

**MINUTES
CAYUGA COUNTY LEGISLATURE
FEBRUARY 26, 2008, 6:00 PM
CCOB 6TH FLOOR/CHAMBERS**

CALL TO ORDER: Hon. Roger Mills, Chairman

ROLL CALL: Mary Jones, Clerk of the Legislature, All Legislators present

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

PRESENTATION: (Cancelled) Captain Swain, State Police, Annual State Police Report

DEATHS: Steven T. Netti, loving husband and devoted father, Cayuga County Legislator for 16 years, passed away, Tuesday, February 26, 2008, Funeral arrangements will be with Cheche Funeral Home.

MINUTES: For Approval: 12-18-07, Motion by Legislator Chapman to approve, approved by voice vote, all present voting aye.
For Reading: 12-11-07 and 1-2-08

COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS:

Fred Lewis, report on the Tyler Computer Software Project:

The contract was signed December 18, 2007. The software was delivered on December 26, 2007.

The IT department did a superlative job with the new servers. The servers were ordered January 2, arrived January 16, and were configured by January 24. 90% of the work on the project this month was done by IT department.

Leslie Witham from Tyler installed the basic Munis software during January 29 – 31. She provided basic administration training to three computer technicians.

Therefore, as of January 31, the hardware and software is in place.

Fred Lewis, JoAnn Hildebrant, Paul Padlick, Kim Sincerbeaux, Kim Taggerty, and Andrea Seamans went to Wayne County on January 28th. They met with the Munis project manager for Wayne County and other officials to discuss practical issues in the implementation of the software. (Wayne began working with Munis three years ago.) The people at Wayne County will be a valuable source of advice to draw on in the future.

Pursuant to the contract, invoices for \$102,807.50 and \$222,779.00 have been paid. This is a combined total of \$325,596.50. The payments were authorized by the project manager, reviewed by the county attorney, and approved by the appropriate committees and the legislature.

Tomorrow, the 27th, we will have an all-day kickoff meeting with David Buck, the project manager for Tyler, and some of his implementers to plan the tailoring of the software to our business processes and the data migration as well as scheduling training.

IT has almost finished creating the training room (formerly Caucus Room II) with ten PC workstations. The PC's will not be put in the Caucus Room until just a few days before training begins so it can be used for regularly scheduled meetings.

Our schedule is:

Financials (PO, AP, Budget, GL)	August 1, 2008
Tax collection	January 1, 2009
Payroll/HR	January 1, 2010

In March, Paul will be leading a team of 5 to define the new chart of accounts. We have been told both by Tyler and by other counties already using Munis that this is the key building block of the entire system.

However, as time goes on, other departments will also have to make an effort. The fact we now have machines, containing the new program, down in the basement humming away does not mean we are near the end of the project, -- or even the beginning of the end of the project, -- but the end of the beginning of the project.

I was rather surprised when I was named project manager because I had thought Paul Padlick would do that, because he is a CPA, or Wayne, because he keeps wanting to get control of the county's operations. In December when I was appointed Mr. Pappert asked the question whether I would be given any authority as project manager and the answer was no.

Now for the past five years I have been responsible for keeping track of the county's fixed assets. Over the years I have run into some difficulty with some departments adhering to deadlines.

There was one large department which did not send anything for two years. Finally I approached the department head and told him he must do a complete physical inventory. After six months he submitted a report which did not have much of the necessary information and he did not bother to put it on the proper forms but at least he did have the cost of most of the items.

The following year, in October, I sent him the usual list with instructions to return it by mid-December. In January I called him and asked "Where is the updated list with the forms?" and he said they were working on it. The deadline for the State Comptroller's report is May 1st, so in mid-March Jim Orman and I sat down with him and we were told he had assigned the job to a subordinate who should have had it done by then. A week later he asked me to send him the list again because they couldn't find it. Then a week after that he asked to have me email him the list. Then the week after that his subordinate called and asked to have the list printed out again and send to him because he couldn't figure out how to print the email attachment. I sent him the list through inter-office mail. By now it was mid-April. Several days later I called to find out when it would be done. He told me he only received the packet the previous day, and was going on vacation, and couldn't do anything with it until he returned.

Now, on the surface, this may not seem relevant to the current financial software project. However, this past December 2007, I received a response from another department concerning fixed assets, which was more of a non-response, stating, "My staff do not have time to do this, they can't get their real work done."

I am **not... unsympathetic... to** this department's staffing problem. However, it **will be up** to you to convince departments that implementing this new computer program... for which the county paid three-quarters of a million dollars... is indeed "real work" and needs to be taken seriously and not something to be put off until they fly back from vacation six months from now.

We will have enough problems adjusting to this new program – in 35 years in the computer field I have yet to see ANY new program implemented where there were not problems adjusting to it – without having people slough the whole thing off as irrelevant. All of us can agree that if three feet of snow fall next week, or if Port Byron floats off during a flood this spring, then those problems will have the highest priority. But the financial software cannot be something that is constantly put off and put off and *put off* until the department feels they can finally "get around it," "some day." You of the legislature **will have to** set the tone that making this new program work is a high priority and not a low priority, and when it is time for people to be trained and practice on the new system they must show up and buckle down and not goof off.

Thank you and good evening.

Legislator Fearon, most departments are good, a few people can make 80% of the problems. Some assessors are always late.

Legislator Mitchell, please let us know what departments are late.

PUBLIC BE HEARD:

If you wish to speak notify your Legislator, who will grant you privilege of the floor. You will be allowed to speak for 3 to 5 minutes. You must state your name and address.

Legislator Murphy for Nancy Tehan, Coordinator for the Cayuga County area for Success By Six: Our initiative is spearheading the introduction of the Dolly Parton Imagination Library book distribution program to Cayuga County. Our County is the second location in New York State to support this project but nationally there are many active programs. This program is free to all children living in Cayuga County age birth through 5 years old. It is very important to enroll children living in the program; particularly those that live outside of the city limits. This is an opportunity to improve school readiness and literacy rates.

CCC REPORT: Daniel Larson, President; Nursing License Exam Results, Cayuga graduates ranked fourth on the list with a pass rate of 93%. Entrepreneurship Award, the college was honored for creating the first endowed chair in entrepreneurship at a community college in the nation. Middle School Gifted and Talented Mini-Courses, in January about 500 middle school students from across the Cayuga BOCES district took part in 21 mini-courses hosted by the College for gifted and talented youngsters. There will be a mini course for adults in "Exploring wine" a non-credit course, starting this week. Student Activities, Bristol Mountain ski trip, Valentine Dance, Flea Market, ext. Climate Change Teach-In, Geospatial Technology co-hosted a local session of Focus the Nation on January 31, 2008. Emergency Alerts, we are in the process of developing a means for students and staff to opt into an emergency information system, with completion expected in about a year.

MANAGER'S REPORT: Wayne Allen, the Chairman has asked me to bring you up to date on a number of subjects. The architectural services for the Mental Health Project, the first walk thru with the architects happened the other day, we expect the RFP's to be submitted to the County next Monday, at which point we will send those proposals out to all the Legislator's. We would like each Legislator to review and rate them based on priority, we would then tabulate the results and decide whether you want to bring the top 2 or 3 in for an interview a week later. At the Ways & Means Committee meeting I presented information about the Governors 2008 – 2009 budget, we won't know the final impact on the County Services and County costs until after the budget is adopted. If the proposed changes go into effect, the County would experience a loss of revenue or additional cost somewhere between \$600,000. to a million. I asked at the last Department Head meeting, I asked Department Heads to go back and look at their departments for a 5%

reduction in their budget. The reason being I understood there would be an impact from the State Budget on County finances. I also have a concern about the down turn on the economy and maybe the potential impact on our sales tax revenue. I thought it would be proactive if I have to come back to the Legislature, making some recommendations so that at the end of the year we won't be in a deficit. I realize some departments won't be able to do it, but I want them to go back and think of ways to increase revenues, reducing costs, or figuring another way to do business, and we need to do it now. In your agenda there are 3 resolutions NYSAC has asked that the Legislature adopt, based on the Governor's Budget. Thursday night there is a Workers Comp. Meeting to be held at the new BOCES on W. Genesee St., it is an informational meeting. There will be two professional firms, one for third party administrator, the other a risk management firm, to discuss the possible options for Worker's Comp. Coverage. The Chair has asked me to gather information in regards to debt service, which has been handed out to you. John Shidia is here from Fiscal Advisors, he is here to provide you with some additional information about your debt service and what your ability to pay, and what is going on out in the market place. On Constitutional Debt Limit, NYS law, there are caps, limits to which you can go out and borrow. In this instance, it is the full value of the County times 7%, that is the amount you can legally go out and borrow. We are only using 1.11 % of our ability to borrow. The Constitutional Tax Limit, there is a built in cap by the State, which limits your ability to raise property taxes. The Financial Report on Counties, (handed out by Wayne) where you can find all the current information regarding Cayuga v other Counties, up to the year 2005. Please look at this, get an idea of what's going on, after the report; there is a press release. The County went out with the Treasurer and Fiscal Advisors, and Mr. Shidia, to upgrade it's bond rating, it was successful. It was a lengthy process, but it's worthwhile. The County's bonding from Moody's was improved from Baa1 to A3, negative outlook removed; this helps you when you go out to borrow money. In your budget we have to show the schedule principal and interest payments we make for bonds and bans, it's the last page in the County Budget.

John Shidia, Fiscal Advisors, Syracuse, NY, we have worked with the County for 3 years, we work with 31 Counties throughout New York State. I'm here to let you know how you can finance future projects; the County is in excellent shape. The debt that is imposed on the tax rate, only the amount that is levied each year according to your budget process, is going down. Schedule A - is your existing bond participation notes, these are short term obligations, Prior Issues - CCC Improvements, Public Safety Bld, 2007 Issues - Purchase of 25 Prospect St., COB HVAC, In House Issues - COB Roof, MGR Playhouse, E-911. Schedule B - General Obligation Bonds 2008. Permanently Finances Bans Maturing 8-22-08 and 10-10-08 Estimated Debt Service. We know where the BANs are now, what we need to do is convert the first two sections on BANs, schedule A to a regular Bond Issue. We came up with a August 15, 2008 issue date, principal payment 2008, \$216,153, estimated interest \$56,439, estimated Debt Service \$272,592. Schedule C - this is the remainder of the 2002 project for the Public Safety Bld, and Parks (shoreline, and some bridge improvements). Schedule C represents the only debt service component in that 2002 issue that the County is still raising taxes for, because all the other bonds are being retired with the tobacco bond. Schedule D - we add them all together; this is what we have without any further authorization for any new projects. The Mental Health project isn't sharply refined yet, so Wayne suggested we use 3 million dollar increments. Schedule E - says if we bond for 3 million dollars this is our estimate of debt service, for that 20-year period, at 4.25%, averages about \$233,000. a year. Now go to schedule F - 3 million in new financing our tax debt service would increase from 2008 to 2009 is \$47,000. isn't a big number, and if you have \$52,000 in a debt reserve, which we may, we could apply that additional debt reserve to those first 2 years. We calculated how much additional monies we need to so that we could finance 3 million dollars without any increase in tax levies. Schedule G - is 6 million, the debt service about doubles. Schedule H - what does that mean as in layering it on to our existing debt service. We now have \$90,000 in interest earnings to apply, our debt service estimate, our total tax for 2009 is \$837,000 that is an increase of \$229,944. Again how much do we need out of the debt reserve that exists, is \$665,000. we could bring in a 6 million dollar project without any tax increase. Schedule I - is 9 million, in this case the debt service is about \$700,000. a year, and when you layer that on with Schedule K, you will see a market increase in debt service for the first year of \$422,000. In this case I didn't calculate what it takes to bring it back down to 607, because even after the first 3 years and all the big stuff is paid off, we are still at around \$828,000 to 830,000. I worked off the \$831,000 figure, so if you had that \$652,000 in debt reserve, and we financed 9 million that would resolve in a tax increase of \$198,000.

Roger Mills, Chairman, just to clarify; we can essentially borrow 6 million dollars without any adverse affect to the tax levy, if we have \$665,000 in the debt reserve. We will have to study this more; we have needs to factor into the budget process. I have moved the meeting up to 6:00PM so we have time to discuss topics like this.

Legislator Palermo, at future meetings if would be nice to know in advance what will be talked about, I could have done some research about it.

Roger Mills, Chairman, I agree and we will try to get that information to you. This is the first part of trying to put together a 2009 budget, certainly the borrowing needs we are going to have as time goes on is going to be significant component of that, and this is just the beginning. As we get information in the future we will try to get that out to you in advance so you can review it.

APPOINTMENTS AND RE-APPOINTMENTS:

Cayuga County Convention and Visitors Bureau:

Hon. David Axton, 8160 State St. Rd., Port Byron, NY 13140, term – to serve at the pleasure of the Board.

Cornell Co-operative Extension:

Hon. Steven Cuddeback, 4663 State Rte. 90N, Skaneateles, NY 13152, term – to serve at the pleasure of the Board.

Hon. Raymond Lockwood, 1877 State Rte. 326, Auburn, NY 13021, term – to serve at the pleasure of the Board.

Emerson Park Commission:

Hon. Peter Tortorici, 19 Union St., Auburn, NY 13021, term – to serve for the balance of his Legislative term.

Cayuga County MRDD (Subcommittee Community Service Board)

Heather Fish, 8 Hill View Dr., Union Springs, NY 13160 term – 2-26-08 to 12-31-2011

Motion by Legislator Chapman to approve all appointments, approved by voice vote, all present voting aye.

EMERGENCY AUTHORIZATION FOR HIRING:

Buildings & Grounds Dept. Janitor Position, Signed by Legislator's Axton, Mahunik, Mitchell, Chairman, Roger Mills, County Manager, Wayne Allen.

COMMUNICATIONS AND ANNOUNCEMENTS:

1. Received a letter from Congressman, Michael Arcuri, re: additional costs associated with the new voting machines.
2. Received a letter from Assemblyman, Brian Kolb, re: additional costs associated with purchasing the Optical Scanning Voting Machines.
3. Received a letter from Assemblyman Brian Kolb, re: receipt of certified Resolution requesting state home rule legislation in relation to granting membership to one Cayuga County Deputy Sheriff in the special retirement plan for Sheriff's.
4. Received a memo from Wayne Allen, County Manager re: Informational meeting concerning the concept of the County self-funding Workers Comp., Thursday, February 28, 2008 at 6:00PM at the new BOCES Facility on West Genesee St. Rd.
5. Received a letter from the American Lung Association, re: legislation, which restricts the locations in which individuals subject others to secondhand smoke.
6. Received a letter from the Cayuga Community College Foundation, thanking the Cayuga County Legislature for their donation to the Edward T. and Alice L. Boyle Memorial Scholarship Fund.

Legislator Lockwood, motion to waive reading of correspondence, approved by voice vote, all present voting aye.

RESOLUTIONS

RESOLUTION NO. 85-08

Audit2.26.08rev

AUTHORIZING THE COUNTY TREASURER TO PAY FEBRUARY 2008 AUDIT OF CLAIMS

BY: Hon. Paul Dudley, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on February 26, 2008 audit claims against the County of Cayuga in the aggregate sum \$1,423,526.64, therefore be it

RESOLVED, that the Clerk of this Legislature file a certified list of claims so audited with the County Treasurer, and be it further

RESOLVED, that the County Treasurer be and he hereby is authorized and directed to pay the several claims so audited and charge the amounts to the several appropriations made therefore in the County Budget finalized on December 31, 2007.

Signed by Axton, Lockwood, Mitchell, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 86-08

2/26/08

AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF UTILITY BILLS.

By: Hon. Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 50, adopted April 11, 1978, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Electric and Gas service, and Water and Sewer service, and

WHEREAS, this Legislature did by Resolution No. 184, adopted August 14, 1984, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for telephone service, and Landfill Service, and

WHEREAS, said Committee has audited and authorized payments as follows:

JANUARY 2008	
Gas & Electric:	\$40,320.20
Water & Sewer	\$20,948.53
Telephone:	\$21,639.71
Landfill/Rubbish	<u>\$ 369.27</u>
Total:	\$83,277.71

RESOLVED, that said payments be part and partial payment of the full audit of this Board.

Signed by Axton, Lockwood, Mitchell, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 87-08

2/26/08

PURCHSVCSJAN

AUTHORIZING THE CAYUGA COUNTY TREASURER TO CHARGE DEPARTMENTS FOR CENTRAL SERVICES AND PURCHASES FOR THE MONTH OF JANUARY 2008

BY: Hon. David Pappert, Chairman, Ways & Means Committee.

WHEREAS, the Ways & Means Committee approved the payment of all Central Services,

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to credit the revenue account and charge the following departments' .40 Accounts (Contractual Expenditures) in accordance with attached schedules:

DEPARTMENT	CREDIT	AMOUNT
Central Purchasing	A1275	\$14,960.43
TOTAL		\$14,960.43

Signed by Axton, Lockwood, Mitchell, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 88-08 **Date of meeting: February 26, 2007**

AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE ADMINISTRATOR OF THE CAYUGA COUNTY NURSING HOME

By: Ann Petrus, Chairman Health & Human Services Committee
Francis Mitchell, Chairman Ways & Means Committee

WHEREAS, this legislature did by Resolution Number 70, duly adopted on the 20th day of March 1984, authorize the Nursing Home Committee of the County Legislature to audit all claims against the Cayuga County Nursing Home, and

WHEREAS, said Committee has audited and authorized payment in the amount of \$242,012.44 for the month of January 2008, now therefore be it

RESOLVED, that said payment be part and partial payment of the full audit of this Board.

Signed by Petrus, Schuster, Sincebaugh, Tortorici, Mitchell, Palermo, Lockwood, Axton.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 89-08

seniornutrition

REPORT AND APPROVAL OF BILLS PAID BY THE COUNTY TREASURER FOR OPERATION OF THE SENIOR NUTRITION PROGRAM IN THE OFFICE FOR THE AGING.

BY: Ann Petrus, Chair, Health & Human Service Committee

Paul Dudley, Chair, Ways & Means Committee

WHEREAS, The Director of the Office for the Aging presented bills for service providers in regard to operation of the Senior Nutrition Program, to the County Treasurer for payment pursuant to Resolution No. 297, duly adopted on June 21, 1994, which claims total \$10,223.45 covering the period through 1/25/08 and have been paid as set forth on the attached lists; now, therefore, be it

RESOLVED, that the aforesaid claims shall become part and parcel of the full legislative audit for the Office for the Aging.

Signed by Petrus, Schuster, Sincebaugh, Mitchell, Palermo, Lockwood, Axton.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 90-08

2/26/08 thrures

AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF THRUWAY TOLLS.

BY: Hon. Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 24-97, adopted January 21, 1997, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Thruway Tolls, and, WHEREAS, said Committee has audited and authorized payments as follows:

JANUARY 2008
\$ 125.31

RESOLVED, that said payments be part and partial payment of the full audit of this Board.

Signed by Axton, Lockwood, Mitchell, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 91-08

2/26/08 Credit

AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF CREDIT CARD CHARGES.

BY: Hon. Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 1-99, adopted January 01, 1999, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Credit Card Charges, and,

WHEREAS, said Committee has audited and authorized payments as follows:

JANUARY 2008
American Express \$1229.41
Sunoco \$ 103.55

RESOLVED, that said payments be part and partial payment of the full audit of this Board.

Signed by Axton, Lockwood, Mitchell, Palermo, Schuster.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 92-08

2/26/08

AUTHORIZING PAYMENT OF LEGAL NOTICE FEES PRIOR TO THE LEGISLATIVE AUDIT.

BY: Hon. Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, several county agencies are required by law to advertise legal notices in area media from time to time, and WHEREAS, several of the officially designated newspapers offer a discount for prompt payment of legal Advertising invoices, and

WHEREAS, it would be in the best interest of the County to take advantage of the prompt payment discounts by paying these invoices prior to the legislative audit of claims, therefore be it

RESOLVED, that the Clerk of the Legislature is hereby authorized to process legal Advertising invoices for payment by the Cayuga County Treasurer prior to the monthly legislative audit, and be it further

RESOLVED, that a monthly report of said payments shall be provided to each legislator on a monthly basis.

JANUARY TOTAL
\$3239.89

Signed by Axton, Lockwood, Mitchell, Schuster, Tortorici.

Approved by voice vote, all present voting aye, except Palermo abstained.

RESOLUTION NO. 93-08 (2/22/08)

COA-Caph2PAY

AUTHORIZING THE COUNTY TREASURER TO PAY CLAIMS AGAINST VARIOUS CAPITAL "H" PROJECTS.

BY: MR. MITCHELL, WAYS & MEANS COMMITTEE.

WHEREAS, claims have been received in regard to various Capital "H" Projects previously established by the County; and

WHEREAS, said claims have been reviewed and approved by the interested oversight committees; now, therefore, be it

RESOLVED, that the County Treasurer be and he is hereby authorized and directed to pay the following claims and charge the same to the appropriate Capital "H" Projects:

1. Project #00-01-C (Implementation of Master Facilities Plan for CCC Auburn, Campus):

ANNESE & ASSOCIATES, INC.:

Inv. No. SI-555864.....\$ 680.00

HMI MECHANICAL SYSTEMS, INC.:

Application & Certificate for Payment No. 10 dated 1/22/08.....\$ 23,170.00

2. Project #06-5 (Modification to the Cayuga County Office Bldg. Heating System):

J&E ELECTRIC, INC.:

Application & Certificate for Payment No. 4 dated 1/09/08..... \$ 6,650.00

SIRACUSA MECHANICAL, INC.:

Application & Certificate for Payment No. 3 dated 1/07/08..... \$ 6,935.00

Application & Certificate for Payment No. 7 dated 1/07/08..... \$ 64,528.75

Application & Certificate for Payment No.

dated 1/24/08..... \$112,686.62

And be it further

RESOLVED, that the Treasurer make the journal and accounting entries necessary to accomplish the foregoing.

Signed by Axton, Lockwood, Mitchell, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 94-08

2/26/08

AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF EQUIPMENT LEASE PAYMENTS.

BY: Hon. Francis Mitchell, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 76-02, adopted February 26, 2002, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Equipment Leases, and

WHEREAS, said Committee has audited and authorized payment as follows:

January 2008

Copier Leases and Maintenance: \$13,486.53

Postage Leases: \$ 2,655.50

Misc. Leases: \$ 7,393.00

Total \$23,535.03

RESOLVED, that said payment be part and partial payment of the full audit of this Board.

Signed by Axton, Lockwood, Mitchell, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 95-08

2/26/08

AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF PARCEL SERVICE PAYMENTS.

BY: Hon. Francis Mitchell, Chairman, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 03-03, adopted January 3, 2003, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Parcel Service Payments, and

and

WHEREAS, said Committee has audited and authorized payment as follows:

JANUARY 2008

\$ 366.19

RESOLVED, that said payment be part and partial payment of the full audit of this Board.

Signed by Axton, Lockwood, Mitchell, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 96-08 (02/26/08) RPSapplyforgrant07-08
Authorizing Cayuga County Office of Real Property to Develop a Grant Application for the 2007-2008 Grant Cycle

BY: Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, the Cayuga County Office of Real Property would like to develop a grant application through the New York State Real Property Tax 2007-08 Centralized Property Tax Administration Program grant; and

WHEREAS, the grant would cover researching the feasibility of Countywide assessing; and

WHEREAS, we would also like to apply for an additional grant to prepare a study to implement a county level data base for tax collection; and

WHEREAS, the grant proposal would not require any funds to be spent from the County budget; therefore; be it

RESOLVED, that the Cayuga County Office of Real Property develop a grant application for the 2007-2008 grant cycle.

Signed by Axton, Lockwood, Mitchell, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 97-08 (February 26, 2008) rptscorrtrrollFeb08rev1
Authorizing Correction of Tax Errors in Several Towns

BY: Francis Mitchell, Chairperson, Ways & Means Committee.

WHEREAS, petitions for corrections have been received by the Director of Real Property Tax, from the Town Assessors to correct clerical errors or an error in essential fact as specified below, as existed on the 2008 Tax Roll, and;

WHEREAS, The petitions for correction were received too late to make the necessary adjustments before the extension of taxes, and;

WHEREAS, the Director of Real Property Tax Services has reviewed the petitions and found them to be correct; now therefore be it

RESOLVED, that the Director of Real Property Tax Services under Real Property Tax Law 553-554 and 556A be authorized to make the change set forth hereafter; and be it further

RESOLVED, that the County Treasurer is authorized and directed to correct the 2008 County and Town Tax Roll; and be it further

RESOLVED, that a corrected tax statement shall be prepared, or a refund of any overpayment of taxes be made, as is applicable; and be it further

RESOLVED, that the 2007/2008 School Tax Roll shall also be corrected as follows:

Town of Montezuma: Tax Map #'s 85.16-1-46 & 85.16-1-46.-1 An unpaid school in the amount of \$4,936.02 was erroneously placed on the wrong tax map number due to truncation with the computer system. Tax map number 85.16-1-46 assessed to the town of Montezuma should have the unpaid school amount of \$4,936.02 removed from its bill.

Tax map number 85.16-1-46.-1 should have an omitted tax in the amount of \$4,936.02 placed on the 2008 assessment roll, to be billed on the 2009 Tax Roll.

Town of Mentz. Tax Map # 86.00-1-1.-1 Owned by Lamar Outdoor Advertising. This parcel should have been deleted on the 2006 Final assessment roll as it pertained to a bill board sign that had been removed in 2005 per New York State DOT. The 2007 County / Town tax bill in the amount of \$3,506.05 should be refunded to Lamar Outdoor Advertising.

Town of Venice. Tax Map # 195.00-1-27.2 Owned by Sunnyside acres. During the split processing of parcel 195.00-1-27 and 195.00-1-29 on the 2007 final roll, two Agricultural Building exemptions in the amounts of 131,100 and 68,500 and a silo exemption in the amount of 428,100 were left off the roll inadvertently. The 2007 final roll should be corrected to reflect these exemptions. The 2008 tax roll should be corrected to reflect these adjustments and a new tax statement should be prepared and any necessary refunds should be issued. The 2007 school tax roll should be adjust and necessary refunds issued also.

Signed by Axton, Lockwood, Mitchell, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 98-08 (02/26/07) RP delete tax liens

Resolution to delete unenforceable tax liens

By: Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, there is a lien in the Cayuga County Clerk's Office, in the amount of \$359.22 against property located in the Town of Fleming, identified as Tax Map # 135.00-1-7.1-1 and assessed to John Gilbert on the 2003 Tax Roll for said Town; and

WHEREAS, this parcel is a suffix and only pertained to the value of a trailer; and

WHEREAS, this parcel number was removed on the 2004 Tax Roll, when the trailer itself was physically moved, making the lien unenforceable; and also

WHEREAS, there is a 1999 lien in the Cayuga County Clerk's Office, in the amount of \$1,851.50 against property located in the Town of Throop, identified as Tax Map # 600.00-1-55 and assessed to Port Byron Water Department on the 1999 Tax Roll for said Town; and

WHEREAS, this parcel was removed on the 2000 Tax Roll per the Town Assessor because the assessment pertained to old water lines that were no longer, making this lien also unenforceable; therefore be it

RESOLVED, the liens filed in the Cayuga County Clerk's Office under tax map numbers 135.00-1-71.1-1 and 600.00-1-55 be deleted.

Signed by Axton, Lockwood, Mitchell, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 99-08 FEBRUARY 26, 2008 BOEVOTEMACHINES
AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN A CONTRACT
FOR THE PURCHASE OF VOTING MACHINES**

BY: Mr. Mitchell, Chair, Ways & Means Committee

WHEREAS, the New York State Board of Elections established February 8, 2008 as the deadline for all counties to choose and place a requisition order for voting machines that are compliant with the HAVA Plan B requirement for the state; and

WHEREAS, the Cayuga County Board of Elections has chosen the ImageCast voting machine manufactured by Sequoia Voting Systems; and

WHEREAS, the subsequent contract will require the signature of the Legislature Chairman; therefore, be it

RESOLVED, that upon receipt of the voting machine contract, the Chairman of the Cayuga County Legislature is hereby authorized to sign said contract.

Signed by Axton, Lockwood, Mitchell, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 100-08 2-26-08 COLgovstateleg
CALLING ON THE GOVERNOR AND STATE LEGISLATURE TO END THE PRACTICE OF PASSING COSTS FOR STATE PROGRAMS TO COUNTY GOVERNMENT AND OUR PROPERTY TAXPAYERS

By: Francis Mitchell, Chair Ways & Means Committee

WHEREAS, unfunded state mandates shift the responsibility and the cost of implementing programs from the state to the local level and force localities to cut existing services or raise property and other local taxes to achieve the additional requirements; and

WHEREAS, state government leaders have acknowledged that high property taxes are a problem for residents and businesses in New York State, making the state less attractive and less competitive; and

WHEREAS, the Citizens Budget Commission States that local taxes in New York State are 79% higher than the national average and that state laws result in high local tax burdens; and

WHEREAS, the Tax Foundation, based in Washington D.C., reports that nine of the top ten counties nationwide in median real estate taxes as a percentage of median home value are in New York State; and

WHEREAS, the Governor has formed a bipartisan commission to make recommendations on a package of reforms that gets at the root causes of what is driving taxes so high, including looking at unfounded mandates on both school districts and municipalities, proposals on how to make our tax relief system fairer to the middle class taxpayer, and a proposal for a fair and effective cap to hold the line on school district property taxes, with said commission due to report its findings in June of this year; and

WHEREAS, Cayuga County Legislature recommends that state policy makers should strive to forge a stronger state/local partnership by eliminating unnecessary state requirements, make the state more responsive by requiring state payments of mandates it deems essential and to establish alternative methods for performance and implementation; and

WHEREAS, while awaiting the recommendations of the Governor's commission on ways to reduce the high property taxes in New York State, state policy makers should refrain from making the problem worse by shifting costs from the state's 2008-2009 budget to county budgets and our property taxpayers; now therefore be it

RESOLVED, that the Cayuga County Legislature calls on the Governor and State Legislature to end the practice of passing costs for state programs to county government and our property taxpayers; and be it further

RESOLVED, that the County of Cayuga shall forward copies of this Resolution to Governor Spitzer, the New York State Legislature and all other deemed necessary and proper.

Signed by Axton, Lockwood, Mitchell, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 101-08 2-26-08 COLstatelegoppcostjuvdet

URGING THE STATE LEGISLATURE TO OPPOSE THE PROPOSED SHIFT OF 100 PERCENT OF THE COST OF JUVENILE DETENTION FACILITIES TO COUNTIES

By: Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, the County of Cayuga strongly opposes the unprecedented 2008-09 Executive Budget proposal that ends the state/local partnership in funding the costs associated with operating local detention facilities by requiring counties to assume 100 percent of the cost; and

WHEREAS, according to the 2008-09 Executive budget proposal, effective April w, 2008, counties will assume the full cost of youth placed by the Family Court in secure and non-secure detention facilities; and

WHEREAS, currently, the State reimburses counties 50 percent for secure and non-secure detention costs but by shifting the cost completely to counties, the States estimated savings for the initiative is \$35.4 million; and

WHEREAS, the policy rational behind this cost-shift is the State's recommendation that counties find alternative, diversion programs for these youth, such as community-based solutions, however, there is no possibility of diversion or other community-based alternatives for a youth who has been placed in a secure detention facility; and

WHEREAS, this is an example of a break in a state/local partnership, where local property taxpayers will be directly impacted; and

WHEREAS, at the time of this proposal, the State is currently in the process of closing many of their state owned and operated secure detention facilities, which will result in immediate state savings; now therefore be it

RESOLVED, that the County of Cayuga urges the State Legislature to oppose this policy and fiscal shift of 100 percent of the cost of juvenile detention facilities to counties, and to focus on strengthening, not severing, the local/state partnership; and be it further

RESLOVED, that the County of Cayuga shall forward copies of this Resolution to Governor Spitzer, the New York State Legislature and all others deemed necessary and proper.

Signed by Lockwood, Mitchell, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 102-08 2-26-08 COLstateleghistoricshare
URGING THE STATE LEGISLATURE TO OPPOSE THE PROPOSED SHIFT OF THE STATE'S HISTORIC SHARE OF PUBLIC ASSISTANCE TO COUNTIES

By: Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, The County of Cayuga believes that the 2008-09 Executive Budget has broken a historic, fundamental state/local partnership by proposing to increase the county share of public assistance by two percent, while simultaneously decreasing the state share by two percent.

WHEREAS, this shift in costs sets a policy from the Governor that mandates local property taxpayers increase their taxes for public assistance, while the State saves itself \$40.5 million per year; and

WHEREAS, since 1938, counties and New York State have equally shared in the cost of public assistance at a 50 percent state, 50 percent local split for this program; and

WHEREAS, the 2008-09 Executive Budget proposes to break this historic state/local fiscal partnership by shifting a portion of the State's cost for the Family Assistance and the Safety Net program; and

WHEREAS, the Governor's proposed budget includes another serious impact to counties by implementing a local share for the cost of carving out two-parent families from the federal work participation rates, by removing the local district hold-harmless provision; and

WHEREAS, this carve-out of the two parent families will save the state approximately \$7.5 million per year, but directly, negatively impact county budgets; now therefor be it

RESOLVED, that the County of Cayuga opposes any policy or fiscal initiative like this proposed increase in the local share for public assistance and "two-parent carve-out" that changes the fundamental promise Governor Spitzer made to the counties of New York State about ongoing, historic state and local partnerships; and be it further

RESOLVED, that the County of Cayuga shall forward copies of this Resolution to Governor Spitzer, the New York State Legislature and all others deemed necessary and proper.

Signed by Axton, Lockwood, Mitchell, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 103-08 February 26, 2008 nhwirelessbidrev
AUTHORIZING THE ADMINISTRATOR OF THE NURSING HOME, THE DIRECTOR OF INFORMATION TECHNOLOGY AND THE CLERK OF THE CAYUGA COUNTY LEGISLATURE TO OBTAIN PROPOSALS FOR WIRELESS INTERNET CAPABILITY FOR CAYUGA COUNTY NURSING HOME

BY: ANN PETRUS, CHAIRPERSON

HEALTH & HUMAN SERVICES COMMITTEE

Whereas, the Cayuga County Nursing Home requires wireless technology in order to proceed with electronic records; and

Whereas, the Health and Human Services Committee of this legislature has reviewed and approved the proposal specifications for wireless services; now therefore be it

Resolved, that the Administrator of the Nursing Home, the Director Of Information Technology for Cayuga County and the Clerk of the Cayuga County Legislature are authorized to seek proposals for wireless technology at the nursing home.

Signed by Petrus, Schuster, Cuddeback, Sincebaugh.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 104-08 (02/26/08)

EMS INSTRUCTOR CONTRACTS

Authorizing the Chairman of the Legislature and the Director of Emergency Services to enter into contracts with the Emergency Medical Technician Course Sponsorship Instructors for a period of five (5) years.

By: Ms. Ann Petrus, Chairperson of Health & Human Services Committee

Mr. Francis Mitchell, Chairperson of Ways & Means Committee

Whereas, State requirements, concerning Emergency Medical Services training sponsorships, mandate that Emergency Medical Technician course curriculum be taught by New York State Dept. of Health Certified Instructors; and

Whereas, for Cayuga County EMS Course Sponsorship to comply with these mandates, it is necessary for the County to enter into Independent Contractor Contracts with each of the certified EMS Instructors for reimbursement of their services; and

Whereas, the Director of Emergency Services requires the authority to fill the positions of Cayuga County EMS Instructors; and

Whereas, it is necessary for the Cayuga County EMS Course Sponsorship to hire various levels of Instructors to successfully teach the NYS Dept. of Health curriculum as follows:

- 1.) CIC Level (Certified Instructor Coordinator), reimbursement of \$21.50 per hour
- 2.) CLI Level (Certified Lab Instructor), reimbursement of \$12.50 per hour
- 3.) PWI Level (Practical Work Instructor), reimbursement of \$9.00 per hour

Hourly rates approved by Resolution #246-03 on May 28, 2003

Whereas, the Cayuga County Emergency Medical Services Budget (4072) contractual lines .0154, .0155, .0156, .0158, .0203, and .0204 total \$39,000.00. Reimbursement expenses to EMS Instructors will not exceed this amount; now therefore be it

Resolved, that the Cayuga County Chairman of the Legislature and the Director of Emergency Services be allowed to enter into contracts, from time-to-time, for a period of five (5) years with the Emergency Medical certified State Instructors of the various levels, without returning for legislature authorization unless requesting an hourly rate change. Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 105-08 (February 28, 2008) HS Unity House Congregate Care

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

BY: Ann Petrus, Chairman of the Health & Human Service Committee

Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, the Human Services Division of Health & Human Services has the need to provide supportive housing arrangements for pregnant and post-partum women who are recovering from chemical dependency and are public assistance eligible; and

WHEREAS, Human Services has successfully contracted with Unity House in the past to provide these services;

NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Unity House for the time period of January 1, 2008 through December 31, 2008 at the State set rate; and be it further

RESOLVED, that the charges for these services be paid out of account #6109.0 of the 2008 Human Services Budget.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 106-08 (February 26, 2008) HD Purchase Carpeting
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter Into a Contract With New York Commercial Flooring, Inc.**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, the carpeting at the Health Department's offices in the basement level of the Hardenburgh Building located at 8 Dill Street, Auburn, NY, is in such poor condition as to be a safety hazard; and
WHEREAS, it is the desire of the Health Department to replace the carpet (front entrance area, corridor, conference room and stairs); and

WHEREAS, \$10,000 has been budgeted for Capital Improvement in the 2008 Health Department Budget; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services enter into a contract with New York Commercial Flooring, Inc. (State Pricing) to replace carpeting in the aforementioned areas in an amount not to exceed \$10,000; and be it further

RESOLVED, that the expense for this carpeting be charged to accounts #4010.2 and #4012.2 of the 2008 Health Department Budget.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.
Approved by voice vote, all present voting aye.

**RESOLUTION NO. 107-08 (February 26, 2008) HD Melfi Contract
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into a Service Contract with Kelly Melfi, OTR to Provide Occupational Therapy Services**

BY: Ann Petrus, Chairman of the Health & Human Services Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, there exists in the Certified Home Health Agency (CHHA) a need to provide occupational therapy services; and

WHEREAS, the Department at this time relies solely on independent contracts for their services; now, therefore, be it
RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Kelly Melfi to provide the needed services for the period of February 1, 2008 through January 31, 2010 at the following rates:

Occupational Therapy:

Initial Visit.....	\$63.17
Repeat Visit.....	\$59.75
Orient, Training, Inservice.....	\$20.00/hr.

And be it further

RESOLVED, that the charges for these services be paid out of account #4012.400, line item # .220 of the Health Department Budget.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.
Approved by voice vote, all present voting aye.

RESOLUTION NO. 108-08 (February 26, 2008) HS Day Care Centers
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into Contracts for Day Care Services

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, the Human Services Division of Health & Human Services is required to provide day care services for eligible county residents; and

WHEREAS, these services are reimbursed by the Federal Day Care Block Grant; NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into contracts with the following agencies:

- Neighborhood House of Auburn NY, Inc.
- Early Childhood Center
- Cayuga Community College Pre-School Child Care
- YMCA/YWEIU
- Cayuga Onondaga BOCES Day Care Center
- Erie Canal Kids, Inc.

To be renewed annually at a rate up to the fair market rate for Cayuga County as determined periodically by the New York State Office of Children and Family Services; and be it further

RESOLVED, that the charges for these services be paid out of account #6055.4 of the 2007 Human Services Budget.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 109-08 (February 26, 2008) HD Cooney Physical Therapy
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into a Contract with Michelle Cooney, Physical Therapist

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, there exists in the Certified Home Health Agency (CHHA) a need to provide physical therapy services; and

WHEREAS, the Health Department relies in part on obtaining these services through professional contractors; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Michelle Cooney to provide physical therapy services for the CHHA for the period January 1, 2008 through December 31, 2009 at the following rates:

<u>Physical Therapy Services</u>	<u>2008 Rates</u>	<u>2009 Rates</u>
Initial Visit	\$61.20	\$62.42
Repeat Visit	\$55.08	\$56.18
Orientation	\$25.00/hr.	\$25.00/hr.

RESOLVED, that the charges for these services be paid out of account #4012.400, line item #.127 from the Health Department Budget.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 110-08 (February 26, 2008) HD Sibley Nursing Personnel Service
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into a
Contract with Sibley Nursing Personnel Service, Inc.**

BY: Ann Petrus, Chairman Health & Human Services Committee
Francis Mitchell, Chairman Ways & Means Committee

WHEREAS, there exists in the Certified Home Health Agency (CHHA) of the County Health Department a need to provide RN, LPN and Home Health Aide services; and

WHEREAS, at times the CHHA does not have sufficient staff to meet the fluctuating needs of the agency and must rely on contracting with licensed home care agencies; and

WHEREAS, funds have been budgeted in the 2008 budget in account 4012.410.000 Home Health Aides and account 4012.400.130 Nurses/Contracts; and

WHEREAS, this contract will only be used in those circumstances when administration determines that there is insufficient clinical coverage; now therefore be it

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract effective January 1, 2008 through December 31, 2008 with Sibley Nursing Personnel Service, Inc. to provide the following services at the following rates:

<u>Rates</u>	<u>Weekday Rate</u>	<u>Weekend Rate</u>
RN	\$41.00/hr.	\$43.00/ hr.
LPN	\$31.50/hr.	\$33.00/hr.
Home Health Aide	\$19.00/hr.	\$21.50/hr.

Holidays are paid at the rate of 1½ times the bill rate for the following holidays: New Years Day, New Years Eve, Memorial Day, July 4th, Labor Day, Thanksgiving Day, Christmas Eve, and Christmas day.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 111-08 (February 26, 2008) HD Sibley Nursing HHA Scheduler
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**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, the Certified Home Health Agency employs directly 7 full-time home health aides, 5 part-time home health aides as well as contracts with a number of Licensed Home Care Agencies to ensure access to sufficient aide services to meet patient demand; and

WHEREAS, the Department has successfully contracted with Sibley Nursing Personnel Services, Inc. to coordinate and assign home health aide services; and

WHEREAS, the Department desires to continue this contract; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services continue to contract with Sibley Nursing Personnel Services, Inc. for the period January 1, 2008 through December 31, 2008 at a cost of \$28,964; and be it further

RESOLVED, that the charges for these services be paid out of account #4012.400.059 of the 2008 Health Department Budget; and be it also

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the necessary journal and accounting entries to accomplish the same.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 112-08 (February 26, 2008)

HS TLC Medical Transport

Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter Into a Contract for the Provision of Non-Emergency Medical Transportation Services for the Human Services Division of the Health & Human Services Department with TLC Medical Transport Services

BY: Ann Petrus, Chairman of the Health & Human Service Committee

Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, the Human Services Division of Health & Human Services is required to provide non-emergency medical transportation services for those clients who are eligible for such services; and

WHEREAS, it is necessary for the Department to contract for these services as follows:

TLC Medical Transport Services:

Wheel-Chair Cab:

8 AM to 5PM – Monday through Friday (excluding holidays):

- a) \$27.50 Basic Rate (One-Way Charge)
- b) \$1.50 Mileage – per mile charge after first mile (one way) charged from the city line to destination
- c) \$12.00 – Drug Stop

5 PM to 7:00 AM - daily, weekends and holidays:

- a) \$36.00 basic one-way charge within the city limits
- b) \$1.50 Mileage – per mile charge after first mile (one way) charged from the city line to destination

Medi-Car (Escort Service):

- a) \$9.95 basic one-way charge within the city limits (no extra charge for mileage within the city limits)
- b) \$.75 – Mileage -per mile charge outside the city limits (for trips picked up and dropped off outside the city limits, mileage is charged from the city line to destination)

Stretcher – Basic:

- a) \$55.00 – base rate (one-way charge)
- b) \$1.50 – Mileage – per mile charge outside the city limits (for trips picked-up and dropped off outside the city limits, mileage is charged from the city line to destination)

Stretcher – Bariatric (for patients 300+ lbs.):

- a) \$185 – Base Rate (one-way charge)
- b) \$1.50 – Mileage – per mile charge outside the city limits (for trips picked up and dropped off outside the city limits, mileage is charged from the city line to destination)

NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to enter into contracts with the above listed agencies for provision of medical transportation services for the period January 1, 2008 to December 31, 2008; and be it further

RESOLVED, that payment for these services will be made from Account #6101.0 of the 2008 Human Services Budget.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 113-08 (February 26, 2008) HS Nursing and Personal Care
 Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter Into
 Contracts With a Number of Licensed Home Care Agencies (LHCA) for the Provision of Private Duty Nursing
 Services and Personal Care Services**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
 Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, the Human Services Division of Health & Human Services is required to establish a contract rate and ensure that adequate resources exist in the community to support the provision of personal care services and/or private duty nursing services to Medicaid eligible individuals in need of these services; and

WHEREAS, the Department has developed contracts with a number of agencies approved to provide such services in Cayuga County; and

WHEREAS, these providers will bill directly to MMIS the approved state-set rates, and payment will be made directly to the provider by Medicaid; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to enter into contracts with the following agencies, and renew contracts annually at their established "state-set" rates for personal care services and private duty nursing rates as established in the private duty nursing contracts:

<u>Provider</u>	<u>Service</u>
Sibely.....	Private Duty Nursing
StafKings.....	Private Duty Nursing and Personal Care
Cayuga Health Assoc.....	Personal Care Services
Gentiva.....	Personal Care Services
Home Care of Cortland.....	Personal Care Services
Northbrook Heights.....	Personal Care Services
Seneca/Cayuga ARC, Inc.....	Consumer Directed Personal Care

RESOLVED, that payment for these services be made out of Account #6100.4 of the Human Services Budget.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 114-08 DATE: 02/26/08 OFAContractsFeb08rev
 Authorizing the Chairman of the Legislature and the Director of the Office for the Aging to sign contracts with
 various subcontractors.**

BY: Ms. Ann Petrus, Chair, Health & Human Services Committee, and
 Mr. Francis Mitchell, Chair, Ways and Means Committee.

WHEREAS, appropriations were approved in the County budget for the year 2008 for various subcontractors (Line #6772.400.118A) for the Cayuga County Office for the Aging, in return for which these subcontractors agree to perform certain services for the benefit of Senior Citizens of Cayuga County; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of the County Office for the Aging are hereby authorized and directed to enter into contracts with the subcontractors listed below:

EISEP (Expanded In Home Services for the Elderly)	*Total of EISEP Services
STAFKINGS HEALTHCARE SYSTEMS, INC.	not to exceed \$198,000
CAYUGA HEALTH ASSOCIATION, INC.	
NORTHBROOK HEIGHTS ASSISTED LIVING CENTER	
CSE (Community Services for the Elderly)	
BOYLE SENIOR CENTER, INC.	\$6,000
TRANSPORTATION PROJECT, INC.	\$18,500
CSI (Congregate Services Initiative)	
TRANSPORTATION PROJECT, INC.	\$6,000
AAA (Area Agency on Aging Transportation Funds)	
TRANSPORTATION PROJECT, INC.	\$10,000

and be it further

RESOLVED, that the Office for the Aging is authorized and directed to enter into contracts with the above referenced subcontractors for the period of April 1, 2008 through March 31, 2008, in an amount not to exceed the above referenced sums.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 115-08 (February 26, 2008) HS Cayuga/Seneca Residential DVS
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Renew the
Contract with Cayuga/Seneca Community Action Agency, Inc. for the Provision of Residential Domestic
Violence Services**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Health & Human Services Department is required to provide residential domestic violence services to the people of Cayuga County; and

WHEREAS, Cayuga County Health & Human Services Department has successfully contracted in the past with Cayuga/Seneca Community Action Agency, Inc. for the provision of these services; and

WHEREAS, the NYS Department of Social Services has established the residential per diem rate at \$71.91; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to renew the contract with Cayuga/Seneca Community Action Agency, Inc. to provide residential domestic violence services for the period 1/1/08 through 12/31/08 at a per diem rate of \$71.91; and be it further

RESOLVED, that payment of these services be paid out of account 6109.0 of the 2008 Human Services Budget.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 116-08 (Feb. 26, 2008) HS Cayuga/Seneca Non-Residential DVS
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Renew the
Contract with Cayuga/Seneca Community Action Agency, Inc. for the Provision of Non-Residential Domestic
Violence Services**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Health & Human Services Department is required to provide non-residential domestic violence services to the people of Cayuga County; and

WHEREAS, Cayuga County Health & Human Services Department has successfully contracted in the past with Cayuga/Seneca Community Action Agency, Inc. for the provision of these services; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to renew the contract with Cayuga/Seneca Community Action, Inc. to provide non-residential domestic violence services for the period 1/1/08 through 12/31/08 at a cost of \$81,960; and be it further

RESOLVED, that payment for these services be made out of account 6070.4, line 0190, of the 2008 Human Services Budget.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 117-08 (Feb. 26, 2008) HS Sheriff's Transportation & Security 2008
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Renew the
Contract with the Cayuga County Sheriff's Department to Provide Security and Transportation Services**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, there exists in the Health & Human Services Department a need to provide building security and transportation services for youth to and from detention facilities; and

WHEREAS, Health & Human Services has successfully contracted in the past with the Cayuga County Sheriff's Department to provide these services; and

WHEREAS, these costs are eligible for 75% reimbursement for the Department; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to renew the contract with the Cayuga County Sheriff's Department for the provision of the above mentioned services for the period 1/1/08 to 12/31/08; and, be it further

RESOLVED, that payment for these services be paid out of account 6010.4, line 0118, of the 2008 Human Services Budget.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 118-08 (February 26, 2008) HS Huntington Contract
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Renew a Contract with Huntington Family Center, Inc.

BY: Ann Petrus, Chairman of the Health & Human Service Committee
 Fran Mitchell, Chairman of the Ways & Means Committee

WHEREAS, the Department of Health & Human Services is responsible to appropriately program for children placed in foster care and/or preventive services; and

WHEREAS, Huntington offers a specialized program; and

WHEREAS, the Department of Health & Human Services has successfully contracted with Huntington Family Center, Inc., in the past to provide out patient clinical assessment and services; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to enter into a contract with Huntington Family Center, Inc. for the period of 1/1/08 to 12/31/08 at the following monthly rates:

Assessment.....	\$800
Individual Group & Family.....	\$625
Individual & Family.....	\$525
Individual & Group.....	\$500
Individual.....	\$400

and be it further

RESOLVED, that the payment of these services be made out of account #6119 of the 2008 Human Services Budget.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 119-08 (February 26, 2008) HS Stipulation of Agreement
Authorizing the County Manager, the Chairman of the Legislature and the Director of Health & Human Services to Sign a “Stipulation of Agreement” with an Employee of the County Department of Health & Human Services and CSEA

BY: Ann Petrus, Chairman of the Health & Human Service Committee
 Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, a “Stipulation of Agreement” has been drawn up by the County of Cayuga in the matter of the employment relationship between the County of Cayuga, the Cayuga County Department of Health and Human Services (hereinafter referred to as the Employer”) and an Employee of the Cayuga County Department of Health & Human Services and the Cayuga County Unit of the Cayuga Local 806, Civil Service Employees’ Association, Inc., Local 1000, AFSCME, AFL-CIO (hereinafter referred to as “CSEA”); NOW, THEREFORE, BE IT

RESOLVED, that the Legislature of the County of Cayuga hereby approves the “Stipulation of Agreement” and authorizes and directs the County Manager, the Chairman of the Legislature and the Director of Health and Human Services to sign the aforementioned “Stipulation of Agreement” with the “Employee” of the Cayuga County Department of Health and Human Services and the CSEA.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 120-08 February 26,2008 nhauthshowerbid
AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND THE ADMINISTRATOR OF THE NURSING HOME TO ENTER INTO AN AGREEMENT FOR REPAIR OF THE SHOWERS ROOMS AT THE CAYUGA COUNTY NURSING HOME.

BY: Ann Petrus , Health and Human Service
 Francis Mitchell , Ways and Means

Whereas, the Cayuga County Nursing Home requires repairs of both shower rooms at the Nursing Home, and

Whereas, a capital fund has been established that includes the repair of the shower rooms; and

Whereas, proposals have been received from Welch Construction (\$29,718.50), Bouley Construction (\$36, 260.00), and Marchuska Brothers Construction (\$29,935.00); now therefore be it

Resolved, that the Chairman of the Cayuga County Legislature and Administrator of the Cayuga County Nursing Home are authorized to enter into an agreement with Welch Construction to repair the shower rooms for \$29, 718.50 (Twenty-nine thousand seven hundred eighteen dollars and fifty cents).

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 121-08 (February 26, 2008) HS Fill Caseworker CPS
Authorizing the Director of Health & Human Services to Fill a Caseworker Vacancy in the Child Protective Unit of Human Services**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, there is a caseworker vacancy in the Child Protective Unit of Human Services due to a resignation effective February 29, 2008; and

WHEREAS, this work is mandated by the State and reimbursed at 75% state and federal; and

WHEREAS, sufficient funding exists in the Human Services Department's 2008 budget to support this position; NOW, THEREFORE BE IT

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the vacated Caseworker position in the Child Protective Unit, and any fill behind that may occur, in accordance with Civil Services Rules and Regulations and the policies of the County of Cayuga.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 122-08 (February 26, 2008) HD Fill PT RN at CHHA
Authorizing the Director of Health & Human Services to Fill One Part-Time RN Vacancy at the Home Care Agency Due to Resignation**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Fran Mitchell, Chairman of the Ways & Means Committee

WHEREAS, there is a Part-Time RN vacancy at the CHHA due to a resignation effective December 28, 2007; and

WHEREAS, this position is necessary for the effective and efficient operation of the Department; and

WHEREAS, this position is funded in the Health Department's 2008 Budget; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized to fill the Part-Time RN vacancy in a manner consistent with the rules and regulations of the County of Cayuga and the Cayuga County Civil Service Commission.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 123-08 (February 26, 2008) HD Temporary fill HHA CHHA
Authorizing the Director of Health & Human Services to Temporarily Fill a Home Health Aide at CHHA**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, there is a Full time Home Health Aide vacancy at the CHHA due to a Leave of Absence effective January 28, 2008; and

WHEREAS, this position is necessary for the effective and efficient operation of the Department; and

WHEREAS, sufficient funding exists in the Health Department's Budget to support this fill;

RESOLVED, that the Director of Health & Human Services be authorized to temporarily fill a Home Health Aide vacancy and any fill behinds that may occur in a manner consistent with the rules and regulations of the County of Cayuga and the Cayuga County Civil Service Commission.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 124-08 (February 26, 2008) HD Fill PT PHN or PT RN at CHS
Authorizing the Director of Health & Human Services to Fill One Part-Time PHN or Part-Time RN Vacancy at CHS**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Fran Mitchell, Chairman of the Ways & Means Committee

WHEREAS, there is a Part-Time PHN vacancy at Community Health Services (CHS) due to resignation effective February 1, 2008; and

WHEREAS, this position is necessary for the effective and efficient operation of the Department; and

WHEREAS, this position is funded in the Health Department's 2008 Budget; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized to fill the Part-Time PHN vacancy in a manner consistent with the rules and regulations of the County of Cayuga and the Cayuga County Civil Service Commission and any fill behind that may occur; and be it further

RESOLVED, that if the Department is unable to recruit a candidate for this Part-Time PHN position due to the Bachelor Degree requirement, the Department be able to fill an existing Part-Time RN position in its place and any fill behind that may occur.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 125-08 (February 26, 2008) HS Create/Fill PT CASAC
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Create and Fill a Part-Time CASAC (Credentialed Alcohol and Substance Abuse Counselor) in the TANF Unit of Human Services

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, in 2007, the Human Services Department entered into a contract with a CASAC to provide services for the Department related to TANF cases in need of, or receiving, alcohol and substance abuse services; and
WHEREAS, after evaluation of the work performed, the Department feels it more appropriate to convert this contract to a part-time employee; and

WHEREAS, funds have been budgeted in the 2008 Human Services Budget to accomplish this; and
WHEREAS, the Cayuga County Civil Service Commission has reviewed the New Position Duties Statement submitted for this position, and has classified it as a Part-Time CASAC; NOW, THEREFORE, BE IT

RESOLVED, that the Cayuga County Legislature create, in the TANF Unit of Human Services, a Part-Time CASAC position set at an hourly rate of \$20.50 in Part II of the Cayuga County Compensation Plan, Non-Bargaining Employees; and be it further

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the newly created Part-Time CASAC position in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 126-08 DATE: 02/26/08 OFANewsletterBidFeb08
Authorizing the Chairman of the Legislature to award the bid for the printing of the Cayuga County Office for the Aging Senior Citizen quarterly newsletter.

BY: Ms. Ann Petrus, Chair, Health & Human Services Committee, and
Mr. Francis Mitchell, Chair, Ways and Means Committee.

WHEREAS, the Cayuga County Office for the Aging publishes a quarterly newsletter for the benefit of 10,000 Senior Citizen residents of Cayuga County; and

WHEREAS, funds have been received from the New York State Office for the Aging to continue this publication; and

WHEREAS, the three bids that were received were as follows:

		<u>24pp</u>
Action Printwear	color on front, back and center pages	\$1656.66
Warners, NY	final folding	N/C
	Total	\$1656.66
Wayuga Community Newspapers	color on front, back and center pages	\$1351.34
Red Creek, NY	final folding	356.82
	Total	\$1708.16
The Scotsman Press, Inc.	color on front, back and center pages	\$1399.79
Syracuse, NY	final folding	400.00
	Total	\$1799.79

Now, therefore, be it

RESOLVED, that the bid for the printing of the OFA newsletter be awarded to the lowest bidder, Action Printwear, Warners, NY for the period of January 1, 2009 through December 31, 2009.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 127-08 (02/26/08)

FIRE/EMS PROTECTIVE CLOTHING

Authorizing the Director of Emergency Services to purchase National Fire Protection Agency (NFPA) approved protective clothing for the Cayuga County Deputy Director of EMS and the five (5) Deputy Coordinators for Fire/Emergency Medical Services (EMS).

By: Ms. Ann Petrus, Chairperson of Health & Human Services Committee

Mr. Francis Mitchell, Chairperson of Ways & Means Committee

Whereas, Cayuga County Deputy Director of EMS and five (5) Deputy Coordinators for Fire/Emergency Medical Services respond to emergencies including large scale fires, hazardous material incidents, accident scenes and mass casualty incidents; and

Whereas, this emergency response requires NFPA approved protective clothing (outer coat and pant) per National Fire Protection Agency Standards, #1951, #1971, #1991; in addition to United States Department of Labor, Occupational Safety and Health Administration, OSHA requirement 29 CFR #1910.132 and OSHA requirement 29 CFR #1926.28: and

Whereas, the Cayuga County Emergency Medical Services' 2008 Budget #3640.2 has included \$6,000. for the purchase of the necessary protective clothing items required for the six (6) emergency responders; and

Whereas, the best pricing and quality for this purchase is from Tyler Fire Equipment LLC, in the amount of \$5,970.00, per NYS Contract pricing; now therefore be it

Resolved, that the Director of Emergency Services, Brian Dahl, is hereby authorized to purchase NFPA approved protective clothing for the Cayuga County Deputy Director of EMS and the five (5) Deputy Coordinators for Fire/EMS from Tyler Fire Equipment LLC for the amount of \$5,970.00, and be it further

Resolved, that the Cayuga County Treasurer be and is hereby authorized and directed to make the necessary journal and accounting entries to accomplish the same.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 128-08

(2/26/08)

COMSmokingPolicy2008rev2

PROHIBITING SMOKING WITHIN 35 FEET ALL COUNTY BUILDINGS

BY: Hon. Christopher Palermo, Chairman Government Operations Committee

WHEREAS, there is a State Law which prohibits tobacco products in all public buildings; and

WHEREAS, the County has received numerous complaints from the public and its employees with individuals smoking at or near entrances into County Buildings; and

WHEREAS, the Cayuga County Legislature wants the egress and ingress areas of all County Buildings to be free from tobacco; now, therefore be it

RESOLVED, that the County Legislature does hereby prohibit smoking from 35 feet from all County Public Buildings; and be it further

RESOLVED, that the Superintendent of Buildings and Grounds is hereby authorized and directed to place signs near all exists and entrances into all County Public Buildings which state that "Smoking is prohibited within 35 feet from the building"

Legislator Chapman, I'm ok with the resolution, but it would be nice to provide some incentive in the future for healthier employees.

Legislator Tortorici, where is the line in front of the building, it's a public sidewalk, there will be butts all over.

Signed by Palermo, Mitchell, Fearon, Petrus.

Approved by voice vote, all present voting aye, except voting No, Palermo and Tortorici.

RESOLUTION NO. 129-08 (02-26-08)

DMV CASHIER-rev1

AUTHORIZES CAYUGA COUNTY CLERK TO FILL PART TIME MOTOR VEHICLE CASHIER.

BY: MR. CHRISTOPHER PALERMO, Chairman, Government Operations Committee
MR. FRANCIS MITCHELL, Chairperson, Ways and Means Committee

WHEREAS, there is a Part Time Motor Vehicle Cashier position vacancy in the Motor Vehicle Bureau and this part time position provides essential services to the County; and

WHEREAS, it is mandatory that the position be filled on a permanent basis from the certified candidates on the civil service eligible list established by the Cayuga County Civil Service Commission on 1/12/05; and

WHEREAS, the funding for the Part Time Motor Vehicle Cashier position has been appropriated in the 2008 Motor Vehicle Bureau salary account in the amount of \$16,332; Now, be it therefore

RESOLVED, that Cayuga County Clerk Susan Dwyer and Motor Vehicle Supervisor Marlyn Salato be authorized to fill the position of Part Time Motor Vehicle Cashier, with only fringe benefits mandated by statute; and be it further RESOLVED, that the position be paid in accordance to the Cayuga County Compensation Plan, Part II for Non-Bargaining Employees, for the title of Motor Vehicle Cashier at a rate not to exceed \$17.89 per hour; and be it further RESOLVED, that this part-time position be filled in accordance with the Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Palermo, Petrus, Chapman, Fearon, Mitchell, Sincebaugh, Schuster, Lockwood, Axton, Tortorici.
Approved by voice vote, all present voting aye.

RESOLUTION NO. 130-08 2.26.08 COAcreatefillPagalegal08rev-2

Authorization to create and fill a full-time Paralegal position in the County Attorney’s Office and abolish a part-time Senior Typist position.

BY: Hon. Francis Mitchell, Chairperson, Government Operations Committee
Hon. Paul Dudley, Chairperson, Ways and Means Committee

WHEREAS, the workflow within the County Attorney’s Office constitutes the need for full time Paralegal support to accomplish the mission of the department; and

WHEREAS, the funding to support the full time position is available in the County Attorney’s Salary and Fringe Accounts with the remainder available in the Contingent Account; and

WHEREAS, with the transfer of funding the position could be created and filled effective 3/3/08 to help minimize the overflow of work; now, be it therefore

RESOLVED, that one position of Paralegal be hereby created effective 3/3/08 within the County Attorney’s Office; and be it further

RESOLVED, that the rate of pay be established as a non-bargaining grade 10 as in the District Attorney’s Office and be placed as a line in the Cayuga County Compensation Plan, Part II under the County Attorney’s Office

Grade	Inc	Prob	1 st	2 nd	3 rd	4 th
10		259	31355	31705	32613	33544 34502

;and be it further

RESOLVED, that the County Attorney be hereby authorized and directed to fill the new position in accordance to Civil Service Rules and Regulations and the Policies of the County of Cayuga; and be it further

RESOLVED, that position of Sr. Typist PT be hereby abolished upon the filling of the new Paralegal position; and be it further

RESOLVED, that the following funding be transferred from A1990, Contingent Account to accommodate the additional expense in 2008:

From: A1990: \$ 26,538

To: A1420.1 \$ 14,849

A1420.8 \$ 11,689 see attached (FICA, Health, Dental, Ret); and be it further

RESOLVED, that the County Treasurer be hereby authorized and directed to make any journal and accounting entries to accomplish the intent of this resolution.

Signed by Mitchell, Palermo, Chapman, Petrus, Fearon, Sincebaugh, Axton, Lockwood, Schuster.
Approved by voice vote, all present voting aye, except Tortorici voting No.

RESOLUTION NO. 131-08

(02/26/08)

COLfundBOE(HAVA)

AUTHORIZE THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO REQUEST FUNDING FROM CONGRESSMEN JAMES WALSH, MICHAEL ARCURI, SENATORS MICHAEL NOZZOLIO AND DAVID VALESKY, ASSEMBLYMEN, GARY FINCH, BRIAN KOLB AND ROBERT OAKS, FOR BOARD OF ELECTIONS (HAVA) ADDED COSTS OF TRAINING PERSONNEL, STORAGE AND MAINTENANCE OF VOTING MACHINES

BY: Hon. Christopher Palermo. Chair, Government Operations

WHEREAS, compliance with the HAVA (Help America Vote Act) has imposed additional financial burdens upon Cayuga County; necessitating additional hiring of personnel, training, storage of voting machines and ongoing maintenance, and

WHEREAS, it is the right to vote in an educated and efficient manner for all citizens; now therefore be it

RESOLVED, that the Chairman of the Legislature be hereby authorized to construct and convey a request for any and all funding which may be available to assist the County of Cayuga in the training, storage and ongoing maintenance of the new voting machines which are required by law; and be it further

RESOLVED, that a certified copy of this resolution be sent to Congressman, James Walsh, Michael Arcuri, Senators Michael Nozzolio and David Valesky Assemblymen, Gary Finch, Brian Kolb, Robert Oaks.

Signed by Palermo, Mitchell, Petrus, Fearon.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 132-08 February 26, 2008 PB_planningPDR2008_res1

ACCEPTING NYS AG AND MARKETS PURCHASE OF DEVELOPMENT RIGHTS FUNDS

Hon. Daniel Schuster, Chair, Planning & Economic Development Committee

Hon. Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, the New York State department Agriculture and Markets (Ag & Markets) offers a program known as the Purchase of Development Rights program (PDR) intended to preserve important farm lands throughout New York State; and

WHEREAS, through the program, Ag & Markets reviews applications prepared by farmers and submitted on their behalf by counties and awards funds to the most effective proposals for counties to pass through to the farms to be preserved; and

WHEREAS, the County Planning and Economic Development Department and Agriculture and Farmland Protection Board submitted an application on behalf of the Wilde Farm in the Town of Springport and the Allen Farm in the Town of Scipio; and

WHEREAS, the Wilde Farm has qualified for \$760,672 in Ag & Markets PDR funds and the Allen Farm has qualified for \$1,506,066 in Ag & Markets PDR funds; now, therefore, be it

RESOLVED, that the Cayuga County Legislature hereby authorizes the Chairman of the Cayuga County Legislature to sign such documents as may be needed to accept these funds and process the receipt and distribution of the funds; and be it further

RESOLVED, that the Cayuga County Treasurer establish such accounts and make such journal entries as may be needed to receive and expend these funds and the Cayuga County Planning and Economic Development Department is to administer the project.

Signed by Schuster, Axton, Fearon, Mahunik, Palermo, Tortorici, Mitchell, Lockwood, Petrus.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 133-08 2/26/08 PB-createpromtitles-08_rev2

AUTHORIZATION TO FUND AND FILL THE POSITION OF PLANNER DUE TO A RESIGNATION OF A PROBATIONARY SENIOR PLANNER

Mr. Daniel Schuster, Chairman, Planning & Economic Development

Mr. Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, a resignation was received from a Senior Planner (position control #6584) that was recently promoted to the new Senior Planner position; and

WHEREAS, the Planner position (position control #4937) formerly held by the promoted Senior Planner was abolished by resolution number 65-08; and

WHEREAS, there is a vacant, unfunded position of Planner (position control #2359) that could be utilized to hire an entry-level Planner candidate to fill the position vacated by the Senior Planner; NOW, be it therefore

RESOLVED, that the position of Planner (Position Control #2359) be hereby funded within the Planning Department utilizing funds from the new Senior Planner position (#6584 but in budget at #4937); and be it further

RESOLVED, that the position of Senior Planner be hereby vacated and unfunded until such time as the legislature by resolution determines otherwise; and be it further

RESOLVED, that the Director of Planning be hereby authorized to fill newly funded position of Planner (2359) at 2008 CSEA Grade 23, First Step at an annual salary of \$44,029.00; and be it further

RESOLVED, that the appointment be in accordance to Civil Service Rules and Regulations, CSEA Contract Language, and the Policies of the County of Cayuga.

Signed by Schuster, Axton, Palermo, Tortorici, Mitchell, Lockwood, Petrus.

Approved by voice vote, all present voting aye.

Amended by Legislator Cuddeback, add to last Whereas; and any expenses incurred by Cayuga County in relation to this project. Amendment approved by voice vote, all present voting aye.

RESOLUTION NO. 134-08 2.26.08 hwyhatiintermunicipal

AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO ENTER INTO AN INTERMUNICIPAL AGREEMENT WITH THE TOWN OF MENTZ FOR THE PROVISION OF ADMINISTRATIVE SERVICES

BY: Hon. David R. Axton, Chairman, Public Works Committee

Hon. Francis C. Mitchell, Chairman, Ways & Means Committee

WHEREAS, Resolution No. 483 –07 authorized the Cayuga County Legislature to transfer the funding from the High Bridge Road Bridge in the Town of Montezuma to the Haiti Island Bridge located in the Towns of Conquest and Mentz; and

WHEREAS, the Town of Mentz has requested the administrative assistance of the Cayuga County Highway Department to assist the Town in the local administered design process of the Haiti Island Bridge project; and

WHEREAS, the rates to be charged to the Town of Mentz will include the salary, fringes and overtime of the positions of Highway Superintendent and Data Entry *and any expenses accrued by Cayuga County in relation to this project.* now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to enter into an Inter-municipal Agreement with the Town of Mentz for the local administered design process of the Haiti Island Bridge project.

Signed by Axton, Chapman, Cuddeback, Lockwood, Murphy, Mitchell, Sincebaugh, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 135-08 Date: 2/26/08 BLDS re-bid FIREPROOFING
AUTHORIZING THE CLERK OF THE CAYUGA COUNTY LEGISLATURE AND THE
SUPERINTENDENT OF BUILDINGS AND GROUNDS TO ADVERTISE FOR RE-BIDS FOR
REPLACEMENT FIREPROOFING IN THE CAYUGA COUNTY OFFICE BUILDING**

By: Hon. David R. Axton, Chairman, Public Works Committee

Hon. Francis C. Mitchell, Chairman, Ways & Means Committee

Whereas, The County has been working correcting the life safety issues in the Cayuga County Office Building; and
Whereas, Resolution 234-07 authorized the removal of asbestos containing fireproofing in various rooms in the Cayuga County Office Building; and

Whereas, there is concern that details in the specification were not complete, that spray on fireproofing would not cover all area that were abated; and

Whereas, The Public Works Committee rejected all bids received for the replacement of fireproofing in the County Office Building; now therefore be it

Resolved, That the specification include the application of fire proofing by hand were spray will not be sufficient; and let it be further

Resolved, that the Clerk of the Cayuga County Legislature and the Superintendent of Buildings and Grounds are hereby authorized and directed to advertise for sealed bids for the replacement of fireproofing in the rooms that were abated, To implement the intent of this resolution.

Signed by Axton, Chapman, Cuddeback, Lockwood, Murphy, Mitchell, Sincebaugh, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 136-08 2/26/2008 purhandicapboe
AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO ENTER INTO AN
AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES FOR THE HANDICAPPED
ASSESSIBILITY TO THE CAYUGA COUNTY ELECTION BOARD WITH MICHAEL J. PALMIERI**

BY: David Axton, Public Works

Francis Mitchell, Ways and Means

Whereas, the Cayuga County Election Board requires an engineering firm to render Professional services in connection with a handicap ramp, paving, and replacement of the concrete slab, and

Whereas, Three quotes were received for Professional Engineering services for this project, and

Whereas, the quotes include:

Project Design, generation of bid ready construction documents, assistance with bidding process, and construction administration.

Quotes were as follows:

Michael J Palmieri, Architect,	Carr Building, Auburn	\$ 1,760.00
C&S Engineers	Syracuse	\$ 2,750.00
Beardsley Design Assoc.,	South St., Auburn	\$17,000.00

Whereas, Michael J. Palmieri, Architect has proposed to complete the work for \$1,760, and

Whereas, \$1,900 was encumbered from the 2007 budget Account A1450.400.407, now therefore be it

Resolved, that the Chairman of the Cayuga County Legislature are authorized to enter into an agreement with Michael J. Palmieri, for the engineering services.

Signed by Axton, Chapman, Cuddeback, Lockwood, Murphy, Mitchell, Sincebaugh, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 137-08 02/26/08 Bldgs PSB Temp Controlserv
Authorization to enter into an Assured Maintenance Agreement for the Public Safety Building Temperature
Control system**

By: Hon. David R. Axton, Chairman, Public Works Committee

Hon. Francis C. Mitchell, Chairman, Ways & Means Committee

WHEREAS, the Johnson Controls Metasys system is a intricate piece of equipment for the Public Safety Building HVAC System; and

WHEREAS, the County does not have an employee that is trained or certified to work on this system; and

WHEREAS, it would not be cost effective for the county to train an employee to perform this service; and

WHEREAS, that Account No. 3150-400-045-A has sufficient funds for this agreement; now therefore be it

RESOLVED, that the Chairman of the County Legislature is hereby authorized and directed to enter into a Maintenance Agreement with Upstate Temperature Control, Inc for service on the controls portion of the HVAC system, at the cost of \$10,300.00 and be it further

RESOLVED, that the Cayuga County Treasurer be authorized to make the journal entries appropriate and necessary to implement the intent of this resolution.

Signed by Axton, Chapman, Cuddeback, Lockwood, Murphy, Mitchell, Sincebaugh, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 138-08 February 26, 2008 HWYD&A CONTRACT
AUTHORIZATION TO ENTER INTO A CONTRACT FOR DOT SUBSTANCE ABUSE TESTING
SERVICES**

By: Dave Axton, Chairman Public Works Committee
Francis Mitchell, Chairman Ways and Means Committee

Whereas, Federally mandated by law, individuals with a Commercial Drivers License must be drug and alcohol tested; and

Whereas, Energetix, the company that formerly performed these services on an OGS contract has not been approved to piggyback these services to municipalities; and

Whereas, under law, the County must maintain a testing program in place or risk being fined by FMCSA; and

Whereas, Energetix, Advance and Hogan Drug and Alcohol Testing provided quotes for these services, and Hogan Drug and Alcohol Testing was the lowest quote received and is a local firm from Cayuga County; now therefore be it Resolved, to approve the Highway Superintendent and the Chairman to enter into a contract with Hogan Drug and Alcohol Testing to provide drug and alcohol testing to County employees with a Commercial Drivers License.

Signed by Axton, Chapman, Cuddeback, Lockwood, Murphy, Mitchell, Sincebaugh, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 139-08 (2/26/08) P&T Bids Restaurant 2 08
AUTHORIZING THE CLERK OF THE CAYUGA COUNTY LEGISLATURE TO ADVERTISE AND
RECEIVE REQUEST FOR PROPOSALS FOR THE OPERATION OF THE EMERSON PARK PAVILION**

By: David R. Axton, Chairperson, Public Works
Francis Mitchell, Chairperson, Ways & Means Committee

Whereas, there are days that the Emerson Park Pavilion is not rented; and

Whereas, the Parks and Trails Department, The Parks Commission and the Public Works Committee agree it would be in the best interest of the County and the public if the facility could be rented on those days; and

Whereas, arrangement for the facility that has been used for the last three years has not proved to be a successful venture for the operator of the facility, and

Whereas, the Parks Commission and the Public Works Committee desire to explore if an arrangement could be reached that could be successful for both parties, now therefore be it

Resolved, that the Clerk of the Legislature is hereby authorized and directed to advertise for interested parties to submit proposals for the use of the facility, and be it further

Resolved, such proposals will then be considered by, The Park Maintenance Supervisor, the County Attorney, the Parks Commission, and be it further

Resolved, that proposals deemed to have merit will be submitted for approval by the Public Works Committee, the New York State Office of Parks Recreation and Historic Preservation and ultimately the Cayuga County Legislature.

Signed by Axton, Cuddeback, Murphy, Mitchell, Lockwood, Chapman, Sincebaugh.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 140-08 (2/26/08) p&tCommissionTerms
Amending Resolution No. 71-97 of 1997, Resolution No. 218-98 of 1998 and Resolution No. 177-99 of 1999, to make a change to the term of appointments to the Cayuga County Parks and Trails Commission

By: By: David R. Axton, Chairperson, Public Works

WHEREAS, Resolution No. 71-97 of 1997, Resolution No. 218-98 of 1998 and Resolution No. 177-99 of 1999 all pertain to the establishment of the Cayuga County Parks and Trails Commission and the setting of terms for its members; and

WHEREAS, the Public Works Committee has determined that terms of appointments to the Cayuga County Parks and Trails Commission should be for a period of 3 years commencing January 1st and expiring December 31st and that they should be staggered so that no more than three members terms expire in any given year, and

WHEREAS, the Public Works Committee has determined that in the event of a vacancy during said appointed 3 year term, the term of the appointed to fill said vacancy will be for the remainder of the 3 year term; and

WHEREAS, this is the case with other Legislative appointed boards; and

WHEREAS, it is appropriate for this resolution to apply to members appointed during the January 2008 meeting and any future appointments; now therefore be it

RESOLVED, that the terms of the Cayuga County Parks Commission shall be as follows:

Fleming Rep.- appointed 1-22-08	term to expire 12/31/10
Owasco Rep.- to be appointed 7/22/08	term to expire 12/31/10
Auburn Rep.- appointed 1-22-08	term to expire 12/31/10
Northern Cayuga County Rep.- appointed 1-22-08	term to expire 12/31/09
Southern Cayuga County Rep.- appointed 1-22-08	term to expire 12/31/09
County Legislator- Peter Tortorici to be appointed 2/26/08	term in office
Member at Large Rep.- to be appointed 1/31/09	term to expire 12/31/11
Sterling Representative- appointed 1-22-08	term to expire 12/31/09
Park Maintenance Supervisor-Gary Duckett	term of employment

And be it further

RESOLVED, that except as specifically amended herein, said resolutions shall remain in effect in all other respects.

Signed by Axton, Cuddeback, Murphy, Mitchell, Lockwood, Chapman, Sincebaugh.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 141-08 (2/26/08) p&tRSVP Agreement 2 08

Allowing the chairman to sign the attached Memorandum of Understanding with RSVP (Retired Senior Volunteer Program) to allow volunteers to work within the Cayuga County Parks and Trails Department

By: By: David R. Axton, Chairperson, Public Works

Whereas, the Cayuga County Parks and Trails Department has many tasks that need to be accomplished especially during the busy summer season; and

Whereas, the Retired Senior Volunteer Program (RSVP) has volunteers who are willing to assist with the completion of some of these tasks; and

Whereas, any work performed by the volunteers would be at no cost to the County; and

Whereas, the sponsor of the program (The Corporation for National and Community Service) requires RSVP to have an agreement with all agencies with whom they place volunteers; now therefore be it

Resolved, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to sign the attached Memorandum of Understanding to allow volunteers to work within the Cayuga County Parks and Trails Department.

Signed by Axton, Cuddeback, Murphy, Mitchell, Lockwood, Sincebaugh.

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 142-08 Date: February 26, 2008 hwysummerworklst
AUTHORIZATION TO APPROVE SUMMER ROAD WORK LIST**

By: David Axton, Chairman Public Works Committee
Francis Mitchell, Chairman Ways and Means Committee

Whereas, the County is responsible for the maintenance of 516 miles of road; and
Whereas, money was budgeted in the 2008 highway budget in account no. 5110.4 to maintain the roads by surface treating, the most cost effective means to maintain the road surface; and
Whereas, CHIPs funds were budgeted in the 2008 highway budget in account no. 5113.4 for paving and recycling of pavements; and
Whereas, the attached list of road work is less than the actual needed to maintain overall pavement condition at previous levels but is the best mix to try to slow the downward trend of the overall pavement condition of the county road network; now therefore be it
Resolved, that the attached list of roads to be worked on in the 2008 summer construction season is hereby approved; and be it further
Resolved, the County Highway Superintendent is authorize to make adjustments to the list to meet changing conditions and changes in the cost of materials.

2008 SURFACE TREATMENT

Length	Units	Route	Pavement Area	Units	Towns	From	To	Pvmnt
2.29	mi	SPOOK WOODS 132	24,182.40	sqyds	CONQUEST	EMERSON	SLAYTON	18
3.38	mi	ATWATER 32	35,692.80	sqyds	GENOA	RT 34B	COUNTY LINE	18
0.82	mi	ATWATER 32	8,659.20	sqyds	GENOA	LAKE RD	RT 34B	18
2.12	mi	GOODRICH HILL 160	22,387.20	sqyds	LOCKE	RT 90	WEST HILL	18
1.81	mi	HARRIS HILL 54B	19,113.60	sqyds	LOCKE	RT 38	TOLL GATE	18
0.7	mi	BEACH 143A	8,213.33	sqyds	THROOP	MONTEZUMA LINE	TURNPIKE	20
2	mi	BEACH 143	18,773.33	sqyds	MONTEZEMUA	MC DONALD	THROOP LINE	16
4.27	mi	OAK HILL 65A	50,101.33	sqyds	MORAVIA	VILLAGE	NILES	20
2.93	mi	OAK HILL 65B	34,378.67	sqyds	NILES	NILES	MORAVIA	20
1.7	mi	DAVIS 88	17,952.00	sqyds	SPRINGPORT	NUMBER 1	RT 326	18
2.65	mi	NO.1 Rd 76B-1	27,984.00	sqyds	SPRINGPORT	VILL LINE	SPRING-FLEM LINE	18
0.12	mi	NUMBER 1 76A	1,267.20	sqyds	FLEMING	SPRINGPORT LINE	RIDGE	18
1.73	mi	TRUESDALE 77	18,268.80	sqyds	SPRINGPORT	NUMBER 1	GREAT GULLY	18
0.98	mi	LOCKWOOD 90	10,348.80	sqyds	SPRINGPORT	LOCKWOOD	RT 326	18
0.39	mi	FITZPATRICK 90	4,576.00	sqyds	SPRINGPORT	LOCKWOOD	SPRING-FLEM LINE	20
27.89	mi	Total Area	301,898.67	sqyds				
		Estimated Cost	\$ 347,183.47					

2008 PAVING

2008 SLURRY SEAL

Length	Units	Withth	Route	Towns	Activity	Pavement Area	Units	From Street	To Street
0.36	mi	22	WIGGINS 71C	OWASCO	Pave w/ RAP	4,646.40	Sqyd	RT 38A	12 CORNERS
1.63	mi	20	ONEIL RD 19B	CONQUEST	Recycle	19,125.33	Sqyd	Marvin Rd.	EMERSON RD
1.21	mi	20	WRIGHT 126	STERLING	Recycle	14,197.33	Sqyd	RT 104	STERLING STA
0.3	mi	20	HENVY ROAD	MENTZ	Pave w/ RAP	3,520.00	Sqyd	HALSEY	Armstrong
0.75	mi	24-52	MAIN ST 56	PORT Byron	Hot Recycle,Hc	13,845.00	Sqyd	VILLAGE LINE	RT 31
2.93	mi	24	FRANKLIN ST 83AB	SENNET	Recycle Hot top	41,254.40	Sqyd	PINE RIDGE	COUNTY LINE
1.9	mi	30	LONG HILL 43B	VENICE	Recycle Hot top	33,440.00	Sqyd	RT 34	MORAVIA
2.7	mi	20	GLEN HAVEN 66A	NILES	Recycle	31,680.00	Sqyd	RT 41A	SEMPRONIUS
2.83	mi	22	SKILLET 150	FLEMING	pave cold mix	36,525.87	Sqyd	RIDGE	RT 34
14.61	mi					198,234.33	Sqyd		

Length	Units	Route	Pavement	Units	Town	From	To	width
4.62 mi		Lake Como	54,208.00 sqyds		SumHill	Rt. 90	Semp.	20
0.68 mi		Lake Como	7,978.67 sqyds		Semp.	SumHill	Dresserville	20
1.77 mi		Turnpike	24,921.60 sqyds		Throop	Sennett	School St	24
2.68 mi		Turnpike	37,734.40 sqyds		Sennett	Throop	Rt. 5	24
1.6 mi		Dunning south	20,650.67 sqyds		Fleming	Willowbrook	Skillet	22
0.78 mi		Clark St. Rd.	12,812.80 sqyds		Aurelius	Auburn	Rt 5&20	28
12.13 mi			158,306.13 sqyds					

Estimate \$ 277,035.73

Signed by Axton, Cuddeback, Murphy, Mitchell, Lockwood, Chapman, Sincebaugh, Petrus, Schuster, Palermo, Tortorici.
 Approved by voice vote, all present voting aye.

RESOLUTION NO. 143-08 2/26/08 Blds Correcting Accounts reso 234-07

Authorizing to correct accounts in resolution 243-07

By: Hon. David R. Axton, Chairman, Public Works Committee

Hon. Francis C. Mitchell, Chairman, Ways & Means Committee

WHEREAS, Resolution 695-06 established Capital "H" project No. 06-5 heating system renovation of the County Office Building which included the abatement of materials; and

WHEREAS, Resolution 234-7 expanded this abatement to other areas in the County Office Building to address health and safety issues; and

WHEREAS, the correct accounts were not used in Resolution 234-07; now therefore let it be,

RESOLVED, that account 1620.410.012 be reduced by \$193,004.00 stated in Resolution 234-07 and transferred into Account 9950.00.000-A, Then \$193,004.00 from 9950.00.000-A transferred to the Capital Project account; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized to make the journal entries appropriate and necessary to implement the intent of this resolution.

Signed by Axton, Cuddeback, Murphy, Mitchell, Lockwood, Chapman, Sincebaugh, Petrus, Schuster, Palermo, Tortorici.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 144-08 (2/26/08)

P&TSeasonalHelp 2 08

AUTHORIZING THE HIRING OF SEASONAL STAFF FOR THE PARKS & TRAILS DEPARTMENT FOR THE 2008 SEASON

By: By: David R. Axton, Chairperson, Public Work
Francis Mitchell, Chairperson, Ways & Means Committee

Whereas, it is necessary to hire additional seasonal staff at Emerson Park, West Barrier Bar, Sterling Nature Center, Owasco Flats and the County Trails to accomplish the increased workload preparing for and during the summer season; and

Whereas, it is anticipated that in order to accomplish this extra work up to thirty-two (32) full-time equivalent seasonal positions will be needed, which will include:

Nine (9) Laborers, four (4) Lifeguards, two (2) Head Lifeguards, four (4) Maintenance Crew Leaders, six (6) Park Security Guards, one (1) Supervising Park Security Guard, three (3) Building Maintenance Mechanics, two (2) Museum Aide and one (1) Museum Assistant as recommended by the Committee or as otherwise provided by law; now, therefore, be it

Resolved, that the Park Maintenance Supervisor is hereby authorized to hire up to thirty-two (32) full time equivalent seasonal positions as stated above, to be paid as follows:

Laborers	\$7.15/hr.
Lifeguards	\$8.25/hr.
Head Lifeguards	\$9.00/hr.
Maintenance Crew Leaders	\$8.50/hr.
Park Security Guards	\$9.50/hr.
Supervising Park Security Guard	\$13.00/hr.
Building Maintenance Mechanic	\$10.50/hr.
Museum Aide	\$7.75/hr.
Museum Assistant	\$8.50/hr.

and be it further

Resolved, that the funding for the above-stated positions shall be paid from appropriated funds in the 2008 Parks & Trails Department Budget Accounts as follows:

Emerson Park Salaries # 7110.100.000-A - \$95,774.00

Ag Museum Salaries #7110.000.000-A - \$5,020.00

For a total budgeted amount of \$100,794.

Legislator Lockwood, anyone driving a County car should be tested.

Signed by Axton, Cuddeback, Murphy, Mitchell, Lockwood, Sincebaugh, Petrus, Schuster, Palermo, Tortorici.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 145-08 Date: 2/26/08 BLDS Abolish Carp create build maint super AUTHORIZATION TO ABOLISH THE CARPENTER POSITION AND CREATE A BUILDING MAINTANENCE SUPERVISOR WITHIN THE BUILDINGS AND GROUNDS DEPARTMENT

By: Hon. David Axton, Chairman Public Works Committee

Hon. Francis Mitchell, Chairman Ways and Means Committee

WHEREAS, the Superintendent of Buildings and Grounds has evaluated the staffing within the Building & Grounds Department; and

WHEREAS, the position of Building Maintenance Supervisor would be of value to the county in overseeing the maintenance in the downtown building complexes; and

WHEREAS, the funding is adequate within the current 2008 budget as the new hire salary for the Building Maintenance Supervisor is less than a Carpenter's present budgeted salary of \$45,214; NOW, THEREFORE BE IT RESOLVED, that the position of Building Maintenance Supervisor be hereby created within the Buildings and Grounds Department to assist with the oversight of the downtown complexes; and be it further

RESOLVED, that to accommodate the duties of the to the position, the title of Building Maintenance Supervisor be compensated at the rate of \$43,638 per year pursuant to Part IV of the Cayuga County Compensation Plan for administrative titles for 2008; and be it further

RESOLVED, that the Superintendent of Buildings and Grounds be hereby authorized to fill the newly created position of Building Maintenance Supervisor in accordance with civil service rules and regulations and the policies of the County of Cayuga; and be it further

RESOLVED, that the position of Carpenter be hereby abolished in the Buildings and Grounds Department; and be it further

RESOLVED, that the County Treasurer be hereby directed and authorized to make the appropriate journal entries to carry out the intent of this resolution.

Legislator Cuddeback, will we hiring people to work for the person?

Blds. & Ground Supervisor, Mike Pawlinko, No.

Legislator Axton, will this help catch up on the work load?

Blds. & Ground Supervisor, Mike Pawlinko, Yes.

Legislator Tortorici, I find it difficult to support this, leave in the but don't fill it now, I won't support it.

Legislator Palermo, I will support.

Legislator Chapman, \$1,500 less than what position was?

Blds. & Ground Supervisor, Mike Pawlinko, Yes.

Legislator Schuster, are there projects on hold?

Blds. & Ground Supervisor, Mike Pawlinko, Yes, it will help get projects done.

Legislator Tortorici, there are many people in that dept., can we pull more people from other places?

Blds. & Ground Supervisor, Mike Pawlinko, not really.

Legislator Fearon, in house is cheaper, not all maintenance workers some are cleaners.

Legislator Petrus, 9 buildings, 23 people, they don't all do the same job.

Legislator Lockwood, motion to table, defeated by voice vote, in favor Tortorici, Palermo, Lockwood, opposed Mitchell, Axton, Petrus, Schuster, Murphy, Sincebaugh, Mahunik, Cuddeback, Chapman, Fearon.

Legislator Lockwood, I call the Question.

Legislator Tortorici, Motion to change from full time to Part-Time position.

Legislator Tortorici, I withdraw the Motion.

Signed by Axton, Cuddeback, Murphy, Mitchell, Lockwood, Chapman, Sincebaugh, Petrus, Schuster, Palermo.

Approved by voice vote, all present voting aye, except Tortorici voting No.

RESOLUTION NO. 146-08 2/26/08 BLDS COB HVAC Change orders 4rev
Authorizing the Chairman of the Cayuga County Legislature to sign 4 change orders for County Office Building Heating Project

BY: Hon. David R. Axton, Chairman, Public Works Committee
 Hon. Francis C. Mitchell, Chairman, Ways & Means Committee

WHEREAS, Cayuga County has adopted Resolution Number 695-06 that set up Capital "H" Project No. 06-5 for the Heating modification to the Cayuga County Office building heating system; and

WHEREAS, with any project there are change orders to take care of unforeseen issues or missed items with in the project; and

WHEREAS, The following is a list of change orders

M-011	Substantial completion date change from 12/01/07 to 03/01/08	\$0.00
P-004	Substantial completion date change from 12/01/07 to 03/01/08	\$0.00
E-002	Substantial completion date change from 12/01/07 to 03/01/08	\$0.00
M-012	Labor and Materials to add 14 valves and flanges	<u>\$4,846.00</u>
	Total	\$4,846.00

Total cost change of orders \$4,846.00

WHEREAS, The total cost for the 4 change orders is \$4,846.00, there is sufficient money in the change order fund set up for this project to cover the cost of these change orders; now therefore be it

RESOLVED, that the Chairman of Cayuga County is hereby authorized to sign the change orders, and be it further

RESOLVED, that the funds for these change orders not to exceed \$4,846.00 will come from the change order fund set up in Capital "H" Project No. 06-5 project, and be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to make the journal and accounting entries required to implement the intent of this resolution.

Signed by Axton, Cuddeback, Murphy, Mitchell, Lockwood, Sincebaugh, Petrus, Schuster, Palermo, Tortorici.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 147-08 Date: February 26,2008 WTS PurWinWamPrograms
AUTHORIZING THE CLERK OF THE CAYUGA COUNTY LEGISLATURE AND THE DIRECTOR OF WEIGHTS AND MEASURES TO PURCHASE WinWam SOFTWARE, INTERFACE CABLE, AND LASER SCANNER TO DO PACKAGE CHECKING AND PRICE ACCURACY CHECKING.

By: MR. David Axton, Chairman, Public Works Committee

 MR. Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, It was budgeted in the 2008 budget to purchase these programs and the associated hardware: and

WHEREAS, These programs will improve the number of checks for accuracy that can be done: and

WHEREAS, The accuracy of these checks will be improved do to computer generated calculations: and

WHEREAS, There are funds in the Account No. 6610.200.000-A planned for this purpose: now therefore be it

RESOLVED, the Clerk of the Legislature and the Director of Weights and Measures are authorized to purchase the WinWam programs for Package Checking and for Price Verification, and the associated equipment: and be it further
RESOLVED, that the cost of this equipment and programs will not exceed \$2,905.

Signed by Axton, Cuddeback, Murphy, Mitchell, Lockwood, Sincebaugh, Petrus, Schuster, Palermo, Tortorici.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 148-08 Date: February 26, 2008 HWYPLOWPURrev
AUTHORIZING THE PURCHASE OF THREE DUMP TRUCKS WITH SNOW PLOW EQUIPMENT

By: Dave Axton, Chairman Public Works Committee
Francis Mitchell, Chairman Ways and Means Committee

Whereas, in the 2008 Highway Department budget, funds were budgeted for the replacement of 2 tandem axle and one single axle dump truck at a cost of \$410,000 in Account DM 5130.200; and

Whereas, the vehicles being replaced are 13,12 and 11 years old and the trucks are of the age and condition that they require more extensive maintenance and downtime which hinders the operation of the department; and

Whereas, the County can purchase the dump box and plow equipment from State bid thereby eliminating the need and cost of bidding; and

Whereas, these trucks are critical components of the Highway Department for snow removal operations in the winter and are used the rest of the year for road maintenance and paving; and

Whereas, in the past, bids for the outfitted trucks have been the same or above what comparable equipment would have been if the State Bid had been used; now therefore be it

Resolved, the Highway Superintendent is authorized to purchase 3 dump trucks with plow equipment off of the State bid utilizing the appropriated and budgeted funds in account DM 5130.200; and be it further

Resolved, that the cost of 2 tandem axle trucks and one single axle with a dump box and plow equipment will not exceed \$410,000; and be it further;

Resolved, that the Cayuga County Treasurer is hereby authorized and directed to make the journal and accounting entries necessary to carry out the intent of this resolution.

Signed by Axton, Cuddeback, Murphy, Mitchell, Lockwood, Sincebaugh, Petrus, Schuster, Palermo, Tortorici.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 149-08 (02-26-2008) J&PS-AcceptHomelandSecurityGrant
AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND THE DIRECTOR OF EMERGENCY SERVICES TO ACCEPT A NEW YORK STATE HOMELAND SECURITY GRANT TO RECEIVE TRAINING IN CHEMICAL, BIOLOGICAL, RADIOLOGICAL, NUCLEAR, EVENTS & WEAPONS OF MASS DESTRUCTION (CBRNE/WMD), EQUIPMENT NEEDED FOR CBRNE / WMD RESPONSE AND ENHANCE CAPABILITIES TO RESPOND TO CBRNE / WMD EVENTS.

BY: MR. LOCKWOOD, Chairman, Judicial & Public Safety Committee, and
MR. MITCHELL, Chairman, Ways & Means Committee.

WHEREAS, the Director of Emergency Services applied for and Cayuga County was granted a \$133,000 State Homeland Security Grant to receive training in Chemical, Biological, Radiological, Nuclear Events (CBRNE/WMD), equipment needed for CBRNE / WMD response and enhance capabilities to respond to CBRNE / WMD events; and WHEREAS, the funds from this Grant will be utilized to provide backfill of first responders while on training activities; and

WHEREAS, the funds from this Grant will be utilized to provide appropriate equipment for Inventory of assets and CBRNE / WMD Mass Decontamination Sheltering; and

WHEREAS, the funds from this Grant will be utilized to provide appropriate equipment for a Compressed Breathing Air System for first responders to CBRNE / WMD; and

WHEREAS, the funds from this Grant will be utilized to provide appropriate equipment for upgrade to video surveillance to current Security system at CCOB; and

WHEREAS, the funds from this Grant will be utilized to provide enhanced response capabilities to respond to CBRNE / WMD events with mobile command and communications; now therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature and the Director of Emergency Services are hereby authorized to accept the said Grant and to sign any and all documents necessary for acceptance of the Grant; and be it further

RESOLVED, that the Chairman of the Legislature and the Director of Emergency Services are authorized to advertise for bids for Equipment not listed on NYS OGS Contract; and be it further

RESOLVED, upon bid completion of any bidding process be authorized to enter into all contracts necessary for the purchase of Equipment, and be it also

RESOLVED, that the Director of Emergency Management be authorized to enter into contracts with vendors in order to accomplish the goals of this grant without further legislative action; and be it further

RESOLVED, that the Cayuga County Treasurer's Office is hereby authorized and directed to create and amend the Emergency Management Department's 2008 budget in the following manner:

Revenue Account # 4304.000.000A....FED AID Homeland Security..... \$133,000.

Expense Account # 3640.440.000A... FED AID Homeland Security.....\$133,000.

Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici, Chapman, Cuddeback, Fearon, Mahunik.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 150-08

2/25/08

SHR-NYSSA traffic grantrev

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO ACCEPT A GRANT FROM THE NEW YORK STATE SHERIFFS' ASSOCIATION'S SHERIFFS' COOPERATIVE TRAFFIC SAFETY INITIATIVE

BY: Mr. Raymond Lockwood, Chair, Judicial and Public Safety Committee, and
Mr. Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, monies were awarded from the New York State Sheriffs' Association's *Sheriffs' Cooperative Traffic Safety Initiative Grant* for the Cayuga County STEP (Selective Traffic Enforcement Program); and

WHEREAS, the New York State Sheriffs' Association's *Sheriffs' Cooperative Traffic Safety Initiative Grant* would aide in identifying traffic safety problems in the Cayuga County Jurisdiction and to develop and implement various countermeasures, with emphasis on selective enforcement; and

WHEREAS, the New York State Sheriffs' Association's, *Sheriffs' Cooperative Traffic Safety Initiative Grant*, would provide funding for supplemental traffic enforcement, educational activities, related training, and in some instances, equipment for the Cayuga County STEP; and

WHEREAS, the Cayuga County Sheriff's Department qualified for the Grant in the amount of \$12,000.00; and

WHEREAS, the County will share no cost for this program; now therefore be it

RESOLVED, that the Chairman of the Legislature be authorized to sign the necessary documentation to accept the

New York State Sheriffs' Association's *Sheriffs' Cooperative Traffic Safety Initiative Grant*; and be it further

RESOLVED, the Sheriff's 2008 Operating Budget, Revenue Account Line 3327 (Traffic Enforcement Activities)

needs to increased in the amount of \$12,000.00, and be it further

RESOLVED, that the Salary Line 3110.1 (Road Patrol Overtime) be increased in the amount of the Grant (\$12,000.00), and be it further

RESOLVED, that the Cayuga County Treasurer is authorized to make the journal and accounting entries required to implement the intent of this resolution.

Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, Murphy, Mitchell, Petrus, Palermo, Axton, Schuster, Tortorici.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 151-08

2/19/08

SHR-CEDAP grant Rev

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO ACCEPT A GRANT FROM THE COMMERCIAL EQUIPMENT DIRECT ASSISTANCE PROGRAM (CEDAP) FOR THE CAYUGA COUNTY SHERIFF'S DEPARTMENT ROAD PATROL.

BY: Mr. Raymond Lockwood, Chair, Judicial and Public Safety Committee, and
Mr. Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Deputies Road Patrol Division qualified for a grant awarded from CEDAP on behalf of the Dept. of Homeland Security (DHS) and the Federal Emergency Management Agency (FEMA); and

WHEREAS, the Sheriff's Dept. will receive, under this grant, a TacSight SE35 Advanced Thermal Imager, valued at \$13,450.00, that provides an identifiable and reliable heat picture through the display of relative differences in temperatures; as well as training to use the equipment, contractual services and other costs to educate; and

WHEREAS, the County will incur no cost for this program; now therefore be it

RESOLVED, that the County accept the equipment, training and other provisions of the grant and that the Chairman of the Legislature be authorized to sign the necessary documentation to accept the CEDAP Grant; and be it further

RESOLVED, that the Cayuga County Treasurer is authorized to make the journal and accounting entries required to implement the intent of this resolution.

Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, Murphy, Mitchell, Petrus, Palermo, Axton, Schuster, Tortorici.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 152-08 2/26/08 911Tmobilecontract
AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO SIGN A CONTRACT WITH T-MOBILE USA, INC. FOR POINT-TO-POINT FIXED SERVICE.

BY: Mr. Raymond Lockwood, Chairperson, Judicial and Public Safety Committee
 Mr. Fran Mitchell, Chairperson, Ways & Means Committee

WHEREAS, T-Mobile has purchased, through auction, frequencies within 2110 to 2155 MHz range that were previously occupied by Cayuga County; and

WHEREAS, T-Mobile has determined that their system may cause interference with one of the microwave paths of Cayuga County's existing microwave radio system; and

WHEREAS, T-Mobile has agreed to pay Cayuga County the Total Compensation to design and implement a replacement path as indicated in the contract; and

WHEREAS, Cayuga County has agreed to the terms of the agreement and has agreed to vacate the licenses in the affected paths; and has also agreed to accept monies as reimbursement for the project allowing Cayuga County to have full determination of equipment purchased; and

WHEREAS, the project is due to be completed by September 30, 2008 with the total compensation for the project being \$180,442.60; and

WHEREAS, there is monies in Cayuga County's contingency fund account number A-1990.000 to initially fund the project; now therefore be it

RESOLVED, that any reimbursement monies received from T-Mobile, USA Inc. will immediately be deposited back into Contingency Fund account number A-1990.000 and will be done so no later than September 30, 2008; and be it further

RESOLVED, that the Chairman of the Legislature is hereby authorized to sign the contract with T-Mobile USA for the replacement microwave system link in the amount of \$180,442.60; and be it further

RESOLVED, that the Cayuga County Treasurer make all the necessary journal and accounting entries to accomplish the foregoing.

Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, Murphy, Mitchell, Petrus, Palermo, Axton, Schuster, Tortorici.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 153-08 2/26/08 E911Powerphoneworkshop
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO ENTER INTO A CONTRACT WITH POWERPHONE TO CONDUCT A 9-1-1 LIABILITY WORKSHOP AND SIGN THE CONTRACT FOR THE SAME.

BY: Mr. Raymond Lockwood, Chair, Judicial and Public Safety Committee, and
 Mr. Fran Mitchell, Chair, Ways & Means Committee

WHEREAS, the Cayuga County E-911 Administrator has determined that it would be advantageous for its employees to attend a 9-1-1 Liability workshop

WHEREAS, Power Phone is able and willing to provide said services at a cost of \$189 per student; and

WHEREAS, two (2) sessions have been scheduled (4/11/08 and 9/19/08) giving each student an 8 hour course; and

WHEREAS, the Cayuga County E-911 Center has opened these training sessions up to other 911 Centers to help reduce training costs and will make every attempt to do so; and

WHEREAS, there is money in the E 911 Communications System Budget Account number 3020.400.135-A, specifically for this purpose; now, therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized and directed to sign an agreement with Power Phone to provide (2) workshops in April and September as stated above at a cost not to exceed \$4500.00; and be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to make the necessary journal and accounting entries to accomplish the foregoing.

Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, Murphy, Mitchell, Petrus, Palermo, Axton, Schuster, Tortorici.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 154-08 (2/26/08) COA-LLResidencyreqForShf'sDepsOrCorrsOffs-FIX(rev1)
FIXING DAY AND NOTICE OF A PUBLIC HEARING ON A PROPOSED
LOCAL LAW AUTHORIZING CAYUGA COUNTY DEPUTY SHERIFFS
OR CORRECTIONS OFFICERS TO RESIDE IN CAYUGA COUNTY OR
ANY ADJOINING COUNTY IN NEW YORK STATE.

BY: MR. LOCKWOOD, Chairman, Judicial & Public Safety Committee.

WHEREAS, there has been duly presented and introduced at a meeting of this County Legislature held on February 26, 2008, a proposed Local Law entitled:

"A LOCAL LAW AUTHORIZING CAYUGA COUNTY DEPUTY SHERIFFS
DEPUTIES OR CORRECTIONS OFFICERS TO RESIDE IN CAYUGA
COUNTY OR ANY ADJOINING COUNTY IN NEW YORK STATE.

Now, therefore, be it

RESOLVED, that a public hearing shall be held concerning said Local Law before the Cayuga County Legislature on March 25, 2008 at 6:00 P.M., at the Chambers of the Cayuga County Legislature, County Office Building, 160 Genesee Street, Auburn, New York, and the Clerk of the Cayuga County Legislature is hereby directed to give due legal notice of said public hearing as provided by statute.

Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, Murphy.

RESOLUTION NO. 155-08 (February 26, 2008) DA-ADA Salariesrev2
ADJUSTING THE VARIOUS RESPONSIBILITIES FOR THE ASSISTANT DISTRICT ATTORNEY
POSITIONS IN THE DA'S OFFICE AND AUTHORIZING SALARY ADJUSTMENTS AMONG THE
ASSISTANT DISTRICT ATTORNEYS TO REFLECT EXPERIENCE, CASELOAD AND ASSIGNMENTS
(No Increase in Budget or County Share)

BY: Raymond E. Lockwood, Chairman, Judicial & Public Safety, and
Francis Mitchell, Chairman, Ways and Means

WHEREAS, by Resolution No. 832-07, District Attorney Jon E. Budelmann received legislative approval on December 18, 2007 to fill the vacancy of the Chief Assistant District Attorney position and also backfill any positions created by upward promotion from within the department effective January 1, 2008; and

WHEREAS, by Resolution No. ___-08, District Attorney Jon E. Budelmann has also received legislative approval on February 26, 2008 to fill a vacancy in his office as a result of the resignation of an Assistant District Attorney; and

WHEREAS, after several months of interviewing candidates the District Attorney has filled the vacancies; and

WHEREAS, in order to accurately reflect legal/prosecutorial experience, caseload, job responsibilities, oversight, and court assignments, and in order to retain the experienced prosecutors in the office, the District Attorney has deemed it necessary to adjust the 2008 salaries for various ADA positions; and

WHEREAS, the District Attorney proposes to reduce the current base salary of certain ADA positions and increase others, and reduce and increase the Job 2 salaries of the ADA positions; and

WHEREAS, the District Attorney proposes to reduce the current base salary of the Chief ADA position in Part IV of the 2008 Cayuga County Compensation Plan from \$85,000 to \$80,000 (Position #001785-SYS) and further reduce the 2008 Job 2 salary of the same position from \$10,771 to \$6,400 (Position #004891-SYS); and

WHEREAS, the District Attorney proposes to allocate \$9,371 of the savings from the reductions of the above Chief ADA salary and Job 2 salary to three current Assistant District Attorneys positions; and

WHEREAS, the District Attorney proposes to reduce the current base salary of the ADA position in Part IV of the 2008 Cayuga County Compensation Plan from \$65,714 to \$60,000 (Position #001795-SYS) and further reduce the 2008 Job 2 salary of the same position from \$4,832 to \$4,800 (Position #004895-SYS), and

WHEREAS, the District Attorney proposes to allocate the \$5,746 savings from the reductions of the above ADA salary and Job 2 salary to other Assistant District Attorneys; and

WHEREAS, the District Attorney proposes to reduce the current base salary of the ADA position in Part IV of the 2008 Cayuga County Compensation Plan from \$59,026 to \$47,000 (Position #005202-SYS) and further reduce the 2008 Job 2 salary of the same position from \$4,088 to \$3,760 (Position #005252-SYS); and

WHEREAS, the District Attorney proposes to allocate \$12,354 savings from the reductions of the above ADA salary and Job 2 salary to the other Assistant District Attorneys; and

WHEREAS, the District Attorney proposes to make the part-time STOP DWI ADA into a full-time position and move same position from Part II of the 2008 Cayuga County Compensation Plan to Part IV of the 2008 Cayuga County Compensation Plan; and

WHEREAS, the District Attorney proposes to increase the 2008 base salary of the STOP DWI ADA in Part II of the 2008 Cayuga County Compensation Plan from \$39,948 to \$55,000 (Position #001797-SYS) and further increase the 2008 Job 2 salary of the same position from \$3,367 to \$6,792 (Position #004892-SYS); and

WHEREAS, the Legislature is desirous about retaining experienced prosecutors and making certain the salaries within the District Attorney's Office accurately reflect legal/prosecutorial experience, caseload, job responsibilities, oversight, and court assignments, and in order to retain the experienced prosecutors in the office; and

WHEREAS, the proposed allocations do *not* raise the District Attorney's 2008 budget or county share therein; now therefore, be it

RESOLVED, that the 2008 base salary of the full-time Chief ADA position in Part IV of the 2008 Cayuga County Compensation Plan is decreased from \$85,000 to \$80,000 (Position #001785-SYS) and the 2008 Job 2 salary of the same position is decreased from \$10,771 to \$6,400 (Position #004891-SYS); and it is further

RESOLVED, that the 2008 base salary of the full-time ADA position in Part IV of the 2008 Cayuga County Compensation Plan is increased from \$61,744 to \$65,000 (Position # 003095-SYS) and the 2008 Job 2 salary of the same position is increased from \$4,463 to \$5,200 (Position # 004896-SYS); and it is further

RESOLVED, that the 2008 base salary of the full-time VAW ADA position in Part IV of the 2008 Cayuga County Compensation Plan is increased from \$46,243 to \$49,948 (Position #001784-SYS) and the 2008 Job 2 salary of the same position is increased from \$3,426 to \$3,995 (Position #004894-SYS); and it is further

RESOLVED, that the part-time DWI ADA position in Part II of the 2008 Cayuga County Compensation Plan is hereby made into a full-time position and moved to Part IV of the 2008 Cayuga County Compensation Plan and that the 2008 base salary of the part-time STOP DWI ADA is increased from \$39,948 to \$55,000 (Part IV of the 2008 Cayuga County Compensation Plan - base salary of a full-time STOP DWI ADA) (Position #001797-SYS) and the 2008 Job 2 salary of the same position is increased from \$3,367 to \$6,792 (Position #004892-SYS); and it is further

RESOLVED, that the 2008 base salary of the full-time ADA position in Part IV of the 2008 Cayuga County Compensation Plan is decreased from \$65,714 to \$60,000 (Position #001795-SYS) and the 2008 Job 2 salary of the same position is decreased from \$4,832 to \$4,800 (Position #004895-SYS); and it is further

RESOLVED, that the 2008 base salary of the full-time ADA position in Part IV of the 2008 Cayuga County Compensation Plan is decreased from \$59,026 to \$47,000 (Position #005202-SYS) and the 2008 Job 2 salary of the same position is decreased from \$4,088 to \$3,760 (Position #005252-SYS); and it is further
RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to make the necessary journal and accounting entries to accomplish the foregoing; and it is further
RESOLVED, that the foregoing be accomplished in accordance with Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga, and that Parts II and IV of the 2008 Cayuga County Compensation Plan (updated 1/24/08) are amended to reflect the adjustments herein.
Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, Murphy, Mitchell, Petrus, Palermo, Axton, Schuster, Tortorici.
Approved by voice vote, all present voting aye.

RESOLUTION NO. 156-08 (February 26, 2008) DA.vacancyada
AUTHORIZING THE DISTRICT ATTORNEY TO FILL VACANCY IN THE DISTRICT ATTORNEY'S OFFICE

BY: Raymond Lockwood, Chairman, Judicial & Public Safety; and
Francis Mitchell, Chairman, Ways and Means
WHEREAS, District Attorney Jon E. Budelmann will have a vacancy in an Assistant District Attorney position in the District Attorney's office effective February 25, 2008 as a result of the resignation of a full-time Assistant District Attorney effective February 15, 2008; and
WHEREAS, the full-time Assistant District Attorney position is a critical position in the District Attorney's office responsible for prosecutorial duties; and
WHEREAS, the Legislature is desirous about continuing this important prosecutorial position in the District Attorney's Office; and
WHEREAS, this position has been budgeted for the entire year; now therefore be it
RESOLVED, that the District Attorney be hereby authorized to fill this vacancy; and be it further
RESOLVED, that the foregoing be accomplished in accordance with Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.
Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, Murphy, Mitchell, Petrus, Palermo, Axton, Schuster, Tortorici.
Approved by voice vote, all present voting aye.

RESOLUTION NO. 157-08 2/26/08 SHR-Bid for Showers
AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO AWARD BID TO BARBER WELDING TO FABRICATE AND REPAIR SHOWERS AT CAYUGA COUNTY JAIL.

BY: Mr. Raymond Lockwood, Chair, Judicial and Public Safety Committee, and
Mr. Francis Mitchell, Chair, Ways & Means Committee
WHEREAS, the Cayuga County Sheriff requested bids to fabricate and repair the showers at the Cayuga County Jail; and
WHEREAS, three bids were received:
Barber Welding at \$27,976.00
White Welding at \$32,414.00
Liberty Radiator and Welding at \$34,300.00; and
WHEREAS, there is money earmarked for this project in the Sheriff's 2008 Custody Operating Budget 3150.200.000 which was previously authorized on January 22, 2008 by Resolution 79-08; and
RESOLVED, that the above bid be awarded to Barber Welding of Weedsport, NY to fabricate and repair the showers at the Cayuga County Jail.
Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, Murphy, Mitchell, Petrus, Palermo, Axton, Schuster, Tortorici.
Approved by voice vote, all present voting aye.

RESOLUTION NO. 158-08 2.26.08

COALNDCLAIMEISrev

CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE IS AUTHORIZED AND DIRECTED TO REQUEST HARRIS BEACH, PLLC, PREPARE AND SUBMIT COMMENT TO BUREAU OF INDIAN AFFAIRS ON ITS TRUST RECOMMENDATIONS FOR THE ONEIDA INDIAN NATION

By: Hon. Ray Lockwood

Hon. George Fearon

Hon. David Axton

WHEREAS, the Bureau of Indian Affairs has recommended to the Department of the Interior that 13,086 acres be taken into federal trust for the Oneida Indian Nation in the counties of Madison and Oneida, and

WHEREAS, this acreage is spread in non-contiguous clusters throughout the towns of these two counties in complete disregard for the U. S. Supreme Court's

Sherrill decision noting that such a "checkerboard" would have "disruptive practical consequences," and

WHEREAS, Madison and Oneida counties have established that any attempt by the Department of the Interior to create sovereign Indian trust lands in New York violates the letter and spirit of the Indian Reorganization Act and supporting regulations, and

WHEREAS, the taking of any land into trust for the Oneidas in Madison and Oneida counties has serious implications for similar action on behalf of the Cayuga Indian Nation in Cayuga and Seneca Counties, be it therefore

RESOLVED, that the Cayuga County Legislature authorizes and directs its attorneys at Harris Beach, PLLC, to prepare and submit comment objecting to the preferred alternative of the Bureau of Indian Affairs in the Final Environmental Impact Statement for the Oneida Indian Nation as outlined in the Federal Register February 22, 2008.

Legislator Fearon, need a quick response on this, we need to protect our interest.

Legislator Lockwood, Onieda County has asked for the highest sales tax, relevy went to 5%, increase in property taxes has devastating to Madison County.

Signed by Lockwood, Fearon, Axton.

Approved by voice vote, all present voting aye.

Motion by Legislator Chapman to go into executive session re: personnel issue, 7:58PM, approved by voice vote, all present voting aye.

Motion by Legislator Chapman to come out of executive session at 8:58PM, 2nd by Cuddeback, approved by voice vote, all present voting aye.

Motion by Legislator Chapman to adjourn at 8:59PM, approved by voice vote, all present voting aye.

Motion by Legislator Chapman to approve minutes 4-22-08, all in favor.