

MINUTES
CAYUGA COUNTY LEGISLATURE
JULY 22, 2008, 6:00 PM

WELCOME: Mary Jones Clerk of the Legislature welcomed all our time Warner audience and the Public.

CALL TO ORDER: Hon. Roger Mills, Chairman

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

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

PUBLIC HEARING: 6:00PM 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. Public Hearing Opened by Chairman Mills at 6:02PM

PRESENTATION: Tom Prystal, Board of Elections, re: demonstration of the new voting machine, Sequoia Imagecast. This machine will work in Spanish and English, is handicap assessable. Each machine has a capacity of 3,500 votes. The General public will use this machine next year. It takes about 25 minutes to vote, it will check for errors and you will have to correct, and it's private.

MINUTES: For Approval: 5-27-08 and 6-18-08, **Motion by Legislator Chapman to approve, all in favor.**
For Reading: 6-24-08 and 7-7-08

CCC REPORT: Daniel Larson, President, Enrollment update: AY, Summer, and on line course enrollments are up, Fall enrollment is down. Summer Open House: were held at both campuses July 16, 2008. IAGT-GIS Summer Program: a week long program was held July 7-11, 2008, Teaching with Spatial Technology. Cayuga-IAGT: have jointly won an energy-related grant \$100,000 to develop model curriculum that use geospatial technology. SUNY High-Needs Nursing Initiative Funding: SUNY notified the College that we are being awarded \$100,000 to assist with the expansion of our Nursing program at the Fulton campus. SUNY Provost and Vice Chancellor: Dr. Risa Palm, visited the College earlier this Summer as part of her statewide tour and was impressed the IAGT visit. SUNY Chairman Carl Hayden: discussed the reduction in state funding and the withdrawal of additional \$109 million in general funding.

COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS: Legislator Schuster, there will be a special Planning meeting July 31, 2008 at 5:30PM on economic development.

MANAGER'S REPORT: Wayne Allen, the Mental Health project, program design, the State needs your approval for the design for the PAR application. MUNIS Project, we have completed the chart of accounts. Training is on going, we were trying to go live by September, but we are going to push it back until October. I'm confident that we will be live and up and running as of January 1, 2009. We will be using the new software for the budget, you will have to use paper back-up for detail for 2008. For 2009 a Legislator will be able to go in, inquiry and drill down. We are moving forward.

CHAIRMAN'S REPORT: Roger Mills, early this Spring the Legislature was asked to fund a feasibility study, for the Music Theatre Festival, that study has been completed and the executive summary has been put in each Legislator's box.

APPOINTMENTS AND RE-APPOINTMENTS:

Board of Health:

Dr. Deborah Geer, 143 North Street, Auburn, NY 13021, term – 7-22-08 to 12-31-2012, approved by voice vote, all in favor.

OASAS, (Subcommittee of CSB)

Carol Colvin, Drug Court Coordinator, 153-157 Genesee Street, Auburn, NY 13021, term 1-1-08 to 12-31-08, approved by voice vote, all in favor.

Marion Cool, 17 John Smith Avenue, Auburn, NY 13021, term – 1-1-08 to 12-31-2011, approved by voice vote, all in favor.

Community Services Board: (PULLED)

Robert M. Godbout, Route 90, P.O. Box 250, King Ferry, NY 13081, term 1-1-08 to 12-31-2011, **motion by Petrus to pull, all in favor.**

Community Services Board, Mental Health Sub-committee:

Marion C. Cool, 17 John Smith Ave., Auburn, NY 13021, term - 1-22-08 to **12-31-2011**, approved by voice vote, all in favor.

Barbara Bowen, 25 Grover St., Auburn, NY 13021, term – 1-22-08 to **12-31-2011**, approved by voice vote, all in favor.

Cayuga-Cortland Workforce Investment Board:

Terri M. Bridenbecker, 3820 O'Neil Road, Auburn, NY 13021, term 7-1-08 to 6-30-2011, approved by voice vote, all in favor.

COMMUNICATIONS AND ANNOUNCEMENTS:

1. Received 2 letters from New York State Office of Parks, Recreation and Historic Preservation, stating that properties, Job and Deborah Otis House, Scipio, NY and Augustus Howland House, Ledyard, NY have been added to the list of National Register of Historic Places.
2. Received several letters, from business and the public, thanking David Gould Sheriff, and his personnel for their hard work and dedication to the County of Cayuga.
3. Received a letter from Cayuga County Tobacco Free Partnership, thanking Cayuga County for enacting the smoking ban at county owned buildings.
4. Received a letter from Henry MacDonald, Board President Downtown Auburn BID, re: keeping county offices in the downtown Auburn area.
5. Received an e-mail from Amy D'Angelo, Sterling, NY re: ATV's on County trails in the Town of Sterling and opposing resolution 7-8-PW-1, allowing access to the Hojack Trail from Oswego County West to the Cato/Fair Haven Trail and North to Fair Haven Road.

Motion by Lockwood to waive reading of communications, except # 5 read by Mary Jones Clerk of the Legislature as written on agenda.

RESOLUTIONS

RESOLUTION NO. 427-08

AuditJuly.08.doc

AUTHORIZING THE COUNTY TREASURER TO PAY JUNE 2008 AUDIT OF CLAIMS

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

WHEREAS, The Legislature did at its regular meeting on July 22, 2008 audit claims against the County of Cayuga in the aggregate sum \$1,769,306.15, 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, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 428-08

Utility 7.22.08

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:

	JUNE 2008
Gas & Electric :	\$ 132,644.65
Telephone:	\$ 21,873.32
Landfill/Rubbish	\$ 759.20
Total:	\$155,277.17

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 429-08

7/22/08

PURCHSVCSJUNE

AUTHORIZING THE CAYUGA COUNTY TREASURER TO CHARGE DEPARTMENTS FOR CENTRAL SERVICES AND PURCHASES FOR THE MONTH OF JUNE 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	\$15,080.73
	TOTAL	\$15,080.73

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

Approved by voice vote, all in favor.

RESOLUTION NO. 430-08 Date of meeting: July 22, 2008

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 \$88,099.62 for the month of June 2008, now therefore be it

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 431-08

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

Francis Mitchell, 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 \$11,952.50 covering the period through 6-27-08 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, Cuddeback, Mahunik, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 432-08

7/22/08

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:

JUNE 2008
\$ 230.75

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 433-08

7/22/08

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:

JUNE 2008
WalMart \$2,660.47
AmExpress \$1,300.00
Exxon \$ 365.41
Total: \$4,325.88

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 434-08

7/22/08

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.

JUNE TOTAL
\$8246.89

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

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

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

NYSEG:

Inv. No. 009900434260.....\$ 650.00

J & E. ELECTRIC, INC.:

Application & Certificate for Payment #7 dated 5/18/08.....\$ 2,636.25

2. Project #07-1 (Erie Heritage Preservation):

KENT ENVIRONMENTAL PLANNING & DESIGN:

Inv. No. 67.....\$ 5,068.68

3. Project #07-5 (Tyler Software):

TYLER TECHNOLOGIES, INC.:

Inv. No. 131559.....\$ 1,385.67

INN AT THE FINGERLAKES:

Inv. No. 3634.....\$ 210.00

Inv. No. 3701.....\$ 280.00

Inv. No. 3680.....\$ 280.00

Inv. No. 3720.....\$ 490.00

4. Project #08-1 (Renovations – Mental Health, North Street)

WATKINS LAND SURVEYING, PLLC:

Inv. No. 08-249.....\$ 7,576.00

UPS STORE:

Inv. No. 71508.....\$ 6.82

And be it further

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

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

Approved by voice vote, all in favor.

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:

JUNE 2008

Copier Leases and Maintenance: \$10,619.20

Postage Leases: \$ 956.00

Misc. Leases: \$ 7,114.31

Total \$18,689.51

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 437-08

7/22/08

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:

JUNE 2008

\$ 393.23

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

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 438-08 (7/22/08) COA-FLETCHER, Matthew, Esq. RenForServsReEduLaw
AUTHORIZING THE CAYUGA COUNTY LEGISLATURE TO CONTRACT WITH ATTORNEY AND COUNSELLOR AT LAW MATTHEW R. FLETCHER RELATED TO THE PROVISION OF ADVICE, CONSULTATION AND REPRESENTATION IN EDUCATION LAW AND RELATED LEGAL MATTERS.**

BY: MR. MITCHELL, Chairman, Ways & Means Committee.

WHEREAS, the County of Cayuga is in need of the services of Matthew R. Fletcher, Attorney at Law, for the purposes of advice, consultation and representation in Education Law and related legal matters; and

WHEREAS, in order to meet the needs of the County, both parties are desirous of entering into a contract wherein Matthew R. Fletcher will provide the above services to the County of Cayuga for the following compensation:

- (1.) Legal services are to be billed at an hourly rate of \$175.00 per hour. Billings are to be submitted on a monthly basis;
- (2.) Paralegal services are to be billed at the rate of \$55.00 per hour;
- (3.) Mileage is to be billed at the rate of \$.505 per mile;
- (4.) Duplication, printing and copying are to be billed at cost in addition to a ten percent (10%) surcharge;
- (5.) Filing fees, cost of process servers and other disbursements shall be billed at cost; and

WHEREAS, the term of such contract shall be from July 1, 2008 until June 30, 2009; now, therefore, be it

RESOLVED, that the Cayuga County Legislature approve obtaining the services of Matthew R. Fletcher, Attorney and Counsellor at Law, as set forth herein above.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 439-08 (7/22/08) COA-RenLaborRelsCtWithBOCES08-09
AUTHORIZING RENEWAL OF LABOR RELATIONS AGREEMENT WITH CAYUGA-ONONDAGA
BOCES.

BY: MR. MITCHELL, Chairman, Ways & Means Committee.

WHEREAS, the COUNTY OF CAYUGA entered into a contract with CAYUGA-ONONDAGA BOCES to handle all negotiations and labor relations for the County of Cayuga, which contract terminated on June 30, 2008; now, therefore, be it

RESOLVED, as follows:

1. That, the Chairman of the County Legislature be and he is hereby authorized to enter into a renewal contract with CAYUGA-ONONDAGA BOCES to perform labor relations services, including negotiations, for the County of Cayuga for a period of one (1) year (7/1/08 to 6/30/09).

2. That for negotiating agreements listed below, to be administrated by BOCES during the period July 1, 2008 through June 30, 2009, CAYUGA-ONONDAGA BOCES shall receive a total of \$45,000.00, of which \$33,750.00 will be paid by the COUNTY OF CAYUGA and \$11,250.00 will be the responsibility of CAYUGA COUNTY COMMUNITY COLLEGE:

- a. CIVIL SERVICE EMPLOYEES' ASSOCIATION, INC. (General Agreement)
- b. DEPUTY SHERIFF'S POLICE ASSOCIATION (Road Patrol)
- c. CIVIL SERVICE EMPLOYEES' ASSOCIATION (Sheriff's Department)
- d. CAYUGA COUNTY COMMUNITY COLLEGE FACULTY ASSOCIATION
- e. CAYUGA COUNTY NURSES' ASSOCIATION

3. That for any and all additional matters that they are engaged for, not covered by the contract, CAYUGA-ONONDAGA BOCES shall be paid a fixed hourly rate of \$105.00 per hour, plus costs and disbursements.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 440-08 (7/22/08) COA-Amd2008BdgtToIncContAcct
AUTHORIZING AMENDMENT OF THE 2008 COUNTY BUDGET TO INCREASE THE CONTINGENCY
ACCOUNT BY \$100,000.00.

BY: MR. MITCHELL, Chairman, Ways & Means Committee.

WHEREAS, the Cayuga Tobacco Asset Securitization Corporation met on June 24, 2008; and

WHEREAS, during that meeting, the Corporation authorized the release of \$100,000.00 in excess monies to the County of Cayuga, with the suggestion that the monies be deposited into the Contingency Account; and

WHEREAS, the Ways & Means Committee has considered this matter and hereby approves it; now, therefore, be it RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to accept the \$100,000.00 from the Cayuga Tobacco Asset Securitization Corporation; and be it further

RESOLVED, that Contingency Account No. A-1990 be increased by \$100,000.00; and be it further

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 441-08

RPSRepurchaseHowlandStoneMuseumrev

AUTHORIZING THE SALE OF TAX-DELINQUENT PROPERTY OWNED BY CAYUGA COUNTY

By Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, established policies and procedures have been set in place for the sale, disposition and use of certain real property owned by the County of Cayuga, as approved in Resolution 382-04; and

WHEREAS, the Director of Real Property Services has received purchase offers to be considered by the Ways and Means Committee for approval by the County Legislature, in accordance with said policies and procedures; and

WHEREAS, contingent upon payment being made in full in the amount of \$5,960.69, the Director of Real Property Services recommends approval of the following:

<i>Tax Map #</i>	Location of	Purchase Offer Made By
183.00-1-17 & 183.00-1-7	Town of Scipio	Howland Stone Store Museum

NOW THEREFORE BE IT

RESOLVED, that the recommendations of the Ways & Means Committee set forth above are hereby approved and the Real Property Services Director and the Chairman of the County Legislature are instructed to take whatever steps are necessary to complete the sale upon payment and receipt of monies.

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

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

RESOLUTION NO. 442-08

July 22, 2008

WorkersComp

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO ENTER INTO A CONTRACT WITH THE NEW YORK STATE MUNICIPAL WORKER'S COMPENSATION ALLIANCE.

By Francis Mitchell, Chairperson Ways & Means

Whereas, the employees of Cayuga County, along with the employees of the towns and villages within the county are required to be covered under a worker's compensation plan; and

Whereas, a significant number of these municipal entities have met had considered various proposals to obtain workers' compensation coverage and, as result, have expressed their interest in obtaining this coverage from the New York State Municipal Workers Compensation Alliance, a not-for-profit organization; and

Whereas, the participating entities under the group policy through State Insurance Fund will be responsible for any and all adjustments as a result of both the 2007 and 2008 audits; now therefore, be it

Resolve, that the Chairman of the Legislature be authorized and directed to enter into an agreements with the New York State Workers' Compensation Alliance, a not-for-profit organization, and timely terminate our current worker's compensation coverage through the State Insurance Fund; and be it further

Resolved, that a certified copy of this resolution be delivered to each entity participating in the county's workers' compensation plan.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 443-08 (7/22/08)

COMWCBd

REQUESTING ASSISTANCE FROM STATE OFFICIALS TO PREVENT THE CLOSING OF THE AUBURN CUSTOMER SERVICE CENTER OF THE NEW YORK STATE WORKER’S COMPENSATION BOARD

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

WHEREAS, the New York Worker’s Compensation Board has directed the closure of the Worker’s Compensation Board Service Center located at 110 Genesee Street in Auburn at the end of October 2008; and

WHEREAS, the closure of this Service Center will cause hardships to injured workers who will be required to drive to Syracuse or Rochester to attend their hearings or conciliation meetings at a significant cost for gasoline and travel expenses, and lost time from work; and

WHEREAS, there may be days of inclement weather which can be treacherous and dangerous to travel to Syracuse or Rochester for any injured worker; and

WHEREAS, the additional cost to the injured worker should outweigh the savings to the Worker’s Compensation Board; and

WHEREAS, the State of New York is taking money from the pockets of those who can least afford it, injured workers, who are often out of work as a result of their injuries and receiving benefits significantly below their ordinary income; now, therefore be it

RESOLVED, the Cayuga County Legislature opposes the closure of the NYS Worker’s Compensation Board’s Auburn Customer Service Center effective October 2008; and, be it further

RESOLVED, that the Cayuga County Legislature requests the assistance of our State Legislators and the Governor to intercede on the behalf of all injured workers and taxpayers of Cayuga County to prevent the closing of the Auburn Customer Service Center by the New York State Worker’s Compensation Board.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 444-08 DATE: 07/22/08 OFAamendbudgetJuly08

Amend the Year 2008 Cayuga County Office for the Aging Budget and authorizing the acceptance of grants.

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 has received 100% grant funding from Federal and State Grants to provide services to the senior citizen population of Cayuga County; and

WHEREAS, the Office for the Aging has received additional funding from the Supplemental Nutrition Assistance Program (SNAP) Grant in the amount of \$30,800, during the year 2008 that were not available to this Office when the year 2008 budget was prepared; and

WHEREAS, the Cayuga County Treasurer’s Office will need to amend the year 2008 Office for the Aging budget to reflect the increased funding to be received; 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 accept funding in the amount of \$30,800 and to enter into all contracts necessary to execute this grant and that the Cayuga County Office for the Aging through this 100% reimbursable grant be authorized to purchase equipment and supplies necessary to implement these grants; and be it further

RESOLVED, that the County Treasurer be and he is authorized and directed to amend the Year 2008 Cayuga County Office for the Aging budget in the following manner:

Increase Revenue Account 3772.000.000-A State Aid – Programs for Aging	\$30,800
Increase Meals 6772.420.029-A	8,000
Increase Professional Services 6772.420.059-A	10,000
Increase Publish Non-Legal Notices 6772.420.061-A	800
Increase Travel & Expense – In County 6772.420.083-A	12,000

And be it further

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 445-08 DATE: 07/22/08 OFAAmendBudget2TransferJuly08
Authorizing the County Treasurer to Amend the 2008 Cayuga County Office for the Aging Budget/Transfer Funds.

BY: Ann Petrus, Chair, Health & Human Services Committee
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 transfer funds to enter into a professional services contract as authorized by resolution; now, therefore, be it

RESOLVED, that the County Treasurer be authorized and directed to transfer funds in the following manner:

<u>Appropriation Accounts</u>	<u>Increase</u>	<u>Decrease</u>
6772.400.074-A Dept Expense		\$4,000
6772.400.059-A Professional Services	\$4,000	

and be it further

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

Approved by voice vote, all in favor.

RESOLUTION NO. 446-08 (July 22, 2008) HD Rabies Program (2008-2012)
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into an Agreement with the NYS Department of Health to Allow the Health Department Continued Participation in the Zoonoses (Rabies) Program

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

WHEREAS, the NYS Department of Health administers the mandated Zoonoses (Rabies) Program for the State of New York; and

WHEREAS, funding in the amount of \$142,173 has been made available for the Cayuga County Health Department to continue to participate in this mandated program for a five year period, January 1, 2008 through March 31, 2012, with the grant award for the first 15-month budget cycle 1/1/08-3/31/09 of \$51,801 and \$30,124 for each 12 month budget thereafter;

WHEREAS, this funding has already been budgeted in the Health Department's 2008 budget in account #3416 (Rabies Reimbursement); now, therefore be it

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into an agreement with the NYS Department of Health to participate in the mandated Zoonoses Program.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 447-08 (July 22 2008) HD

WIC Rent

Authorizing the Director of Health & Human Services to Enter Into a Lease Agreement with Cayuga County for Space at the Historic Post Office Building to House the WIC Office/Clinic

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

WHEREAS, the Health Department’s WIC Program (office and clinic) has leased space in the Historic Post Office Building located at 157 Genesee Street, Auburn, NY from the County for many years without an increase in rent since approximately 1998; and

WHEREAS, the County, in order to maintain costs, has increased the rate from \$12.32 per square foot to \$13.00 per square foot (which includes utilities) for the 2,404 square feet occupied by WIC; and

WHEREAS, the Health Department wishes to continue leasing this space for its WIC Program at the new annual rate of \$31,252 for the period of January 1, 2008 through December 31, 2008; NOW, THEREFORE, BE IT

RESOLVED, the Director of Health and Human Services be authorized to enter into a contract with the County of Cayuga to lease space at the Historic Post Office Building, 157 Genesee St., Auburn, NY for the period January 1, 2008 through December 31, 2008 at the annual rate of \$31,252; and be it further

RESOLVED, that payment be made out of account #4011.400.065 of the 2008 Health Department Budget.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 448-08 (July 22, 2008)

HD American Lung Assoc

Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter Into a Memorandum of Understanding with the American Lung Association/CNY Asthma Coalition

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

WHEREAS, the Community Health Services Division of the Health Department has been approached by the American Lung Association/CNY Asthma Coalition to market their “In Home Education and Learning Program” (IHELP); and

WHEREAS, the American Lung Association/CNY Asthma Coalition will reimburse the County Health Department up to \$500 for the service to be rendered as part of their “A Systems Approach for Reducing the Burden of Asthma” grant; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services enter into a Memorandum of Understanding” with the American Lung Association/CNY Asthma Coalition for the period July 1, 2008 through December 15, 2008 and the Coalition will reimburse the County Health Department for services rendered in an amount not to exceed \$500.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 449-08 (July 22, 2008) HS

Non-Residential DV Funding

Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Accept \$25,000 Funding from NYS OTDA and Extend Its Contract with Cayuga/Seneca

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

WHEREAS, NYS Office of Temporary and Disability Assistance (OTDA) has advised Cayuga County Human Services that their SFY 2008-09 Non-Residual Domestic Violence allocation is \$25,000; and

WHEREAS, this funding will be utilized to provide legal services for domestic violence victims; and

WHEREAS, we have successfully contracted in the past with Cayuga/Seneca Community Action Agency to implement this program; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of the Health & Human Services Department be authorized to accept \$25,000 in additional funding from NYS OTDA and to extend the original contract with Cayuga/Seneca Community Action Agency to implement this program from July 1, 2008 through June 30, 2009; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the necessary journal and accounting entries to the Human Services 2008 Budget as follows:

Increase Revenue Account #4660.....\$25,000
Increase Expenditure Account #6060.4.....\$25,000

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

Approved by voice vote, all in favor.

RESOLUTION NO. 450-08 (July 22, 2008) HS Controltec Contract
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Extend the Contract With Controltec, Inc. for Maintenance of the KinderTrack Product

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

WHEREAS, Cayuga County Health & Human Services contracts with Controltec, Inc. for the ongoing and essential maintenance services required to keep KinderTrack (software which is used for the processing of Day Care payments to providers) a current and viable product; and

WHEREAS, the Department desires to renew the contract with Controltec, Inc. for the period 10/1/08 – 9/30/10 at an annual rate of \$9,450; and

WHEREAS, although the maintenance contract is 100% funded, this was not budgeted for in the 2008 Human Services Budget and it will be necessary to make the following transfer of funds:

Increase Account #6010.400.059.....\$9,450

Decrease Account #6055.400.000.....\$9,450

NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services be authorized and directed to enter into a contract with Controltec, Inc. for the period 10/1/08 – 9/30/10 at an annual rate of \$9,450; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to transfer funds in the 2008 Human Services Budget as noted above; and make the necessary journal and accounting entries to accomplish the same.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 451-08 (July 22, 2008) HS Retain 2 PT Caseworkers C P S
AUTHORIZATION TO AMEND RESOLUTIONS NUMBER 394-07 AND 528-07 TO RETAIN TWO PART-TIME CASEWORKERS IN CHILD PROTECTIVE SERVICES.

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

WHEREAS, there has been a high degree of attention across New York State on reducing the caseloads for Child Protective Services workers to allow them to more timely investigate and prepare disposition reports made to the Child Protective Registry and in June and August of 2007, the state made 100% funding available to improve the caseload ratios and the ratio of C P S supervisors to caseworkers, which allow the county to hire two part-time caseworkers; and WHEREAS, Resolution number 394-07 created a Caseworker PT position assigned control number 6504 that stated, “when the funding is exhausted, the position will be abolished”; and

WHEREAS, Resolution number 528-07 created a second Caseworker PT position assigned control number 6507 that stated, “when the funding is exhausted, the position will be abolished or extended through legislative approval”; and

WHEREAS, it was recently discovered that the new round of C P S funding (July 2008) cannot be used to continue to support the current staff, but only to add additional C P S staff; and

WHEREAS, we are requesting to retain our two trained part-time Caseworkers instead of applying for new funding to add staff; and

WHEREAS, even without continuing the 100% allocation, the positions would receive Federal and State reimbursement for Child Welfare Services and, since they are part-time with no fringe benefits except those mandatory by law, have a total annual local share impact of \$3,500 for both positions; and

WHEREAS, the A6010 accounts have adequate funding due to resignations, leaves of absences, and retirements to offset the additional annual county share of \$3,500 for both trained Caseworker PT positions, NOW, THEREFORE, BE IT

RESOLVED, that Resolution Number 394-07 be hereby amended for Caseworker, PT (Position Control Number 6504) to be extended and not abolished; and be it further

RESOLVED, that Resolution Number 528-07 be hereby amended for Caseworker, PT (Position Control Number 6507) to be extended and not abolished; and be it further

RESOLVED, that the funding for the retained positions be hereby changed from 100% state funded positions to 93% state and federal funded positions with the remaining 7% being county share; and be it further

RESOLVED, that the Director of HHS be hereby authorized to retain the two part-time trained caseworkers in the C P S Unit of Human Services which were created in 2007 with Enhanced C P S Staffing Funding.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 452-08 (July 22, 2008) HS Fill Human Services Examiner FS/MA
Authorizing the Director of Health and Human Services to Fill a Human Services Examiner in the Food Stamp/Medicaid Unit of Human Services 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 anticipated Human Services Examiner vacancy in the Food Stamp/ Medicaid (FS/MA) Unit of Human Services due to the resignation of the incumbent effective August 15, 2008; and

WHEREAS, the filling of this position is necessary for the effective and efficient operation of the FS/MA Unit; and

WHEREAS, this position is reimbursed at 100%; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the Human Services Examiner position in the FS/MA Unit of Human Services and any fill behind in a manner consistent with the rules and regulations of the Cayuga County Civil Service Commission and the policies of the County of Cayuga.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 453-08 (July 22, 2008) HD HMWP 2008-2009
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into a Contract with the NYS Department of Health to Participate in the Healthy Men & Women's Partnership and to Accept Funding for These Programs**

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

WHEREAS, the New York State Department of Health has made funds available to counties to participate in the Cayuga County Healthy Men and Women's Partnership; and

WHEREAS, by accepting this funding, the Cayuga County Health Department would screen eligible women for breast and cervical cancer, eligible women and men for colorectal cancer, and provide education regarding both colorectal and prostate cancer to all eligible individuals screened; and

WHEREAS, it is the desire of the Cayuga County Health Department to continue to participate in this program for the purpose of providing these services to the eligible individuals in our community; and

WHEREAS, the "infrastructure" portion of this contract runs from April 1, 2008 through March 31, 2009 in the amount \$143,292, and the "patient services" portion is for a 5-year period, April 1, 2008 – March 31, 2013 in the amount of \$476, 336 (\$95,267/year for 5 years); 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 the NYS Department of Health to accept 100% State funding in the amount of \$238,559 for the period April 1, 2008-March 31, 2009 to continue participation in the Healthy Men & Women's Partnership and that the Health Department be allowed to contract for services necessary to implement this grant without further action from the Legislature; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the following adjustments to the Health Department's 2008 Budget in the following manner:

Increase Revenue Account #3414.....	\$238,559
Increase Appropriation Account #4010.412.....	\$238,559

and be it also

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the necessary journal and accounting entries in the Health Department's 2006 budget to accomplish the same.

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

Approved by voice vote, all in favor.

AUTHORIZE THE CREATION AND FILLING OF A PART-TIME COMMUNITY MENTAL HEALTH NURSE AND THE ELIMINATION OF AN INDEPENDENT CONTRACTOR AT THE CAYUGA COUNTY COMMUNITY MENTAL HEALTH CENTER

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 has contracted for the services of a part-time registered nurse for a number of years at a rate of \$40.00 per hour; and

WHEREAS, it would be advantageous to convert this position to employee status both from a management perspective and a financial one; and

WHEREAS, the contract between the County and the New York State Nurses Association allows that the starting rate of pay be adjusted for prior relevant work experience for nursing positions; and

WHEREAS, in order to qualify for the title of Community Mental Health Nurse, a substantial amount of experience is required, therefore entitling eligible applicants for this non-bargaining adjusted initial pay rate; and

WHEREAS, the duties and functions of the position are necessary for the efficient operation of the department; now, therefore, be it

RESOLVED, that the contracted position of Registered Nurse be eliminated effective August 1, 2008; and be it further RESOLVED, that the position of Community Mental Health Nurse, Part-Time be created and placed within Part II of the Cayuga County Compensation Plan under Community Mental Health at the Step 3 rate equivalent (probationary: \$22.49, job rate: \$22.64); and be it further

RESOLVED, that the Acting Director of Community Mental Health Services be authorized and directed to fill the position of Part-Time Community Mental Health Nurse 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 \$11,280 be transferred from Mental Health Account 4310.420.000-A Medicaid Eligible Services to the following accounts:

4310.100.000 Salaries	\$10,323
4310.800. Fringe:	
.001 Social Security	790
.004 Workers Compensation	<u>167</u>
Total Fringe Benefits	\$ 957

and be it further

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

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 455-08 (July 22, 2008) HD Cayuga Health Assoc CHHA
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into a Contract with Cayuga Health Association 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 Cayuga Health Association to provide the following services at the following rates:

Home Health Aides (HHA).....	\$17.88/hr.
Personal Care Aides.....	\$17.88/hr.
Hard to Serve Rate.....	\$19.00/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, Cuddeback, Mahunik, McIntosh, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 456-08 (July 22, 2008) HD Vilches Contract OT
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into a Service Contract with Carla Vilches, 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 Carla Vilches to provide the needed services for the period of July 23, 2008 through July 31, 2009 at the following rates:

Occupational Therapy:

Initial Visit.....\$63 (Visit > 10 mi. outside Auburn...\$73)
Repeat Visit.....\$60 (Visit > 10 mi. outside Auburn...\$70)
Orient, Training, Inservice.....\$21/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, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 457-08 (July 22, 2008) HS Create/Fill Sr. Typist SCU
Authorizing the County Legislature to Create a Sr. Typist Position in the Support Collection Unit of Human Services; Authorizing the Director of Health & Human Services to Fill the Newly Created Sr. Typist Position and to Abolish a Sr. Stenographer Position in that Unit

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

WHEREAS, there will be a Sr. Stenographer position vacancy in the Support Collection Unit of Human Services due to retirement effective July 31, 2008; and

WHEREAS, with the Sr. Stenographer position being vacated, the Department submitted a duties statement to the Civil Service Commission; and

WHEREAS, the recommended title for the duties anticipated is Sr. Typist; NOW, THEREFORE, BE IT

RESOLVED, that the Cayuga County Legislature create one Sr. Typist position, Grade 8, in the Support Collection Unit of Human Services; and be it further

RESOLVED, that the Director of the Health & Human Services be authorized and directed to fill the newly created Sr. Typist position and any fill behind in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga; and be it also

RESOLVED, that upon creation of the Sr. Typist position in the Support Collection Unit, the position of Sr. Stenographer will be abolished.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 458-08 Date of Meeting: 7/22/08 nhacceptrfphacunitsrev
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ACCEPT A BID FOR REPLACEMENT OF THE INDIVIDUAL HEATING AND AIR CONDITIONING UNITS AT THE NURSING HOME.

BY: Ann Petrus, Chairman, Health & Human Services Committee

BY: Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, Resolution No. 190-08 authorized the issuance of an RFP to obtain proposals for replacement of the individual heating and air conditioning units 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, five (5) firms responded with proposals; and,

WHEREAS, the following proposals were received:

HMI Mechanical Systems for \$242,700;

J & A Mechanical Contractors for \$269,500;

C & S Technical Resources for \$232,967;

Siracusa Mechanical for \$233,905; and

Cogenic, Inc for \$251,700; and

WHEREAS, C & S Technical Resources is able to provide the necessary services at the lowest cost; now therefore be it,

RESOLVED, that the proposal be awarded to C & S Technical Resources for a maximum of \$232,967 (Two hundred thousand thirty-two nine hundred sixty-seven dollars).

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

Approved by voice vote, all in favor.

RESOLUTION NO. 459-08 Action 7/22/08 MH EstSalfillPsych-07-08
AUTHORIZE ESTABLISHING THE SALARY AND THE FILLING OF A FULL-TIME STAFF PSYCHIATRIST AT THE COMMUNITY MENTAL HEALTH CENTER OF CAYUGA COUNTY AND RESCINDING RESOLUTIONS NUMBERS 397-08 AND 398-08

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, our original intent was to partner with Auburn Memorial Hospital and Resolution Number 398-08 and Resolution number 397-08 were adopted to permit that partnership, and

WHEREAS, upon further investigation, the County Attorney has determined that such a partnership is not viable due to insurance and NYS Retirement System regulations; now, therefore be it

RESOLVED, that Resolution Number 397-08 and Resolution Number 398-08 be rescinded; and be it further

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 annual rate of \$155,000; 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, Tortorici, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 460-08 7.22.08

coagrotondrftprmtrev

AUTHORIZING THE CHAIRMAN OF THE CAYUGA LEGISLATURE TO SIGN A CORRESPONDENCE TO THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION CONCERNING THE DRAFT SPDES PERMIT FOR THE WASTEWATER TREATMENT PLANT SERVING THE VILLAGE OF GROTON

BY: Ms. Ann R. Petrus, Chair, Health and Human Services Subcommittee

WHEREAS, Owasco Lake is the drinking water source for over 43,000 Cayuga County Residents; and
WHEREAS, the Village of Groton waste water treatment plant discharges wastewater into the Owasco Inlet, approximately 15 miles upstream from Owasco Lake; and

WHEREAS, the New York State Department of Environmental Conservation issued a draft SPDES permit (NY0025585) for the wastewater treatment plant addressing effluent limitations; monitoring and reporting requirements; and

WHEREAS, the County of Cayuga continues to be concerned with improving the water quality of Owasco Lake; and

WHEREAS, the Cayuga County Board of Health reviewed the draft permit and authorized the Chairwoman of the Board of Health to submit comments and concerns to the DEC; and

WHEREAS, the Cayuga County Legislature wishes to join with the Cayuga County Board of Health and express its concerns to the draft SPDES permit (NY0025585) for the wastewater treatment plant serving the Village of Groton; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to sign and send the attached letter to the New York State Department of Environmental Conservation expressing its concerns with the draft SPDES permit (NY0025585) for the wastewater treatment plant serving the Village of Groton.

Legislator Schuster, has WQMA reviewed this?

Gary Duckett Director Parks & Trails, we will discuss this at our next meeting.

Fred Westphal Co. Attorney, it will be presented to WQMA.

Legislator Cuddeback, it should have gone through committee first.

Fred Westphal Co. Attorney, response need by August 8, 2008.

Legislator Axton, this was brought up at the lake meeting with Senator Nozzolio.

Legislator Petrus, this has been a long standing problem.

Legislator Fearon, the Board of Health just meet today, response is critical.

Signed by Petrus, Mahunik, Schuster, Sincebaugh, Tortorici.

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

RESOLUTION NO. 461-08 **DEFEATED**

(7/22/08)

COMpuragtvac-rev1

FILLING POSITON OF COUNTY PURCHASING AGENT IN COUNTY MANAGER'S OFFICE

BY: Hon. Christopher Palermo, Chairman Government Operations Committee

WHEREAS, on December 18, 2007, the County Legislature did adopt Resolution No. 803-07 "Amending Job Duties for County Manager and Creating the Position of Purchasing Agent"; and

WHEREAS, the Civil Service Eligible List for the title of County Purchasing Agent has was established on June 11, 2008; and

WHEREAS, this position is necessary for the effective and efficient operation of the entire County and must be filled from the certified eligible candidates in accordance to civil service law; and

WHEREAS, sufficient funding exists in Central Purchasing budget to support this fill; now, therefore be it

RESOLVED, that the County Manager be authorized to fill the position of Purchasing Agent in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga.

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

Tortorici, I want a roll call vote.

Mahunik, are we jumping the gun on this?

Wayne Allen Co. Manager, it will change the duties of the Purchasing Agent, critical position.

Tortorici, they are other ways to fill this besides Civil Service.

Sincebaugh, these are tough times, hold off.

Palermo, this is a vote of the board.

Cuddeback, if it's defeated here, what happens?

Fred Westphal Co. Attorney, a person that voted no would have to bring back at a Legislative meeting.

Murphy, what happens if it doesn't pass?

Wayne Allen Co. Manager, the position is vacated 8-8-08, no one to do the work.

Schuster, Audit function and purchasing.

Palermo, still one person, need to discuss at special meeting for Gov't Op's and Ways & Means scheduled for July 28, 2008.

Fearon, I call the question.

DEFEATED by roll call vote Noes – Chapman, Mahunik, Palermo, Axton, Lockwood, Cuddeback, Tortorici, Sincebaugh. Ayes – Petrus, Fearon, Mitchell, Murphy, Schuster, Mills. Excused McIntosh. Vote count - 482/350/50

RESOLUTION NO. 462-08 (07-22-08)

HISTResearchAidePT

AUTHORIZES TO FILL THE POSITION OF RESEARCH AIDE PT IN THE COUNTY HISTORIAN'S OFFICE.

BY: MR. CHRISTOPHER PALERMO, Chairperson, Government Operations Committee

MR. FRANCIS MITCHELL, Chairperson, Ways and Means Committee

WHEREAS, an employee has resigned effective August 22, 2008 in the position of Research Aide PT within the County Historian's Office; and

WHEREAS, the part time staff of the Historian's Office provides services for the day-to-day operation of the office; and

WHEREAS, sufficient money has been appropriated for this position (Position #5759) in the 2008 County Clerk (A7510.00) salary account in the amount of \$ 10,538 (\$11.77 per hour); now therefore be it

RESOLVED, that Cayuga County Clerk and the County Historian be authorized and directed to appoint a PT Research Aide with no fringe benefits except those statutorily required; 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, Murphy, Sincebaugh, Mitchell, Schuster, Lockwood, Axton, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 463-08 (07-22-08) DMV- FT & SENIOR CLERK-FT-rev2-08
AUTHORIZES CAYUGA COUNTY CLERK TO FILL VACANT FULL TIME MOTOR VEHICLE
CASHIER AND SENIOR CLERK POSITIONS.

BY: MR. Christopher Palermo, Chairman, Government Operations Committee

MR. Francis Mitchell, Chairperson, Ways and Means Committee

WHEREAS, a full-time Motor Vehicle Cashier has resigned that creates a vacancy in the Motor Vehicle Bureau effective 7/23/08; and

WHEREAS, a full-time Senior Clerk, who has also been trained as a part-time Motor Vehicle Cashier, is eligible to fill this vacancy but this will result in a full-time Senior Clerk vacancy, and both of these positions are essential to provide services to the taxpayers of Cayuga County; and

WHEREAS, the funding for the Motor Vehicle Cashier position has been appropriated in the 2008 Motor Vehicle Bureau salary account for position number 1834 in the amount of \$36,438 and the funding has been appropriated in the 2008 County Clerk salary account for position number 6587 in the amount of \$29,440 ; NOW, be it therefore

RESOLVED, that Cayuga County Clerk Susan Dwyer be hereby authorized to fill the positions of both the full-time Motor Vehicle Cashier and Senior Clerk by moving the current Senior Clerk to the vacant full-time Motor Vehicle Cashier slot; and be it further

RESOLVED, that the full time positions be paid in accordance with the 2008 CSEA Compensation Plan not to exceed Step One \$32,664 for the Motor Vehicle Cashier slot and not to exceed the probationary step \$29,269 for the Senior Clerk slot, be it further

RESOLVED, that the County Clerk be hereby authorized to backfill the Senior Clerk vacancy created by the above appointment with a new employee; and be it further

RESOLVED, that these positions 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, Murphy, Sincebaugh, Mitchell, Schuster, Lockwood, Axton, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 464-08 (TABLED) /22/08 LEGfillsecychairPT08

AUTHORIZING THE FILLING OF THE VACANT POSITION SECRETARY TO THE CHAIRMAN-BOARD OF LEGISLATORS ON A PART-TIME BASIS.

WHEREAS, the Cayuga County Legislature adopted the 2008 budget with funds allocated in Legislative Account A1010.1 for the part time position of Secretary to the Chairman in the Legislative office; and

WHEREAS, the position is needed for the day-to-day secretarial work of the legislative office as well as for all Legislators' clerical needs; and

WHEREAS, the part-time position has no fringe benefits except those that are statutorily required; NOW, BE IT THEREFORE

RESOLVED, that the Chairperson of the Cayuga County Legislature be hereby authorized to fill the position of Secretary to the Chairman – Board of Legislators (position control # 1654) on a part-time basis effective immediately; and be it further

RESOLVED, that the position be paid pursuant to the Cayuga County Compensation Plan, Part II at a rate of \$16.08 per hour; and be it

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

Signed by Fearon, Mitchell, Murphy, Petrus, Sincebaugh, Axton, Schuster.

Motion by Lockwood to table passed by roll call vote – Ayes – Chapman, Mahunik, Palermo, Axton, Petrus, Lockwood, Cuddeback, Tortorici, Schuster, Sincebaugh. Noes – Fearon, Mitchell, Murphy, Mills. Excused McIntosh.
Vote count - 582/250/50

**RESOLUTION NO. 465-08 JULY 22, 2008 BOETRANSFER
TO AUTHORIZE THE TRANSFER OF FUNDS WITHIN THE BOARD OF ELECTIONS BUDGET**

BY: Mr. Palermo, Chair, Government Operations Committee, and
Mr. Mitchell, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Employee Handbook for Non-Represented Employees allows employees to request payment for unused vacation time up to 10 days in a calendar year; and

WHEREAS, an employee of the Board of Elections currently has 10 days of vacation credit which cannot be used in 2008; and

WHEREAS, sufficient monies exist in Account No. 1450.073 (Contracts/Digitization) for this purpose; now therefore, be it

RESOLVED, that the line item 'Vacation Payoff' be created in the Board of Elections budget under 1450.100 (Salaries); and be it further

RESOLVED, that the amount of \$1,400 be transferred from 1450.073 to 1450.100 (Salaries/Vacation Payoff); and be it further

RESOLVED, that these funds be immediately expended from the Board of Elections Account No.1450.100 for this purpose; and be it further

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

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

Approved by voice vote, all in favor.

Motion by Lockwood to close Public Hearing at 7:13PM, all in favor.

**RESOLUTION NO. 466-08 (7/22/08) COA-LLRelatingToDirOfMentalHealth-ADP(Rev5)
TO ADOPT LOCAL LAW NO. 2 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.**

BY: MRS. PETRUS, Chair, Health & Human Services Committee.

MR. MITCHELL, Chair, Ways & Means Committee.

WHEREAS, Local Law No. 2 for the year 2008 was presented to the Cayuga County Legislature on the 7th day of July, 2008; and

WHEREAS, pursuant to law and after proper notice having been given, the County Legislature held a public hearing on said Local Law No. 2 for 2008 on July 22, 2008 at 6:00 P.M.; now, therefore, be it

ENACTED, that the Cayuga County Legislature does hereby adopt Local Law No. 2 for 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; and be it further

RESOLVED, that the Clerk of the County Legislature publish notice of the adoption of the said Local Law in the official newspapers of Cayuga County, one time per week for each of two weeks, the first publication to be within ten (10) days of its effective date.

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

Approved by voice vote, all in favor.

COA-LLRelatingToDirOfMentalHealth-EST(Rev(6))

**STATE OF NEW YORK
COUNTY OF CAYUGA**

LOCAL LAW NO. 2 FOR THE YEAR 2008

**A LOCAL LAW SETTING FORTH THE POWERS, DUTIES, MODE OF
SELECTION AND REMOVAL, AND TERM OF OFFICE OF THE
DIRECTOR OF CAYUGA COUNTY COMMUNITY MENTAL HEALTH
SERVICES.**

BE IT ENACTED by the County Legislature of the County of Cayuga, New York, as follows:

Section 1. Intent. The County of Cayuga has the authority to adopt a local law setting forth the powers, duties, mode of selection and removal, and term of office of the Director of Cayuga County Community Mental Health Services, hereinafter “Director”, provided that the local law is not inconsistent with the Constitution or any general law of the State of New York.

Section 2. The Director shall be the head of the Cayuga County Community Mental Health Services and, as such, shall be vested with authority, direction and control over said Department and shall have the power and authority to appoint and remove officers and employees therein subject to the New York State Civil Service Law and any other applicable statutes, rules or regulations. The Director shall perform such duties as are required by law and such other duties as are directed by the Legislature.

Section 3. Minimum Qualifications. Qualifications will change in accordance with Civil Service Rules and Regulations. Director:

EITHER:

(A) Possession of a current valid license to practice medicine in New York State and board qualification or board eligibility as a psychiatrist or neurologist by the American Board of Psychiatry and Neurology, or as a pediatrician by the American Board of Pediatrics. In addition, 5 years of clinical and/or administrative experience working in programs for individuals who have a diagnosis of mental illness, mental retardation, developmental disability, alcoholism, or substance abuse; 2 years of which must have been in an administrative capacity; OR

(B) Certification as a psychologist in accordance with article 153 of the Education Law, possession of a Doctorate in Psychology conferred by a university regionally accredited or registered by the New York State Education Department and 5 years of clinical and/or administrative experience working in programs for individuals who have a diagnosis of mental illness, mental retardation, developmental disability, alcoholism, or substance, 2 years of which have been in an administrative capacity; OR

(C) Certification as a Licensed Master Social Worker or Licensed Clinical Social Worker in accordance to with article 154 of the Education Law, possession of a Master's Degree in Social Work conferred by a university regionally accredited or registered by the New York State Education Department and 7 years of clinical and/or administrative experience working in programs for individuals who have a diagnosis of mental illness, mental retardation, developmental disability, alcoholism, or substance abuse; 2 years of which must have been in an administrative capacity; OR

(D) Graduation from a regionally accredited or NYS registered college or university with a Master's Degree in rehabilitation counseling, psychology, social work, public health administration, public administration, hospital administration, human services administration, business administration, or other equivalent degrees as determined by a curriculum reviewed and approved by the NYS Education Department and 7 years of clinical and/or administrative experience working in programs for individuals who have a diagnosis of mental illness, mental retardation, developmental disability, alcoholism, or substance abuse; 2 years of which must have been in an administrative capacity; OR

(E) Graduation from a regionally accredited or NYS registered college or university with a Master's Degree in psychiatric mental health nursing, be licensed by the NYS Education Department as a registered nurse, and 7 years of clinical and/or administrative experience working in programs for individuals who have a diagnosis of mental illness, mental retardation, developmental disability, alcoholism, or substance abuse; 2 years of which must have been in an administrative capacity.

NOTE: Administrative Capacity Experience: Includes functioning in an administrative capacity for the management of a program in which the candidate was responsible for the overall direction and control of an identifiable organizational unit of a program.

Section 4. Salary. The Director shall receive an annual salary, plus fringe benefits, to be set by the Cayuga County Legislature by resolution.

Section 5. Removal of the Director.

(a) **Grounds for Removal.** The Director shall be removable by the County Legislature:

- (1) Because the Director was at the time of his/her appointment or has since become ineligible to hold such office as herein provided;
- (2) For malfeasance, misfeasance, or nonfeasance in office;

- (3) Upon conviction of a felony crime or of a misdemeanor involving moral turpitude;
- (4) For failure to perform his/her duties as provided by this Local Law in an honorable, competent, and reasonably efficient manner;
- (5) If the Director becomes morally, physically, or mentally unfit to act in behalf of the County;

(b) Procedure for Removal. If the Director is to be removed, pursuant to this section, the Director shall be given, upon demand, a written statement of the reason(s) alleged for the proposed removal and shall have the right to request a hearing, thereon at a meeting of the County Legislature prior to the date on which the proposed removal is to take effect. This hearing will take place within 30 days of said request. Pending such hearing, the County Legislature may suspend the Director from office, without pay, provided that the period of suspension shall not exceed thirty (30) days. The action of the State of New York. For purposes of the Local Law, the failure of the County Legislature to reappoint an incumbent Director to a new term of office shall not be deemed a removal or suspension of said Director.

Section 6. The Legislature shall have the power to appoint and remove the Director and shall set the Director's salary and allowable expenses and benefits. The Legislature may dismiss the Director, prior to the expiration of the Director's term of office, upon cause, cause being insubordination, immoral character, inefficiency, incompetency, neglect of duty, or inability, by reason of sickness or disability, to discharge the duties and responsibilities of office beyond the period of any leave authorized by the New York State Civil Service Law, subject to the following conditions:

- a. The Legislature shall adopt a resolution stating its intention to remove the Director and the reasons therefore.
- b. A copy of the resolution shall be served upon the Director. The Director may, within ten (10) days, demand a hearing.
- c. If the Director demands a hearing, the Legislature shall appoint a committee to hold a hearing, in executive session, not less than ten (10) days nor more than twenty (20) days from the date of the demand. After the hearing, the committee shall recommend dismissal or retention of the Director. The Legislature may accept or reject dismissal or reject the recommendation of the committee. The decision of the Legislature shall be final and binding, subject to the right of appeal in accordance with law.
- d. If the Director does not demand a hearing, the Legislature may dismiss the Director ten (10) days after service of a copy of the resolution upon the Director.
- e. Upon the passing of the resolution, the Legislature may suspend the Director from official duties without pay. If the charges against the Director are not sustained by the Legislature or are not sustained after any appeal from the decision of the Legislature, the Director shall be entitled to be paid for the period of suspension.

Section 7. The Director shall serve at the pleasure of the Cayuga County Legislature.

Section 8. Separability. If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment, decree or order shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment, decree or order shall have been rendered and the remainder of this Local Law shall not be affected thereby and shall remain in full force and effect.

Section 9. This Local Law shall take effect upon filing pursuant to the provisions of the Municipal Home Rule Law.

RESOLUTION NO. 467-08 7/24/08

PB-HHW08RFP

AUTHORIZING REQUEST FOR PROPOSAL (RFP) FOR HOUSEHOLD HAZARDOUS WASTE CLEANUP PROJECT

Mr. Daniel Schuster, Chairman, Planning & Economic Development

Mr. Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, the County of Cayuga has for many years conducted collections of household hazardous waste in an effort to remove potentially hazardous and toxic substances from the environment and by so doing protect the public, remove potential threats to emergency workers who may respond to buildings where such materials are stored, and safeguard natural resources of Cayuga County; and

WHEREAS, the Cayuga County Department of Planning and Economic Development has secured \$25,000 in grant funds from New York State DEC (2008 Budget Revenue Account 2118.000) for this project, which represents the required 50% reimbursement for holding such events; and

WHEREAS, an amount of \$50,000 has been properly budgeted for by the Cayuga County Department of Planning and Economic Development (2008 Special Programs Account 8020.400)); now therefore, be it

RESOLVED, that the Clerk of the Cayuga County Legislature is hereby authorized to advertise for and receive sealed proposals for a hazardous waste service provider for this project so that the Legislature may award the contract to the most qualified proposal; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to sign such documents as may be necessary to implement this project so long as costs do not exceed the available budget of \$50,000.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 468-08 July 22, 2008

PB_designateCCCVB_asTPA_2008-09

DESIGNATE THE CCCVB AS THE CAYUGA COUNTY TOURIST PROMOTION AGENCY (“CCTPA”) FOR THE “I LOVE NY” MATCHING GRANT FUNDING FOR THE 2008-2009 PROGRAM YEAR AND DESIGNATING THE PROGRAM DIRECTOR

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

WHEREAS, the Cayuga County Convention and Visitors Bureau (“CCCVB”) is the not-for-profit corporation designated by the Cayuga County Legislature to develop and implement a comprehensive tourism promotion and marketing program for the County ;and

WHEREAS, an agency must be designated by resolution of the Cayuga County Legislature as the “Cayuga County Tourism Promotion Agency” or “CCTPA” for the specific purpose of making application to and receiving grants from the New York State Tourism Matching Funds Program, under the annual program which begins October 1st of each calendar year and through which the State appropriates funds for cooperative tourism promotion; and

WHEREAS, Cayuga County receives funds from an occupancy tax which are the source of the local tourism funds required to match the State Tourism Matching Funds; Now, therefore, be it

RESOLVED, by the Cayuga County Legislature, that the Cayuga County Convention and Visitors Bureau is hereby designated as the Cayuga County Tourism Promotion Agency (“CCTPA”) and is authorized to make application for a receive grants on behalf of Cayuga County pursuant to the New York State Tourism Promotion Act; and be it further RESOLVED, the Margaret Vanek, Executive Director of the Cayuga County Convention and Visitors Bureau is hereby designated as the Program Project Director.

Signed by Schuster, Palermo, Axton, Fearon, Murphy.

Approved by voice vote, all in favor.

Motion by Legislator Tortorici to amend last resolved # 5 to read: The position of Senior Planner be abolished at such time that the incumbent in the Planner position becomes a permanent employee through successful completion of the required Civil Service examination; all in favor

**RESOLUTION NO. 469-08 7/22/08 PB-Create and fill Second Planner rev2 amended
AUTHORIZATION TO CREATE, FUND AND FILL THE POSITION OF PLANNER DUE TO A
RESIGNATION OF A COMMUNITY DEVELOPMENT PLANNER AND AUTHORIZING A PORTION OF
SAVED FUNDS TO BE UTILIZED FOR STAFF TRAINING AND DEVELOPMENT**

Mr. Daniel Schuster, Chairman, Planning & Economic Development

Mr. Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, a resignation was received from a Community Development Planner

(Position control #5863) and the responsibilities and work associated with this position is critical for the smooth operation of the Department of Planning and Economic Development; and

WHEREAS, on May 27, 2008, the County Legislature approved the hiring of a Senior Planner to fill the vacancy created by the Community Development Planner resignation and authorized allocating the FY08 funding from the Community Development Planner position to cover the cost of the Senior Planner position; and

WHEREAS, the Director of Planning has reviewed the Community Development / Senior Planner positions and made a determination that filling this position with a lower grade, entry-level Planner position would facilitate the redistribution of tasks within the department and allow the department to meet its obligations at an even lower cost to the County, provided the department invests in additional training and staff development; and

WHEREAS, the Planning Department has identified potential candidates during their interview process conducted to fill another vacant Planner position and these candidates could be trained to fulfill the responsibilities and obligations of the department at a \$4,454.00 annualized savings to the County if the vacant Senior Planner position is filled with an entry-level Planner position; and

WHEREAS, there is now a vacant, funded position of Senior Planner, created via County resolution #346-08 on May 27, 2008, that may be revised with the creation of a new Planner Position, resulting in an annualized savings to the County of \$4,454.00 and allowing the Director of Planning to fill the departmental vacancy with an appropriate, qualified candidate; NOW, therefore be it

RESOLVED, as follows:

1. The recently funded position of Senior Planner (Position Control #6584), at an annualized salary of \$48,483.00, be hereby removed from the Planning Department budget;
2. A Planner Position at CSEA 2008 Grade 23 at an annual salary of \$44,029.00, utilizing funds from the Senior Planner (Position Control #6584), be Created;
3. The Director of Planning be hereby authorized to fill the newly created and funded position of Planner at 2008 CSEA Grade 23, First Step, at an annual salary of \$44,029.00, and that the appointment be in accordance to Civil Service Rules and Regulations, CSEA Contract Language, and the Policies of the County of Cayuga;
4. The Treasurer is hereby authorized to transfer \$2,200.00 from the anticipated annual salary savings of \$4,454.00 to Planning Department Budget Line supporting staff training through Seminars and Conferences (Account #8020.400.067-A);
5. The position of Senior Planner be abolished at such time that the incumbent in the Planner position becomes a permanent employee through successful completion of the required Civil Service examination; and

The provisions and authorizations of this resolution shall take effect immediately.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 470-08 7/22/08

PB-Authorization to Join CCCNY

AUTHORIZATING CHAIRMAN OF THE LEGISLATURE TO SIGN MEMORANDUM OF UNDERSTANDING ENROLLING CAYUGA COUNTY IN THE CLEAN COMMUNITIES OF CENTRAL NEW YORK PROGRAM

Mr. Daniel Schuster, Chairman, Planning & Economic Development

WHEREAS, Clean Communities of Central New York (CCCNY) is an organization formed to apply for the Clean Cities Program, a voluntary federal initiative sponsored by the United States Department of Energy (DOE); and WHEREAS, Clean Cities encourages local governments and organizations to form partnerships in the developing markets for alternative fueled vehicles (AFVs); and

WHEREAS, The goal of the Clean Cities program is to reduce dependence on imported oil, reduce air pollution from vehicle emissions, assist local business and government with regulatory environmental compliance, encourage economic development through job creation, and to create a positive community image; and

WHEREAS, Current, and founding members of CCCNY include the Central NY Regional Transportation Authority (CENTRO), the City of Syracuse, the City of Syracuse School District, the City of Auburn, Syracuse University, the County of Onondaga, Energy Gases, Inc., the Mohawk Valley Oil, Inc., the NYS Department of Transportation (NYSDOT), the NYS Energy Research & Development Authority (NYSERDA), the NYS Thruway Authority, the Niagara Mohawk Power Corporation, the North Syracuse Central School District, the Syracuse Housing Authority, the Syracuse Metropolitan Transportation Council, Time Warner, the United Parcel Service, the US General Services Administration (GSA), the US Postal Service, and the US Department of Energy (DOE); and

WHEREAS, Cayuga County would like to join the parties listed above as a stakeholder of CCCNY because the County interested in promoting the following:

- Promotion of the purchase of AFVs and the development of infrastructure for alternative fuels in advance of current legislative mandates.
- Promotion of the processing and use of biogases currently being created at various current and proposed projects within Cayuga County
- Construction of a fast-fill CNG station to support the proposed fleet of CNG vehicles by the City of Auburn and Cayuga County
- Provide educational and demonstration programs consistent with the goal of educating the public regarding AFVs.
- Seek funding sources regarding the purchase of AFV's and fueling facilities; and

WHEREAS, there is no cost to joining CCCNY, but by enrolling in the program, the County gains access to funds to promote the above interests; NOW, therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to sign a memorandum of understanding along with any and all other documents necessary to enroll Cayuga County in the Clean Communities of Central New York Program.

Signed by Schuster, Palermo, Axton, Fearon, Murphy.

Approved by voice vote, all in favor.

RESOLUTION NO. 471-08 7/22/08

PB-RFPs for Natural Gas Drilling

AUTHORIZATION TO SEND OUT REQUESTS FOR PROPOSALS TO EXPLORE AND DRILL FOR NATURAL GAS ON CAYUGA COUNTY PROPERTY

Mr. Daniel Schuster, Chairman, Planning & Economic Development

WHEREAS, there is known to be several large pockets of natural gas underground in Cayuga County, and the potential exists to tap into those pockets and use the gas to reduce energy costs of municipal governments; and

WHEREAS, behind East Middle School in the City of Auburn, a Geothermal well was dug which found a large source of natural gas that is used to greatly reduce the energy costs at the school; and

WHEREAS, as has been discussed by the Cayuga County Public Utility Services Agency and the City of Auburn Municipal Power Agency, Cayuga County and the City of Auburn are both interested in having companies explore the area for more such sources of natural gas and drill for the gas if feasible; NOW, therefore be it

RESOLVED, that the Clerk of the Cayuga County Legislature is hereby authorized to send out, in conjunction with the City of Auburn, requests for proposals to interested parties for the exploration and drilling of natural gas on properties owned by Cayuga County; and, be it further

RESOLVED, that no proposals are to be accepted and no drilling is to be done without further action by the Cayuga County Legislature.

Signed by Schuster, Palermo, Axton, Fearon, Murphy.

Approved by voice vote, all in favor.

RESOLUTION NO. 472-08 (TABLED) (7/22/08) P&T ATV trail trial 7 08
AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN AN AGREEMENT WITH THE OSWEGO COUNTY ATV CLUB TO ALLOW ACCESS TO THE HOJACK TRAIL FROM OSWEGO COUNTY WEST TO THE CATO/FAIR HAVEN TRAIL AND NORTH TO FAIR HAVEN ROAD

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

WHEREAS, the Cayuga County Parks Commission at it's May 2008 meeting did approve allowing ATV use of the Cayuga County Hojack Trail from Oswego County west to the Cato/Fair Haven Trail north to Fair Haven Road on a one year trial basis; and

WHEREAS, the Oswego Valley ATV Club has agreed to install proper signage on the trail and to assist with the proper maintenance of the trail before and during the trial period and to provide insurance acceptable to the County; and
WHEREAS, the proposed trial period has the support of the Village of Fair Haven, the Town of Sterling and Legislator Christopher Palermo; and

WHEREAS, the entire trial area is contained within the Town of Sterling and Legislator Palermo's district; now, therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to sign an agreement with The Oswego Valley ATV Club to open up the Cayuga County Hojack Trail from Oswego County west to the Cato/Fair Haven Trail and north to Fair Haven Road on a one year trial basis; and be it further

RESOLVED, that the Parks and Trails Department is authorized and directed to review the trail with The Oswego Valley ATV Club before it is opened to ATV use, during the trial period and after the trial period to determine if the trial has been a success.

Chapman, does not have full support of committee, ATV's need to be defined, people are not in favor of this.

Sincebaugh, does the club have insurance, yes from Fred Westphal County Attorney.

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

Motion by Legislator Lockwood to Table, all in favor, except Palermo and Tortorici voting no.

RESOLUTION NO. 473-08 7.22.08 coafeasibilitybuildingrev
AUTHORIZING THE PURCHASING AGENT TO ADVERTISE AND RECEIVE SEALED PROPOSALS FOR A FEASIBILITY STUDY FOR A NEW COUNTY OFFICE BUILDING

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

Whereas, the County Legislature is desirous of seeking proposals for a feasibility study for a new county office building: now therefore be it

Resolved, that the Purchasing agent is hereby authorized and directed to solicit sealed proposals for a feasibility study for a new county office building.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 474-08 7/22/08 Blds-compliance work
Authorization to pay for compliance issues invoice 508253 form Kleinfelder

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 work with our compliance firm Kleinfelder and are as follows, "Formatting and printing reports, document preparation, document review/preparation, hazardous materials reports for 25 prospect st and 225 Franklin St.; 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 \$2,275.00 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, Chapman, Cuddeback, Lockwood, McIntosh, Mitchell, Sincebaugh, Palermo, Petrus. Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 475-08

Date: July 22, 2008

hwysnowcontract

Authorizing the chairman of the Legislature and Highway Superintendent to enter into a three year agreement for snow and ice removal

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

WHEREAS, the towns within Cayuga County provide snow and ice removal for the county; and

WHEREAS, the current agreement was for three years and expires on June 30, 2008; and

WHEREAS, the county and towns desire to continue this operating procedure; and

WHEREAS, town and county officials met and discussed the contract, and agreed upon a 5% increase for 2009, and to negotiate annually the remaining two seasons; now therefore be it

RESOLVED, to authorize the Chairman of the Legislature and the Highway Superintendent to enter into agreement with municipalities within the county to provide snow and ice removal for Cayuga County; be it further

RESOLVED, the County Attorney is to review agreement before signing; and be it further

RESOLVED, a 5% raise for the 2008-2009 season is to be provided to the towns.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 476-08 Date: 7/22/08 hwyfillforepersonpositionrev

Authorization to fill a Working Foreperson Position within the Highway Department

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

WHEREAS, a current Working Foreperson is retiring from their position on August 30, 2008 and the position will be vacant at that time; and

WHEREAS, this Working Foreperson position is critical to the operation of the highway department; and

WHEREAS, this position has been budgeted to be filled for the entire year; now therefore be it

RESOLVED, the Highway Superintendent is authorized to fill this open position by promotion from within the department and also backfill any positions created by upward promotion from within the department; 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 Axton, Chapman, Cuddeback, Lockwood, McIntosh, Mitchell, Sincebaugh, Palermo, Petrus. Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 477-08 6/24/08

Blds-Courthouse wall crack paymentrev

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, Chapman, Cuddeback, Lockwood, McIntosh, Mitchell, Sincebaugh, Palermo, Petrus. Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 478-08 (7/22/08) COA-AuthRFPsForWrkplcViolPrevProg
AUTHORIZING THE PURCHASING AGENT TO PREPARE REQUESTS FOR PROPOSALS FOR SECURITY CONSULTANTS TO DEVELOP AND IMPLEMENT PROGRAMS TO PREVENT WORKPLACE VIOLENCE.

BY: MR. AXTON, Chairman, Public Works Committee,
MR. PALERMO, Chairman, Government Operations Committee, and
MR. MITCHELL, Chairman, Ways & Means Committee.

WHEREAS, the County finds and declares that workplace violence, including assaults and homicides, is a serious public health issue that demands attention; and

WHEREAS, it is critical to the maintenance of a productive workforce that Cayuga County evaluate its workplaces to determine the risks of violence and to develop and implement a program to minimize the hazard; and

WHEREAS, to evaluate and determine workplace violence this body authorizes the issuance of RFPs (Requests for Proposals) to develop and implement programs to prevent workplace violence; now, therefore, be it

RESOLVED, that the Purchasing Agent is hereby authorized and directed to advertize for Requests for Proposals to prevent and implement programs to prevent workplace violence by making an evaluation and determination of the presence of factors and situations in such workplace that might place employees at risk for occupational assaults or homicides, together with developing a written workplace violence prevention program and employee information and training.

Wayne Allen Co. Manager, this is mandated by the state, deadline September 08.

Chapman, this was discussed in committee.

Palermo, this is a request for proposal, I call the question.

Signed by Chapman, Lockwood, Mitchell, Sincebaugh, Palrmo, Fearon, Murphy, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 479-08 7/22/08 purhandicapadv
AUTHORIZE THE PURCHASING AGENT TO ADVERTISE AND RECEIVE SEALED BIDS FOR RENOVATIONS FOR HANDICAPPED ASSESSIBILITY FOR THE BOARD OF ELECTIONS.

BY: David Axton, Public Works, Committee
Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, the Legislature contracted with Michael J. Palmieri for engineering services for the renovations for Handicapped Accessibility for the Board of Elections; and

WHEREAS, the project design is complete and the County needs to advertise for various contractor's to bid on this project; now therefore be it

RESOLVED, that the Purchasing Agent be authorized to advertise and receive sealed bids for Handicapped Accessibility for the Board of Elections.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 480-08 7/22/08 SHR-SRO (Cato)
AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO RENEW THE SCHOOL RESOURCE OFFICER'S (SRO'S) CONTRACT WITHIN THE CATO-MERIDIAN SCHOOL DISTRICT.

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

WHEREAS, Cato-Meridian School District has a Cayuga County Deputy assigned as a School Resource Officer (SRO) to it's School District from September, 2008 through June, 2013; and

WHEREAS, it would be to the mutual advantage of the County of Cayuga and the Cato-Meridian

School District to enter into an Agreement of Understanding for five years to continue the SRO position; and

WHEREAS, the SRO will work in his/her school district from September 1, 2008 until June 30, 2013. The School District will pay 10/12 of the assigned Deputy's contractual salary, including fringe benefits, and Cayuga County will pay 2/12 of the assigned Deputy's contractual salary for the months of July and August of the respective school years; and now therefore be it

RESOLVED, the SRO contractual salary (which includes fringe benefits) would become a line item in the 2009-2013 Sheriff's Budgets (COPS in School 3117.100.000 and 3117.800.000); and further be it

RESOLVED, that in order to accomplish the foregoing, the Chairman of the County Legislature and the County Sheriff are hereby authorized and directed to enter into an agreement with the Cato-Meridian School District, to share the services of a Deputy/School Resource Officer in the school district.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 481-08

7/22/08

SHR-SRO (Southern Cayuga)

AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO RENEW THE SCHOOL RESOURCE OFFICER'S (SRO'S) CONTRACT WITHIN THE SOUTHERN CAYUGA SCHOOL DISTRICT.

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

WHEREAS, Southern Cayuga School District has a Cayuga County Deputy assigned as a School Resource Officer (SRO) to it's School District from September, 2008 through June, 2013; and

WHEREAS, it would be to the mutual advantage of the County of Cayuga and the Southern Cayuga School District to enter into an Agreement of Understanding for five years to continue the SRO position; and

WHEREAS, the SRO will work in his/her school district from September 1, 2008 until June 30, 2013. The School District will pay 10/12 of the assigned Deputy's contractual salary, including fringe benefits, and Cayuga County will pay 2/12 of the assigned Deputy's contractual salary for the months of July and August of the respective school years; and now therefore be it

RESOLVED, the SRO contractual salary (which includes fringe benefits) would become a line item in the 2009-2013 Sheriff's Budgets (COPS in School 3117.100.000 and 3117.800.000); and further be it

RESOLVED, that in order to accomplish the foregoing, the Chairman of the County Legislature and the County Sheriff are hereby authorized and directed to enter into an agreement with the Southern Cayuga School District, to share the services of a Deputy/School Resource Officer in the school district.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 482-08

Action Date 7/22/08

cc911ConsultantLangonerev3

AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO HIRE LANGONE & ASSOCIATES CONSULTING FIRM TO DESIGN A NEW EMERGENCY COMMUNICATIONS SYSTEM AND SIGN A CONTRACT FOR THE SAME.

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

WHEREAS, the current Cayuga County E9-1-1 Communications system is antiquated and in need of significant upgrades; and

WHEREAS, the Cayuga County Radio Committee has been working with the National Law Enforcement Technology Center (NLETC); and

WHEREAS, with the assistance of the NLETC it has been determined that Cayuga County needs to hire a consulting firm to review the current radio infrastructure, accessibility to our tower sites, and conditions of the buildings at the sites; and

WHEREAS, Madison County has completed the bid process for the same services and included in the General Municipal Law, Cayuga County is allowed to utilize their contract for similar services; and

WHEREAS, General Municipal Law, section 103(3) authorizes any county in the state to contract with any supplier accepted by another county which utilized the bid process; and

WHEREAS, Langone and Associates has agreed to perform these services to Cayuga County under the same contract and at the same cost as Madison County; and

WHEREAS, the cost is not to exceed 273,460, *to be taken out of the un-appropriated fund balance* ; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature be authorized to sign a contract with Langone and Associates to perform consulting services to Cayuga County and Design a new Radio Communications System.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 483-08

Action Date 7/22/08

cc911bldrplc

AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO HIRE A VENDOR PURSUANT TO GENERAL MUNICIPAL LAW 103 TO DESIGN AND INSTALL NEW BUILDINGS AT THE CAYUGA COUNTY TOWER SITES, SIGN A CONTRACT FOR THE SAME AND AMEND BUDGET.

BY: Raymond Lockwood, Chairperson, Judicial & Public Safety Committee

Fran Mitchell, Chairperson, Ways & Means Committee

WHEREAS, the current Cayuga County E9-1-1 Communications system is antiquated and in need of significant upgrades; and

WHEREAS, the Cayuga County 9-1-1 Center has experienced significant radio failures due to the poor condition of the existing shelters; the shelters are not temperature or animal controlled sufficiently; and

WHEREAS, the Cayuga County Radio Committee has deemed it necessary to replace the current shelters at the Cato, Frozen Ocean and Lake tower sites prior to installing new equipment; and

WHEREAS, Tompkins and Wayne Counties have completed the bid process for the same services and included in the General Municipal Law, Cayuga County is allowed to utilize their contract for similar services; and

WHEREAS, General Municipal Law, section 103(3) authorizes any county in the state to contract with any supplier accepted by another county which utilized the bid process; and

WHEREAS, the cost of the project is estimated at a cost of \$458,235 to replace three shelters, *funds to be taken out of the un-appropriated fund balance*; now therefore be it

RESOLVED, that the sum of \$458,235 be transferred from the unrestricted fund balance to account number 3020.400.012 –Building Maintenance; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature be authorized to sign a contract with the most responsible vendor to build and install three new shelters at our radio tower sites; and be it further

RESOLVED, that the Cayuga County Treasurer's office make the necessary journal and accounting entries required to accomplish the intent of this resolution.

Mitchell, site preparations.

Denise Stayton 911 Administrator, we have gone to all sites, no major issues, I don't know the cost yet. I will have a separate resolution for the cost and will bring to committee.

Lockwood, there will be more resolutions on this.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 484-08 7-22-08 SHR-Motor Pool \$Transfer

AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO TRANSFER MONIES FROM THE SHERIFF'S 2008 LE-AUTO EXPENSE – MOTOR POOL CONTRACTUAL BUDGET LINE (3110.400. 8) TO THE SHERIFF'S 2008 GASOLINE AND OIL BUDGET LINE (3110.400.031).

By: Mr. Raymond Lockwood, Chair, Judicial & Public Safety Committee

Mr. Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, the gasoline used to fuel the vehicles of the Cayuga County Sheriff's Office is supplies at the County's Motor Pool Located at 91 York St. Auburn; and

WHEREAS, the Cayuga County Sheriff's Office patrols areas located at the northern end of the County; and

WHEREAS, it is more economically feasible to fuel the vehicles patrolling the northern end of the County at a gasoline station located in the Village of Cato; and

WHEREAS, to cover the costs of the fuel purchased at said gasoline station, funds from the Sheriff's 2008 LE-Auto Expense-Motor Pool Budget Line (3110.400.008) need to be transferred to the Sheriff's 2008 Gasoline and Oil Budget Line (3110.400.032); now therefore be it

RESOLVED that the Cayuga County Treasurer be authorized to transfer \$5,000.00 from the Sheriff's 2008 LE-Auto Expense-Motor Pool Budget Line (3110.400.008) need to be transferred to the Sheriff's 2008 Gasoline and Oil Budget Line (3110.400.032); 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, Chapman, Mitchell, Petrus, Tortorici, Palermo, Schuster, Axton.

Approved by voice vote, all in favor.

RESOLUTION NO. 485-08 (07/22/08)

DEP.DIRECTOR FIRE

Authorizing the Director of Emergency Services to fill the position of Deputy Director Fire Rescue Services part time for Budget A3410 (Fire).

By: Mr. Raymond Lockwood, Chairperson of Judicial & Public Safety Committee

Mr. Francis Mitchell, Chairperson of Ways & Means Committee

Whereas, the current Deputy Director of Fire/Rescue Services is on an unpaid leave of absence from 07/11/08 until his return; and

Whereas, a candidate that is listed on the Certification of Eligibles from the Cayuga County Civil Service Commission for the Deputy Director of Fire/Rescue Services has been interviewed and is will to accept a temporary appointment to the position; now therefore be it

Resolved, that the Director of Emergency Services, Brian Dahl, is hereby authorized to fill the Deputy Director Fire Rescue Services, at an annual salary of \$8,285.00, without fringe benefits, effective immediately on a temporary basis, within Fire Budget A3410.1 (salaries), and be it further

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

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

Approved by voice vote, all in favor.

Motion by Chapman to adjourn at 7:43PM, all in favor.

Motion by Chapman to approve minutes of 7-22-08 on 9-23-08, all in favor.