

**MINUTES
WAYS & MEANS COMMITTEE
ROGER MILLS, CHAIR**

**Tuesday, December 13, 2011 (to Immediately follow Spec. Legislature Meet.)
(Chambers 6th Floor CCOB)**

CALL TO ORDER: By Roger Mills Chair, at 6:47PM

MEMBERS PRESENT: Roger Mills David Axton, George Fearon, Steven Cuddeback, Patrick Mahunik and Paul Pinckney, excused Petrus, Aikman, Vice Chair of Planning will present Planning resolution.

OTHERS: Chairman Peter Tortorici, Legislator's Michael Chapman, Stephen Barski, County Administrator Tom Squires, County Attorney Fred Westphal, Director Cayuga County Nursing Home Deb English, Human Resources Interim Administrator Evelyn Goodman, Health & Human Services Director Elane Daly, Health & Human Services Budget Director Lynn Marinelli, Treasurer Jim Orman, Director Real Property Kelly Anderson, County Auditor Michele Anthony, Sheriff David Gould, Buildings & Grounds Supervisor Mike Pawlenko, Highway Superintendent George Wethey, Director Office for the Aging Nancy Siefka, Youth Bureau Lloyd Hoskins, Director Parks & Trails Gary Duckett, Karen Killips, Interim Director Mental Health, Citizen Reporter Justin Murphy and Legislative Assist/Deputy Clerk Sheila Smith.

MINUTES TO APPROVE: 11-15-11, motion by Pinckney to approve minutes, 2nd by Axton, all in favor.

COMMITTEE DISCUSSION: Fearon, for the Government Operations meeting next month, I have a letter asking for power of subpoena that I would like put on the agenda.

CORRESPONDENCE:

1. Received a letter from John Morrissey, Auburn, NY, re: Culver Pipe Project, complimenting George Wethey Highway Superintendent, Steve Koon General Foreman and the Cayuga County Highway Department on a job well done.
Axton would like George Wethey to bring some pictures of the project to the Legislature meeting and show them while the letter is being read.

Fred Westphal asked that the Legislator's go into caucus room number 1 so that he could give them legal advice at 6:52PM, back in at 6:55PM.

DEPARTMENT REPORTS:

1) Jim Orman (Treasurer & Data Processing) Attached to packet

Discussion:

Fearon, there is a tremendous increase in internet sales and I know a lot of those circumvent sales tax and we need to be aware of that.

Mills, don't you have to check that box when you file a return that you don't have those.

Fearon, we know that sales this Christmas are way up, but the internet is picking up more and more, I just want you to be aware of it.

Axton, that change would have to come at the federal level so that all states would have to abide by it. There are some states that do work together on that, if you order from Michigan, they may subscribe to that theory and charge New State people that sales tax and vice versa.

Orman, it is on the radar, the State Treasurer Association, rooms are not charged when Travelocity , Expedia, etc, buys these blocks of rooms and sells them back, we don't get the sales tax on them, nobody does. That is on the radar State wide to try and get a provision to recover those sales tax monies. We have, for the last couple of years, in recognition of hard times; we have been able to reduce our office tax levy portion by 2 to 21/2 positions.

2) Kelly Anderson (Real Property) Attached to packet

Discussion:

Mills, is there a date you have to have the County Tax bills mailed?

Anderson, the goal is to have everything in place by January 1st, so the Treasurer office is in a position to mail those bills and give everyone the full collection period.

Mills, the full time is a month?

Anderson, January 1st through February 10th.

Mills, I understand it's beneficial to your department that we adopted the budget tonight rather than waiting until next week.

Anderson, one of the most crucial pieces to that is there are many pieces that go into the town/county's tax bills, we don't want to rush it and make mistakes.

Mills, are there other municipalities under the same December 20th deadline.

Anderson, no, the town budget calendar per New York State Law says they have until November 20th to adopt, 10 days for the clerk to present to the supervisor, a few days for the town supervisor to review it and then present to the county. The drop dead date for receipt to the County is December 6th.

3) Evie Goodman (Interim Director Human Resources/Civil Service) Attached to packet

No questions.

4) Tom Squires (Budget Officer/Purchasing) I received a letter from Bonadio, asking that

the Legislature approves their withdrawal from our engagement. (Letter attached) We have struggled over the last couple years in trying to get the financial statements done in a single audit and all the other reports that go along with it done in a timely fashion. After the first year, we thought we had a game plan in place, but things didn't improve, I don't think we ever got on the same page as far as expectations. They thought it best and I agree that they withdraw from the engagement and that will allow us to go out to bid for the audit services again. I don't know if you have to officially accept their resignation, but acknowledge receipt that they are withdrawing from the engagement and then direct me to go out to bid. They do have a contract with them for Social Services where we pay them \$25,000 a year to review self employed applications for Medicaid and they do a good job with that and we intend to continue that. In regards to audit services, which includes the financial statement audit, the single audit, the cost report for Mental Health, Deferred Comp. Audit, and the State DOT Audit, I would like to go out to bid for those services.

Mills, while you're doing that you couldn't go out to bid for the Medicaid Services at the same time, is that a 3 year engagement for that service as well?

Squires, they are doing a good job with that and it is not a traditional audit service.

Mills, include all in one?

Squires, no.

Mills, I would like to bring it more local.

Squires, local firms that could handle the year-end audit are about zero, local firms that could handle the Social Services part is much larger.

Axton, as we move forward do we know what to do so we don't have ambiguity?

Squires, I think so, I think we need to make changes on our end, pay attention to the language.

Axton, we have identified them?

Squires, yes.

Cuddeback, I move that we acknowledge the letter from the Bonadio group, 2nd by Fearon, all in favor.

Squires, according to policy over site committee and Ways & Means need to sign off on the request for approval, for commuting vehicles. The two commuting vehicles for Emergency Management passed through Judicial & Public Safety and have been signed by the department head, myself, Chairman of Judicial & Public Safety and require the signature of the Chairman of Ways & Means.

Motion by Cuddeback to have Chairman of Ways & Means, Roger Mills; sign the form, 2nd by Pinckney, all in favor.

Fearon, we need to take a hard look at those.

Squires, close to year end, probably in February we will know where we end up for 2011. In 2010 we didn't have any significant audit adjustment that reflects the good job the Treasurer's office did.

5) Michele Anthony (County Auditor) attached to packet

Discussion:

Mills, this electronic payment, we are going to get cash back, what are we going to do with the cash?

Anthony, I don't know.

Mills is there a place that it is dedicated to, you were projected a significant sum of money.

Anthony, I hadn't thought about it, I will discuss with the Treasurer.

Mills, there was a recommendation from the Clerk's Office that we get some additional credit cards, if your consolidated services with one vender, Bank of America, maybe get our credit cards from them and cash back as well with the credit card.

Anthony, there are questions with that, I'm not sure if Government can get cash back.

Fearon, we would have to have some sort of revenue line to put the money, on the credit card we could accrue mileage on any airline, cut down on costs.

Axton, the problem with that is we do it so infrequently it may not add up very much,

Mills, if we are accumulating something of value we should think about how it is going to be expended.

Lattimore, how is the credit card, purchases going to be monitored.

Anthony, we will get a statement from Bank of America and those purchases will all be reviewed with documentation and sign offs.

Cuddeback, we use a couple of larger corporate banks are there any other alternatives, maybe keeping our money more local.

Orman, I have been looking at that for a while, it is at the top of our list for 2012.

Mills, one of the limitations is all of our deposits have to be collateralized, negotiable instruments, and a lot of the smaller banks don't have a sufficient amount of those negotiable instruments.

Anthony, I will ask all these questions.

NEW BUSINESS:

Lattimore, we are going to have a new chairman at the beginning of the year, population of the county is going down, size of this government and expense associated with it. What is our term limit, 10 years?

Mills no, it's 12 years, do you want to bring that up at Government Operations, that would be the appropriate committee.

Cuddeback, it's not 12 years, its three consecutive terms.

Mills, present it to the Chairman of the Government Operations in January.

WAYS & MEANS RESOLUTIONS:

REGULAR MONTHLY RESOLUTIONS:

1A. Authorizing the County Treasurer to Pay **November 10-30, 2011** Audit of Claims, **Motion by Pinckney, 2nd by Cuddeback, all in favor.**

1B. Authorizing the County Treasurer to Pay _____, **2011** Audit of Claims (**Will be done at the Legislature meeting, figures not in yet**)

12-11-WM-1 Adopting Resolution for Annual Update to Cayuga County Investment Policy. **Motion by Cuddeback, 2nd by Pinckney.**

Discussion,

Mills there are some typo errors, Jim Orman will correct.

Vote, all in favor.

12-11-WM-2 Authorizing Accounts Payable Year End Adjustments – 2011 Operating Budget. **Motion by Axton, 2nd by Mahunik, all in favor.**

12-11-WM-3 Approve the Taxes as Extended and Authorize the Chairman and the Clerk of the Legislature to Sign the Tax Rolls. **Motion by Cuddeback, 2nd by Axton, all in favor.**

12-11-WM-4 Designating December 20, 2011, as the Date to Annex the Tax Warrant. **Motion by Motion by Cuddeback, 2nd by Fearon, all in favor.**

12-11-WM-5 Clarifying Policies and Procedures for the Sale, Disposition and Use of Certain Real Property Owned by the County of Cayuga – Revised 12-2011. **Motion by Cuddeback, 2nd by Axton, all in favor.**

- 12-11-WM-6 Authorize Director of real Property Services to Apportion Community College Costs for Tax Purposes and Repealing Resolution No. 446-11. **Motion by Cuddeback, 2nd by Pinckney, all in favor.**
- 12-11-WM-7 Authorizing the Director of Real Property Tax Services to Extend the Levy of Taxes, Establish Rates for the Same and Re-levy Unpaid Taxes. **Motion by Cuddeback, 2nd by Pinckney, all in favor.**
- 12-11-WM-8 Authorizing the Levy of Taxes for the CCSWA in County Water Districts 1, 2, and 3 and Sewer District 2 for Several Towns. **Motion by Cuddeback, 2nd by Axton, all in favor.**
- 12-11-WM-9 Authorizing Correction of Tax Errors in the Town of Moravia. **Motion by Cuddeback, 2nd by Axton, all in favor.**
- 12-11-WM-10 Authorizing the County Administrator's Office to Advertise and Receive Request for Proposals from Administrative Service Agencies, Trustees, and Financial Organizations for Services in Connection with a Deferred Compensation Plan for the employees of Cayuga County. **Motion by Cuddeback, 2nd by Axton.**

Discussion:

Mills, if this was implemented in 1999 and it was a five year authorization, seems like we should have it in 2004 and 2009, must have missed it. It says it was implemented in July 1999 and the next whereas says every five years we are going to do this.

Fearon, one year extensions.

Vote on WM-10, all in favor.

- 12-11-WM-11 Authorizing the Levy of Omitted Taxes. **Motion by Cuddeback, 2nd by Pinckney, all in favor.**

- 12-11-WM-12 Levy Returned Village Taxes & Authorize the County Treasurer to Pay Same. **Motion by Cuddeback, 2nd by Pinckney.**

Discussion:

Mills, we receive 7% fee on this for administration cost for collecting these taxes and making them whole, so there is a cost to the county for advancing the money prior to being re-levied. Why don't we have that 7% for the Water & Sewer bills.

Anderson, it is a different law for water & sewer.

Westphal, I will check on that.

Vote WM-12, all in favor.

- 12-11-WM-13 Levy Unpaid Water & Sewer Bills – Several Towns and Cayuga County Sewer and Water Authority. **Motion by Cuddeback, 2nd by Pinckney, all in favor.**

- 12-11-WM-14 **(Revised 12-13-11)** Levy Taxes Provided for in the Adopted Annual Budgets of the Towns and Fire Districts of Cayuga County. **Motion by Cuddeback, 2nd by Fearon.**

Mills, I went down through the list and circled the towns with contributions to the Seymour Library, Fleming contributes \$72,000 and some change, Sennett is there and so is Owasco, this is in addition to the County contribution. Some townships are paying twice.

Fearon, some more than twice, you have a school districts that may overlaps, goes on the school budget.

Vote on WM-14, all in favor.

- 12-11-WM-15 **(Added 12-13-11)** Directing the Levy of Tax Against the city of Auburn for County Purposes for 2012. **Motion by Mahunik, 2nd by Pinckney, all in favor.**

- 12-11-WM-16 **(Added 12-13-11)** Levy Returned School Tax and Authorize County Treasurer to Pay Same. **Motion by Cuddeback, 2nd by Axton, all in favor.**

Motion by Mahunik to bundle, 2nd by Pinckney, all in favor

- 12-11-HH-1 Authorizing the Director of Health and Human Services to fill a Human Services Examiner position in the Public Assistance Unit of Human Services due to retirement of incumbent.

- 12-11-HH-2 Authorize the Director of Health & Human Services to fill an Accounting Supervisor grade A vacancy due to retirement effective 12/31/11.

- 12-11-HH-3 Authorizing the Director of Health and Human Services to fill a Sr. Social Welfare Examiner in the Public Assistance Unit of Human Services due to retirement.

- 12-11-HH-4 Authorizing the County Treasurer to amend the 2011 Cayuga County Health & Human Services budgets.
- 12-11-HH-5 Authorizing the Chairman of the Legislature and the Director of Health & Human Services to enter into a contract with the NYSDOH to accept funding through the American Recovery and Reinvestment Act.
- 12-11-HH-6 Authorize the Chairman of the Cayuga County Legislature and the Director of the Cayuga County Community Mental Health Center to continue a Psychiatric Consulting Agreement with East Hill Family Medical.
- 12-11-HH-7 Authorize the Chairman of the Cayuga County Legislature and the Director of the Cayuga County Community Mental Health Center to renew an agreement with Hillside Children's Center, Inc. to provide customized services.
- 12-11-HH-8 Authorizing the Chairman of the Legislature and the Director of Community Mental Health Services to renew an agreement with Time Warner Cable Business Class for cable service at 146 North Street.
- 12-11-HH-9 Authorizing the Director of Community Mental Health Services and the Chairman of the Cayuga County Legislature to renew an agreement with the Professional Practice group of the Department of Psychiatry at the Upstate Medical University.
- 12-11-HH-10 Authorize the Chairman of the Cayuga County Legislature and the Director of The Cayuga County Community Mental Health Center to enter into an agreement with the State University of New York Upstate Medical University.
- 12-11-HH-11 **(Amended at Committee)** Adopting the recommendation of the Community Services Board to appoint Raymond Bizzari as the Executive Director to the Community Services Board.
- 12-11-HH-12 Authorization to create and hire a Material Manager and abolish the Stock Clerk at the Cayuga County Nursing Home.
- 12-11-HH-13 Authorizing the Chairman of the Cayuga County Legislature to sign a contract and the County Treasurer to accept funds from the Department of Justice Office on Violence against Women.
- 12-11-HH-14 Authorizing the Chairman of the Legislature and the Director of the Office for the Aging to Sign Contracts with Various Subcontractors for Caregiver Respite and Title IIIB Services.
- 12-11-HH-15 **(Added 12-7-11)** Amending Motion No. 469-11 to Set the Salary and Effective Date Thereof for the Deputy Director of Community Mental Health Services who is Acting as the Interim Director of Community Mental Health Services.
- 12-11-HH-16 **(Added 12-8-11)** Authorization to Adjust the Salary of Two Supervising Nurses at the Cayuga County Nursing Home.

End of Bundle.

Motion by Fearon to bundle GO-1, 3, 5 and 6, 2nd by Cuddeback, all in favor.

- 12-11-GO-1 A Resolution to Authorize the Chairman of the Legislature to sign a Software Maintenance contract for the Board of Elections.
- 12-11-GO-3 Designating Newspapers to Publish County Matters for the Year 2012.
- 12-11-GO-5 Authorization to Adopt the Ladder Safety Policy for the County of Cayuga.
- 12-11-GO-6 **(Added 11/28/11)** Authorizing the rejection of all RFP's for Code Enforcement Officers and authorizing the County Administrator to advertise and receive new RFP's with the new specifications.

End of Bundle

- 12-11-GO-2 Authorizing the Amendment of the Rules of Order-Cayuga County. **(Fearon, please keep this for your records) Motion by Fearon, 2nd by Cuddeback.**

Discussion:

Westphal, weighted voting was incorrect and Code Enforcement is under Public Works.

Vote on GO-2, all in favor.

- 12-11-GO-4 To Fix Date, Time and Place of the Meeting to Organize the Cayuga County Legislature for 2012. **Motion by Fearon, 2nd by Cuddeback, all in favor.**
- 12-11-GO-7 Authorizing the Hiring of a Part-Time Clerk in the Veteran's Office. **Motion by Fearon, 2nd by Cuddeback, all in favor.**
- 12-11-PL-1 Authorizing the filling of the Position of Employment & Training Director II. **Motion by Aikman, 2nd by Cuddeback, all in favor.**

Motion by Axton to bundle PW-1 to 4 and PW-8 to 12, (PW-5 to & were pulled), 2nd by Cuddeback, all in favor.

- 12-11-PW-1 Authorizing the Hiring of up to Eight Part-Time Museum Aides and One Museum Assistant for the Ward W. O'Hara Agricultural Museum and the Dr. Joseph F. Karpinski, Sr. Educational Center.
- 12-11-PW-2 Authorizing the Transfer of 2011 Sterling Nature Center Contractual Budget Funds in the amount of \$6,969 to the Capital Reserve Fund established for Building Improvements at the Sterling Nature Center.
- 12-11-PW-3 Authorizing the Chairman of the Cayuga County Legislature to sign a one year Extension to the Inter-Municipal Agreement with the Village of Fair Haven and The Town of Sterling for the oversight and eventual ownership of West Barrier Bar.
- 12-11-PW-4 Authorizing the transfer of funds in the amount of \$2,308 from the 2011 Cato-Fair Haven Trails Contractual Budget to the Cato-Brutus Trail Grant Capital H-07-02.
- 12-11-PW-8 Authorizing the County Chairman to Sign Snow Removal Agreement with Onondaga County for 2011-2012.
- 12-11-PW-9 Authorization for Superintendent of Highways to fill an Auto Mechanic Diesel Position within the Highway Department.
- 12-11-PW-10 Authorization for Superintendent of Highways to fill MEO-Heavy Position within the Highway Department and to backfill a position created by promotion.
- 12-11-PW-11 Authorization to Amend the 2011 Cayuga County Motor Pool Budget for Gasoline and Department Reimbursement.
- 12-11-PW-12 Authorization to Amend the 2011 Cayuga County Highway Budget for Other Machinery Rental.

End of Bundle.

Motion by Cuddeback to bundle JP-1 to 6, 2nd by Pinckney, all in favor

- 12-11-JP-1 Authorizing the Chairperson of the Legislature to Sign a One Year Renewal with Penn Power Systems for the Maintenance of the generators for the Cayuga county Radio System.
- 12-11-JP-2 Authorizing the Sheriff of Cayuga County to enter into a Memorandum of Agreement with the Cayuga-Onondaga Board of Cooperative education Services (BOCES) for the Assignment of a Sheriff's Deputy at the BOCES Campus to serve as a School Resource Officer and Backfill the Sheriff's Deputy Vacancy Left by said Assignment
- 12-11-JP-3 Authorizing the Sheriff of Cayuga County to Transfer Monies from Various Lines of the Sheriff's 2011 Custody Budget to the Sheriff's 2011 Custody Contract Food Budget Line (A31504 54028) and the Sheriff's 2011 Custody Drugs Budget Line (A31505-4 54046).

- 12-11-JP-4 **(Corrected 12-9-11)** To Adopt Local Law No. _____ for the Year 2011 Authorizing the County of Cayuga to Lease Part of the Premises Commonly Known as Tax Map No. 52.00-1-38.1 Route **34**, Cato, NY, from John Daly for a Term of 99 Years.
- 12-11-JP-5 **(Added 12/5/11)** Appointing Administrator Indigent Defendants, Part Time , and Setting Salaries for Administrator Indigents, Part Time, and Deputy Administrator Indigent Defendants, Part Time.
- 12-11-JP-6 **(Added 12-8-11)** Authorizing the Sheriff of Cayuga County to Temporarily Retain a 2007 Ford Crown Victoria that was Scheduled to be Delivered to the Clerk of the Cayuga County Legislature for Disposal.

End of Bundle.

Motion by Cuddeback to adjourn at 7:44PM, 2nd by Pinckney, all in favor.

Motion by Fearon, 2nd by Pinckney, to approve minutes of 12-13-11, all in favor