

**WAYS & MEANS
COMMITTEE MINUTES
OCTOBER 16, 2007**

ATTENDANCE: Hon. Legislator Paul Dudley, Chair, Hon. Legislator Steve Cuddeback, Hon. Legislator Ray Lockwood, Vice-Chair, Hon. Legislator Francis Mitchell, Hon. Legislator Linda Murphy, Hon. Legislator Ann Petrus, Hon. Legislator Daniel Schuster, and Hon. Legislator George Fearon, Chairman

EXCUSED: None.

OTHERS PRESENT: Wayne Allen, County Manager, Sheriff David S. Gould, Debra English, Nursing Home Administrator, Nancy Siefka, Director of Office for Aging, George Wethey, County Highway Superintendent, Alan Kozolwicz, Director of Real Property Tax Service, Elane Daly, Director of Health & Human Services, Michael Pawlenko, Superintendent of Buildings & Grounds, Gary Duckett, Park Maintenance Supervisor, James Orman, County Treasurer, Stephen Lynch, Director of Planning, Susan Dwyer, County Clerk, Edward Herrling, Employment & Training Director, Frederick Westphal, County Attorney, Peter Kuzymn, Agent, New York Life, Erin Buchana, Group Sales Consultant, Mass Mutual Financial Group, Dave Axton, Constituent of District 3, Dianna LaMattina, Reporter (The Post Standard), Shane Liebler, Reporter (The Citizen), and Lisa Sigona, Recording Secretary

OTHERS EXCUSED: Denise Stayton, E-911 Administrator, had to leave before the Ways & Means Meeting convened due to childcare issues. Ways & Means convened later than it's normal time due to an Executive Legislative Session held prior to the Ways & Means Committee Meeting.

CALL TO ORDER: Hon. Legislator Paul M. Dudley, Chair, called the Ways & Means Committee Meeting to order on Tuesday, October 16, 2007 at the Cayuga County Office Building, Caucus Room 2, 6th Floor at 7:29 p.m.

MINUTES TO APPROVE: Hon. Legislator Dudley asked for a motion to approve the Ways & Means Committee Meeting Minutes of September 18, 2007. Motioned by Hon. Legislator Lockwood, seconded by Hon. Legislator Petrus. All members present voted in favor of the motion to pass the minutes as is.

PRESENTATION:

Please note that Steve Locey, will not be able to meet with Ways & Means Committee at 5:30PM as was previously scheduled.

Peter Kuzymn, New York Life, introduced to the Ways & Means Committee Members, Erin Buchanan, Group Sales Consultant, Mass Mutual Financial Group, who has been the group who has overseen the UNIUM, Long Term Care Disability Insurance for the County of Cayuga for at least five (5) years. Mr. Kuzymn asked the Committee to allow the County to continue utilizing UNIUM for it's non-bargaining employees including the Nurses' Union that has benefited by UNIUM. This benefit would be offered to all non-bargaining employees of the County (non-CSEA) through payroll deduction. Hon. Legislator Lockwood motioned to accept UNIUM, seconded by Hon. Legislator Cuddeback. A resolution will be needed to continue the motion on this.

APPOINTMENTS AND RE-APPOINTMENTS:

CAYUGA COUNTY YOUTH BOARD:

Pauline Johnson, 45 Parker Street, Auburn, NY 13021 reappointment – term 10/23/07 to 12/31/2008

Guy Cosentino, 139 Dunning Avenue, Auburn, NY 13021 reappointment – term 10/23/07 to 12/31/2008

Edward Herrling, 199 Franklin Street, Suite 204, Auburn, NY 13021 reappointment – term 10/23/07 to
12/31/2010

Sam Giacona, Esquire, 75 Genesee Street, Auburn, NY 13021 reappointment – term 10/23/07 to 12/31/2010

Ms. Eileen McHugh, 6 Brister Avenue, Auburn, NY 13021 reappointment – term 10/23/07 to 12/31/2010

Adele Keegan, 63 South Street, Auburn, NY 13021 reappointment – term 10/23/07 to 12/31/2010

Jean Cannizzo, P O Box 1278, Auburn, NY 13021 reappointment – term 10/23/07 to 12/31/2009

Susan Dwyer, 214 South Seward Avenue, Auburn, NY 13021 reappointment – term 10/23/07 to 12/31/2009

Nancy Weaver, 5072 Old State Road, Moravia, NY 13118 reappointment – term 10/23/07 to 12/31/2009

FINGER LAKES TOURISM ALLIANCE BOARD OF DIRECTORS:

Nancy Tisch, Bet the Farm, 381 Main St, Aurora, NY 13026 appointment - term 1/1/08 to 12/31/2010

RESOLUTIONS: The Committee discussed and unanimously approved the following resolutions unless otherwise noted:

REGULAR MONTHLY RESOLUTIONS:

1. Auth. payment of **September** Audit of Claims
2. Auth. payment of Utilities.
3. Auth. payment of all Central Services for **September 07**
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 Thruway Tolls.
7. Auth. payment of Claims for Credit Card Charges.
8. Auth. payment of Legal Notices.
9. Auth. payment of Various Capital “H” Projects.
10. Auth. payment of Claims for Various Equipment Leases.
11. Auth. payment of Parcel Services.

Motioned by Mr. Cuddeback, seconded by Mrs. Petrus. Resolutions 1 through 11 were voted on. Discussion: None. Unanimously all in favor, passed.

WAYS & MEANS RESOLUTIONS:

12. To Adopt Equalization Rates for the Apportionment of the 2008 County Tax Levy. **Motioned by Mr. Cuddeback, seconded by Mrs. Petrus. Unanimously all in favor, passed.**
13. Authorizing Correction of Tax Errors in Several Towns. **Motioned by Mr. Cuddeback, seconded by Mrs. Petrus. Unanimously all in favor, passed.**
14. Authorizing the Creation of a Temporary Leave Bank for a County Employee. **Motioned by Mr. Cuddeback, seconded by Mrs. Petrus. Discussion: Union agreement with Ms. Dwyer, County Clerk and Mr. Brew, Clerk of Legislature’s assistance. Unanimously all in favor, passed.**
15. Amending the Buildings Dept. 2007 Cayuga County Budget. **Discussion: \$680. amended change. Unanimously all in favor, passed.**
16. Authorization to Create and Fill a Temporary Part-Time Jr. Accountant Positions in the County Treasurer’s Office. **Discussion: This is an extension of a position, employee had serious health problems is now able to come back to work next month, the money is still available in the budget. Sunset until 12/31/2007. Unanimously all in favor, passed.**

- 16A. (Added 10-15-07) Authorizing the County Treasurer to Purchase a Folding Machine used in the Preparation of the County Tax Bills. **Discussion: The folding machine has been band-aided for a very long time now. Cost: \$4,200. Unanimously all in favor, passed.**

WAYS & MEANS SUB-COMMITTEE RESOLUTIONS:

PLANNING:

17. Amending the 2007 Planning Budget to Transfer Funds from .100 line to .400 line to Purchase Equipment. **Motioned by Mr. Schuster. Discussion: Department would like to purchase this, this year instead of in 2008. Unanimously all in favor, passed.**
18. Authorizing the Filling of a Vacant 100% Funded Senior Typist Position. **Discussion: Position at the Employment & Training Department. Unanimously all in favor, passed.**

GOVERNMENT OPERATIONS:

19. Supporting the "Medicaid County Protection Act of 2007" – House Res. # 326. **Presented by Mr. Allen. Discussion: Will save the County money. Unanimously all in favor, passed.**
20. Authorizing the Amendment of the Legislative Budget for 2007 **Presented by Mr. Allen. Motioned by Mr. Cuddeback. Discussion: This is for the Board of Ethics that will involve a 2/3'rds vote if money is taken out of Contingency Fund. The Board consists of five (5) members that are appointed and on an as needed basis at times they need materials in order to do their work. It is estimated there will be a need for \$2,000 and any money leftover will be rollover into the 2008 budget. Mr. Lockwood requested to move matter forward. Unanimously all in favor, passed.**

JUDICIAL & PUBLIC SAFETY:

21. Authorizing the Chairperson of the Legislature to Sign a Memorandum of Understanding to Establish an Interoperable Communications Network with Four other Counties. **Presented by Sheriff Gould in the absence of Ms. Stayton. Unanimously all in favor, passed.**
22. Requesting State Home Rule Legislation in Relation to Granting Membership to One Cayuga County Deputy Sheriff in the Special Retirement Plan for Sheriffs Undersheriffs, and Deputy Sheriffs Established Pursuant to Article 14-b of the Retirement and Social Security Law. **Motioned by Mr. Cuddeback. Discussion: There is a correction to be made in regards to that there are five (5) representatives and the Committee will sign on the Legislative Floor. Unanimously all in favor, passed.**
23. To Adopt Local Law No. for the Year 2007, Authorizing Creation of a Cayuga County Auxiliary Police Unit and Extending Workers' Compensation Coverage to such Organization Pursuant to Section 2 of the workers' Compensation Law. **Motioned by Mr. Cuddeback. Discussion: Affording workers' compensation to Auxiliary Police Unit and it is a mandated service. Unanimously all in favor, passed.**
24. Authorizing the Chairperson of the Legislature to Purchase a Motorola Canopy Link to Enhance Radio Communications in Cayuga County. **Discussion: \$20,000 budgeted item, to enhance from Frozen Ocean to Summerhill. Unanimously all in favor, passed.**
- 24A. (P) **Pulled (Added 10-15-07)** James B. Vargason, District Attorney of Cayuga County and Susan M. Dwyer, County Clerk of Cayuga County, Request the Support of the Cayuga County Legislature in Opposing a Change To the NYS Dept. of Motor Vehicle Policy, which will allow Illegal Aliens to Obtain a valid NYS Driver's License & NYS Non-Driver Identification **Discussion: This resolution is not this Committee's decision to make – needs to go back to Government Operations Committee. No monetary involvement. Pulled.**

PUBLIC WORKS:

25. Authorizing the Chairman of Cayuga County to Sign Order on Consent/Stipulation form to Settle Alleged Offense of Violations of Environmental Conservation Law and Pay the Sum of

- \$2,500.00 **Discussion: Was \$7,520 – Kleinfelder assisted and the cost was \$4,819.73 for monitoring the project. Unanimously all in favor, passed.**
26. Authorization to Amend the 2007 Cayuga County Highway Budget. **Motioned by Mr. Cuddeback, seconded by Mrs. Petrus. Unanimously all in favor, passed.**
27. Authorizing the Amendment of the 2007 Highway Budget Due to an Increase in Cost of Gasoline. **Unanimously all in favor, passed.**
28. Authorizing the Amendment of the 2007 Highway Budget Due to an Increase in Cost of Diesel Fuel. **Unanimously all in favor, passed.**
29. Budget Transfer of the 2007 Cayuga County Highway Budget for Diesel Fuel. **Discussion: Every week prices are changing. Need more money for diesel fuel at \$2.9451/per gallon. Unanimously all in favor, passed.**
30. Authorization to Fill Part-Time M.E.O. – Light & Medium Positions for use as Relief Workers in High Volume Work Times for Year of 2008. **Discussion: Did the same resolution last year to cover, vacations, employees on sick leave and retirements for snow plowing. Unanimously all in favor, passed.**
31. Amending Resolution 545-07 for the Hiring of Part-Time and Seasonal Positions within the Parks & Trails Dept. **Discussion: Neutral effect on budget. Unanimously all in favor, passed.**
32. Authorization to Purchase a Truck and Plow for the Buildings and Grounds Dept. and Direction to Surrender of Current Vehicle for Auction or Transfer. **Discussion: Budgeted. Unanimously all in favor, passed.**
33. Amending Res. 538-07 Authorizing the Ward W. O’Hara Agricultural Museum to do a Makeover of the Courtyard of the Museum Including the Reconstruction of the Herb Garden and Authorizing the Clerk of the Cayuga County Legislature to Advertise and Receive Sealed Bids and establishing capital “H” PROJECT NO. 07- _____. **Discussion: To go out to bid to help complete the courtyard. To start the project, \$7,500 was given to the County by the Emerson Foundation in a grant. Unanimously all in favor, passed.**

HEALTH & HUMAN SERVICES:

34. Authorizing the Chairman of the Legislature and the Director of H&HS to Enter into Contracts with Cayuga County E & T Dept. for Provision of Services. **Unanimously all in favor, passed.**
35. Authorizing the Chairman of the Legislature and the Director of H&HS to Enter into a Contract with NYS Office for the Aging and Accept 100% Funding. **Unanimously all in favor, passed.**
36. **(P) Pulled** Authorizing the Chairman of the Legislature and the Director of H&HS to Enter into a Contract with New York Commercial Flooring Inc. **Discussion: Committee would like local agencies the option to bid and go with the lowest bidder. Kathleen Cuddy will assist in documentation for bids. Pulled.**
37. Authorizing the Chairman of the Legislature and the Director of H&HS to Renew Contract with HRI to Continue Breast & Cervical Cancer Early Detection Program. **Unanimously all in favor, passed.**
38. Authorizing the Chairman of the Legislature and the Director of H&HS to Renew the Agreement with the State to Participate in the Youth Tobacco Enforcement and Prevention Program and Accept Funding. **Unanimously all in favor, passed.**
39. Authorizing the Chairman of the Cayuga County Legislature and the Administrator of the Nursing Home to Enter into a Electrical Demand Response Agreement with Energy Curtailment Specialists. **Motioned by Mr. Cuddeback, seconded by Mr. Schuster. Discussion: Has been through the Health & Human Services Committee Meeting and approved. Unanimously all in favor, passed.**
40. Authorizing the Chairman of the Cayuga County Legislature and the Administrator of the Nursing Home to Enter into an Agreements with Med-Rev Recoveries and Rick Galabato for the Purpose of Collecting Past Due Accounts. **Discussion: Committee felt it would be foolish not to vote for this resolution, it helps the County with recoveries of monies. Unanimously all in favor, passed.**

41. Authorizing the Chairman of the Cayuga County Legislature and the Administrator of the Nursing Home to Lease a Toshiba Copier for the Nursing Home. **Unanimously all in favor, passed.**
42. Authorizing the Clerk of the Legislature to Advertise and Receive Sealed Proposals for Medical Supplies and Equipment for the Public Health Dept. **Unanimously all in favor, passed.**
43. Authorizing the Chairman of the Legislature to Award the Bid for Provision of Meals for the Cayuga County Office for the Aging Senior Nutrition Program. **Motioned by Mr. Cuddeback, seconded by Mrs. Petrus. Discussion: To the lowest bidder. Unanimously all in favor, passed.**
44. Authorizing the Director of H&HS to Fill a Part-Time Home Health Aide at CHHA. **Discussion: Funded in the budget, went through committee. Unanimously all in favor, passed.**
45. Authorizing the Director of H&HS to Fill a Part-Time MSW Position at CHHA Due to Resignation. **Discussion: Funded in the budget, went through committee. Unanimously all in favor, passed.**
46. Authorizing the Director of H&HS to Fill Full Time Audit Clerk in the Information Technology Division of Human Services. **Discussion: Funded in the budget, went through committee. Unanimously all in favor, passed.**
47. Authorizing the Chairman of the Legislature and the Director of H&HS to Purchase Point of Care Computer System for CHHA. **Unanimously all in favor, passed.**

COMMITTEE DISCUSSION:

REAL PROPERTY TAX SERVICE UPDATE – Alan Kozolwicz

Mr. Kozolwicz brought to the Committee's attention that a taxpayer put \$5,400 down at the most recent Tax Foreclosure Property Auction and the taxpayer wants to back out of the purchase now. The second bidder on the property didn't want to purchase the property, either. The Committee's decision was that the auction is a viable purchase of tax foreclosure properties in the County and the County is not in the business of taking back properties that are sold at auction.

COUNTY CLERK'S OFFICE UPDATE – Susan Dwyer

Ms. Dwyer discussed with the Committee her concerns, along with other County Clerk's in New York State on the Governor's introducing a new law to give illegal aliens New York State driver's licenses without a social security number and without a birth certificate. Ms. Dwyer presented a resolution that was written with the District Attorney's office. The Committee felt this was not the Committee to discuss this issue and to bring it to Government Operations. It was noted that on October 23, 2007, there would be a joint Ways & Means and Government Operations meeting where it could be discussed. Mr. Schuster is not 100% against the Governor's law on driver's licenses to illegal aliens and Mr. Schuster had some information, such as, you can get a driver's license in New York State without a social security number through a letter from the Social Security Office.

COUNTY ATTORNEY'S OFFICE UPDATE – Frederick Westphal

Mr. Dudley asked for an update on the Centro payments between the City and the County. Mr. Westphal discussed that it is State mandated to have an agreement with the City of Auburn and the County of Cayuga for transportation fifty – fifty. A bill for each 50% should be created. Mr. Westphal is awaiting contact from John Rossi, Corporation Counsel for the City of Auburn, in regards to an agreement before anyone decides what to do. It was requested of Mr. Westphal to discuss with the City who passed this on to the County of Cayuga.

COMMUNITY MENTAL HEALTH UPDATE – Ann Petrus and Daniel Schuster

Mrs. Petrus and Mr. Schuster have been in communication in regards to three (3) oversight committee requests to hire employees at Community Mental Health that were presented to Health & Human Services Committee for staffing needs. The documents state these positions are 100% reimbursed for Typist, Account Clerk Typist and Mental Health Clerk. The language states clearly 100% reimbursable. The question arises that Mental Health Services are fee for services with enhanced Medicaid rates, if the client doesn't show there is no money to be paid by the State to the County of Cayuga.

As discussed in a previous Planning & Economic Development Committee Meeting and then continued discussion at Government Operations Committee that followed Planning's Committee Meeting, these oversight committee request to hire forms are very misleading and that there needs to be consistency in the hiring of employees in Cayuga County, whether 100% funded or not. At the Government Operations Committee meeting, it was discussed and decided that all requests to fill positions should have resolutions to be signed by the appropriate Committees and then on to the full legislative floor for continuity and tracking purposes of who is filling what positions and titles throughout the County.

The main issue with these particular requests to fill positions, they are not 100% funded positions since the Mental Health Unit is a fee for services based reimbursement system with the State of New York.

Mrs. Petrus pulled the three (3) requests to fill position forms and she will contact Mr. Blair, Director of Community Mental Health Services tomorrow to advise him they have been pulled.

Next Ways & Means Committee Meeting is scheduled for NOVEMBER 20, 2007 at 6:00PM

ADJOURNMENT: Hon. Legislator Ann Petrus motioned to adjourn the Ways & Means Committee Meeting at 8:12 p.m., seconded by Hon. Legislator Ray Lockwood. All in favor, passed.

*Respectfully Submitted,
Lisa Sigona, Recording Secretary*

Minutes Approved: 11.20.07