

**MINUTES
CAYUGA COUNTY LEGISLATURE
AUGUST 26, 2008, 6:00 PM**

Majority Caucus 5:30PM

WELCOME:

CALL TO ORDER: Hon. Roger Mills, Chairman, at 6:03PM.

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

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

RESOLUTIONS

**RESOLUTION NO. 488-08 08/26/08 RPSrepuchasetaxparcels2008#18
AUTHORIZING THE PURCHASE 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 a purchase offer to be considered by the Ways and Means Committee for approval by the County Legislature; in accordance with said policies and procedures; and

WHEREAS, this property was, years ago, a part of the petitioners parcel and inadvertently through mistakes made in the chain of title, was excluded from the deed description, hence creating the parcel in question; and

WHEREAS, the petitioner would like to purchase this parcel and merge it back into the parcel it originally was broken off of; and

WHEREAS, this parcel is landlocked and sold previously at county auction three years ago for \$25.00, at which time the owner never took possession of the parcel; and

WHEREAS, allowing this purchase will enhance the value of the property to the county; and

WHEREAS, all payments required by County rules have been paid and are being held by the Treasurer until approval of the sale by the Legislature; and

WHEREAS, the Director of Real Property Services recommends approval of the following:

<i>Tax Map #</i>	Location of	Purchase Offer Made By
145.00-1-11.2	Rear State Route 38A	Denise Lee M. Patterson, Executrices Estate of Fred L. Merrill

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 sales.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 493-08 08/26/08 RPSrepuchasetaxparcels2008#34
AUTHORIZING THE REPURCHASE 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 an offer to repurchase to be considered by the Ways and Means Committee for approval by the County Legislature; in accordance with said policies and procedures; and
 WHEREAS, all payments required by County rules have been paid and are being held by the Treasurer until approval of the sale by the Legislature; and
 WHEREAS, the Director of Real Property Services recommends approval of the following:

Tax Map #	Location of	Purchase Offer Made By
101.03-1-49	7196 North Division St. Rd	Camille Buttiglione-Racona

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 sales.
 Motion by Palermo, 2nd by Lockwood to remove from the Auction.
 Signed by Mitchell, Lockwood, Palermo, Petrus, Schuster.
 Approved by voice vote, all in favor, except Tortorici voting no.

PUBLIC BE HEARD:

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

Legislator Raymond Lockwood for Ted Wallin re: request of repurchase two properties in Cayuga NY, I have been out of the Country, I've had medical problems. I have the final payment with me and would like to repurchase the property.

RESOLUTION NO. 494-08 08/26/08 RPSrepuchasetaxparcels2008#34rev
CONDITIONALLY AUTHORIZING THE REPURCHASE 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 an offer to repurchase to be considered by the Ways and Means Committee for approval by the County Legislature; in accordance with said policies and procedures; and
 WHEREAS, all payments required by County rules have been paid and are being held by the Treasurer until approval of the sale by the Legislature; and
 WHEREAS, the Director of Real Property Services recommends approval of the following, subject to the approval of the Cayuga County Attorney:

Tax Map #	Location of Parcel	Purchase Offer Made By
119.06-1-50	6193 Center St., Cayuga	Theodore O. Wallin
119.06-1-85.5	Lake St.	Theodore O. Wallin

NOW THEREFORE BE IT RESOLVED, that the recommendations of the Ways & Means Committee set forth above are hereby conditionally approved, subject to the approval of the Cayuga County Attorney, after which the Real Property Services Director and the Chairman of the County Legislature are instructed to take whatever steps are necessary to complete the sales.
 Motion by Lockwood, 2nd by Sincebaugh, to remove from auction, all in favor, except Axton & Fearon voting no.

PRESENTATION: Jeff Spenard Engineer, C & S Engineers, re: Mental Health Project, gave a brief update on the project.
Option #1 – independent of old building, flat roof on addition.
Option #2 – two story entrance, all new roof, not flat, reception area controls where people go.
Tortorici and Lockwood addressed concerns with option #1, flat roof.
Axton, option2 works better, Palermo agrees.

Motion by Palermo to go with option #2, all in favor.

Jeff Spenard, we are on track, within 1%, but a lot can happen between now and Spring. We will start in the Spring and should have it enclosed by Fall.

MINUTES: For Approval: 6-28-08 and 7-7-08, Motion by Chapman to approve, all in favor.
For Reading: 7-22-08 and 7-29-08

CCC REPORT: Dr. Daniel Larson, President, enrollment up-date – currently, Fall 2008 enrollment is down, on line courses remain popular. We held of First Annual Faculty Forum today, focus was on faculty development, institutional planning, and curriculum. The College received a generous gift from First Niagara in the amount of \$150,000.00, it will be used for establishing the First Niagara Entrepreneurship Center in Auburn. A course in Entrepreneurial Process will be offered for the first time this Fall. A video created by C3 Studios, a College team, has been chosen as one of the top 100 entrants in the 2008 I Love NY Short Film Competition. The 2008-2009 College budget as approved by the College Board of Trustees earlier this Summer was handed out.

Proposal by Palermo: a resolution to accept the college budget as is and to ask anybody that is interested to make an amendment.

Roger Mills Chairman, that is with the 4% increase.

Palermo, as presented. 2nd by Sincebaugh.

Motion by Mitchell to amend to keep the County share the same as last year, 2nd by Axton. Defeated by majority vote. Noes – Chapman, Mahunik, Palermo, Fearon, Tortorici, Murphy, Schuster, Sincebaugh, Mills. Ayes – Axton, Petrus, Lockwood, Mitchell, Cuddeback. Excused McIntosh. 527/305/50

Motion by Palermo for a 2% increase for County's share. Defeated by majority vote. Noes – Chapman, Mahunik, Fearon, Cuddeback, Murphy, Schuster, Sincebaugh, Mills. Ayes – Palermo, Axton, Petrus, Lockwood, Mitchell, Tortorici. Excused McIntosh. 482/350/50

Motion by Chairman Mills to go back to the original resolution at a 4% increase. Defeated by majority vote. Ayes – Chapman, Mahunik, Fearon, Murphy, Schuster, Sincebaugh, Mills. Noes – Palermo, Axton, Petrus, Lockwood, Mitchell, Cuddeback, Tortorici. Excused McIntosh. 418/414/50

Motion by Petrus for a 2.5% increase to the County's share. Defeated by majority vote. Ayes – Chapman, Palermo, Axton, Petrus, Lockwood, Mitchell, Tortorici. Noes – Mahunik, Fearon, Cuddeback, Murphy, Schuster, Sincebaugh, Mills. Excused McIntosh. 431/401/50.

Motion by Schuster for a 3% increase to the County's share. Passed by majority vote. Ayes – Chapman, Mahunik, Petrus, Fearon, Murphy, Schuster, Sincebaugh, Mills. Noes – Palermo, Axton, Lockwood, Mitchell, Cuddeback, Tortorici. Excused McIntosh. 471/361/50

**RESOLUTION NO. 495-08 (8/26/08) COMcollegebudget08rev
APPROVING 2008-09 BUDGET FOR CAYUGA COMMUNITY COLLEGE.**

BY: Mr. Palermo, Chairman, Government Operations Committee, and

Mr. Mitchell, Chair, Ways & Means Committee.

WHEREAS, Cayuga Community College has presented its budget for the 2008-09 academic year to the Ways & Means and Government Operations Committees of the Cayuga County Legislature; and

WHEREAS, said Cayuga Community College budget for 2008-09 academic year totals \$ 27,572,282.00; and

WHEREAS, the sponsor's share of Cayuga County in said budget is the amount of \$ 2,678,400.00; and

WHEREAS, the Cayuga Community College requests an additional contribution; and

WHEREAS, the Cayuga County legislature approves an additional contribution of three (3) per centum; now, therefore, be it

RESOLVED, that the said 2008-2009 Budget of Cayuga Community College is hereby approved in accord with a 2009 County contribution of \$2,678,400.00, together with an additional three (3) per centum of \$80,352.00, for a total of \$2,758,752.00.

Resolution as amended approved by Majority vote for 3% increase county share, resolution written after approval.

Vote, Ayes – Chapman, Mahunik, Petrus, Fearon, Murphy, Schuster, Sincebaugh, Mills. Noes – Palermo, Axton, Lockwood, Mitchell, Cuddeback, Tortorici. Excused McIntosh. 471/361/50

COMMITTEE REPORT:

I have a report of Death that was not on the agenda, Robert C. Out house, father of Rob Outhouse. Robert was a good friend and will be missed.

Legislator Lockwood, I would like to recognize Marlyn Salato for her 24 1/2 years of dedicated service with the Cayuga County DMV Office. She has been the model of public service, she worked tirelessly to provide each person with the best customer service. Her work record is impeccable. She was appointed to DMV Supervisor 5 years ago. She provides a strong foundation for the employees. Her leadership is gentle but firm, she would pitch in when help was needed. Before working for the County she worked at the Village of Cayuga, also the village council, and volunteers her time. She is also a devoted sister, wife, mother, grandmother and citizen. She will be missed.

RESOLUTIONS CON'T:

**RESOLUTION NO. 496-08 (8/26/08) P&T ATV trail trial 8-26-08
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.

ATV Definition:

An ATV is a 4 wheeled vehicle that travels on low pressure tires, with a seat that is straddled by the operator, and with handlebars for steering control. Riders are permitted but must maintain a safe position behind the driver.

Vehicles such as LUV (Light Utility Vehicles) or UV (Utility Vehicles) which typically have side seats and a steering wheel, are not considered ATV's and will not be allowed to use the trail except for situations in which the club would need this type of vehicle for use in maintenance or repair of trails.

ATV's must have stock, unmodified, factory installed exhaust systems with spark arresters.

Motorcycles or any other 2 or 3 wheeled motorized vehicles are not considered ATV's and therefore will not be allowed on trails.

No. homemade ATV will be considered an approved ATV by definition.

Motion by Tortorici to add resolved to read: Restrict access to the trail until April of 2009, Defeated by voice vote, all voted no except Tortorici voting yes.

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

Approved by majority vote with ATV definition. Ayes – Mahunik, Palermo, Axton, Petrus, Lockwood, Fearon, Mitchell, Tortorici, Murphy, Sincebaugh, Mills. Noes – Chapman, Cuddeback, Schuster. Excused McIntosh.

608/224/50

Motion by Chapman to go into executive session at 7:34PM re: Pending Litigation, all in favor.

Motion by Chapman to come out of executive session at 8:07PM, all in favor.

MANAGER'S REPORT: We had a Budget workshop I hope that was informative and helpful. Yesterday I attended NYSAC work session in Elmira with Lynn Marinelli, there is a fiscal crisis. I will be getting more information and I will be sharing it with you. There will be additional information at the NYSAC Conference for those of you that will be attending. Please be aware that there is a lot of things happening.

Roger Mills Chairman, starting September 2008, all Legislative meetings will start at 6:30PM.

APPOINTMENTS AND RE-APPOINTMENTS:

Community Service Board

Reverend Robert M. Godbout, Route 90, P.O. Box 250, King Ferry, NY 13081, term 1-1-08 to 12-31-2011

Cayuga County Hospital Improvement Corporation

George Fearon, 5641 State Route 90N, Cayuga, New York 13034, Legislative Liaison, to serve at the pleasure of the Legislature.

Mental Health Subcommittee:

Rebakah Gagne, 7286 Sherman Rd. Auburn, NY 13021 term – 1-1-08 to 12-31-2011

Motion by Chapman to add Stanley Kott, 5455 W. Lake Rd. Auburn, NY 13021 as an appointment to The Cayuga County College Board of Trustees. Term 7-1-08 to 6-30-2015, and approve all appointments for August 2008, all in favor.

COMMUNICATIONS AND ANNOUNCEMENTS:

1. Received a letter from James T. Walsh Congressman, re: due to his retirement he is not able to accept any appropriations requests for FY-2010.
2. Received a letter from Joseph F. Pennisi Executive Director State of New York Worker's Comp. Board, re: County Res# 443-08, opposing the closing of the Auburn Worker's Comp. Board Customer Service Center.
3. Received a letter from Coughlin & Gerhart LLP, Attorneys and Counselors, re: Donna Avery, Tax Map No. 192.04-1-8, Town of Ledyard, redemption of property.
4. Received a letter from Senator Michael F. Nozzolio, re: his opposition to the closing of the Workers' Compensation Board in Auburn.

Motion by Lockwood to wave reading of the correspondence, all in favor.

RESOLUTIONS CON'T:

RESOLUTION NO. 497-08

AuditAugust.08.doc

AUTHORIZING THE COUNTY TREASURER TO PAY JULY 2008 AUDIT OF CLAIMS

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

WHEREAS, The Legislature did at its regular meeting on August 26th, 2008 audit claims against the County of Cayuga in the aggregate sum **\$2,306,067.02**, therefore be it

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

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 498-08

Utility 8.26.08

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

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

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

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

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

	JULY 2008
Gas & Electric :	\$ 8,547.83
Telephone:	\$20,862.29
Water	\$15,369.53
Landfill/Rubbish	<u>\$ 780.59</u>
Total:	\$45,560.24

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 499-08

8/26/08

PURCHSVCSJULY

AUTHORIZING THE CAYUGA COUNTY TREASURER TO CHARGE DEPARTMENTS FOR CENTRAL SERVICES AND PURCHASES FOR THE MONTH OF JULY 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	\$16,530.35
TOTAL		\$16,530.35

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

Approved by voice vote, all in favor.

RESOLUTION NO. 500-08

Date of meeting: August 26, 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 July 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, Lockwood, Axton.

Approved by voice vote, all in favor.

RESOLUTION NO. 501-08

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 \$14,090.00 covering the period through 8-1-08 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, McIntosh, Mahunik, Schuster, Cuddeback, Sincebaugh, Tortorici, Mitchell, Palermo, Lockwood, Axton.

Approved by voice vote, all in favor.

RESOLUTION NO. 502-08

8/26/08

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:

JULY 2008

\$ 209.65

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 503-08

8-26-08

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:

JULY 2008

First Niagara	\$ 831.54
AmExpress	\$ 1,100
Sunoco	\$ 289.78
<u>Exxon</u>	<u>\$ 140.61</u>
Total:	\$2,361.93

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

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

Approved by voice vote, all in favor.

RESOLUTION NO.

8/26/08

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

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

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

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

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

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

JULY TOTAL

\$4248.52

Signed by Mitchell, Axton, Lockwood, Tortorici.

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

RESOLUTION NO. 505-08 (8/26/08)

COA-CAPH8P

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 #00-01-C (Implementation of Master Facilities Plan for CCC Auburn, Campus):
 BROWN SOUND EQUIPMENT CORP.:
 Inv. No. 63131.....\$ 9,990.00
2. Project #03-7 (Phase 4/ Integration of Services (IOS)):
 CDW GOVERNMENT, INC.:
 Inv. No. JFT8821-A - \$6,770.00, less
 Inv. No. JQG1446-B - \$6,520.28 credit.....\$ 249.72
 FINGERLAKES TECHNOLOGIES, INC.:
 Inv. No. 2008-207.....\$ 3,285.00
3. Project #04-4 (Enhanced Wireless 911 Expedited Deployment Plan):
 STAPLES BUSINESS ADVANTAGE:
 Inv. #8010104960.....\$ 448.78
 NEW WORLD SYSTEMS:
 Inv. No. 46996.....\$ 4,830.00
 Inv. No. 47179.....\$ 1,548.66
 Inv. No. 55566.....\$ 2,500.00
 Inv. No. 55567.....\$ 4,500.00
4. Project #06-5 (Modification to the Cayuga County Office Bldg. Heating System):
 SIRACUSA MECHANICAL, INC.:
 Application & Certificate for Payment #1 dated 7/31/08 HAVC).....\$ 7,980.00
 BOULEY ASSOCIATES, INC.:
 Application & Certificate for Payment #1 dated 7/22/08 (FIREPROOFING).....\$ 149,150.00
4. Project #07-1 (Erie Heritage Preservation):
 KENT ENVIRONMENTAL:
 Inv. No. 68.....\$ 4,251.63
5. Project #07-5 (Tyler Software):
 TYLER TECHNOLOGIES, INC.:
 Inv. No. 132331.....\$ 597.25
 Inv. No. 132674.....\$ 505.77
 INN AT THE FINGERLAKES:
 Inv. No. 3740.....\$ 280.00
 Inv. No. 3748.....\$ 210.00

And be it further

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 506-08

8/26/08

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

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

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

JULY 2008

Copier Leases and Maintenance:	\$ 8,272.78
Postage Leases:	\$ 1,195.00
Misc. Leases:	<u>\$ 7,142.31</u>
Total	\$16,610.09

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 507-08

8/26/08

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

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

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

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

JULY 2008

\$ 321.03

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 508-08 (8/26/08)

COM loceycahill medicare contract

AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO SIGN A CONTRACT WITH LOCEY & CAHILL TO PREPARE AND FILE THE ACTUARIAL ATTESTATION STATEMENTS, FORMS, REPORTS AND CLAIMS ASSOCIATED WITH THE MEDICARE PART D RETIREE DRUG SUBSIDY PROGRAM FOR CAYUGA COUNTY.

BY: Francis Mitchell, Chairperson, Way & Means Committee

WHEREAS, the deadline for the County of Cayuga to file the necessary renewal application with the federal government is September 29, 2008 for the Medicare Part D Retiree Drug Subsidy Program; and

WHEREAS, it will be in the county's best financial interest to meet the renewal deadline; and

WHEREAS, the firm of Locey & Cahill LLC has offered to prepare and file the actuarial attestation statements, forms reports and claims associated with the renewal for a fee of \$1,500; and

WHEREAS, the Health Care Consortium is comprised of three members, Cayuga Community College, Cayuga County Soil and Water Conservation District and County of Cayuga; and

WHEREAS, said fee shall be billed in one installment and payable thirty days from the signing of the agreement; and

WHEREAS, the fee shall be paid from the Health Insurance Consortium Fund; and

WHEREAS, the fee will be apportioned among the parties as follows: Cayuga Community College 10%; Cayuga County Soil and Water Conservation District 10%; County of Cayuga 80%;

now, therefore, be it

RESOLVED, that the Chairperson of the Legislature be authorized and directed to sign a contract with the firm of Locey & Cahill, LLC. for a fee not to exceed \$1,500 to prepare and file the renewal application for the Medicare Part D. Drug Subsidy Program; and be it further

RESOLVED, that the fee shall be paid from the Health Insurance Consortium Fund; and be it further

RESOLVED, that the County Treasurer is authorized and directed to make all necessary journal and accounting entries to accomplish same and to pay the vendor within thirty days of the signing of said contract.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 509-08 08/26/08 Leave Bank augu08rev2
AUTHORIZING THE CREATION OF A TEMPORARY LEAVE BANK FOR A COUNTY EMPLOYEE.

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

WHEREAS, an employee of the Health and Human Services Department is recovering from a severe injury to the left leg and the recovery of this employee will be slow and lengthy; and

WHEREAS, this employee has worked for the Health and Human Services Department since December 1994, and has expired earned accruals to cover the recovery time; and

WHEREAS, discussion has occurred over this issue with representatives of the County and the CSEA and both parties have agreed to allow the creation of a temporary leave bank at the request of fellow employees to address the immediate loss of income for the employee, now; therefore, be it

RESOLVED, that the Cayuga County Legislature hereby approves this temporary leave bank, subject also to approval of CSEA Officials; and, be it, further

RESOLVED, that the Cayuga County Legislature authorizes and directs all those steps that may be required to undertake this temporary leave bank in accordance with the following conditions developed in Resolution #174 adopted on April 16, 1996:

All other leave shall have been exhausted by the employee. All County employees may be permitted to donate personal or vacation leave time in no less than half day increments, at any amount up to a grand total of seventy-five work days, all leave donations shall be in writing on a standardized leave bank form, leave time shall be used by the employee in no less than half day increments, using one full day from each donation before additional days are utilized from donors making multiple day donations; and, be it, further

RESOLVED, that the Cayuga County Legislature wishes the employee a speedy recovery and looks forward to their return to work with the County.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 510-08 (8/26/08) COA-AppSaleOfCoPropInT-GENOAtoPLATT
AUTHORIZING THE SALE OF COUNTY-OWNED PROPERTY LOCATED IN THE TOWN OF GENOA, COMMONLY KNOWN AS TAX MAP NO. 228.00-1-9.11, TO JAMES PLATT.

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

WHEREAS, the County obtained title to property located in the Town of Genoa, commonly known as the old "Central New York Auburn and Lansing Railroad", by Tax Deed dated January 30, 1984; and

WHEREAS, the past practice of the County has been to offer portions of the aforesaid property to adjacent landowners; and

WHEREAS, James Platt, an adjacent landowner, has requested to purchase the parcel identified as Tax Map No. 228.00-1-9.11, consisting of 3.9 acres of land, for the sum of \$200.00; and

WHEREAS, the property is surplus and the County has no plans to develop the same; now, therefore, be it

RESOLVED, that the County of Cayuga hereby declares Tax Map No. 228.00-1-9.11 in the Town of Genoa, consisting of 3.9 acres of land, to be surplus property; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized to sign any and all documents necessary to convey the above-described property to James Platt for the amount of \$200.00.

Signed by Mitchell, Petrus, Axton, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 511-08 (08/26/08) rpsfillGIStechnician
AUTHORIZING THE CAYUGA COUNTY REAL PROPERTY SERVICES OFFICE TO FILL A VACANCY

BY: Francis Mitchell, Chairman, Ways & Means Committee

Whereas, the Cayuga County Office of Real Property Services currently has one vacancy in the existing GIS Technician position; and

Whereas, it is necessary to select a candidate and fill the GIS Technician position to ensure continuity of mandated services that assure Real Property Tax Collection; and

Whereas, money has been budgeted for this position in the 2008 budget; now therefore be it

Resolved, that the Cayuga County Office of Real Property Services is hereby authorized to fill the position immediately in accordance with civil service rules and regulations and the Policies of Cayuga County.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 512-08

08/26/08

Treasclerkpt

AUTHORIZING THE COUNTY TREASURER TO FILL A VACANT PART-TIME CLERK POSITION

By: Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, due to the resignation of an employee of the Treasurer's Office, there is a vacant permanent part-time Clerk position; and

WHEREAS, this position is essential to the day to day operations of the Treasurer's Office, and

WHEREAS, funding for this position is available in the Treasurer's Office 2008 budget under position control number 06280; therefore be it

RESOLVED, that the County Treasurer is hereby authorized to fill the part-time Clerk position, and be it further

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 513-08

(8/26/08)

COMprescripdrugsREV3

REQUIRING COUNTY NON-BARGAINING EMPLOYEES, APPOINTED, ELECTED OFFICIALS AND NON-BARGAINING RETIREES TO PURCHASE PRESCRIPTION MEDICATIONS AND SUPPLIES AT PHARMACIES THAT HAVE AN AGREEMENT WITH EXELLUS HEALTH PLAN

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

WHEREAS, the Cayuga County Legislature has determined County that some employees and retirees have been purchasing prescription drugs from non participating pharmacies which do not have an agreement with the Excellus Health Plan or its subsidiaries to participate in their network of their participating pharmacies; and

WHEREAS, the cost of such prescription drugs is often more than four times as much as the participating pharmacies; and

WHEREAS, the premium cost for employees and the county would be reduced by eliminating excessive prescription charges being made to the county Excellus Healthcare Plan; and

WHEREAS, the County Legislature wishes to affect this mutually beneficial change in order to save premiums costs for the County taxpayers, County employees and retirees; now, therefore be it

RESOLVED, effective upon the passage of this resolution, all non-bargaining employees, appointed and elected officials, including County Legislators, Sheriff, County Clerk, District Attorney, Coroner and retirees from said positions will no longer be able to purchase prescription medications and supplies at retail and mail-order pharmacies which do not have an agreement with Excellus Health Plan, Inc. or its subsidiaries to participate in their network of medical providers; and be it further

RESOLVED, that this resolution becomes effective the payroll period after Excellus Healthcare Plan is able to apply this change in policy and the premium rate for any and all applicable participants shall be reduced by one and one half percent.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 514-08

8/26/08

Shr-LeaveBank rev4

AUTHORIZING THE CREATION OF A TEMPORARY LEAVE BANK FOR A CAYUGA COUNTY SHERIFF'S EMPLOYEE, CUSTODY DIVISION.

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

WHEREAS, an employee of the Cayuga County Sheriff's Department, Custody Division, has sustained an injury requiring surgery that will necessitate extended leave for this recovery; and

WHEREAS, this employee has worked for the Cayuga County Sheriff's Department, Custody Division, for approximately two years and has exhausted accruals due to this injury; and

WHEREAS, discussion has occurred over this issue with representatives of the County and the SEACC and both parties have agreed to allow the creation of a temporary leave bank at the request of fellow employees to address the immediate loss of income for the employee; now therefore be it

RESOLVED, that the Cayuga County Legislature hereby approves this temporary leave bank, subject also has approval of the SEACC officials; and be it further

RESOLVED, that the Cayuga County Legislature authorizes and directs all those steps that may be required to undertake this temporary leave bank in accordance with the following conditions:

All other leave shall have been exhausted by the employee. All County employees may be permitted to donate personal, vacation or compensation time in no less than full day increments, at any amount up to a grand total of seventy-five work days, all leave donations shall be in writing on a standardized leave bank form, leave time shall be used by the employee in accordance with the SEACC contract, using one full day from each donation before additional days are utilized from donors making multiple day donations; and be it further

RESOLVED, that the Cayuga County Legislature wishes the employee a speedy recovery and looks forward to their return to work with the County.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 515-08

Action 8/26/08

MH FillMHTA-08-08

AUTHORIZE THE FILLING OF A PART-TIME MENTAL HEALTH THERAPY AIDE POSITION AT THE COMMUNITY MENTAL HEALTH CENTER OF CAYUGA COUNTY

By: Hon. Ann Petrus, Chair Health and Human Services Committee, and

Hon. Francis Mitchell, Chair Ways and Means Committee.

WHEREAS, there is a vacant part-time Mental Health Therapy Aide position in the Community Mental Health Center of Cayuga County as the result of a resignation; and

WHEREAS, this position is assigned to the Psychosocial Club Program which is 100% funded by the State with Community Support Services funds; and

WHEREAS, the position is necessary for the continued functioning of the program; now, therefore, be it

RESOLVED, that the Acting Director of Community Mental Health Services be authorized and is hereby directed to fill the position of one part-time Mental Health Therapy Aide in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 516-08 Action 8/26/08

MH FillMHTA2-08-08

AUTHORIZE THE FILLING OF A PART-TIME MENTAL HEALTH THERAPY AIDE POSITION AT THE COMMUNITY MENTAL HEALTH CENTER OF CAYUGA COUNTY

By: Hon. Ann Petrus, Chair Health and Human Services Committee, and

Hon. Francis Mitchell, Chair Ways and Means Committee.

WHEREAS, there is a vacant part-time Mental Health Therapy Aide position in the Community Mental Health Center of Cayuga County; and

WHEREAS, this position is assigned to the Psychosocial Club Program which is 100% funded by the State with Community Support Services funds; and

WHEREAS, the position is reflected in the adopted 2008 Cayuga County Budget; and

WHEREAS, our intent is to use this position intermittently only at those times of peak attendance or when other staff are absent; now, therefore, be it

RESOLVED, that the Acting Director of Community Mental Health Services be authorized and is hereby directed to fill the position of one part-time Mental Health Therapy Aide in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 517-08 (August 26, 2008) HD HRI Bioterrorism Grant 2008
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into a Contract with Health Research, Inc. (HRI) and Accept Funding

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

WHEREAS, HRI has been awarded a grant from the Centers for Disease Control and Prevention; and
WHEREAS, part of the overall project involves "Public Health Preparedness/Response for Bioterrorism" which would involve building the public health infrastructure to respond to bioterrorism; and

WHEREAS, the Cayuga County Health Department has represented to HRI that it is knowledgeable, qualified, and experienced in the skills required for this project, and is willing and capable of performing the services required for Cayuga County; 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 Health Research, Inc. to accept funding in the amount of \$96,963 for the period 8/10/08 through 8/9/09 for the purpose of developing a "Public Health Preparedness/Response for Bioterrorism Plan" for Cayuga County; and be it further

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into all contracts necessary to execute this grant and that the Cayuga County Health Department through this 100% reimbursable grant be authorized to purchase equipment and supplies necessary to implement this grant; and be it also
RESOLVED, that the Cayuga County Treasurer be authorized and directed to make all the necessary journal and accounting entries and to amend the Health Department's 2008 budget in the following manner:

Increase Revenue Account #3407.000.....\$96,963

Increase Appropriation Account #4010.470.....\$96,963

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

RESOLUTION NO. 518-08 (August 26, 2008) HD ATUPA 2008
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Renew the Agreement with the State to Participate in the Youth Tobacco Enforcement and Prevention Program and Accept Funding

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

WHEREAS, the Cayuga County Health Department contracted with the State to participate in the 100% State funded Youth Tobacco Enforcement and Prevention Program (aka ATUPA) for the period October 1, 2007 through September 30, 2009; and

WHEREAS, the New York State Department of Health continues to make funds available to municipalities for the purpose of reducing the use and accessibility of tobacco to youth under 18 years of age; 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 State to continue to participate in the 100% State funded Youth Tobacco Enforcement and Prevention Program for the period of October 1, 2008 through September 30, 2009 in the amount of \$37,562; and be it further

RESOLVED, that the Director of Health & Human Services be authorized to enter into subcontracts with agencies/individuals in order to accomplish the goals of this grant; and be it also

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make all the necessary journal and accounting entries to amend the Cayuga County Health Department 2008 Budget in the following manner:

Increase Appropriation Account #4010.418.....\$37,562

Increase Revenue Account #3420.....\$37,562

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

**RESOLUTION NO. 519-08 (August 26, 2008) HD HRI Funding Breast Health 2008
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Renew Contract
with HRI to Continue Breast & Cervical Cancer Early Detection Program.**

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

WHEREAS, the Health Department's Healthy Women's Partnership (Breast & Cervical Cancer Early Detection Program) is partially funded by federal funding through Health Research, Inc.; and
WHEREAS, we have again been offered federal funding for this program through Health Research, Inc.; 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 Health Research, Inc. to accept federal funding for the Breast & Cervical Cancer Early Detection Program in the amount of \$22,438 for the period of June 30, 2008 through June 29, 2009; and be it further
RESOLVED, that the Director of Health & Human Services be authorized to enter into subcontracts with agencies/individuals in order to accomplish the goals of this grant; and be it also
RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the Health Department's 2008 Budget in the following manner:

Increase Appropriation Account #4010.423.....\$22,438
Increase Revenue Account #3424.000.....\$22,438

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

**RESOLUTION NO. 520-08 (August 26, 2008) HS Partnership for Results (Amend)
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Amend the
Contract with Partnership for Results, Inc. for the Provision of Preventive Services**

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

WHEREAS, the Department has evidenced that the Partnership for Results' contract for multi-dimensional preventive services has proven to be an effective intervention in supporting a child and family re-unification from foster care; and
WHEREAS, we now want to expand this clinical intervention to target families receiving preventive services in an effort to impact the number of children needing to come into foster care; and
WHEREAS, we have access to 100% Federal funds to fund this amendment; NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to amend the contract with Partnership for Results, Inc. in an amount not to exceed \$15,000 for the period September 1, 2008 to December 31, 2008 to expand this clinical intervention; and be it further
RESOLVED, that the charges for these services be paid out of account #6070.4, line item # .184 of the 2008 Health Department Budget.

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

**RESOLUTION NO. 521-08 (August 26, 2008) HS FFFS Funding 2008
Amending the Human Services 2008 Budget to Accept 100% Federal Funding from the Flexible Fund for
Family Services (FFFS)**

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

WHEREAS, the Human Services Division of Health & Human Services has received 100% Federal FFFS funding (Flexible Fund for Family Services) and of this fund \$230,000 will be used to support employment related services for TANF eligible applicants and recipients in order to assist them to stay off of public assistance or enable them to reduce the amount of assistance they are receiving; and
WHEREAS, it is necessary to amend the 2008 Human Services Budget in order to accept this funding; NOW,
THEREFORE BE IT

RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the Human Services Department's 2008 Budget in the following manner, and make the necessary journal and accounting entries to accept the new FFFS funds:

Increase Acct. #6060.40.....\$230,000
Increase Acct. #4615 FFFS.....\$230,000

and be it further

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services be authorized to enter into any subcontracts that are necessary to implement this grant.

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

RESOLUTION NO. 522-08 (August 26, 2008) HS Cornell Coop Ext 2008

Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into a Contract with Cornell Cooperative Extension of Cayuga County for the Provision of "Placement in Another Planned Permanent Living Arrangement" Services (100% Federally Funded)

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

WHEREAS, the Human Services Division of Health & Human Services is required to provide "Placement in Another Planned Permanent Living Arrangement" to children in Foster Care who have a goal of independent living; and WHEREAS, Cornell Cooperative Extension has the expertise to provide these services to children in foster care; and WHEREAS, the Human Services Division has established and maintains a good working relationship with Cornell Cooperative Extension for such 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 Cornell Cooperative Extension of Cayuga County for the contract period of 7/1/08 to 12/31/08 in the amount of \$12,390 (100% Federally funded) for "Placement in Another Planned Permanent Living Arrangement" services; and be it further

RESOLVED, that the charges for these services be paid out of account #6010.400, line item #.059 of the 2008 Human Services Budget.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 523-08 (August 26, 2008) HS Clinical Psychologists Contracts

Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter Into Contracts With Various Clinical Psychologists to Conduct Clinical Parental and Child Assessments for Child Welfare Cases

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

WHEREAS, the Human Services Department has need for the services of clinical psychologists to conduct clinical parental and child assessments for determining appropriate permanency and service plans for children and families; and WHEREAS, these clinical psychologists possess the knowledge and expertise to perform our work; and

WHEREAS, the Department desires to contract with the following Clinical Psychologists at the rates listed:

Dr. Robert Kohlbrenner @ \$125/hr.	Dr. Norman Lesswing @ \$110/hr.
Dr. Brian Thomson @ \$125/hr.	Dr. Richard Hoyt @ \$110/hr.
Dr. Philip Yorke @ \$125/hr.	Dr. Santo Bentivagnia @\$100/hr.

and

WHEREAS; these expenses are budgeted for in the 2008 Human Services budget and are reimbursed by the State at 75%; 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 contracts with the clinical psychologists listed above for the period

August 1, 2008 through July 31, 2009 at the scheduled rates.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 524-08 (August 26, 2008) HS FSNEP Cornell Coop 2008

Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Accept Funding for the Food Stamp Nutrition Education Program (FSNEP) and Contract With Cornell Cooperative Extension for Services Related to FSNEP

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

WHEREAS, the Human Services Department, a division of Health & Human Services, will act as the lead agency in regards to the claiming and reporting of the Food Stamp Nutrition Education Program to the State; and

WHEREAS, this program will provide nutrition education activities to any individual or household potentially eligible to participate in the Food Stamp Program, as well as current recipients; and

WHEREAS, the Department of Health and Human Services desires to renew their contract with Cornell Cooperative Extension which would allow the Human Services Division to reimburse Cornell Cooperative Extension and claim these expenditures at 100% Federal reimbursement; and

WHEREAS, the Human Services Department relies on Cornell Cooperative Extension to assist the above noted food stamp applicants and recipients, by providing them with nutritional education in order to help them adopt a more nutritional lifestyle as well as utilize their food stamp benefits more efficiently; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to accept 100% federal funding for the Food Stamp Nutrition Education Program for the period October 1, 2008 through September 30, 2009 in the amount of \$85,082, and enter into a contract for the above services with Cornell Cooperative Extension; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the Human Services 2008 budget in the following manner:

Increase Account A6070.400.227 Services to Recipients.....\$85,082
Increase Account A4670 Federal Aide Client Services.....\$85,082

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

Approved by voice vote, all in favor.

RESOLUTION NO. 525-08 (August 26, 2008) HS Early Outreach HEAP/Catholic Charities

Authorizing the Chairman of the Legislature and the Director of Health and Human Services to Enter Into a Contract With Catholic Charities of the Fingerlakes, Inc., to Perform Outreach Activities for the State Mandated HEAP Program, and Accept Early Outreach Funding (100% Federally Funded), for the Period of September 1, 2008 Through December 31, 2008

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

WHEREAS, the Low Income Home Energy Assistance Act of 1981 (Title XXVI of the Omnibus Budget Reconciliation Act) was signed into law to assist eligible households to meet the costs of home energy, said costs being 100% federally funded; and

WHEREAS, the State of New York will oversee the Low Income Home Energy Assistance Act of 1981 in accordance with the requirements of Section 2605 of said Act; and

WHEREAS, the Governor of the State of New York designated County Social Services Departments to carry out the purpose, functions and administration of the Low Income Energy Assistance Act of 1981 in the State of New York, which includes performing outreach activities; and

WHEREAS, in order to administer this program it is necessary to contract with outside agencies to assume responsibility for outreach activities in connection with HEAP (which includes providing and manning outreach and intake sites for regular and emergency assistance) consistent with the State Plan and regulations; and

WHEREAS, in the past we have successfully contracted with Catholic Charities of the Fingerlakes, Inc., to provide these services; and

WHEREAS, this year there is an early start-up of the program and early administrative funds in the amount of \$29,392 are available to assist counties who open the program early; and

WHEREAS, we will be receiving another administrative allocation to cover the total cost of the contract; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services be authorized to enter into a contract (100% federally funded) with Catholic Charities of the Fingerlakes, Inc., in the amount of \$58,000; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the County's Human Services 2008 Budget in the following manner:

Increase Revenue Acct. #4610.....\$29,392
Increase Expenditure Acct. #6010.42.....\$29,392

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

Approved by voice vote, all in favor.

RESOLUTION NO. 528-08 **Date: 08/26/08** **OFA Amend Budget & Reinstatement Position**
Authorization to amend the County 2008 Budget and to reinstate one 100% funded Part-Time Aging Services Specialist position in the Office for the Aging Department.

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

WHEREAS, the Office for the Aging received additional funding for the Health Insurance Information Counseling and Assistance Program from the New York State Office for the Aging after the County Budget 2008 was adopted; and WHEREAS, to carry out the intent of the aforementioned grant, it will be necessary to hire one Aging Services Specialist PT, to assist in providing the services of the Health Insurance Information Counseling and Assistance Program, a program for senior citizens in Cayuga County; now, therefore, be it RESOLVED, that the County Budget 2008 be amended to increase line 6772.100.000-A Salaries by \$6155 And 6772.800.001-A Fringe Benefits Social Security by \$1231; and be it further RESOLVED, that Revenue Account No. 3772.000.000 be hereby increased by the amount of the additional funding received in the amount of \$7386 to offset the additional expenses; and be it further RESOLVED, that one part-time position of Aging Services Specialist previously created (position #6190) be hereby funded; and be it further RESOLVED, that the rate of pay be set at \$19.54 per hour (step one) in accordance to the Cayuga County Compensation Plan, Part II, until changed by resolution of this legislature; and be it further RESOLVED, that the Director of the Office for the Aging be hereby authorized to hire one part time Aging Services Specialist, effective 11/15/08 with no fringe benefits except what is mandatory under law; 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; and be it further RESOLVED, that the 100% funded position will be abolished should the funding be terminated for any reason. Signed by Petrus, Cuddeback, Mahunik, Schuster, Sincebaugh, Tortorici, McIntosh, Mitchell, Axton, Lockwood, Palermo. Approved by voice vote, all in favor.

RESOLUTION NO. 529-08 (8/26/08) COA-AppAgrW-ExcellusHealthPlan,Inc.ReRetireeDrug SubsidyREV
AUTHORIZING THE CHAIRMAN OF THE COUNTY LEGISLATURE TO SIGN RENEWAL AGREEMENT AND AMENDMENT TO AGREEMENT WITH EXCELLUS HEALTH PLAN, INC., TO PROVIDE ADMINISTRATIVE SERVICES FOR THE RETIREE DRUG SUBSIDY.

BY: MRS. PETRUS, Chair, Health & Human Services Committee, and
MR. MITCHELL, Chair, Ways & Means Committee

WHEREAS, the County has received replacement of the original Agreement and Amendment to the Agreement to provide administrative services for the Retiree Drug Subsidy, a copy of which is annexed hereto; and WHEREAS, this renewal is for a one-year period; and WHEREAS, EXCELLUS intends to charge employers \$500.00 for the cost-reporting services; now, therefore, be it RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized to sign the Agreement and the Amendment to Agreement with EXCELLUS HEALTH PLAN, INC., to provide administrative services for the Retiree Drug Subsidy. Signed by Petrus, Cuddeback, Mahunik, Sincebaugh, Tortorici. Approved by voice vote, all in favor.

RESOLUTION NO. 530-08 **Action 8/26/08** **MH FillSrCik-08-08**
AUTHORIZE THE FILLING OF A FULL-TIME SENIOR CLERK POSITION AT THE COMMUNITY MENTAL HEALTH CENTER OF CAYUGA COUNTY

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

WHEREAS, there is a vacant full-time Senior Clerk position in the Community Mental Health Center of Cayuga County as the result of a resignation; and WHEREAS, this position is assigned solely to billing for services provided by the department; and WHEREAS, much of the revenue must be billed within specified time constraints or else the revenue will be lost; now, therefore, be it RESOLVED, that the Acting Director of Community Mental Health Services be authorized and is hereby directed to fill the position of one full-time Senior Clerk in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga. Signed by Petrus, Cuddeback, Mahunik, Schuster, Sincebaugh, Tortorici, McIntosh, Mitchell, Lockwood. Approved by voice vote, all in favor.

RESOLUTION NO. 531-08 Date of Meeting: 8/26/08 nhadjsalary
AUTHORIZATION TO ADJUST THE SALARY OF THE POSITION OF A SUPERVISING NURSE AT THE CAYUGA COUNTY NURSING HOME.

BY: Francis Mitchell, Chairman, Ways and Means Committee

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

WHEREAS, Julie McCarthy has agreed to accept a position at the Nursing Home due to a retirement; and

WHEREAS, Ms. McCarthy has been employed in supervisory roles in other long term care facilities for over 20 years;

Now be it therefore

RESOLVED, that Ms. McCarthy be hereby placed on the fourth step of the salary plan of this particular position of Supervising Nurse at Cayuga County Nursing Home because of her experience and expertise; and be it further

RESOLVED, that Ms. McCarthy continue on the fourth step of Supervising Nurse pursuant to the Cayuga County Compensation Plan, Part II .

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

Approved by voice vote, all in favor.

RESOLUTION NO. 532-08 (August 26, 2008) HD Sue Green Contract 2008-2009
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into a Contract with Sue A. Green, RN, Certified Wound, Ostomy and Continence Nurse

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

Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, the County's Certified Home Health Agency wishes to enter into a contract with Sue A. Green to serve as a consultant to the home care nurses for a select number of patients identified by the agency; and

WHEREAS, it is our opinion that by utilizing this consultant, we will be able to improve patient outcomes and maximize Medicare revenue by reducing the overall costs of care per patient; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services enter into a contract with Sue A. Green for the time period September 1, 2008 through August 31, 2009 in the amount of \$38.50 per hour plus mileage at the current Cayuga County approved rate; and be it further

RESOLVED, that these expenses be paid out of account #4012.400, line item # .130 of the 2008 Health Department Budget.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 533-08 (August 26, 2008) HD Clark Contract
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into a Contract with Elaine C. Clark to Provide Physical Therapy Services

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

Francis Mitchell, Chairman of the Ways & Means Committee

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

WHEREAS, the Department relies to an extent on obtaining these services through certain professional independent contractors; and

WHEREAS, we have successfully contracted with Elaine Clark in the past for provision of these services; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Elaine C. Clark to provide physical therapy services for the contract period August 1, 2008 through July 31, 2010 at the following rates:

Physical Therapy:

	<u>8/1/08-7/31/09</u>	<u>8/1/09-7/31/10</u>
Evaluation.....	\$58.33	\$59.79
Repeat Visit.....	\$52.54	\$53.85
Orientation, Inservice, Training.....	\$15.00/hr.	\$15.00/hr.

and be it further

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 534-08 (August 26, 2008) HD Fill 2 PT RNs at CHHA

Authorizing the Director of Health & Human Services to Fill Two Part-Time RN Vacancies at the Home Care Agency Due to Resignations

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

Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, there will be two Part-Time RN vacancies at the CHHA due to resignations; one effective July 29, 2008 and the other, August 26, 2008; and

WHEREAS, these part-time RN positions are utilized to cut down on overtime costs such as on weekends and holidays; these positions are necessary for the effective and efficient operation of the Department; and

WHEREAS, these positions are funded in the Health Department's 2008 Budget; NOW, THEREFORE, BE IT RESOLVED, that the Director of Health & Human Services be authorized to fill two Part-Time RN vacancies in a manner consistent with the rules and regulations of the County of Cayuga and the Cayuga County Civil Service Commission.

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

Approved by voice vote, all in favor.

Motion by Legislator Mahunik last resolved to read: RESOLVED, that the Nursing Home Administrator be hereby directed and authorized to hire two part time Clerks effective 9/1/08, **and fund until 12-31-08**, to provide the aforementioned services at Cayuga County Nursing Home and that the hire be in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

RESOLUTION NO. 535-08 Date of Meeting: 8/26/08 NHCreateClkPT08-08rev

AUTHORIZATION TO CREATE AND HIRE PART TIME CLERK POSITIONS AT THE CAYUGA COUNTY NURSING HOME).

BY: Francis Mitchell, Chairman, Ways and Means Committee

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

WHEREAS, Cayuga County Nursing Home is providing services to Cayuga County Nursing Home residents; and

WHEREAS, it is necessary to hire a part-time clerks to cover two (2) evening hours per day for a total of fourteen (14) hours per week; and

WHEREAS, Cayuga County Nursing Home will be able to recruit clerks for these part time hours; and

WHEREAS, the position will be created at minimum wage with no fringe benefits except those required by statute; now therefore be it

RESOLVED, that two positions of Clerk, PT be hereby created in the Nursing Home; and be it further

RESOLVED, that the rate of pay be set at \$ 7.15 in accordance to the appropriate Non-Bargaining Compensation Plan, Part II which shall be amended to include the title within the Nursing Home; and be it further

RESOLVED, that the Nursing Home Administrator be hereby directed and authorized to hire two part time Clerks effective 9/1/08, and fund until 12-31-08, to provide the aforementioned services at Cayuga County Nursing Home and that the hire be in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 536-08 8.26.08 coacnfmaptdcsrev3
ADOPTING THE RECOMMENDATION OF THE COMMUNITY SERVICES BOARD TO APPOINT KATHERINE O'CONNELL AS THE ACTING EXECUTIVE DIRECTOR TO THE COMMUNITY SERVICES BOARD AT A SALARY OF \$30,000 AND AMENDING 2008 BUDGET.

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

WHEREAS, Section 41.09 of the Mental Hygiene Law provides in part, that the Executive Director to the Community Services Board is appointed by the Community Services Board; and

WHEREAS, it is also provided in that section that the salary and allowable expenses of the Director of Community Services is set by the appointing authority; and

WHEREAS, the salary, fringes and allowable expenses are budgeted by the Cayuga County Legislature; and

WHEREAS, the Community Services Board, by Resolution No.____ adopted on ____ recommends to the Cayuga County Legislature that Katherine O'Connell be appointed as the Acting Executive Director to the Community Services Board at a salary of \$30,000 for a period of time not to exceed six (6) months; and

WHEREAS, there are sufficient monies in Account No. 4310.100.000-A and Account No. 4310.800-A to cover salaries and fringe benefits due to vacancies that were not filled for the entire year; now therefore be it

RESOLVED, the Cayuga County Legislature hereby adopts the recommendation of the Community Services Board to appoint Katharine O'Connell as the Acting Executive Director to the Community Services Board at a salary of (insert amount) for a period of time not to exceed six (6) months; and be it further

RESOLVED, that the temporary appointment be made in accordance to Cayuga County Civil Service Rules and Regulations and the Policies of the County of Cayuga; and be it further

RESOLVED, that the salary for the Executive Director to the CSB be set at \$30,000 and placed in Part IV of the Cayuga County Compensation Plan for Department Heads and Administrative Employee; and be it further

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 537-08 8.26.08 COAAPDIRCOMMTLHLTHSRVrev3
AUTHORIZING THE FILLING OF THE TEMPORARY POSITION OF ACTING DIRECTOR OF CAYUGA COUNTY COMMUNITY MENTAL HEALTH SERVICES, SETTING SALARY AND AMENDING 2008 BUDGET.

BY: Mrs. Ann Petrus, Chair, Health and Human Services Subcommittee, and
Mr. Francis Mitchell, Chair, Ways and Means Subcommittee.

Whereas, the County's Community Mental Health Department is going through a transition for management staff due to the retirements of the Deputy Director of Community Mental Health Services and Director of Community Mental Health Services; and

Whereas, Resolution No.172-08 appointed a temporary Acting Director of Community Mental Health Services; and

WHEREAS, the County's Health and Human Services Oversight Committee interviewed qualified candidates to fill the position of Acting Director of Community Mental Health Services;

WHEREAS, there are sufficient monies in Account No. 4310.100.000-A and Account No. 4310.800-A to cover salaries and fringe benefits due to vacancies that were not filled for the entire year; now therefore be it

RESOLVED, that Katharine O'Connell is hereby appointed to the temporary position of Acting Director of Community Mental Health Services for a period not to exceed six (6) months; and be it further

RESOLVED, that the salary for the department head position be hereby set at \$60,000 and placed in Part IV of the Cayuga County Compensation Plan for Department Heads and Administrative Employees; and be it further

RESOLVED, that the temporary appointment be made in accordance to Cayuga County Civil Service Rules and Regulations and the Policies of the County of Cayuga; and be it further

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 538-08 8/26/08

VETTRANSFER08

AUTHORIZATION TO AMEND THE 2008 CAYUGA COUNTY VETERANS SERVICE AGENCY BUDGET

BY: Mr. Christopher M. Palermo, Chair, Government Operations Committee

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

Whereas, the Cayuga County Veterans Service Agency is tasked with the transportation of Cayuga County veterans to the Syracuse Veterans Affairs Medical Center; and

Whereas, the cost of that transportation has risen dramatically due to the rise in gasoline prices and to increased usage by Cayuga County eligible veterans; and

Whereas, in order for the Cayuga County Veterans Service Agency to continue to provide this transportation service it will need to transfer funds within its Contractual Expense line items; and

Whereas, in order for the agency to successfully provide this service for the remainder of the current calendar year it will be necessary to initiate intra-fund transfers within the contractual expense account of the Agency; NOW THEREFORE BE IT

Resolved, that the Cayuga County Veterans Service Agency is hereby authorized to transfer the sum of \$800.00 from A6510.400.049 (Contractual Expense/Office Supplies) and \$800.00 from A6510.400.055 (Contractual Expense Postage) to A6510.400.008 (Contractual Expense/Auto Expense-Motor Pool); AND BE IT FURTHER

Resolved, that the Cayuga County Treasurer make the necessary journal and accounting entries to accomplish the same; AND BE IT FURTHER

Resolved, that the Chairman of the Cayuga County Legislator forward a letter to Congressman James Walsh and Congressman Michael Arcuri seeking financial assistance in the continuation of providing transportation for the Veteran's of Cayuga County.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 539-08 August 26, 2008

IT-ANTI-VIRUS-0808.doc

AUTHORIZING THE INFORMATION TECHNOLOGY DEPARTMENT TO RENEW ANTI-VIRUS SOFTWARE

By: Christopher M. Palermo, Chairman, Government Operations Committee

Frances Mitchell, Chairman Ways and Means Committee

WHEREAS, the County utilizes anti-virus software on its workstations and servers to protect County networks and client data from viruses downloaded from the Internet; and

WHEREAS, The current anti-virus subscription is due to expire; and

WHEREAS, funds for this anti-virus subscription were included in the 2007 County budget (1020.400.074); now therefore, be it

RESOLVED, that the Information Technology Department is authorized to renew the annual anti-virus subscription; the annual cost on New York State Contract for the 12 month subscription being \$4,648.00; and be it further

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 540-08 August 26, 2008

ITSERVERS0808.doc

AUTHORIZING THE INFORMATION TECHNOLOGY DEPARTMENT TO PURCHASE SERVERS

By: Christopher M. Palermo, Chairman, Government Operations Committee

Frances Mitchell, Chairman Ways and Means Committee

WHEREAS, two servers currently in use are over five years old and due to be replaced; and

WHEREAS, the funds to replace these older servers is included in the 2008 Information Technology budget; therefore be it

RESOLVED, that the Information Technology Department is authorized to purchase two servers and related software on New York State contract in the amount of \$7,512.00 from Account No. A1020.200.000; and be it further

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

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 541-08 (8/28/08) COAPURCSOMPT
AUTHORIZING THE PURCHASE OF AN OPTIPLEX 755 ENERGY SMART MINITOWER COMPUTER
FOR THE COUNTY ATTORNEY OFFICE AND AMENDING 2008 BUDGET**

BY: Christopher Palermo, Government Operations

BY: Francis Mitchell, Chairman, Ways & Means Committee

Whereas, the County Attorney Office is in need of a new computer to replace the computer that doesn't have the technological capabilities required to function efficiently with Munis Program; and

Whereas, funds are available in account 1420.100.000A, salaries, to cover the purchase of this computer; and

Whereas, the Cayuga County Computer Committee has already approved the purchase;

Whereas, DELL Company, has the state contract for computer equipment with a price of \$544.00; and now therefore be it

RESOLVED that the Office of County Attorney authorized to purchase a through state contract for \$544.00; and be it further

RESOLVED, that the sum of \$544.00 be transferred from account 1420.100.000A to account 1420.200.000-A and be it further

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

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 542-08 (8.26.08) coalegestmlgrtreve4
ESTABLISHING A POLICY REQUIRING THE MILEAGE REIMBURSEMENT RATE FOR NON-
BARGAINING EMPLOYEES, APPOINTED AND ELECTED OFFICIALS BE SET BY RESOLUTION OF
THE CAYUGA COUNTY LEGISLATURE AND ESTABLISHING THE MILEAGE REIMBURSEMENT
RATE FOR NON-BARGAINING EMPLOYEES, APPOINTED AND ELECTED OFFICIALS.**

BY: Hon. Christopher Palermo, Chairman Government Operations Committee

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

WHEREAS, New York State County Law, Article 5, §203 authorizes the payment of a reasonable mileage allowance; and

WHEREAS, the Internal Revenue Service sets a maximum reimbursement rate beyond which payments constitute taxable compensation; and

WHEREAS, unless otherwise set by contract with the bargaining units, the County has previously allowed the mileage reimbursement rate to automatically change to the IRS maximum rate without legislative consideration; and

WHEREAS, Resolution No. 402-08 adopted the Cayuga County Employee Handbook for Non-Bargaining Employees, wherein Section 17 set the mileage reimbursement rate equal to the IRS allowable deduction; and

WHEREAS, the County wishes to establish a policy wherein the mileage reimbursement rate for non-bargaining employees, appointed and elected officials shall be set by resolution of the Cayuga County Legislature; now therefore be it

RESOLVED, that the mileage reimbursement rate for non-bargaining employees, appointed and elected officials, including County Legislators, shall be set by resolution of the Cayuga County Legislature Cayuga; and be it further

RESOLVED, mileage reimbursement rate for non-bargaining employees appointed and elected officials, including County Legislators, shall be fifty- and- one- half cents (\$.505) per mile; and be it further

RESOLVED, that in order to obtain reimbursement for mileage, requests for reimbursement must be made within one-hundred and eighty (180) days after the end of a fiscal quarter; and be it further

RESOLVED, that Section 17 of the Cayuga County Employee Handbook for Non-Bargaining Employees shall be amended to read:

17. Mileage Allowance

- A. The mileage reimbursement rate for non-bargaining employees, appointed and elected officials, including County Legislators, shall be set by resolution of the Cayuga County Legislature Cayuga. Resolution No. 542-08, adopted on August 26, 2008 set the mileage reimbursement rate for non-bargaining employees, appointed and elected officials, including County Legislators, shall at fifty and one-half cents (\$.505) per mile. In order to obtain reimbursement for mileage, requests for reimbursement must be made within one hundred and eighty (180) days after the end of a fiscal quarter.

Legislator Sincebaugh, why to we get mileage?

Fred Westphal Co. Attorney, County Law offers mileage reimbursement.

Motion by Lockwood to table, defeated by majority vote – Noes – Chapman, Mahunik, Palermo, Axton, Petrus, Tortorici, Murphy, Schuster. Ayes – Lockwood, Fearon, Mitchell, Cuddeback, Sincebaugh, Mills. Excused – McIntosh. 458/374/50.

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

Approved by Majority vote. Ayes – Chapman, Mahunik, Palermo, Axton, Petrus, Mitchell, Tortorici, Murphy, Schuster. Noes – Lockwood, Fearon, Cuddeback, Sincebaugh, Mills. Excused McIntosh. 515/317/50

RESOLUTION NO. 543-08 (8/26/08) COA-LLtoEnhPrivacy&IncFeesCoClk'sOff-FIX(Rev2)
**FIXING DAY AND NOTICE OF A PUBLIC HEARING ON A PROPOSED
LOCAL LAW TO ENHANCE PERSONAL PRIVACY PROTECTION
FOR DOCUMENTS RECORDED IN THE CAYUGA COUNTY CLERK'S
OFFICE AND AUTHORIZING AN INCREASE IN FEES COLLECTED
FOR RECORDING, ENTERING, INDEXING AND ENDORSING A
CERTIFICATE ON ANY INSTRUMENT.**

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

WHEREAS, there has been duly presented and introduced at a meeting of this County Legislature held on the August 5, 2008, a proposed Local Law entitled:

“A LOCAL LAW TO ENHANCE PERSONAL PRIVACY PROTECTION
FOR DOCUMENTS RECORDED IN THE CAYUGA COUNTY CLERK'S
OFFICE AND AUTHORIZING AN INCREASE IN FEES COLLECTED
FOR RECORDING, ENTERING, INDEXING AND ENDORSING A
CERTIFICATE ON ANY INSTRUMENT.”

Now, therefore, be it

RESOLVED, that a public hearing shall be held concerning said Local Law before the Cayuga County Legislature on September 23, 2008 at 6:30 P.M., at the Chambers of the Cayuga County Legislature, County Office Building, 160 Genesee Street, Auburn, New York, and the Clerk of the County Legislature is hereby directed to give due legal notice of said public hearing as provided by statute.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 544-08 8/26/08 PB-Submit 2008 PDR Farm Protection Applications
**AUTHORIZING THE PREPARATION AND SUBMITTAL OF NEW YORK STATE FARMLAND
PROTECTION IMPLEMENTATION GRANT PROGRAM APPLICATION TO NEW YORK STATE
DEPARTMENT OF AGRICULTURE AND MARKETS**

Mr. Daniel Schuster, Chairman, Planning & Economic Development

Mr. Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, the County of Cayuga is eligible to receive grant funds under the New York State Department of Agriculture and Markets' Farmland Protection Implementation Grant Program (FPIG); and
WHEREAS, this program includes among its objectives protection of farms with prime, unique, or other productive soil through partial funding of the purchase of permanent conservation easements on those lands; and
WHEREAS, a five (5) proposals that meet this objective have been received by the Cayuga County Agriculture and Farmland Protection Board (AFPB) for the following farms:

Allen Farm, headquartered in Town of Scipio with approximately 800 Acres

Berry Farm, headquartered in Town of Genoa with approximately 215 Acres

Dumond Farms, headquartered in Town of Fleming with approximately 775 Acres

Hoskins Farms, headquartered in the Town of Aurelius with approximately 650 Acres; and

Pinckney Farms, headquartered in the Town of Aurelius with approximately 149 Acres; and

WHEREAS, the AFPB has asked Cayuga County to serve as a sponsor on behalf of the five farms listed above and to apply directly to the State for FPIG funds to permanently protect these farms; and

WHEREAS, the individual farms shall be responsible for preparing or contracting for preparation of said FPIG proposals; and

WHEREAS, the Cayuga County Department of Planning and Economic Development has indicated that it will provide in-kind staff resources to serve as project manager should funds be awarded to Cayuga County for permanent protection of one or more of the five (5) farm applicants; now, therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to take such steps as may be required to submit the FPIG application for each of the five (5) farms identified, and if approved to sign such documents as may be needed to accept and administer these funds; and, be it further

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

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

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

RESOLUTION NO. 545-08 8/26/08

PB_HHW08_contract_award_rev1

AUTHORIZING SIGNING OF CONTRACT 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 health, 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 Planning and Economic Development Department has secured \$25,000 in grant funds from New York State Department of Environmental Conservation (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 Planning and Economic Development Department (Account 8020.400.164); and

WHEREAS, as authorized by Resolution #467-08 the County released a Request for Proposals on July 23, 2008 to obtain the services of a hazardous waste collection contractor, which yielded the receipt of two proposals that were opened on August 14, 2008 and evaluated for responsiveness to the County's needs, resulting in the proposal from MXI Environmental Services, LLC located in Langhorne, PA and Abingdon, VA being found to be the best; now, therefore, be it

RESOLVED, that the Chairman of the County Legislature is hereby authorized to sign the necessary contract with MXI Environmental Services, LLC, to complete the required work in regard to said project in an amount not to exceed \$40,000.00; and be it further

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

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

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

RESOLUTION NO. 546-08 Date: 8/26/08 p&tBudgetTransferGasAndOil 8 08

AUTHORIZING THE TRANSFER OF FUNDS INTO THE GASOLINE AND OIL ACCOUNT FOR EMERSON PARK

By: David R. Axton, Chairperson, Public Works

By: Francis Mitchell, Chairperson, Ways & Means Committee

Whereas, in the 2008 Budget for Emerson Park, Account 7110.400.032-A, had \$7,000 for gasoline and oil; and

Whereas, the price of gasoline and oil have increased beyond our expectations; and

Whereas, fuel is required to operate the equipment that is used to maintain all of Cayuga County's Parks and Trail; now therefore be it

Resolved, the Cayuga County treasurer is hereby authorized and directed to transfer funds into Emerson Park Gasoline and Oil Account # 7110.400.032-A from the following Parks and Trails Accounts:

7110.400.052-A	Medical Supplies	\$300.00
7110.400.059-A	Professional Services	\$950.00
7110.400.070-A	Stationary and Forms	\$200.00
7110.400.088-A	Road Maint. Stone	\$686.00
7110.400.132-A	Promotion	\$2,000.00
Total		\$4,136.00

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

Approved by voice vote, all in favor.

RESOLUTION NO. 547-08 Date: 8/23/08 hwyfillightmeo
Authorization for Superintendent of Highways to fill a Light Motor Equipment Operator Position within the Highway Department and to back fill a position created by promotion

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

WHEREAS, a current Light M.E.O. is retiring from their position on August 29, 2008 and the position will be vacant at that time; and

WHEREAS, this Light M.E.O. position is critical to the operation of the highway department; and

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

RESOLVED, to authorize the Highway Superintendent to fill this open position 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, Cuddeback, McIntosh, Mitchell, Lockwood, Chapman, Sincebaugh, Petrus, Schuster, Palermo, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 548-08 8/26/08 BLDS COB HVAC Change orders
Authorizing the Chairman of the Cayuga County Legislature to sign change orders for County Office Building Heating Project

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

WHEREAS, Cayuga County has adopted Resolution Number 695-06 that set up Capital H project #06-5 for the Heating modification to the Cayuga County Office building heating system; and

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

WHEREAS, The following is a list of change orders

M-007	Transport air handling units and boiler to job site from storage	
	At soil and water	\$5,175.00
M-013	Install condensate drains (\$2,750.00 Covered by C&S)	\$0
M-014	Install 6” door frame in lieu of 8” door frame (\$410.00 Covered by C&S)	\$0
M-015	New configuration boiler breeching \$6,259.00(\$1,252Covered by C&S)	<u>\$5,007.00</u>
	Total	\$10,182.00

WHEREAS, The total cost for the 4 change orders is \$10,182.00, there is sufficient means in the change order fund set up for this project to cover the cost of these change orders; Now there for let it be

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

RESOLVED, that the funds for these change orders not to exceed \$10,182.00 will come from the change order fund set up in Capital H project #06-5 project, and be it further

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

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

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

**RESOLUTION NO. 549-08 (8/26/08) P&T PT HELP
HIRING OF PART-TIME AND SEASONAL POSITIONS WITHIN THE PARKS & TRAILS DEPARTMENT**

By: Mr. David Axton, Chairman, Public Works

Mr. Francis Mitchell, Chairman, Ways & Means Committee

Whereas, Cayuga County Parks & Trails has vacant part-time and seasonal positions that are filled in the fall season to meet the operational and maintenance needs of the department; and

Whereas, the traditional season for The Parks and Trails Department is from Memorial Day to after Tomatofest; and

Whereas, it is anticipated that in order to accomplish this work one (1) Part Time Park Security Guard and up to fifteen (15) seasonal positions including four (4) Laborers, one (1) Maintenance Crew Leader, five (5) Park Security Guards, two (2) Building Maintenance Mechanics, two (2) Museum Aides and one (1) Museum Assistant will be needed; and

Whereas, the following positions have been placed in the County of Cayuga Compensation Plan, Part II, under Parks and Trails for the year 2008 and set at the following rates:

Part-time Park Security guard	\$16.48, and
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Whereas, fifteen (15) seasonal positions will be created and the salaries set as follows:

Laborers	\$7.15/hr.
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Maintenance Crew Leaders	\$8.50/hr.
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Park Security Guards	\$9.50/hr.
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Building Maintenance Mechanic	\$10.50/hr.
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Museum Aide	\$7.75/hr.
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Museum Assistant	\$8.50/hr.; Now, therefore, be it
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Resolved, that the Park Maintenance Supervisor with the approval of the Public Works Committee is hereby directed and authorized to hire one (1) part-time position and up to fifteen (15) seasonal positions as stated above; and be it further

Resolved and understood that the funding for the above-stated positions shall not cause The Parks and Trails Department Accounts #7110.100.000 (Emerson Park Salaries) and #7111.000.000 (Ag Museum Salaries) to exceed the amounts budgeted for 2008.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 550-08 August 26, 2008 (P&T) MGR Scene Shop Sign
AUTHORIZING THE MERRY-GO-ROUND PLAYHOUSE TO PLACE A SIGN ON THE NORTH SIDE OF
THE NEW SCENE SHOP AT EMERSON PARK**

By: David R. Axton, Chair, Public Works_

Whereas, the Merry-Go-Round Playhouse would like to acknowledge the generous charitable donation from the Allyn Foundation allowing construction of the new scene shop; and

Whereas, the Merry-Go-Round Playhouse has asked for permission to put a sign on the scene shop in honor of W.G. Allyn; and

Whereas, the sign would be placed on the north side of the building facing the entrance to the building and the maintenance parking lot; and

Whereas, the Merry-Go-Round Playhouse has provided a rendering of the proposed sign; and

Whereas, the Parks Commission is in support of this project, now, therefore, be it

Resolved, that the Merry-Go-Round Playhouse is hereby authorized to place a sign on the new scene shop.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 551-08 (8/26/08)

PB-AwardBidForUSTClosure

AUTHORIZING THE CHAIRMAN OF THE COUNTY LEGISLATURE TO ENTER INTO AN AGREEMENT WITH OP-TECH ENVIRONMENTAL SERVICES, INC. TO REMOVE UNDERGROUND STORAGE TANKS.

BY: MR. AXTON, Chairman, Public Works Committee, and

MR. MITCHELL, Chairman, Ways and Means Committee.

WHEREAS, the Legislature, at its June 24, 2008 meeting, approved Resolution No. 411-08 authorizing the Legislature Clerk to advertise and seek sealed bids for removal of underground storage tanks located at the Mental Health Center, Sterling Nature Center and Emerson Park; and

WHEREAS, the Purchasing Agent of the Legislature sent out specification packages to Local, New York State and nationally-based firms in regard to this project; and

WHEREAS, nine firms attended the required pre-bid meeting and site tours on July 11, 2008; and

WHEREAS, five firms responded with proposals, as shown on the attached sheet; and

WHEREAS, Op-Tech Environmental Services, Inc. proposed to pull out-of-service petroleum tanks at the three above locations at the lowest price of \$6,160.00; and

WHEREAS, there are sufficient funds in Account No. 1620.420.000-A (Removal of Under Ground Tanks) to cover this expense; and

WHEREAS, a due diligence review of the five proposals was undertaken by Kleinfelder East, Inc., all five meeting the specifications of the bid; now, therefore, be it

RESOLVED, that the Chairman of the County Legislature is hereby authorized to sign an agreement with Op-tech Environmental Services, Inc. for said services at a cost of \$6,160.00; and be it further

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 552-08

8/26/08

SHR-US MARSHAL REIMB

AUTHORIZING THE TREASURER'S DEPARTMENT TO AMEND THE 2008 SHERIFF'S BUDGET TO ACCEPT REIMBURSEMENT FOR OVERTIME FOR OPERATION FALCON

BY: Mr. Raymond Lockwood, Chair, Judicial and Public Safety Committee, and

Mr. Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, THE Sheriff's Department was approached by the U S Marshals to assist in a special detail to pick up individuals with outstanding warrants and be reimbursed for the overtime up to \$2500.00; and

WHEREAS, 12 individuals were apprehended during the special detail, Operation Falcon; now, therefore, be it

RESOLVED, that the 2008 Cayuga County Sheriff's Law Enforcement Operating budget be amended to allow the following changes: an increase in the Revenue Line 1513.000.000A Sheriff/ Services to Other Governments of

\$2439.60 and an increase in the Expenditure Account 3110.100.000A of \$2439.60 for overtime; and further be it

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

Signed by Lockwood, Fearon, Cuddeback, Murphy, Chapman, Mahunik, McIntosh, Mitchell, Petrus, Tortorici

Approved by voice vote, all in favor.

RESOLUTION NO. 553-08

Date: 8/26/08

SHR Fill CO Positions (9) - rev

AUTHORIZE THE SHERIFF TO FILL NINE (9) VACANT CORRECTIONS OFFICER POSITIONS IN THE CUSTODY DIVISION OF THE CAYUGA COUNTY SHERIFF'S OFFICE.

By: MR. RAYMOND LOCKWOOD, Chairman, Judicial & Public Safety Committee

MR. FRANCIS MITCHELL, Chairman, Ways & Means Committee

WHEREAS, there are currently nine (9) vacancies in the Custody Division of the Cayuga County Sheriff's Office due to resignations at the Cayuga County Jail over the last few months; and

WHEREAS, it is now necessary to select and fill these nine (9) vacant Corrections Officer Positions with candidates from the Civil Service list for Corrections Officer in preparation for the Fall Academy; and

WHEREAS, the services provided by these nine (9) positions are critical for maintaining staffing levels for the smooth and efficient operations of the Sheriff's Office Custody Division at the Cayuga County Jail; and

WHEREAS, these positions are clearly designated and approved in the 2008 Cayuga County Sheriff's Custody Division Salaries Operating Budget 3150.1 (Position Numbers 3199, 1977, 4703, 4708, 4713, 6308, 6522, 6523, 6306 - Positions Numbers 3199 and 6306 being contingent permanent appointments); now therefore be it

RESOLVED, that the Sheriff be hereby authorized and directed to fill the nine (9) vacant positions (Position Numbers 3199, 1977, 4703, 4708, 4713, 6308, 6522, 6523, 6306 - Positions Numbers 3199 and 6306 being contingent permanent appointments) at the entry level salary for Corrections Officer plus fringe benefits, and at the appropriate step within the SEACC compensation plan; 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 Lockwood, Fearon, Cuddeback, Murphy, Chapman, Mahunik, McIntosh, Mitchell, Petrus, Tortorici

Approved by voice vote, all in favor.

RESOLUTION NO. 554-08

Action Date 8/26/08

cc911agreemeteasementlktwrstrev

AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO ENTER INTO AN EASEMENT AGREEMENT WITH ROY HORST AND AN AGREEMENT TO CONSTRUCT AN ACCESS ROAD TO THE LAKE TOWER SITE

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

Fran Mitchell, Chairperson, Ways & Means Committee

WHEREAS, the tower site, located in the Town of Aurelius, is currently located on property owned by Mr. Roy Horst; and

WHEREAS, the pathway is not feasible for winter travel or to handle large equipment; and

WHEREAS, Cayuga County has just agreed to purchase a new shelter for the tower site and the contractor will not be able to access the site with the current conditions; and

WHEREAS, Mr. Horst has agreed to allow for the construction of a road; and

WHEREAS, the Cayuga County Highway Department has submitted an estimate to perform the services at a cost not to exceed \$16,500.00; and

WHEREAS, there is monies in the E-911 budget 3020.200.000-A, Radio Upgrade, to cover the cost of this project; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to sign an agreement with the Roy Horst for an easement to the lake tower site; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to sign an agreement with Roy Horst to permit the County to construct the access road to the lake tower site; and be it further

RESOLVED, that the Cayuga County Highway Department to perform the services to accomplish the project and bill E-911 accordingly; and be it further

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

Signed by Lockwood, Fearon, Cuddeback, Murphy, Chapman, Mahunik, McIntosh, Mitchell, Petrus, Tortorici

Approved by voice vote, all in favor.

RESOLUTION NO. 555-08 Action Date 8/26/08 cc911agreementeasementcatotwrstrev2
AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO ENTER INTO AN EASEMENT AGREEMENT WITH THE VILLAGE OF CATO, THE TITUS CORPORATION AND ALLOW THE CAYUGA COUNTY HIGHWAY DEPARTMENT TO DESIGN AND CONSTRUCT AN ACCESS ROAD TO THE CATO TOWER SITE.

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

WHEREAS, the tower site, located in the Village of Cato, is currently located on property owned by the Village; and
WHEREAS, the pathway is not feasible for winter travel or to handle large equipment; and
WHEREAS, Cayuga County has just agreed to purchase a new shelter for the tower site and the contractor will not be able to access the site with the current conditions; and

WHEREAS, the Village of Cato has agreed to allow for the construction of a road; and

WHEREAS, the Titus Corporation has agreed to continue allowing accessibility to the tower site through their property; and

WHEREAS, the Cayuga County Highway Department has submitted an estimate to perform the services at a cost not to exceed \$1550.00; and

WHEREAS, there are monies in the E-911 budget 3020.200.000-A to cover the cost of this project; now therefore be it RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to sign an agreement with the Village of Cato and the Titus Corporation establishing an easement to the Cato tower site; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to sign an agreement with Village of Cato to permit the County to construct the access road to the Cato tower site; and be it further

RESOLVED, that the Cayuga County Highway Department to perform the services to accomplish the project and bill E-911 accordingly; and be it further

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

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

RESOLUTION NO. 556-08 8.26.08 coaseacc08k
APPROVING COLLECTIVE BARGAINING AGREEMENT BETWEEN THE SHERIFF'S EMPLOYEES ASSOCIATION OF CAYUGA, INC. AND THE COUNTY OF CAYUGA.

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

WHEREAS, pursuant to Civil Service Law Section 204 (1) the New York State Public Employment Relations Board certified the Sheriff's Employees Association of Cayuga County, Inc. as the exclusive representative of certain non-law enforcement employees of the Sheriff's Department on November 1, 2006; and

WHEREAS, the County of Cayuga and the Sheriff's Employees Association of Cayuga County, Inc., have agreed on a new five year Collective Bargaining Agreement (summary attached) for 2007, 2008, 2009, 2010 and 2011 subject to approval by the Cayuga County Legislature; and

WHEREAS, the above new five year Collective Bargaining Agreement was ratified and approved by the Association's membership on August __, 2008 now, therefore, be it

RESOLVED, that the new five year Collective Bargaining Agreement between the County of Cayuga and Sheriff's Employees Association of Cayuga County, Inc., is hereby ratified and approved by the Cayuga County Legislature, and that the Chairman of the County Legislature and Chairman of the Ways & Means Committee are hereby authorized and directed to sign said Agreement on behalf of the County of Cayuga; and be it further

RESOLVED, that the County Treasurer be and he is hereby authorized to implement any necessary changes in his records and accounts in accordance with the said agreement when it is fully signed and delivered; and be it further

RESOLVED, that the Treasurer make any transfers, journal and accounting entries necessary to carry out the same.

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

Fearon, re: Deputy Clerk position part-time.

Palermo, add it to Government Op's next month.

Axton, I agreed last month if the position was needed bring it back.

Cuddeback, are we voting to bring it back to committee?

Chapman, can it be rewritten?

Fred Westphal Co. Attorney, for a different position.

Petrus if we don't make a decision, it won't have a positive or negative.

Fred Westphal Co. Attorney, you have to act on it tonight.

Lockwood, it can be brought up at the budget process, I call the question.

Defeated by majority vote, Noes- Chapman, Mahunik, Palermo, Petrus, Lockwood, Tortorici, Mills. Ayes – Axton, Fearon, Mitchell, Cuddeback, Murphy, Schuster, Sincebaugh. Excused – McIntosh. 434/398/50

Motion by Chapman to adjourn at 9:05PM, all in favor.

Minutes approved on 9-23-08, motion by Chapman, all in favor.