

**MINUTES
SPECIAL MEETING
CAYUGA COUNTY LEGISLATURE
JULY 29, 2008, 6:00 PM**

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

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

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

PRIVILEGE OF THE FLOOR: Roger Mills for Dr. Peter Kotzer, a scientist by trade retired University lecturer, teacher and researcher. Currently, I am active member of the Cayuga County Independence Party whose compass in life is the Constitution. The responsibilities of the director are great and awesome. One of your most important tasks will be selection of a new psychiatrist. There are the good and there are the bad. We hear the good. On the other hand to get an idea of abuses common to psychiatry please do view a video titled "Psychiatry an Industry of Death". The video was produced by Citizens Commission on Human Rights which monitors abuses by psychiatric institutions world wide. I have two copies. One for you upon request. And Shamefully abuses, very very serious ones have occurred in our beautiful city at One North and tarnished our image.

We want you to bring up our image to the level as envisaged by great Auburnians ones who led the fight for Human rights and dignity such as William H. Seward and Thomas Mott Osborn. Rather than treating patients as if they were a bit above the stage of animals but still subhuman we expect treatment to be one with sublime dignity.

You will demonstrate your sincerity when you hire those who sign and support the Mental Health Practice Code as advocated by the commission. A copy is attached. You can always count on us to assist you in your noble task of treating with dignity and compassion those who temporarily may find themselves of troubled mind. I am sure Professor Sayz one of the founders of the Commission. Professor Sayz is Emeritus (of Psychiatry) at Syracuse University will be there to help and advise if you ask.

Meanwhile you, whoever is selected to be the captain, we wish you happiness and satisfaction in the fulfillment of your duties as director. Thank you.

Chairman Roger Mills welcomed the members of the Community Services Board.

Executive Session: Motion by Chapman to go into executive session at 6:07PM, all in favor, re: Matters leading to the appointment, employment, promotion of a particular person.

Motion by Linda Albrecht Chair Community Services Board, to go into executive session, all in favor.

Motion by Chapman, to invite Ms. Daly, Ms. English, Jeff Edward and Faye Hatfield into the executive session, all in favor.

Motion by Chapman to come out of executive session at 7:00PM, all in favor,

RESOLUTIONS:

RESOLUTION NO. 486-08 **(DEFEATED)** 7/29/08 LEGcreatefunddpclkIIPT07-29-08
AUTHORIZATION TO CREATE and FILL DEPUTY CLERK TO THE LEGISLATURE II ON A PART TIME BASIS, AND TRANSFER FUNDS TO ACCOMPLISH THE SAME; and UNFUND SECRETARY TO THE CHAIR.

BY: Hon. Christopher Palermo, Chairman Government Operations Committee

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

WHEREAS, the Secretary to the Chairperson resigned effective 7/11/08; and

WHEREAS, the Legislature determined that the function should be under the oversight of the Clerk to the Legislature to assist with legislative duties for all legislators; now, therefore be it

RESOLVED, that the position of Deputy Clerk to the Legislature II, Part Time be hereby created on a part time basis and filled to accommodate the increase in work load in the office of the Clerk of the Legislature; and be it further

RESOLVED, that the rate for the position of Deputy Clerk to the Legislature II be set at a grade 8 not to exceed \$16.23 per hour within the Cayuga County Compensation Plan, Part II, within the Clerk to the Legislature Department; and, be it further

RESOLVED, that the funds allocated for Secretary to the Chairperson in line 1010.100.000-A, and 1010.800.000-A, Fringe Benefits, be transferred in accordance to the attached spreadsheet to line 1040.100.000-A and 1040.800.000-A, for Deputy Clerk to the Legislature II, Part-Time; and, be it further

RESOLVED, that County Treasurer be hereby authorized to do any accounting and journal entries to enact the intent of this resolution; and be it further

RESOLVED, that the filling of this position be pursuant to the Policies of the County of Cayuga and the Cayuga County Civil Service Rules, Regulations and Appendices.

Chapman, I can't support this.

Tortorici, roll call vote.

Palermo, if needed we can fill, won't support.

Fearon, the person formally in this position worked beyond his hours, without pay.

Schuster, we're not spending enough time on purchasing, use State bids, Departments could purchase there own stuff, need more people in purchasing. Part-time person in Clerk's office is needed.

Mahunik, hard to add here, when departments are asked to cut back.

Schuster, two positions to Clerk's Office, Purchasing and Secretary to the Chair, these positions already exist.

Mahunik, what is the role?

Schuster, Clerk will decide.

Chairman Roger Mills, job description went to all of you, I need this position.

Petrus, not new positions. 1 and 1/2 persons to Clerk of the Legislature, this will lighten the load, with cross training.

Tortorici, need to do more with less, taxpayers are struggling.

Cuddeback and Chapman, need Department Heads involved in purchasing.

Palermo, purchasing does need a lot of work, we have purchasing policies that we haven't adopted yet.

Motion by Fearon, to amend the resolution to abolish secretary to the Legislature, 2nd by Lockwood, all in favor

Signed by Mitchell, Petrus, Fearon, Murphy, Lockwood.

Vote on resolution as amended, **Defeated** by roll call vote Noes – Chapman, Mahunik, Palermo, Axton, Cuddeback,

Tortorici, Sincebaugh. Ayes – Petrus, Lockwood, Faron, Mitchell, Murp[hy], Schuster, Mills. Excused McIntosh

Vote count 419/413/50

Motion by Chapman to go into executive session at 7:20PM, all in favor, re: Matters leading to the appointment, employment, promotion of a particular person.

Motion by Linda Albrecht Chair Community Services Board, to go into executive session, all in favor.

Motion by Lockwood to come out of executive session at 8:23PM, all in favor.

Schuster, does the Community Services Board need to discuss anything else.

Chairman Roger Mills, do we need to go back into executive session?

Motion by Chapman to go back into executive session at 8:25PM, all in favor, except Lockwood voting no. Re: Matters leading to the appointment, employment, promotion of a particular person..

Motion to come out of executive session at 9:10PM, all in favor.

Motion by Tortorici to amend: Removing 2nd resolved and replacing with RESOLVED, that the position of Purchasing Agent be abolished; motion approved by roll call vote Ayes- Chapman, Mahunik, Palermo, Axton, Petrus, Lockwood, Cuddeback, Tortorici, Murphy, Schuster, Sincebaugh, Mills. Noes - Fearon and Mitchell. Excused McIntosh.

RESOLUTION NO. 487-08 (7/29/08) funddpclkev2
AUTHORIZATION TO FUND DEPUTY CLERK TO THE LEGISLATURE ON A FULL TIME BASIS AND TRANSFER FUNDS TO ACCOMPLISH THE SAME; and PROVIDE STIPEND TO LEGISLATIVE ASSISTANT FOR ADDITIONAL DUTIES.

BY: Hon. Christopher Palermo, Chairman Government Operations Committee

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

WHEREAS, Resolution 803-07 amended the job duties of the County Manager and created the position of Purchasing Agent; and

WHEREAS, the county is currently in the process of migrating to a new accounting system; and

WHEREAS, the Legislature finds it imperative to have the development of a purchasing protocol and associated internal controls under its direct control; now, therefore be it

RESOLVED, that until the Legislature feels confident that the software upgrade is complete and running smoothly, central purchasing functions shall be handled by the Clerk of the Legislature; and, be it further

RESOLVED, that the position of Purchasing Agent be abolished; and, be it further

RESOLVED, that the position of Deputy Clerk to the Legislature be funded on a full time basis and filled to accommodate the increase in work load in the office of the Clerk of the Legislature; and be it further

RESOLVED, that the position of Deputy Clerk to the Legislature be re-established at a grade 19 within the Cayuga County Compensation Plan, Part II, within the Clerk to the Legislature Department; and, be it further

RESOLVED, that the funds allocated in line 1682.100.000-A, purchasing agent and 1682.800.000-A, Fringe Benefits, be transferred in accordance to the attached spreadsheet to line 1040.100.000-A and 1040.800.000-A, for Deputy Clerk to the Legislature; and, be it further

RESOLVED, that in accordance to resolution 205-08, which provided an annual \$1,546 stipend for the Legislative Assistant, shall continue; and be it further

RESOLVED, that County Treasurer be hereby authorized to do any accounting and journal entries to enact the intent of this resolution; and be it further

RESOLVED, that the filling of this position be pursuant to the Policies of the County of Cayuga and the Cayuga County Civil Service Rules, Regulations and Appendices.

Fearon, I will not support this resolution without the first one.

Mahunik, need people to do more with less.

Schuster, Department Heads are very concerned with this position, will make their jobs more difficult.

Ms. English Director of C.C. Nursing Home, the bid process would be very difficult without this person.

Ms. Daly Director of Health & Human Services, the RFP's are very important.

Tortorici, amend 2nd resolve to abolish Purchasing agent position.

Palermo, it was put in so we don't have two positions.

Fearon, leave it in.

Tortorici, Purchasing Agent should not be a competitive position.

Axton, not a Department Head.

Fred Westphal County Attorney, is competitive not an appointment.

Cuddeback, take competitive part out.

Roger Mills Chairman, un-classified per Ms. Hatfield.

Palermo, more options

Fearon, voting political appointment not civil service.

Axton, classified as political but will be filled under Mary, she would choose best candidate. We need purchasing it can save a lot of money. If Mary finds she needs more help (1/2 time person) I will support it.

Tortorici, I want it written that my amendment is not political.

Mahunik, I don't support.

Signed by Palermo, Petrus, Chapman, Murphy, Palermo, Lockwood, Tortorici.

Approved by roll call vote, Ayes – Chapman, Mahunik, Palermo, Axton, Petrus, Lockwood, Cuddeback, Tortorici, Murphy, Schuster, Sincebaugh, Mills. Noes - Fearon and Mitchell. Excused - McIntosh. Vote – 712/120/50

Motion by Chapman to adjourn at 9:15PM, all in favor.

Motion by Chapman to approve minutes of 7-29-08 on 9-23-08, all in favor.