09)** Authorizing the Execution of Contracts with NYSDOT for the Pass Through and Administration of NYSDOT SAFETEA-LU Grant Funding and NYSCS Matching Funds for the Implementation of Final Design Phases of the Historic Erie Canal Heritage Project (The Project) and Authorizing the Extension of a Professional Services Contract with Camp, Dresser & Mckee Engineers (CDM) for Engineering Design Work Associated with the Project, and Increasing the Capital H Account No. 07-1 from \$2,065,000.00 to \$2,335,910.00. **Motion by Mitchell, 2<sup>nd</sup> by Lockwood, all in favor.**
- 9-9-PL-5 **(Added 9-9-09)** Requesting State Home Rule Legislation to Amend the Public Authorities Law Section 5, Insofar as it Pertains to the Cayuga County Water and Sewer Authority's Ability to Collect Delinquent Water and Sewer Charges through Charges on County Tax Bills. **Motion by Lockwood, 2<sup>nd</sup> by Chapman, all in favor.**
- 9-9-PL-6 **(Added 9-15-09)** Authorizing a Contract with Op-Tech Environmental Service, Inc. for the 2009 Fuel Storage Tank and Piping Removal Services. **W/O option #2 (\$12,438.) or W/option #2 (\$21,021.) Motion by Mitchell to move resolution w/o option #2, all in favor. Motion by Lockwood, 2<sup>nd</sup> by Chapman, all in favor.**
- 9-9-PW-1 Amending Resolution 465-09 which authorized the hiring of seasonal positions within the Parks and Trails Department reducing seasonal laborers by two (2) and Authorizing the Hiring of up to Two (2) Seasonal Cleaners for Emerson Park. **Motion by Petrus, 2<sup>nd</sup> by Lockwood, all in favor.**
- 9-9-PW-2 **(Revised 9-2-09)** Authorizing the **Chairman of Cayuga County Legislature and the Superintendent of Buildings and Grounds**, to accept the quote for the abatement of the water meter room at the Cayuga County Office building and **to execute the documents.** **Motion by Lockwood, 2<sup>nd</sup> by Petrus, all in favor.**
- 9-9-PW-3 Authorizing the Chairman of the Cayuga County Legislature to sign change order H-001 for County Highway Department Project Salt Storage Building in Sempronius and amending Capital "H" Project No. 09-1. **Motion by Lockwood, 2<sup>nd</sup> by Petrus, all in favor.**
- 9-9-PW-4 Authorizing to Hire Part Time Seasonal Laborers. **Motion by Lockwood, 2<sup>nd</sup> by Petrus, all in favor.**
- 9-9-PW-5 Budget Transfer of the 2009 Cayuga County Highway Budget for contract snow removal. **Motion by Lockwood, 2<sup>nd</sup> by Petrus, all in favor.**

- 9-9-PW-6 Authorizing the implementation and funding in the first instance 100% of the Federal Aid and State "Marchiselli" program-aid eligible costs, of a transportation Federal Aid Project, and appropriating funds therefore. **Motion by Lockwood, 2<sup>nd</sup> by Petrus, all in favor.**
- 9-9-PW-7 Authorizing the increase of the County/Town Snow Plow Contract. **Motion by Lockwood, 2<sup>nd</sup> by Petrus, all in favor.**
- 9-9-PW-8 Authorizing the County Highway Superintendent to Accept Bid and Purchase Heavy Duty Pickup Truck. **Motion by Lockwood, 2<sup>nd</sup> by Petrus, all in favor.**
- 9-9-PW-9 **(Revised 9-4-09)** Authorizing the Abandonment and/or Discontinuance of "Chase" Rd. in the Town of Ira. **Motion by Lockwood, 2<sup>nd</sup> by Chapman, all in favor.**
- 9-9-PW-10 Authorizing the Chairman of the County Legislature to Sign a License Agreement with Finger Lakes Railway Corp. **Motion by Lockwood, 2<sup>nd</sup> by Petrus, all in favor.**
- 9-9-PW-11 Authorizing the Clerk of the Legislature to advertise and receive sealed bids for Discount from regular retail price for Building, Plumbing, Electrical supplies etc. purchase at vendors store locations. **Motion by Lockwood, 2<sup>nd</sup> by Petrus, all in favor.**

**MINUTES TO APPROVE:** 8-18-09, Motion by Petrus, 2<sup>nd</sup> by Lockwood, all in favor.

**Motion by Mitchell to move regular resolutions 1-8, 2<sup>nd</sup> by Lockwood. Chapman has a correction that needs to be made on # 8, there seems to be an underpayment to Gray Management Systems.**

**Motion by Mitchell, 2<sup>nd</sup> by Lockwood on regular resolutions #1-7, all in favor.**

1. Auth. payment of **August** Audit of Claims(revised)
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 will be corrected by County Attorney's office and resubmitted for the Legislature meeting.**

8. Auth. payment of Various Capital "H" Projects.

**Chairman Tortorici,** we need to decide on a date for the NYSNA mediator session with Matt Fletcher, two dates, October 14, or October 21. Agreed date of October 14, 2009 at 6:00PM, all in favor.

There will be a pre bid meeting for the Mental Health Project on September 17, 2009 at 2:30PM, at the Mental Health Center, North St., the Bid opening will be October 8, 2009 at 2:30PM, Chambers, 6<sup>th</sup> Floor, 160 Genesee St. and a Special Legislature meeting will be held on October 13, 2009 at 5:30PM, Chambers, 6<sup>th</sup> Floor, 160 Genesee St., to go over the bids.

Legislator Mitchell, Gray Management is going to work up a summary for this meeting and present it.

**Motion by Petrus, 2<sup>nd</sup> by Lockwood to adjourn at 6:30PM, all in favor.**

**Motion by Lockwood, 2<sup>nd</sup> by Petrus to approve minutes of 9-15-09, on 10-20-09, all in favor.**