

**MINUTES
CAYUGA COUNTY LEGISLATURE
JUNE 24, 2008, 6:00 PM**

CALL TO ORDER: Hon. Roger Mills, Chairman at 6:00PM.

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

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

PUBLIC HEARINGS: Opened at 6:00PM

(1) To Adopt Local Law No. for the Year 2008 Setting Forth the Powers, Duties, Mode of Selection and Removal, and Term of Office of the Executive Director of the Cayuga County Community Services Board, Superseding the Provisions of the New York State Mental Hygiene Law Section 41.03.

(2) To Adopt Local Law NO. for the Year 2008 Setting Forth the Powers, Duties, Mode of Selection and Removal, and Term of Office of the Director of Cayuga County Community Mental Health Services.

(3) Authorizing Additions to Cayuga County Ag Districts.

People that spoke on the Public Hearings:

Deborah Schwarting, MMRD sub-committee chair, re: #1. I do not support this, it's not in the best interest of the community. The Community Service Board has concerns that this will not serve the most vulnerable constituents of the community, please do not adopt.

Ray Bizzari Executive Director Cayuga Counseling Services, re: #1. Community Service Board members are good people; they have moved the agency forward. Cayuga County Mental Health Agency is one of the best services of care. I think the problem has already been fixed, don't need a local law, table this resolution.

Linda Albrecht Chair, Community Services Board, re: #1. We believe this is illegal. We have a new management system, committed to Mental Health to make sure problems don't happen in the future. Vote no on the Local Law.

Motion by Legislator Cuddeback to hold off on all issues until the Girl Scout Presentation is complete, all in favor.

PRESENTATION: By Nick Valenti, Director of Veterans Services, recognizing Girl Scout Troop #444, for volunteering their time to plant flowers at Veteran Memorials throughout Cayuga County.

Receiving certificates: Cherise Adams, Chloe Calhoun, Emily Gray, Courtney LaFleur, Sarah Sears, Chelsea Staniec, Endreia Steves, Teresa Wilt, Natasha Coleman and Lindsey Debois. We would also like to salute the troop leaders, Ms Gray Troop leader, Christina Sears assistant leader, Linda Wilt and Jodi Thomas both parent helpers.

PROCLAMATIONS:

All Mount Carmel High School Reunion Weekend, July 18-20, 2008, read by Mary Jones Clerk of the Legislature, presented by Roger Mills Chairman and Legislator Daniel Sincebaugh, to Janet Weston, Auburn, NY, Ann Padlick, Auburn, NY, and Joe Lopiccolo, Auburn, NY.

Cayuga County Salutes Mary Ann Ginnerty, Saturday, July 5th, 2008, read by Mary Jones Clerk of the Legislature, presented by Chairman Roger Mills to Mary Ann Ginnerty.

July 1, 2008 as Owasco Lake Day in Cayuga County, read by Mary Jones Clerk of the Legislature, presented by Chairman Roger Mills to Dr. Joe Wasileski, President (OWLA) Owasco Watershed Lake Association. Invites everyone to the first annual Owasco Lake Day, July 1, 2008 from 5:00PM to 7:00PM.

PRESENTATION: **Fred R. Lewis**, re: Munis Training, Munis will go live in 60 days. This will be a major change in how we do business. There is still a lot of work to do and people are being trained. David Buck project manager from Tyler, gave a brief presentation on how to work through the system.

MINUTES: For Approval: 4-22-08, Motion by Legislator Chapman to approve, all in favor.
For Reading: 5-27-08 and 6-18-08

CCC REPORT: Daniel Larson, President, we had five honorees for all-region student-athletes, Donald Brewer, Heather Gulliver, Patrick Cameron, Kevin Donohue, and Timothy Schmidt. Summer enrollment is up 6% over last year. We have a new summer course, Green Entrepreneurship, a one week course. The college is partnering with the Institute for the Application of Geospatial Technology, offering a one-week GIS Summer Camp for students in grades six through nine.

COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS:

Legislator Lockwood, re: status of the radio system, working on getting out an RFP and working on better protocol when problems arise.

EMERGENCY AUTHORIZATION FOR HIRING:

Whereas, it has been past practice to have a resolution adopted to fill vacancies for the past several years due to restrictions on hiring adopted by the Legislature; and,

Whereas, departments are still processing resolutions to fill established positions which are in the current adopted budget per past practice; and

Whereas, a procedure needs to be in place to hire on an emergency basis;

Now therefore be it agreed that the undersigned, pursuant to past practice and the County Manager, do hereby authorize on an emergency basis the filling of the following:

COUNTY ATTORNEY - Department

Paralegal Specialist - Title of position

REASON: (provide reason for emergency hire) Current incumbent resigned effective 6/20/08 to accept position at Sheriff's Office as Confidential Secretary to the Sheriff.

Signed by Palermo, Mahunik, Mitchell, Mills Chairman, Wayne Allen Co. Manager.

MANAGER'S REPORT: Wayne Allen, handed out an informational packet from the Laberge Group Engineering Architects, on Cayuga County Buildings Needs Assessment – budget. Handed out.

PRESENTATION: C & S Engineering, Inc., Jeff Spenard, re: Mental Health Project, briefly discussed the three layouts for the Mental Health Project, site restrictions, patient flow and access. Handed out.

CHAIRMAN'S REPORT: Roger Mills, none.

Motion by Lockwood, 2nd by Cuddeback to close Public Hearings 7:42PM, all in favor.

APPOINTMENTS AND RE-APPOINTMENTS:

Cayuga-Cortland Workforce Investment Board:

Deborah H. Brown, 19 Delevan St, Auburn, NY 13021 Re-appointment, term 7-1-08 to 6-30-2011

William McVea, 14948 W. Bay Rd., Sterling, NY 13156, Re-appointment, term 7-1-08 to 6-30-2011

Motion to approve appointments by Petrus, 2nd by Cuddeback, all in favor.

COMMUNICATIONS AND ANNOUNCEMENTS:

Received a letter from Georgianna Caliendo, Auburn, NY re: How well the Electronics Recycling, that took place at Soil & Water on May 17, 2008 ran, nice Job Bruce Natale, Solid Waste Director.

Motion by Legislator Chapman to go into executive session re: Potential Litigation at 7:44PM, all in favor.

Motion to come out of Executive Session by Chapman at 8:22PM, all in favor.

RESOLUTIONS

RESOLUTION NO. 366-08

AuditJune.08REV1.doc

**AUTHORIZING THE COUNTY TREASURER TO PAY
MAY 2008 AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on June 24, 2008 audit claims against the County of Cayuga in the aggregate sum \$3,389,546.04, 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 Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 367-08

Utility 6.17.08.rev1

**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:

	MAY 2008
Gas & Electric :	\$51,018.30
Water & Sewer	\$15,482.81
Telephone:	\$16,256.40
Landfill/Rubbish	<u>\$ 364.28</u>
Total:	\$83,121.79

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 368-08

6/24/08

PURCHSVCSMAY

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

BY: Hon. Francis Mitchell, 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	\$7,873.59
TOTAL		\$7,873.59

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

Approved by voice vote, all in favor.

RESOLUTION NO. 373-08

6/17/08

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.

MAY TOTAL
\$4040.81

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

Approved by voice vote, all in favor.

RESOLUTION NO. 374-08 (6/24/08)

COA-CAPH6PAY

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

BY: MR. MITCHELL, Chairman, 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 #03-7 (Phase 4/ Integration of Services (IOS)):

ASAP SOFTWARE:

Inv. No. 3819846.....\$ 1,990.15

SYSTEMS DEVELOPMENT GROUP:

Inv. No. 9595-2.....\$ 1,500.00

FINGER LAKES TECHNOLOGIES GROUP, INC.:

Inv. No. 2008-587.....\$ 7,600.00

CDW GOVERNMENT, INC.:

Inv. No. KLT2254.....\$ 779.00

FINGER LAKES COMMUNICATION CO., INC.:

Inv. No. 33116.....\$ 550.75 2.

Project #07-5 (Tyler Software):

TYLER TECHNOLOGIES PLANNING & DESIGN:

Inv. No. 129368.....\$ 3,133.50

INN AT THE FINGERLAKES:

Inv. No. 3543.....\$ 210.00

And be it further

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 375-08

6/17/08

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:

MAY 2008

Copier Leases and Maintenance: \$ 9,172.79

Postage Leases: \$

Misc. Leases: \$ 5,458.00

Total \$14,630.79

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 376-08

6/17/08

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

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

MAY 2008
\$ 353.57

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 377-08 (06/24/08) RPSsigncontractfortaxsale

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO SIGN AN AGREEMENT WITH SCHERRER AUCTIONS TO AUCTION OFF CAYUGA COUNTY TAX FORECLOSED PROPERTY.

By: Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, pursuant to Resolution 188-02, Auction Policies and Procedures, section 2, the same auctioneer may conduct the auction again upon authorization of the Ways & Means Committee; now, therefore, be it

RESOLVED, that the Chairman of the Legislature is authorized to sign an agreement with Auctions International to dispose of certain Cayuga County owned real property.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 378-08 (06-24-08)

COLHANDICAPPARK

AUTHORIZES THE CAYUGA COUNTY TREASURER TO WRITE A CHECK OUT OF THE T-64 TRUST ACCOUNT (HANDICAPPED PARKING AWARENESS PROGRAM PARKING FEES) TO OPTIONS FOR INDEPENDENCE FOR THE AMOUNT OF \$2,500.00.

BY: MR. FRANCIS MITCHELL, Chairperson, and Ways and Means Committee

WHEREAS, the Legislature of the State of New York established a handicapped parking education program under Chapter 497 of the Laws of 1999; and

WHEREAS, the Cayuga County Legislature established a handicapped parking education program in 2000 to expend monies collected locally from citizens who parked their vehicles in handicapped parking places who were not handicapped; and

WHEREAS, to date there is a balance of \$6,263.04 in said trust account: and

WHEREAS, the Clerk of the Legislature has met with the Director of Options for Independence who has agreed to assist in coordinating the education program for 2008; and

WHEREAS, the sum of \$2,500.00 has been agreed on for the expense of marketing said program; it is hereby

RESOLVED, that a check be made payable to Options for Independence for the sum of \$2,500.00 from the T-64 Trust Account; and it is further

RESOLVED, that the Director of Options for Independence will use these funds to pay for advertising, radio announcements and other means of promoting Handicap Awareness; and it is further

RESOLVED, that the Director of Options for Independence will keep a journal of paid receipts/expenses for the promotion of the program and provide a complete copy to the Clerk of the Legislature; and it is further

RESOLVED that any remaining funds will be sent to the Clerk of the Legislature by the Director of Options for Independence and deposited into the T-64 Trust account, if any.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 379-08 (6/24/08) HR-Workshops2008rev
AUTHORIZING THE CHAIRMAN OF THE COUNTY LEGISLATURE TO SIGN CONTRACTS FOR EMPLOYEE TRAINING WORKSHOPS.

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

WHEREAS, the County of Cayuga has determined that it would be advantageous to provide training for county employees on various topics throughout the year; and

WHEREAS, various vendors have been contacted for estimates to provide professional services to accomplish aforesaid training modules; and

WHEREAS, there are sufficient monies in Account # A1430.400.059 for this purpose; now, therefore, be it RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to sign contracts with vendors that provide professional training services as stated above at a cost not to exceed the amount budgeted in A1430.400.059 (\$6,000); and be it further

RESOLVED, that the cost of the workshops be charged against Account # A1430.400.059 for Professional Services; and be it further

RESOLVED, that the County Treasurer make the journal and accounting entries necessary to carry out the intent of this resolution.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 380-08 06/24/08 TreaFillJRealpropclerk-rev1
AUTHORIZATION TO FILL A REAL PROPERTY TAX CLERK POSITION IN THE COUNTY TREASURER'S OFFICE

By: Mr. Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, there now exists a vacancy for a full time Real Property Tax Clerk in an encumbered position; and WHEREAS, the Civil Service eligible list for the position of Real Property Tax Clerk was established 5/14/08; and

WHEREAS, this position is crucial for continuity of services in the Treasurer's Office; and

WHEREAS, funding for this position is available in the Treasurer's 2008 Budget under position control number #01809 and has only been filled temporarily; therefore be it

RESOLVED, that the County Treasurer is hereby authorized to fill a full time Real Property Tax Clerk on a contingent permanent basis; and be it further

RESOLVED, that this position be filled in accordance with the Cayuga County Civil Service Rules and Regulations and the Policies of the County of Cayuga.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 381-08 6/24/08 purofficebid
AUTHORIZE THE PURCHASING AGENT TO ADVERTISE AND RECEIVE SEALED BIDS FOR OFFICE SUPPLIES AND FURNITURE FOR VARIOUS CAYUGA COUNTY DEPARTMENTS AND AGENCIES.

BY: Francis Mitchell, Chairman, Ways and Means Committee.

WHEREAS, as of July 1, 2008, the current NYS contract for office supplies will add an additional ½% to all purchases for supplies purchased off the NYS Contract; and

WHEREAS, after comparing pricing that other counties in NYS are receiving, it would be most advantageous to Cayuga County to go through the bidding process to award the contract to the lowest and most responsible bidder, and

WHEREAS, all Cayuga County departments and agencies may have the need to utilize this service; now, therefore, be it

RESOLVED, that the Purchasing Agent be authorized to advertise and receive sealed bids for supplying office supplies and furniture for various Cayuga County departments and agencies.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 382-08 (6/24/08) COMWorkComp
TRANSFERRING FUNDS FROM THE CONTINGENT ACCOUNT TO MAKE CERTAIN COUNTY DEPARTMENTS WHOLE FOR WORKER'S COMPENSATION COSTS

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

WHEREAS, during the 2008 Budget process, it was determined that County may receive reduced costs for Worker's Compensation rates; and

WHEREAS, as a contingent plan, the County set aside \$220,000.00 in the Contingent Account (A1990); and

WHEREAS, it has been determined that the County was not able to receive the reduced rates as anticipated; now, therefore be it

RESOLVED, that \$163,265.00 be transferred from A1990 (Contingent Account) to various County Departments in the General Fund as per the attached spreadsheet; and be it further

RESOLVED, that \$18,230.00 be transferred from A1990 (Contingent Account) to A9905.000.000 (Transfer to County Road Fund); and be it further

RESOLVED, that \$10,008.00 be transferred from A1990 (Contingent Account) to A9905.000.000 (Transfer to Road Machinery Fund); and be it further

RESOLVED, that \$35,563.00 be transferred from A1990 (Contingent Account) to A9903.000.000 (Transfer to Nursing Home); and, be it further

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 383-08 (6/24/08) COAMOANurses
CONFIRMING A MEMORANDA OF AGREEMENT BETWEEN THE NEW YORK STATE NURSES ASSOCIATION AND THE COUNTY OF CAYUGA

BY: Hon. Ann Petrus, Chairperson – Health and Human Services Committee

Hon. Francis Mitchell, Chairman – Ways and Means Committee

WHEREAS, On December 2006, an agreement between the County of Cayuga and the New York State Nurses Association was signed for the mutual policy to promote harmonious labor relations between the County and its employees; and

WHEREAS, this labor agreement states that this agreement may be amended or supplemented only by further written agreement between the parties; and

WHEREAS, the New York State Nurses Association has agreed to modify their Collective Bargaining Agreement to include Release Time for Health Screenings, Layoff and Recall for Non-Competitive, and Utilization of Licensed Practical Nurses; now, therefore be it

RESOLVED, that the Cayuga County Legislature does hereby ratify and confirm said modifications to the agreement between the County of Cayuga and the New York State Nurses Association.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 384-08 DATE: 06/24/08 OFAWebsiteUpgradeJune08
Authorizing the Chairman of the Legislature and the Director of the Office for the Aging to enter into an agreement with BG Media to upgrade the Office for the Aging website to provide a user friendly, easy to navigate website that includes all programs of the Office for the Aging.

BY: Ms. Ann Petrus, Chair, Health & Human Services Committee, and

Mr. Francis Mitchell, Chair, Ways and Means Committee.

WHEREAS, 100% funding has been received from the New York State office for the Aging to provide the Long Term Care Insurance Education and Outreach Program (LTCIEOP) and the Health Insurance Information Counseling Assistance Program (HIICAP) to provide unbiased assistance to consumers considering long term care insurance, assist families in planning ahead for long term care services, and to provide assistance with Medicare and related health insurance; and

WHEREAS, six thousand dollars of these funds have been allocated by the New York State Office for the Aging to provide information about LTCIEOP and HIICAP on the Cayuga County Office for the Aging website and are budgeted in line item 6772.400.074-A Department Expense; and

WHEREAS, to carry out the intent of the aforementioned programs, it is necessary to contract for services to provide the upgrade; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of the County Office for the Aging are hereby authorized to sign on behalf of the County a contract with BG Media for a website upgrade.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 385-08 Date of Meeting: 6/24/08 nhbuffsuplytbsrvrev
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO SIGN AN AGREEMENT WITH BUFFALO HOSPITAL SUPPLY FOR PART B SERVICES FOR 1 YEAR.

BY: Ann Petrus, Chairman, Health and Human Services Committee
WHEREAS, the Cayuga County Nursing Home has the need to have an agreement for the provision of medical supplies that are billed by provider to Medicare; and,
WHEREAS Buffalo Hospital Supply has provided those services for many years satisfactorily; and,
WHEREAS there is no cost to the facility as items are only billed under this agreement directly to Medicare; and; now therefore be it
RESOLVED that the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home be authorized to sign the agreement with Buffalo Hospital Supply.
Signed by Petrus, Cuddeback, Mahunik, Schuster, Sincebaugh, Tortorici.
Approved by voice vote, all in favor.

RESOLUTION NO. 386-08 Date of Meeting: 6/24/08 nhreplfiresystemrev
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ACCEPT A PROPOSAL FOR REPLACEMENT OF THE FIRE SYSTEM.

BY: Ann Petrus, Chairman, Health & Human Services Committee
BY: Francis Mitchell, Chairman, Ways & Means Committee
WHEREAS, Resolution No. 54-07 authorized the issuance of an RFP to obtain proposals for replacement of the fire control system at the Cayuga County Nursing Home; and
WHEREAS, the Purchasing Agent of the Legislature sent out specification packages to local, New York State and national based firms; and,
WHEREAS, one (1) firm, Binder Electric Corporation, responded with a proposal; and,
WHEREAS, the proposal contained the following components:
 Complete construction costs per specifications of the engineering firm at \$136,550.00
 or
 Complete construction costs which leave the existing conduit in the ceiling at \$122,750.00
 or
 Complete construction costs substituting MC Cable at \$114,950.00
 or both deductions for a cost of \$101,150.00; and
WHEREAS, the proposal has been approved by the engineering firm. Erdman Anthony Associates; now therefore be it,
RESOLVED, that the proposal be awarded to Binder Electric Corporation for complete construction costs leaving in the existing conduit and substituting MC cable for a total cost of
\$ 101,150.00.
Signed by Petrus, Mahunik, Cuddeback, Schuster, Tortorici, Sincebaugh, Mitchell, Axton, Lockwood, Palermo.
Approved by voice vote, all in favor.

RESOLUTION NO. 387-08 (June 24, 2008) HD Feyerabend Contract
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into a Service Contract with Catherine Feyerabend, OT, to Provide Occupational Therapy Services for CHHA

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 Catherine Feyerabend to provide the needed services for the period of June 1, 2008 through May 31, 2010 at the following rates:
Occupational Therapy:
 Initial Visit.....\$63.00
 Repeat Visit.....\$60.00
 Orient, Training, Inservice.....\$22.00/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, Mahunik, Cuddeback, Schuster, Tortorici, Sincebaugh, Mitchell, Axton, Lockwood, Palermo.
Approved by voice vote, all in favor.

**RESOLUTION NO. 388-08 (June 24, 2008) HD Northbrook Heights CHHA
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into a Contract with Northbrook Heights Home for Adults to Provide Aide Services**

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 home health aide service, personal care aides and homemaker/housekeeper services; and

WHEREAS, 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; 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 July 1, 2008 through June 30, 2009 with Northbrook Heights Home for Adults to provide the following services at the following rates:

<u>Rates</u>	<u>7/1/08 – 6/30/09</u>
Home Health Aides.....	\$16.14/hr.
Personal Care Aides.....	\$16.14/hr.
Homemaker/Housekeeper.....	\$16.14/hr.

and be it further

RESOLVED, that these expenses be paid out of account #4012, line item # .410 of the 2008 Health Department Budget.

Signed by Petrus, Mahunik, Cuddeback, Schuster, Tortorici, Sincebaugh, Mitchell, Axton, Lockwood, Palermo.
Approved by voice vote, all in favor.

**RESOLUTION NO. 389-08 (June 24, 2008) HS Child Welfare Placement Services
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Contract with Multiple Service Agencies (Listed) for the Provision of Child Welfare Placement Services**

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

WHEREAS, the Human Services Division of Health & Human Services is required to provide appropriate “child placement services” for children placed in foster care and at times this includes placement in a residential treatment center (RTC); and

WHEREAS, Human Services has successfully contracted with the listed agencies to provide these services in the past; and

WHEREAS, the RTC per diem rate schedule is established and set by NYS Department of Social Services; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into contracts for the time period of July 1, 2008 – June 30, 2009 with the following agencies:

Anderson School, Inc.	Kids’ Peace
Baker Victory Services	Kinship Family & Youth Services
Berkshire Farm Center & Services	LaSalle School
Cayuga Home for Children	Liberty Resources
Charlton School	Lincoln Hall
Children’s Home of Jefferson County	Northeast Parent and Child Society
Children’s Home of Poughkeepsie	Oswego Opportunities, Inc.
Children’s Home of Wyoming Conference	Parsons Child & Family Center
Crestwood Children’s Center	St. Anne’s Institute
Elmcrest Children’s Center	St. Catherine’s Center for Children
Gateway Logview	St. Coleman’s
George Junior Republic	St. Joseph’s Villa
Glove House	Toomey Residential & Comm. Serv.
Hillside Children’s Center	Vanderheyden Hall
Hopevale, Inc.	Salvation Army/Friendship House
House of Good Shepard	

and be it further

RESOLVED, that payment for these services at the current state approved rates be charged to account #6123 and account #6109 of the 2008 Human Services Budget.

Signed by Petrus, Mahunik, Cuddeback, Schuster, Tortorici, Sincebaugh, Mitchell, Axton, Lockwood, Palermo.
Approved by voice vote, all in favor.

RESOLUTION NO. 390-08 (June 24, 2008) HD Connections Contract
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter Into a Contract With Connections to Provide Occupational and Speech Therapy Services for CHHA

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) and Long Term Home Health Care Program (LTHHCP) a need to provide therapy services; and

WHEREAS, the Department relies to an extent on obtaining services through certain professional independent contract providers; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services enter into a contract with Connections for the period July 1, 2008 through

June 30, 2009 at the rate of \$73 per visit and \$25 for orientation and inservices; and be it further

RESOLVED, that the costs of the above services be paid out of account #4012.400, line item #.220 (occupational therapy) and #.221 speech therapy.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 391-08 (June 24, 2008) HS Auburn 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 With Auburn Medical Transport

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 in order to provide these services to utilize multiple contractors; 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 Auburn Medical Transport Company for the provision of medical transportation services for the period June 25, 2008 to December 31, 2009 at the following rates:

Stretcher.....	\$ 50 One Way
	\$100 Round Trip
Wheel Chair.....	\$ 20 One Way
	\$ 40 Round Trip
Additional Mileage.....	\$ 2 Per Mile for Transport Outside the City
Oxygen.....	\$ 10
Extra Attendant.....	\$ 10

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, Mahunik, Cuddeback, Schuster, Tortorici, Sincebaugh, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 392-08 DATE: 06/24/08 OFACreatefillAgingSvsSpecJune08rev

Abolishing an Aging Services Social Worker Position in the Office for the Aging; Creating an Aging Services Specialist Position in that Office; and Authorizing the Director of the Office for the Aging to Fill the Newly Created Aging Services Specialist Position

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

WHEREAS, the current employee in an Aging Services Social Worker position is retiring effective July 31, 2008; and
WHEREAS, the Civil Service Commission recently reviewed the duties of the position in the Office for the Aging and classified the title for the position which is currently Aging Services Social Worker, grade 20, to Aging Services Specialist, grade 17; and

WHEREAS, the change in title will reduce the annual salary from \$37,844 (probation rate) and \$38,194 (step one) to \$35,295 (probation rate) and \$35,645 (step one); and

WHEREAS, there is funding from the New York State Office for the Aging and the Older Americans Act in the Office for Aging 2008 Budget Line 6772.100.000-A (Salaries) for this position;
now, therefore, be it

RESOLVED, that the Cayuga County Legislature create an Aging Services Specialist position in the Office for the Aging when the Aging Services Social Worker retires; and upon creation of the Aging Services Specialist position, abolish the Aging Services Social Worker position in the Office for the Aging; and be it further

RESOLVED, that the Director of Office for the Aging be authorized and directed to fill the newly created Aging Services Specialist position and any backfills in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Petrus, Mahunik, Cuddeback, Schuster, Tortorici, Sincebaugh, Mitchell, Axton, Lockwood, Palermo.
Approved by voice vote, all in favor.

RESOLUTION NO. 393-08 Action 6/24/08 MHCreatefillFTJrAct06-08

AUTHORIZE THE CREATION AND FILLING OF A FULL-TIME JUNIOR ACCOUNTANT AT THE CAYUGA COUNTY COMMUNITY MENTAL HEALTH CENTER

By: Hon. Ann Petrus, Chair, Health and Human Services Committee
Hon. Francis Mitchell, Chair, Ways and Means Committee

WHEREAS, the administrative assistant serving the Community Mental Health Center has accepted another position within the Community Mental Health Center; and

WHEREAS, many of the duties and functions of the position are state mandated as well as necessary for the efficient operation of the department; and

WHEREAS, the job duties will be reconfigured within the department consistent with existing Civil Service job descriptions; and

WHEREAS, the remaining duties could be well provided by the title of Junior Accountant; now, therefore, be it

RESOLVED, that the position of Junior Accountant be created and placed within Part I of the Cayuga County Compensation Plan under Community Mental Health; and be it further

RESOLVED, that the Acting Director of Community Mental Health Services be authorized and directed to fill the position of Junior Accountant in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of Cayuga County, and be it further

RESOLVED, that the funding for this position, in the amount of \$27,539 be transferred from Mental Health Account 4310.400.059-A Professional Services to the following accounts:

4310.100.000	Salaries		\$18,627	
4310.800	Fringe			
	.001	Social Security	1,425	
	.002	State Retirement	1,639	
	.003	Health Insurance	5,350	
	.004	Workers Compensation	300	
	.005	Dental Insurance	198	
	Total Fringe		\$8,912	and be it further

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

Signed by Petrus, Mahunik, Cuddeback, Schuster, Tortorici, Sincebaugh, Mitchell, Axton, Lockwood, Palermo.
Approved by voice vote, all in favor.

RESOLUTION NO. 394-08 (June 24, 2008) HD Fill RN CHHA

Authorizing the Director of Health & Human Services to Fill an RN Position at the CHHA (Certified Home Health Agency) Division of the Health Department Due to Resignation

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

WHEREAS, there is an RN vacancy at the County Health Department's CHHA Division due to her resignation effective May 30, 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 2008 Budget to support this position; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized to fill the RN vacancy at the CHHA and any fill behind 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, Mahunik, Cuddeback, Schuster, Tortorici, Sincebaugh, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 395-08 (June 24, 2008) HD Fill Temp Home Care Asst

Authorizing the Director of Health & Human Services to Fill a Temporary Home Care Assistant at CHHA Due to Medical Leave of Absence

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

WHEREAS, there will be a Temporary Home Care Assistant vacancy at the CHHA due to a Medical Leave of Absence (for approximately 8 weeks) effective July 7, 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 fill the Temporary Home Care Assistant 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, Mahunik, Cuddeback, Schuster, Tortorici, Sincebaugh, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 396-08 (June 24, 2008) HD Fill PT HHA CHHA

Authorizing the Director of Health & Human Services to Fill Part-Time Home Health Aide at CHHA

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

WHEREAS, we anticipate a Part-Time Home Health Aide vacancy at the CHHA at the end of this month (June 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 position; NOW,

THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized to fill the Part-Time Home Health Aide 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, Mahunik, Cuddeback, Schuster, Tortorici, Sincebaugh, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 397-08 Action 06/24/08 MH AMH Contract-06-08
AUTHORIZE THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND THE ACTING DIRECTOR OF COMMUNITY MENTAL HEALTH SERVICES TO ENTER INTO AN AGREEMENT WITH AUBURN MEMORIAL HOSPITAL

By: Hon. Ann Petrus, Chair Health and Human Services Committee, and
 Hon. Francis Mitchell, Chair Ways and Means Committee.

WHEREAS, following resignations, the Community Mental Health Center of Cayuga County (CMHCCC) has a shortage of staff psychiatrist hours; and

WHEREAS, Auburn Memorial Hospital (AMH) is also experiencing a shortage of psychiatric coverage; and

WHEREAS, both organizations are desirous to work cooperatively to meet their respective needs; and

WHEREAS, the County and AMH have reached an agreement whereby the AMH will contract for services with the CMHCCC for services in addition to those currently provided by county Staff Psychiatrists; and

WHEREAS, AMH has identified funds in the amount of \$110,000 to apply toward these additional necessary services;

RESOLVED, that the Chairman of the Cayuga County Legislature and the Acting Director of Community Mental Health Services are authorized to enter into an agreement for supplemental psychiatric services to be provided to AMH for a monthly fee based on \$110,000 per year; and be it further

RESOLVED, that the County Treasurer be hereby authorized to establish revenue account 1630.000.000A, AMH Psychiatrist Reimbursement, for the recording of AMH payments.

Legislator Tortorici, is there a contract yet?

Fred Westphal, Co. Attorney, no, it's in the works.

Legislator Chapman, are we done negotiation?

Legislator Petrus, we have someone in mind.

Legislator Chapman, will numbers change.

Legislator Petrus, no.

Legislator Tortorici, we are picking this person so he can stay in retirement?

Legislator Petrus, no because he's is qualified.

Signed by Petrus, Cuddeback, Mahunik, Schuster, Sincebaugh, Mitchell, Axton.

Approved by voice vote, all in favor, except Tortorici voting no.

RESOLUTION NO. 398-08 Action 6/24/08 MH EstSalfillPsych-06-08
AUTHORIZE ESTABLISHING THE SALARY AND THE FILLING OF A FULL-TIME STAFF PSYCHIATRIST AT THE COMMUNITY MENTAL HEALTH CENTER OF CAYUGA COUNTY

By: Hon. Ann Petrus, Chair Health and Human Services Committee, and
 Hon. Francis Mitchell, Chair Ways and Means Committee.

WHEREAS, the Community Mental Health Center of Cayuga County has a shortage of staff psychiatrist hours following staff resignations; and

WHEREAS, a qualified candidate for the position has been identified; and

WHEREAS, Auburn Memorial Hospital has indicated their desire to enter into an agreement with the Mental Health Department to contract for additional psychiatric services, and

WHEREAS, the additional funds for service paid by Auburn Memorial Hospital will be applied to this position pursuant to the contract between the Hospital and the County, therefore, be it

RESOLVED, that the full-time position of Staff Psychiatrist, position number 0011, be reflected in Part IV of the Cayuga County Compensation Plan at an total annual rate of \$226,000, of which \$146,000 will be paid by the County as a Job 1 status and \$80,000 will be paid by Auburn Memorial Hospital under Job 2 status; and be it further

RESOLVED, that the County Treasurer be hereby authorized and directed to make any accounting and journal entries within the mental health accounts to carry out the intent of this resolution; and be it further

RESOLVED, that the Acting Director of Community Mental Health Services be authorized and directed to fill the full-time position of Staff Psychiatrist in accordance with Cayuga County Civil Service Rules and Regulations and the policies of Cayuga County.

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

Approved by voice vote, all in favor, except Tortorici voting no.

RESOLUTION NO. 401-08 June 24, 2008

ITitcisco maintagment0608

AUTHORIZING THE INFORMATION TECHNOLOGY DEPARTMENT TO RENEW CISCO MAINTENANCE AGREEMENTS FOR COUNTY NETWORKS.

By: Christopher M. Palermo, Chairman, Government Operations Committee
Frances Mitchell, Chairman Ways and Means Committee

WHEREAS, the County has a County wide fiber network utilized by various departments and public safety systems which is highly technical, requiring expert monitoring and maintenance; and

WHEREAS, The current maintenance agreements which are due to expire allows for manufacturer's 24/7 technical support and overnight replacement of Cisco Network Equipment required to run the network; and

WHEREAS, the funds for these maintenance agreements are included in the 2008 Information Technology budget, therefore, be it

RESOLVED, that the Information Technology Department and the Chairman of the Cayuga County Legislature are authorized to renew the Cisco Smartnet agreements with Finger Lakes Technologies Group Inc. including 24/7 technical support and next day replacement of critical Cisco network equipment; the total cost for the Cisco maintenance and 24/7 support being \$26,626.52 from account A1020.400.045; 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 Palermo, Mitchell, Petrus, Chapman, Fearon, Murphy, Sincebaugh, Lockwood, Tortorici, Axton, Schuster.
Approved by voice vote, all in favor.

RESOLUTION NO. 402-08

(6/24/08)

COMNBHandbook

ADOPTING THE CAYUGA COUNTY EMPLOYEE HANDBOOK FOR NON-REPRESENTED EMPLOYEES.

BY: Hon. Christopher Palermo, Chairman Government Operations Committee

WHEREAS, the Cayuga County Legislature over the last year has reviewed and revised a draft of the Cayuga County Handbook for Non-Represented Employees; and

WHEREAS, this handbook is designed to give each non-bargaining employees general information concerning employment with Cayuga County; now, therefore be it

RESOLVED, that by the authority vested in the Cayuga County Legislature by the Constitution of the State of New York, the County Legislature hereby orders the adoption of the following Rules, Regulations and Policies for the Cayuga County government; and, be it further

RESOLVED, that these Rules, Regulations and Policies shall supersede all previous Rules, Regulations and Policies heretofore issued; and, be it further

RESOLVED, the County Legislature shall reserve the right to amend or modify the Rules, Regulations and Policies at any time; and, be it further

RESOLVED, that each current non-bargaining employee and new hires in the non-bargaining employees shall receive a copy of the adopted Cayuga County Employee Handbook; and, be it further

RESOLVED, that the Human Resources Department be permitted to change minor text for the purpose correcting typographical or minor errors that may occur from time to time as long as the revisions do not change the policies adopted by the legislature.

Signed by Palermo, Mitchell, Chapman, Fearon, Petrus, Sincebaugh, Murphy.

Approved by voice vote, all in favor.

RESOLTUION NO. 403-08

(6/24/08)

COMemploytimesheet

STANDARDIZING TIME SHEETS FOR ALL COUNTY EMPLOYEES

BY: Hon. Christopher Palermo, Chairman Government Operations Committee

WHEREAS, it has come to the attention of County officials that there is not a standard form for the reporting of time worked for county employees; and

WHEREAS, the County wishes to standardize the form that county employees report time worked each pay period; now, therefore be it

RESOLVED, that the attached time sheets for all county employees (except elected officials) be utilized to record time worked; and, be it further

RESOLVED, that it is required that each employee time sheet be signed by the employee and the Department Head, or designee; and, be it further

RESOLVED, that at the present time, these signed time sheets will reside in each department with a copy in the payroll department; and, be it further

RESOLVED, that this resolution will be in effect immediately upon its adoption.

Signed by Palermo, Mitchell, Chapman, Fearon, Petrus, Sincebaugh, Murphy.

Approved by voice vote, all in favor.

RESOLUTION NO. 404-08 June 3, 2008

colvendingbidsaccept

AUTHORIZATION THE CHAIRMAN OF THE LEGISLATURE TO ENTER INTO A CONTRACT WITH THE HIGHEST BIDDER FOR VENDING EQUIPMENT & SERVICES FOR VARIOUS CAYUGA COUNTY DEPARTMENTS.

BY: CHRISTOPHER PALERMO, CHAIRPERSON
GOVERNMENT OPERATIONS

Whereas, the Cayuga County Office Buildings have vending machines located in various places throughout the County for the employees use and enjoyment; and

Whereas, Resolution No. 208-08 authorized the Purchasing Agent and the Clerk of the Legislature to advertise and receive sealed bids for the vending equipment and services,

Whereas, the following responses were received:

- 1.) Ace Automatics, Seneca Falls, New York 12 % 5 year Contract
- 2.) Next Generation, Canastota, New York 8.5% 5 year Contract

Now, therefore, it is

Resolved, that the Chairman of the Legislature be authorized and directed to sign the contract with Ace Automatics, Seneca Falls, New York; and it is further

Resolved, that all vending machines on the grounds of Cayuga County Office Buildings be with Ace Automatics.

Signed by Palermo, Mitchell, Chapman, Fearon, Petrus, Sincebaugh, Murphy.

Approved by voice vote, all in favor.

RESOLUTION NO. 405-08 (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, Mitchell, Petrus, Chapman, Murphy, Sincebaugh, Lockwood, Tortorici, Axton, Schuster.

Approved by voice vote, all in favor.

RESOLUTION NO. 406-08 (06-24-08)

CC Acct Clerk06-08-rev1

AUTHORIZES CAYUGA COUNTY CLERK TO FILL PART TIME ACCOUNT CLERK.

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

WHEREAS, there is a Part Time Account Clerk position vacancy in the County Clerks Office and this part time position provides essential services to the county; and

WHEREAS, it is essential for continuity of services within the Clerk's Office that the position be filled on a permanent basis; and

WHEREAS, the funding for the Part Time Account Clerk position (Position #4814) has been appropriated in the 2008 County Clerk (A1410.100) salary account in the amount of \$14,200 (\$15.56 - \$15.71hourly); now therefore be it

RESOLVED, that Cayuga County Clerk Susan Dwyer be authorized to fill the position of Account Clerk, with a part time position with no fringe benefits according to the Cayuga County Compensation Plan, Part II-Non-Bargaining, in the title Account Clerk; 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, Mitchell, Petrus, Chapman, Fearon, Murphy, Sincebaugh, Tortorici, Axton, Schuster.

Approved by voice vote, all in favor.

RESOLUTION NO. 407-08 (6/24/08)

COA-E&TleaseAgrmtWithCCC

AUTHORIZING THE CAYUGA COUNTY EMPLOYMENT & TRAINING DEPARTMENT TO ENTER INTO A LEASE AGREEMENT WITH CAYUGA COMMUNITY COLLEGE AND AUTHORIZING THE CHAIRMAN OF THE COUNTY LEGISLATURE TO SIGN SAID AGREEMENT

BY: MR. SCHUSTER, Chairman, Planning & Economic Development Committee, and
MR. MITCHELL, Chairman, Ways & Means Committee.

WHEREAS, the Cayuga County Employment & Training Department desires to lease approximately 8,850 sq. ft. of office space from Cayuga Community College at an annual rental of \$115,050.00; and

WHEREAS, the Cayuga County Employment & Training Department intends to sub-lease portions of said rental space; now, therefore, be it

RESOLVED, that the Cayuga County Employment & Training Department is hereby authorized to lease approximately 8,850 sq. ft. of office space from Cayuga Community College at an annual rental cost of \$115,050.00; and be it further

RESOLVED, that that the Cayuga County Employment & Training Department is authorized to sub-lease portions of said rental space on such terms and conditions as it deems appropriate; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized to sign such leases, sub-leases and other documents as may be necessary to carry out the intentions of this resolution.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 408-08 June 24, 2008

PB_AuthAg_Dist_Add_08

AUTHORIZING ADDITIONS TO CAYUGA COUNTY AG DISTRICTS

Mr. Daniel Schuster, Chairman, Planning & Economic Development

WHEREAS, Article 25AA NYS Agriculture and Markets Law requires counties to annually consider requests to add viable farm land to Agricultural Districts; and

WHEREAS, one (1) request has been received during the designated application period of March 1 to March 31, 2008, such request being from David and James Dickman of Dickman Farms to add real property totaling 60.4 acres located in the Town of Owasco and City of Auburn to Ag District 6; and

WHEREAS, in accordance with Article 25AA of the Agriculture and Markets Law the proposal has been reviewed by the Agriculture & Farmland Protection Board and considered by this Legislature, at a public hearing on June 24, 2008, therefore be it

RESOLVED, that the County Legislature hereby approves the addition of the Dickman Farms real property, totaling 60.4 acres and located in the Town of Owasco and City of Auburn, to Cayuga County Ag District #6.

Signed by Axton, Fearon, Mahunik, Palermo, Tortorici.

Approved by voice vote, all in favor, except Lockwood abstained.

RESOLUTION NO. 409-08 June 24, 2008

PB_Cntrect_FLA_Grant

AUTHORIZING THE SIGNING OF A CONTRACT WITH THE FINGER LAKES ASSOCIATION FOR THE TRANSFER OF NYSDEC FUNDING FOR THE FINGER LAKES-LAKE ONTARIO WATERSHED PROTECTION ALLIANCE, SFY 2007 – 2008 Special Projects Fund

BY: Mr. Daniel Schuster, Chair, Planning and Economic Development Committee

Mr. Francis Mitchell, Chair, Ways and Means Committee

WHEREAS, Cayuga County, as one of the twenty-five (25) voting members of the Water Resources Board of the Finger Lakes-Lake Ontario Watershed Protection Alliance (FL-LOWPA), has been allocated NYS Department of Environmental Conservation (NYSDEC) funds for its water quality program under FL-LOWPA; and

WHEREAS, NYSDEC has agreed to transfer funding for the twenty-five (25) member programs to the Finger Lakes Association (FLA) via a single contract between NYSDEC and FLA, thereby requiring that Cayuga County enter into a contract with the Finger Lakes Association to access these grant funds; and

WHEREAS, the Cayuga County Department of Planning and Economic Development applied for FL-LOWPA Special Project Funding in the amount of \$15,000 for the "Feasibility Study and Preliminary Cost Benefit Analysis for the Owasco Inlet Channel and Owasco Flats Wetland Restoration," requiring an in-kind match of \$6,345 in staff time and labor, for a total project budget of \$21,345, and has been awarded the funding, now, therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute any and all contracts between Cayuga County and the FLA to allow transfer of these grant funds to Cayuga County from the FLA as specified in said contract; and to act as the official representative of Cayuga County in connection with any and all contracts between Cayuga County and the FLA for these SFY 2007-08 Special Project funds; and be it further

RESOLVED, that a signed, certified copy of this Resolution be submitted to the Finger Lakes Association along with said executed contract; and be it further

RESOLVED, that this resolution take effect immediately.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 410-08 Date: 6/24/08 p&t RepairReplaceCurbing 6 08
AUTHORIZING THE PARKS AND TRAILS DEPARTMENT TO SPEND MONEY IN THE 2008 BUDGET TO REPAIR AND REPLACE CURBING IN EMERSON PARK

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

Whereas, in the 2008 Parks and Trails Budget for Emerson Park allowed for the repair and replacement of curbing in Emerson Park at a cost not to exceed \$5,000 from Equipment Account No. 7110.200.000-A; and

Whereas, there are several areas of curbing in the park that are deteriorated creating an eyesore and potential tripping hazard; now therefore be it

Resolved, the Park Maintenance Supervisor is hereby authorized to purchase materials and supplies necessary to replace deteriorated curbing at Emerson Park at a cost not exceed \$5,000.00.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 411-08 (6/24/08) COA-SeekBidsForUSTClosure(Rev)
AUTHORIZING THE COUNTY LEGISLATURE CLERK TO ADVERTISE AND SEEK SEALED BIDS FOR THE REMOVAL OF THE FIRST SET OF UNDER- GROUND STORAGE TANKS LOCATED AT THE MENTAL HEALTH CENTER, STERLING NATURE CENTER AND EMERSON PARK.

BY: MR. AXTON, Chairman, Public Works Committee, and
MR. MITCHELL, Chairman, Ways and Means Committee.

WHEREAS, Cayuga County has recently completed and reviewed with the New York State Department of Conservation a draft voluntary environmental audit of County-owned petroleum-based storage tanks; and
WHEREAS, the audit was conducted relative to the County's health, safety environ- mental regulatory compliance in 2007; and

WHEREAS, the audit found that a number of petroleum bulk storage tanks in various states of regulatory and technical compliance with applicable New York State petroleum bulk storage requirements; and

WHEREAS, the County wishes to close and remove those County-owned petroleum-based storage tanks that are not in service; now, therefore, be it

RESOLVED, that the Clerk of the County Legislature is hereby authorized to advertise and seek sealed bids for the removal of the first set of underground storage tanks located at the Mental Health Center, Sterling Nature Center and Emerson Park.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 412-08 6/24/08 Blds-Courthouse wall crack payment
Authorization to establish a line account to pay for investigation of cracks in the Courthouse walls

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 Cayuga County; and
WHEREAS, in March of 2008 an emergency spending resolution was issued to investigate cracks in the Courthouse walls; and

WHEREAS, this invoice should be paid through a .059 account (professional services), and account line that does not exist in the 1621 Courthouse budget to pay this invoice; now therefore let it be,

RESOLVED, that budget line 1621.400.059 (professional services) be added to the 1621 budget, and be it further

RESOLVED, that the sum of \$4,605.00 be transferred from Buildings Account No. 1621.400.012 to Buildings Account No. 1621.400.059a, to be used to pay the invoice from Beardsly Design Associates for work performed; and be it further

RESOLVED, that the Superintendent of Buildings and Grounds be authorized and directed to complete the necessary documents required to accomplish this payment; 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, Mitchell, Lockwood, Chapman, Sincebaugh, Mitchell, Petrus Schuster, Palermo, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 413-08 6/24/08

Blds-compliance under ground tank

Authorization to pay for compliance work done on underground tank audit and other compliance audit issues

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 Cayuga County; and
WHEREAS, The County authorized an underground tank audit and other compliance audit issues with our compliance firm Kleinfelder and are as follows, Highway Buildings Audit report, Petroleum bulk storage tank audit of county facilities, Corrective action plan for PSB, , Sterling Nature Center roof investigation, air testing County office Building, Meetings with Legislature, county Officials, Harris beach and DEC; and
WHEREAS, currently there are not enough funds in the 1620.400.059 account to pay this invoice; now therefore let it be,

RESOLVED, that the sum of \$22,500.00 be transferred from Account No. A1990 to Buildings Account No.

1620.400.059a, to be used to pay the invoice from Kleinfelder for the compliance work performed; and be it further

RESOLVED, that the Superintendent of Buildings and Grounds be authorized and directed to complete the necessary documents required to accomplish this payment; 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, Mitchell, Lockwood, Chapman, Sincebaugh, Mitchell, Petrus Schuster, Palermo, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 414-08 6/24/08

Blds-payment hazardous materials surveyrev

Authorization to pay for hazardous materials survey work done on the 911 radio buildings towers

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 Cayuga County; and

WHEREAS, The County authorized a hazardous materials survey to be done on County buildings; and

WHEREAS, The 911 radio buildings towers were not included in the original survey which incurred an additional cost of 5,000.00 to the survey, and,

WHEREAS, currently there are no funds in the 1620.400.059 account to pay this invoice; now therefore let it be,

RESOLVED, that the sum of \$5000.00 be transferred from Account No. A1990 to Buildings Account No.

1620.400.059a, to be used to pay the invoice from Kleinfelder for the hazardous materials survey on the 911 radio towers; and be it further

RESOLVED, that the Superintendent of Buildings and Grounds be authorized and directed to complete the necessary documents required to accomplish this payment; 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, Mitchell, Lockwood, Chapman, Sincebaugh, Mitchell, Petrus Schuster, Palermo, Tortorici.

Approved by voice vote, all in favor.

**RESOLUTION NO. 415-08 Date: June 24, 2008 hwyacptbidpurctrailerrev
 AUTHORIZING ACCEPTANCE OF BID FOR A 35 TON GOOSENECK TRAILER AND AUTHORIZE
 PURCHASE AND TRANSFER FUNDS.**

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

Whereas, a 1986 Hyster lowbed trailer was scheduled on the equipment replacement list to be replaced in 2008, and
 Whereas, the current trailer was removed from services due to needy extensive repair; and
 Whereas, bid packets were developed and advertised for a 35-ton Gooseneck trailer and were opened on June 5, 2008,
 with the following results:

Vendor	Brand	Amount without trade in	Amount with trade in
Monroe Tractor	Talbert	\$ 57,144	\$ 54,394
STS	Trail King	\$ 45,866	\$ 38,366
Tracey Road Equip.	Rogers	\$ 58,050	\$ 50,550
Tracey Road Equip.	Etnyre	\$ 48,940	\$ 41,440

; and
 Whereas, the bids were reviewed and the machine offered by Tracey Road Equipment made by Etnyre best meets the specifications and is the best machine to be supported by in-house personnel; now therefore be it
 Resolved, the Cayuga County Legislature does hereby accept the bid from Tracey Road Equipment for \$ 48,940; and
 be it further

Resolved, that the Highway Superintendent is authorized to purchase the 35-ton Gooseneck trailer utilizing the funds in account DM 5130.200 and to transfer \$40,000 from Account 5113.400.107D to Account 5130.200.000DM; and transfer the 1986 Hyster Trailer to the Cayuga County Soil and Water Conservation District at a cost of \$7,500 with that revenue being transferred into Account 5130.200 DM

Signed by Axton, Cuddeback, Mitchell, Lockwood, Chapman, Sincebaugh, Mitchell, Petrus Schuster, Palermo, Tortorici.
 Approved by voice vote, all in favor.

**RESOLUTION NO. 416-08 June 24, 2008 hwytransferdiesel
 Budget Transfer of the 2008 Cayuga County Highway Budget for Diesel Fuel**

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

WHEREAS, in the 2008 Highway Budget, a total of \$450,000 was budgeted for diesel fuel; and,
 WHEREAS, it is necessary to amend the 2008 Highway Budget to more accurately reflect the increased cost of diesel fuel; now, therefore, be it

RESOLVED, that the County Treasurer be and is hereby authorized and directed to provide for transfer of funds in the following manner:

<u>Appropriation Accounts</u>	<u>Old Amount</u>	<u>New Amount</u>	<u>Increase</u>	<u>Decrease</u>
D5113.400.107	\$509,860.23	\$259,860.23		\$250,000
DM 5130.400.031	\$450,000	\$700,000.00	\$250,000	

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 Axton, Cuddeback, Mitchell, Lockwood, Chapman, Sincebaugh, Mitchell, Petrus Schuster, Palermo, Tortorici.
 Approved by voice vote, all in favor.

RESOLUTION NO. 417-08 Date: June 24, 2008

HWYGASINC

AUTHORIZING THE AMENDMENT OF THE 2008 HIGHWAY BUDGET DUE TO AN INCREASE IN COST OF GASOLINE.

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

WHEREAS, \$485,000.00 was budgeted in Account 1640.400.032M for the Purchase of Gasoline for 2008; and
WHEREAS, the cost of gasoline has substantially increased since the adoption of the 2008 budget; and
WHEREAS, the Motor Pool sells gasoline to County agencies and other governmental agencies; and
WHEREAS, Appropriation Accounts 1640.400.032M is used for the expenditures of Gasoline; and
WHEREAS, Revenue Accounts M1272, M1273, and M1274 are to receive revenue from the sale of gasoline; now
therefore be it

RESOLVED, that Revenue Accounts be amended and increased as follows:

<u>Account</u>	<u>Agency</u>	<u>Old Amount</u>	<u>New Amount</u>	<u>Increase</u>
DM1272	County	\$ 290,000	\$ 410,000	\$ 120,000
DM1273	Soil & Water	\$ 25,000	\$ 30,000	\$ 5,000
DM1274	Other	\$ 300,000	\$ 475,000	\$ 175,000
Totals		\$ 615,000	\$ 915,000	\$300,000

and be it further

RESOLVED, to increase Account 1640.400.032DM by \$300,000 to \$785,000; and be it further

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

Signed by Axton, Cuddeback, Mitchell, Lockwood, Chapman, Sincebaugh, Mitchell, Petrus Schuster, Palermo, Tortorici.
Approved by voice vote, all in favor.

RESOLUTION NO. 418-08 (6-24-08) P&T Park fees Rev 6 08

ADJUSTMENT OF FEE FOR MULTIPLE DAY RENTAL OF THE EMERSON PARK PAVILION

By: David R. Axton, Chair, Public Works

Francis Mitchell, Chair, Ways & Means Committee

Whereas, the Cayuga County Parks & Trails Department has facilities to rent; and

Whereas, the Cayuga County Legislature has established fees and policies for the rental of these facilities; and

Whereas, the Public Works Committee has agreed that there should be a reduced charge for renting the Emerson Park Pavilion on multiple days (3-days or more) in the same calendar year; and

Whereas, the Public Works Committee has agreed that the fee should be calculated the same as the three day rental fee was calculated; and

Whereas, that fee was established to be 2/3rds of the regularly established fee rounded to the nearest dollar; now, therefore, be it

Resolved, that the daily fee for multiple day rental (3-days or more) of the Emerson Park Pavilion in the same calendar year shall be established at 2/3rds of the regular fee.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 419-08 Action Date 6/24/08 psap911CSEAcontractrev
AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND THE COUNTY
MANAGER TO SIGN A MEMORANDUM TRANSITIONING THE 911 DISPATCHERS INTO THE CSEA
CONTRACT.

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

WHEREAS, the Cayuga County E-911 employees were working under a negotiated agreement between the Cayuga County Sheriff's Unit of the Cayuga County Unit Local 806 of the Civil Service Employees Association, Inc., Local 1000 AFSCME AFL/CIO (Sheriff's Unit) and the County of Cayuga; and

WHEREAS, the E-911 Center was removed from the Sheriff's Department authority in 2005 and re-established as a separate department; and

WHEREAS, the E-911 employees continued to work under the terms of the 2002-2006 Sheriff's Unit contract; and

WHEREAS, the E-911 employees received their 2007 and 2008 raises based on the negotiated agreement between the Cayuga County Unit Local 806 of the Civil Service Employees Association, Inc., Local 1000 AFSCME AFL/CIO (CSEA Unit) and the County of Cayuga contract; and

WHEREAS, the CSEA Unit and the County of Cayuga have met, negotiated and reached agreement with respect to transitioning the E-911 employees to the CSEA Unit; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature and the County Manager be authorized to sign a Memorandum of Agreement placing the E-911 employees within the negotiating unit represented by CSEA and providing said employees with the terms and conditions of employment set forth in the Memorandum of Agreement and the CSEA Unit negotiated agreement.

Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, Murphy, Mitchell, Axton, Palermo, Petrus, Schuster.
Approved by voice vote, all in favor.

RESOLUTION NO. 420-08 6/24/08 SHR-Text Messaging
THE CAYUGA COUNTY SHERIFF AND THE CAYUGA COUNTY LEGISLATURE IS REQUESTING
NEW YORK STATE TO ENACT LEGISLATION PROHIBITING TEXT MESSAGING WHILE DRIVING A
MOTOR VEHICLE.

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

WHEREAS, Section 1225-c of the Vehicle and Traffic Law of the State of New York provides that no person shall operate a motor vehicle upon a public highway while using a mobile telephone to engage in text messaging while such vehicle is in motion; and

WHEREAS, the Cayuga County Sheriff has reported that text messaging while operating a motor vehicle on a public highway may have been a causal factor of a motor vehicle accident occurring in June, 2007, in the Town of East Bloomfield, Ontario County, that resulted in the deaths of five teenagers; and

WHEREAS, there have been instances throughout the State of New York where operators of motor vehicles are text messaging while driving and thereby causing accidents; and

WHEREAS, the Cayuga County Legislature feels that the State Legislature should adopt an Amendment to the Vehicle and Traffic Law to prohibit operators of motor vehicles from text messaging while they are driving; and

WHEREAS, Bills have been proposed in the State Assembly and State Senate to prohibit operators of motor vehicles from using a mobile telephone for writing, sending or reading a text message while such vehicle is in motion; and

WHEREAS, the Cayuga County Legislature feels that this proposed Legislation is desirable to avoid any further accidents; now therefore be it

RESOLVED, the Cayuga County Legislature hereby requests the State Senate, State Assembly and the Governor to enact Legislation to prohibit text messaging while operating a motor vehicle; and further be it

RESOLVED, that a copy of this resolution be forwarded to Governor David Paterson, Senator Michael F. Nozzolio, Senator David Valesky, Assemblyman Gary Finch, Assemblyman Brian M. Kolb, Assemblyman Robert Oaks and the New York State Sheriffs' Association and that a response be requested from each elected official.

Signed by Lockwood, Fearon, Cuddeback, Murphy, Chapman, Mahunik, Mitchell, Petrus, Tortorici, Palermo, Schuster, Axton.
Approved by voice vote, all in favor.

RESOLUTION NO. 421-08 6/24/08

SHR-LETPP grantrev

AUTHORIZING THE TREASURER'S DEPARTMENT TO AMEND THE 2008 SHERIFF'S BUDGET TO ACCEPT THE 2007 LETPP (LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM) FROM THE OFFICE OF HOMELAND SECURITY.

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

WHEREAS, THE Sheriff's Office applied for and was approved for a \$98,000.00 Grant from the Office of Homeland Security to purchase equipment for the Sheriff's Office and the Auburn Police Department; and

WHEREAS, all equipment has been approved through the Grant which is 100% funded by the Department of Homeland Security; now therefore be it

RESOLVED, that the Chairman of the Legislature be authorized to sign the necessary documentation to accept the LETPP Grant; and further be it

RESOLVED, that the 2008 Cayuga County Sheriff's Law Enforcement Operating Budget be amended to allow the following changes: an increase in the Revenue Line A-4325 Sheriff/HSDPP(LETPP) by \$98,000.00, which means an increase in the Expenditure Account 3110.200.00 of \$58,000.00 and the inclusion of an Expenditure Account 3110.400.231 LETPP- PD to Other Governments of \$40,000.00. (The inclusion of the new account is to allow reimbursement to the Auburn Police Department for those equipment purchases which have been approved by the Grant and for which documentation has been provided for the receipt and payment by their Department); and be it further

RESOLVED, that the Sheriff's Department be allowed to purchase any equipment and enter into any contracts necessary to effect this Grant; and be it

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

Approved by voice vote, all in favor.

RESOLUTION NO. 422-08

6/24/08

SHR-Inmate Clothing

AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO TRANSFER \$10,000.00 FROM THE SHERIFF'S 2008 BUDGET LINE 3150.400.012 (Buildings/Maintenance) TO 3150.400.038 (INMATE SERVICES/PERSONAL HYGIENE)

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

WHEREAS, the NYS Commission of Corrections conducted their yearly cycle evaluation of the Cayuga County Correctional Facility in March of 2008, which disclosed there was a shortage of inmate clothing in storage and inmate pillows due to the amount of inmates housed so far this year; and

WHEREAS, to comply with the NYS Commission of Correction Directive, \$16,030.98 was already spent to bring the inmate clothing inventory into compliance; and

WHEREAS, the County has yet to purchase new inmate pillows and other necessities for the inmates for the remainder of the 2008 Sheriff's Operating Budget; now therefore be it

RESOLVED, that the Treasurer be authorized to transfer \$10,000.00 from Custody Line 3150.400.012

(Buildings/Maintenance) to Custody Line 3150.400.038 (Inmate Services/Personal Hygiene); and further be it

RESOLVED, that the Treasurer make the necessary accounting and journal entries to accomplish the intent of this resolution.

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

Approved by voice vote, all in favor.

RESOLUTION NO 423-08 Date: 06-24-2008 SHR INCREASE IN PISTOL PERMIT FEES rev
AUTHORIZE THE CAYUGA COUNTY SHERIFF TO INCREASE THE FEES CHARGED TO THE PUBLIC FOR PROCESSING PISTOL PERMIT APPLICATIONS AND DUPLICATE PISTOL PERMITS.

By: MR. RAYMOND LOCKWOOD, Chairman, Judicial & Public Safety Committee
 MR. FRANCIS MITCHELL, Chairman, Ways & Means Committee

WHEREAS, the Sheriff needs to increase the amount of fees charged to the public for the processing of applications for County issued pistol permits and for the production and issuance of duplicate permit cards; and

WHEREAS, the Sheriff's Office has in place the ability to utilize electronic fingerprinting submissions to New York State and the Federal Bureau of Investigation for the processing of pistol permit applications, the computerized equipment to maintain records and the ability to create a plastic pistol permit card to issue to permit holders; and

WHEREAS, it is now the recommendation of the Sheriff and the Judicial & Public Safety Committee to set the fee rate charges as follows:

Pistol Permit Application Processing: From \$10.00 to \$20.00

Duplicate Pistol Permit Card: From \$8.00 to \$10.00; and

WHEREAS, these fee changes will cover the costs associated with the issuance of plastic formatted permit cards and the capturing and processing associated with electronic fingerprinting and digital photographs of pistol permit applicants, as well as the man/hour work associated with computerized data entry into the present Record Management Systems; now therefore be it

RESOLVED, that the Sheriff be authorized to increase the fees charged for the pistol permit application processing and the duplicate permit cards at the rates stated above.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 424-08 Date: 06-24-2008 SHR PURCHASE FORENSIC LIGHT SOURCE rev2
AUTHORIZE THE CAYUGA COUNTY SHERIFF TO PURCHASE FORENSIC LIGHT SOURCE EQUIPMENT (ALTERNATE LIGHT SOURCE) AND THEREFORE AUTHORIZE THE TREASURER TO PAY THE VENDER: SPEX FORENSICS, FOR THE PURCHASE.

By: MR. RAYMOND LOCKWOOD, Chairman, Judicial & Public Safety Committee
 MR. FRANCIS MITCHELL, Chairman, Ways & Means Committee

WHEREAS, the Sheriff is in need of a forensic light source which contains an ultra-violet visible and infrared component of light utilizing color bands (wavelengths) that enhance visualization of evidence by light interaction techniques including fluorescence, absorption, and oblique lighting; and

WHEREAS, this light source system will be utilized for enhancing observation, photography and collection of evidence including latent fingerprints, body fluids and hair fiber for DNA testing, bruises, bite marks, wound patterns, shoe and foot imprints, gun shot residue, drug traces, questioned document, and bone fragment detection, to name a few applications. This greater sensitivity allows for increased evidence discovery as well as the quality of evidence photographed and collected in Domestic Cases, Sex Offenses, Burglaries, and other criminal acts; and

WHEREAS, it is now necessary to add to the equipment used by the Sheriff's Office Evidence Technician and Crime Scene Specialists; and

WHEREAS, the 2008 Sheriff's Photography/Evidence Equipment Budget Line 3110.400.153 has funding to purchase said equipment at a cost of \$5130.00; now therefore be it

RESOLVED, that \$5130.00 be transferred to the Equipment budget line 3110.200.000A from 3110.400.153A and that the Sheriff is authorized to purchase the specified needed forensic light source equipment as stated above pursuant to the policies and procedures of Cayuga County; and be it further

RESOLVED, that the Treasurer is authorized and directed to make any and all journal and accounting entries to effect payment for the aforesaid equipment to SPEX FORENSICS in the amount of \$5,130.00 for the complete system.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 425-08

6/24/08

SHR-Repro.transferrev

AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO TRANSFER MONIES FROM THE SHERIFF'S 2008 CUSTODY OPERATING BUDGET CONTRACTUAL LINE 3150.400.036A TO THE SHERIFF'S 2008 CUSTODY BUDGET LINE 3150.400.061A

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

WHEREAS, the Sheriff's Office must initiate an Administrative Policy & Procedures Manual for the Custody Division; and

WHEREAS, there was money designated in the Sheriff's 2008 Operating Custody Budget Line 3150.400.036A (Doctors & Hospital Expenses) in the amount of \$6,000.00 that is needed in the Sheriff's 2008 Operating Custody Budget Line 3150.400.061A (Publishing Non-Legal Notices) for the reproduction of the said Custody Manual; now therefore be it

RESOLVED, that \$6,000.00 be transferred from the Sheriff's 2008 Operating Custody Budget Line 3150.400.036A (Doctors & Hospital Expenses) to the Sheriff's 2008 Operating Custody Budget Line 3150.400.061A (Publishing Non-Legal Notices); and further be it

RESOLVED, the Sheriff be authorized to transfer said monies and that the Cayuga County Treasurer make the necessary journal and accounting entries to carry out the intent of this resolution.

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

Approved by voice vote, all in favor.

Motion by Legislator Chapman to adjourn at 9:00PM, all in favor.

Motion by Chapmen to approve minutes of 6-24-08, all in favor, on 8-26-08.