

**MINUTES  
CAYUGA COUNTY LEGISLATURE  
SEPTEMBER 23, 2008, 6:30 PM**

**WELCOME:**

**CALL TO ORDER:** Hon. Roger Mills, Chairman, at 6:30PM.

**ROLL CALL:** Mary Jones, Clerk of the Legislature, all Legislator's present.

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

Jerome C. Bell Jr., Port Byron, graduate of Port Byron School, Marine Sergeant 2<sup>nd</sup> Battalion, 7<sup>th</sup> Marine Regiment, and father of three. Legislator David Axton read letter of honor for Sergeant Jerome C. Bell.

**PUBLIC HEARING: Opened at 6:38PM**

**TO ADOPT LOCAL LAW NO. FOR THE YEAR 2008 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.**

**PROCLAMATION'S:** United Way Day in Cayuga County, Wednesday September 24, 2008. Read by Clerk of the Legislature Mary Jones.

Cayuga County Salutes Travis Butts, Saturday September 20, 2008, Read by Clerk of the Legislature Mary Jones.

**DEATHS:** Marilyn Daly Cowen, Union Springs, NY a devoted employee of Cayuga County Health and Humans Services Department for 30 years, President of Cayuga County Unit 6250 of CSEA Local 806 for 10 years, secretary of Local 806 for 15 years, and civic leader. Legislator George Fearon spoke in honor of Marilyn Cowen.

**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.

**Roger Mills for Harry Pettingill Jr., Seneca Falls, NY** re: Facts on International Law, from Dr. Warren Hickman, who has a minor degree in International Law. Can be viewed at [www.upstate-citizens.org](http://www.upstate-citizens.org), "A Cayuga Chronicle"

**George Fearon for Andy Anderson, Union Springs, NY,** re: A bill passed by The State Senate and sponsored by Senator Michael Nozzolio that would require sales tax be collected on cigarettes sold to non-Indians by retailers on Indian reservations. I Would like to invite the Cayuga County Legislature to The Tribal Tax Collection Motorcade, 10/4/08, 9:00AM, Lott Farm, Rte. 414 South Seneca Falls, NY.

**MINUTES:** For Approval: 7-22-08 and 7-29-08, Motion by Chapman to approve, all in favor.  
For Reading: 8-26-08 and 9-15-08

## **Emergency Authorization for Austerity Spending: Sheriff's Office**

The Cayuga County Sheriff's Office was authorized to purchase GPS units for Sheriff and State Police vehicles pursuant to Resolution No. 78-08. Sufficient money exists in the Sheriff's 2008 Law Enforcement Equipment Budget Line (3110.2) to purchase and install the necessary GPS equipment. It is determined that additional equipment and items are required to install the GPS units in the sheriff vehicles. These vehicle locators have been determined to significantly improve officer safety and closest car dispatching. The Sheriff's Office has obtained quotes and prices by state bid of the equipment and additional items needed to install these GPS systems, as indicated in the attached memo. The following equipment and items are needed at this time to begin the installation process which starts Monday:

### **3 new Chevy Impalas will receive:**

- Fujitsu Laptop and connection accessories
- Pentax Thermal printer and connection accessories
- TG3 USB rugged keyboard with touchpad
- LUND Adjustable 8" swingarm and "clamshell" mount
- D-Link USB 7 port hub with connection accessories

### **1 existing patrol unit will receive:**

- Fujitsu Laptop and connection accessories
- LUNS "clamshell" mount

### **5 CID/Administrative vehicles will receive:**

- Prohoist notebook car mount
- HP H470 mobile printer
- Lind 300W modified power inverter (to run notebook AC adapters and printer)
- D-Link USB 7 port hub with connection accessories (to facilitate AVL)

### **16 existing patrol units will receive the following upgrades:**

- D-Link USB 7 port hub with connection accessories (to facilitate AVL)

Lind 300W modified power inverter (6 unites require this as outdated Xplore tablets continue to malfunction with power loss)

Signed by Lockwood, Mahunik, Mills, Mitchell.

## **EMERGENCY AUTHORIZATION FOR SPENDING: Highway Dept.**

To replace the fuel oil fired boiler at the highway department administration building in order to empty and remove the UST. Not to exceed \$4887.10 for a replacement gas boiler, from funds in account Building Maintenance 5130.400.012 DM.

Signed by Axton, Mahunik, Mills, Mitchell, Co. Manager Wayne Allen.

## **EMERGENCY AUTHORIZATION FOR HIRING:**

### **1. Health Dept.**

CHHA RN Position

Signed by Petrus, Mahunik, Mills, Mitchell and County Manager Wayne Allen.

### **2. Mental Health Dept.**

Community Mental Health Nurse

Signed by Petrus, Mahunik, Mills, Mitchell and County Manager Wayne Allen.

## **CCC REPORT: Dr. Deborah Moeckel, VP Academic/Student Affairs**

Budget Approval, thank you. Enrollment is stable. Greening of Cayuga, single stream recycling, paper reduction and browser-based information. Free Centro Bus Rides for Students at both Campuses, with College ID. Faculty Forum and College Update, we held our first annual and it was well attended. First Niagara to Fund Entrepreneurship Center Renovations, we have received \$150,000 to fund renovations at 2 State Street which will serve as the hub of our entrepreneurship outreach activities. Foundation to Present James and the Giant Peach by Sign Stage on Tour on 10/1/08 at 7:00PM in the Bisgrove Community Theatre.

## **COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS:**

Legislator Chapman, September 5, 2008, represented Eagle Scouts in my District.

Chairman Roger Mills, congratulations to Legislator Linda Murphy on her award for Options for Independence.

**MANAGER'S REPORT:** Wayne Allen, impact on budgets deficit is growing every year. There is major changes in the State level which will have an impact on the County's budget. We may need to make adjustments after the budget is adopted.

**CHAIRMAN'S REPORT:** Roger Mills, I meet with Dan Young, Governor Staff, he is lobbying for 4% cap on school tax. Cayuga County is the recipient of the risk management award at the NYSAC Conference.

**APPOINTMENTS AND RE-APPOINTMENTS:**

**Cayuga County WQMA:**

Bruce Ross, Memorial City Hall, 24 South St., Auburn, NY 13021 term – 9-23-08 to 12-31-08.

**Cayuga County Parks & Trails Commission:**

Gino Alberici, 58 Adams Ave. Auburn, NY 13021 term – 9-23-08 to 12-31-2010

**Cayuga County Fire Advisory Board:**

Tom Begley, PO Box 123, Jordan, NY 13080, term 5-27-08 to 4-30-09

Brian Dahl, 26 Liberty St., Auburn, NY 13021 term – 5-27-08 to 4-30-09

David Dixon, 85 Rochester St., Port Byron, NY 13140 term – 5-27-08 to 4-30-09

Larry Dygert, PO Box 279, Jordan, NY 13080 term – 5-27-08 to 4-30-09

David James, PO Box 749, Weedsport, NY 13166 term – 5-27-08 to 4-30-09

Patrick Meral, 1642 Rte. 38A, Auburn, NY 13021 term – 5-27-08 to 4-30-09

Jim Perkins, 2762 Center Rd., Scipio, NY 13147 term – 5-27-08 to 4-30-08

Cory Rooker, 15 River St., Port Byron, NY 13140 term 5-27-08 to 4-30-09

Denise Stayton, 181 Seymour St., Auburn, NY 13021 term 5-27-08 to 4-30-09

**Motion by Axton, 2<sup>nd</sup> by Petrus to approve all appointments, all in favor**

**COMMUNICATIONS AND ANNOUNCEMENTS:**

1. Received a letter from Kevin Crawford, New York Municipal Insurance Reciprocal, to inform Cayuga County has been selected to receive New York Municipal Insurance Reciprocal's Risk Management Award for 2008.
2. Received a letter from John D. Byrne, State of New York Executive Chamber, thanking the County for sending a copy of res.# 443-08, Worker's Compensation board Service Center in Auburn.
3. Received a letter from Oswego Valley ATV Club, Inc. re: thanking the Cayuga County Legislature for working with us and allowing us the use of the Hojack Trail and a portion of the Cayuga County Trail System.

**Motion by Murphy to read aloud.**

**RESOLUTIONS**

**RESOLUTION NO. 559-08**

**AuditSept.08rev.doc**

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

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

WHEREAS, The Legislature did at its regular meeting on September 23, 2008 audit claims against the County of Cayuga in the aggregate sum \$ 2,725,622.87 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. 560-08**

**9/23/08**

**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:

		AUGUST 2008
Gas & Electric	:	\$118,147.04
Telephone:		\$ 20,377.71
Water		\$ 17,464.81
Landfill/Rubbish		<u>\$ 835.90</u>
Total:		\$156,825.46

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. 561-08**

**9/23/08**

**PURCHSVCSAUGUST**

**AUTHORIZING THE CAYUGA COUNTY TREASURER TO CHARGE DEPARTMENTS FOR CENTRAL SERVICES AND PURCHASES FOR THE MONTH OF AUGUST 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	\$3,595.79
	<b>TOTAL</b>	<b>\$3,595.79</b>

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 562-08**

**Date of meeting: September 23, 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 \$149,048.65 for the month of August 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, Schuster, Cuddeback, Sincebaugh, Tortorici, Mitchell, Palermo, Lockwood, Axton.

Approved by voice vote, all in favor.

**RESOLUTION NO. 563-08**

**seniornutrition**

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

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

Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, The Director of the Office for the Aging presented bills for service providers in regard to operation of the Senior Nutrition Program, to the County Treasurer for payment pursuant to Resolution No. 297, duly adopted on June 21, 1994, which claims total \$11,700.00 covering the period through 8/29/08 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, Schuster, Cuddeback, Sincebaugh, Tortorici, Mitchell, Palermo, Lockwood, Axton.

Approved by voice vote, all in favor.

**RESOLUTION NO. 564-08**

**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, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

**RESOLUTION NO. 565-08**

**9/23/08**

**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:

AUGUST 2008

First Niagara \$ 1,111.62

AmExpress \$ 1,888.02

Sunoco \$ 110.34

Walmart \$ 1,397.95

Exxon \$ 122.31

Total: \$ 4,630.24

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. 566-08**

**9/23/08**

**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.

AUGUST TOTAL

\$2519.48

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

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

RESOLUTION NO. 567-08 (9/23/08)

COA-CAPH9PAY

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

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

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

WHEREAS, said claims have been reviewed and approved by the interested oversight committees; now, therefore, be it RESOLVED, that the County Treasurer be and he is hereby authorized and directed to pay the following claims and charge the same to the appropriate Capital "H" Projects:

1. Project #03-7 (Phase 4/ Integration of Services (IOS)):

PAR GOVERNMENT SYSTEMS CORP.:

Inv. No. 317309-01 .....\$ 2,078.56

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

C&S ENGINEERS, INC.:

Inv. No. 018702 - \$5,884.00, less  
1,375.00 retainage.....\$ 4,509.00

Inv. No. 0110913 - \$ 782.00, less  
100.00 retainage.....\$ 682.00

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

KENT ENVIRONMENTAL:

Inv. No. 69.....\$ 3,797.15

4. Project #07-3 (Ag Museum Courtyard):

CAYUGA COUNTY SOIL & WATER CONSERVATION DISTRICT:

Inv. No. 2322 (FINAL BILL).....\$ 21,500.00

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

TYLER TECHNOLOGIES, INC.:

Inv. No. 133681.....\$ 1,870.10

Inv. No. 134017.....\$ 2,557.24

Inv. No. 124018.....\$ 751.62

Inv. No. 134346.....\$ 706.45

INN AT THE FINGERLAKES:

Inv. No. 3755.....\$ 140.00

Inv. No. 3768.....\$ 210.00

Inv. No. 3796.....\$ 280.00

CDW GOVERNMENT, INC.:

Inv. No. LDP1471.....\$ 2,502.00

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

C & S COMPANIES:

Inv. No. 0855.....\$ 9,200.00

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. 568-08

9/23/08

**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:

AUGUST 2008

Copier Leases and Maintenance: \$ 10,987.02

Postage Leases: \$ 1,030

Misc. Leases: \$ 7,114.31

Total \$ 19,131.33

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

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 569-08**

**9/23/08**

**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:

AUGUST 2008

\$ 282.89

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

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 570-08**

**(9/23/08)**

**COA-MOADMVrev**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO ENTER INTO AN AGREEMENT BETWEEN THE CIVIL SERVICE EMPLOYEES ASSOCIATION (CSEA) AND THE COUNTY OF CAYUGA COUNTY**

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

WHEREAS, by Resolution No. 303-06, the County of Cayuga and the Cayuga County Unit of Cayuga Local 806, Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO entered into a Collective Bargaining Agreement governing terms and conditions of employment for certain employees of the County for the period of January 1, 2005 through December 31, 2008; and

WHEREAS, on April 9, 2008, the County Clerk received a letter from Kent W. Gray, State of New York Department of Motor Vehicles, regarding enhanced driver's licenses and non-driver identification cards; and

WHEREAS, to ensure the security, integrity, and trust in the New York State Enhanced Drivers License and Non-Driver Identification Cards and to comply with Section 7209 of the Intelligence reform and Terrorism Prevention Act of Two Thousand Four, Public Law 108-458, and procedures promulgated thereto by the United States Department of Homeland Security for issuance of these documents, the Department of Motor Vehicles (DMV) will perform citizenship verifications and criminal history checks for all covered employees; and

WHEREAS, covered employees must provide certain documentation and background checks for employment eligibility verification required by law; and

WHEREAS, all new employees in the Cayuga County Department of Motor Vehicles and all new employees in the Cayuga County Clerk's Office who would be considered to be covered employees or employees in a covered position shall be required to undergo a background check at the time of employment in accordance with the requirements of the State of New York and the United States Department of Homeland Security; now, therefore be it

RESOLVED, that the Cayuga County Legislature hereby takes action to approve and authorized the signing of said Memorandum of Agreement by the Chairman of the County Legislature; and be it further

RESOLVED, that the County will assume the cost of the background check for employees; and, be it further

RESOLVED, that this resolution shall take effect immediately.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 571-08 (9/23/08) COA-ReqSuppFMAPIncorCoTxpayerPropTaxRelief  
CALLING ON THE NEW YORK CONGRESSIONAL DELEGATION TO SUPPORT AN INCREASE IN  
THE FEDERAL MEDICAL ASSISTANCE PERCENTAGE (FMAP) TO PROVIDE NEW YORK COUNTIES  
WITH PROPERTY TAX RELIEF.**

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

WHEREAS, under Federal Law, local governments are not responsible for any portion of Medicaid funding; however, Congress has given states the ability to require local governments to share in financing the non-federal share of Medicaid costs; and

WHEREAS, the United States Centers for Medicare & Medicaid Services, date demonstrates that no other state in the country financially burdens its localities like New York State; and

WHEREAS, Medicaid represents the largest single program expense in every county budget and siphons away the limited resources needed to fund other critical budgetary needs at the county level; and

WHEREAS, THE National Governor's Association (NGA), including Governor Paterson, have supported a proposal for a temporary increase in the federal medical assistance percentage (FMAP) as an economic stimulus option that would provide more federal funding for state Medicaid programs; and

WHEREAS, the NGA has indicated that it would both help to stimulate the nation's economy and shore up the safety net for low-income families; and

WHEREAS, this proposal would provide nearly \$1.6 billion in fiscal relief to New York State, including \$480 million in relief to county government; and

WHEREAS, this FMAP increase would reduce the local Medicaid burden and provide immediate property tax relief to the residents of New York State; now, therefore, be it

RESOLVED, that the New York State Association of Counties (NYSAC) calls upon the New York Congressional Delegation to support an increase in the federal medical assistance percentage (FMAP) to provide New York's local taxpayers with relief from the crushing financial burden of the Medicaid program; and be it further

RESOLVED, that the New York State Association of Counties shall forward copies of this Resolution to the New York State Congressional Delegation, Governor Paterson and all others deemed necessary and proper.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 572-08 Action 9/23/08 MH FillSWA-09-08  
AUTHORIZE THE FILLING OF A FULL-TIME SOCIAL WORK ASSISTANT (MH) 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 Social Work Assistant (MH) position in the Community Mental Health Center of Cayuga County as the result of a resignation; and

WHEREAS, this position is necessary to the continued operations of the department; and

WHEREAS, the position is reflected in the 2008 County Budget as a 100% funded position, 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 Social Work Assistant (MH) 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, Tortorici, McIntosh, Mitchell, Axton, Lockwood, Palermo.

Approved by voice vote, all in favor.

**RESOLUTION NO. 573-08 (September 23, 2008) HD WIC Contract 2008  
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Renew WIC  
Contract with the NYS Department of Health**

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

Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, the NYS Department of Health administers the 100% federally funded WIC program for the State of New York; and

WHEREAS, funding has been made available for the Cayuga County Health Department in an amount up to \$431,108 to continue to run the WIC program for the period October 1, 2008 through September 30, 2009; and

WHEREAS, this funding has already been budgeted in the Health Department's 2008 budget in accounts #4011.1, #4011.8, and #4011.4; now, therefore be it

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to renew the contract with the NYS Department of Health in an amount up to \$431,108 to continue the 100% federally funded WIC program and to accept any additional COLA adjustments relative to this Program.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 574-08 (September 23, 2008) HD Fill PT LPN CHHA2**

**Authorizing the Director of Health & Human Services to Fill One Part-Time LPN Vacancy at CHHA**

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

Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, there is one Part-Time LPN vacancy at the Home Care Agency due to resignation effective August 30, 2008; and

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

WHEREAS, sufficient funding exists in the Health Department's 2008 Budget to support this position; NOW,

THEREFORE, BE IT

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

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 575-08 (September 23, 2008) HD Fill PT HHA CHHA2**

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

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

Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, there is a Part-Time Home Health Aide vacancy at the CHHA due to a resignation effective August 29, 2008; and

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

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

THEREFORE, BE IT

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

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 576-08 (September 23, 2008) HD Trapani Contract**

**Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into a Service Contract with Robert Trapani, OT to Provide Occupational Therapy Services for the CHHA**

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

Francis Mitchell, Chairman of the Ways & Means Committee

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

WHEREAS, the Department at this time relies solely on independent contracts for their services; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter

into a contract with Robert Trapani to provide the needed services for the period of August 26, 2008 through August 31, 2009 at the following rates:

Occupational Therapy:

\$65.79 per Visit

\$15.00 Orientation/Inservice

and be it further

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

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 577-08 (September 23, 2008) HD Create/Fill PT Home Care Asst  
Authorizing the Cayuga County Legislature to Create One Part-Time Home Care Assistant Position, Abolish  
One PT LPN Position, and Authorize the Director of Health & Human Services to Fill the Newly Created Home  
Care Assistant Position**

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

WHEREAS, in an effort to have more flexibility with assignments of Home Health Aides and LPN's at the Health Department's Home Care Agency and better meet the needs of the Agency, the Department requests to create one part-time hybrid position which include the combine duties of a PT LPN and a PT Home Health Aide and title it PT Home Care Assistant; and

WHEREAS, the Cayuga County Civil Service Commission has reviewed the New Position Duties Statement submitted for this part-time position and has classified it as a PT Home Care Assistant with the jurisdictional class allocation being Non-Competitive; NOW, THEREFORE, BE IT

RESOLVED, that the Cayuga County Legislature create a Part-Time Home Care Assistant Position at the CHHA and place it in the Cayuga County Compensation Plan, Part II, for Non-Bargaining, grade 3, at a rate of \$14.98 (probation) and \$15.13 (1<sup>st</sup> Step); and be it further

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

RESOLVED, that upon creation of the Part-Time Home Care Assistant position that one Part-Time LPN position be abolished.

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

**RESOLUTION NO. 578-08 (September 23, 2008) HS Chapel House  
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter Into a  
Contract With Chapel House (Temporary Homeless Shelter)**

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

WHEREAS, Chapel House has opened a facility that will offer temporary shelter to those in need; and  
WHEREAS, this shelter has provided service to those income eligible individuals in need of shelter; and  
WHEREAS, in accordance with Social Services Regulations, local DSS is required to provide temporary shelter for eligible homeless families and individuals who are financially eligible and have no housing resources available to them; and

WHEREAS, the costs incurred by the local district are reimbursed at a minimum of 50% depending on the type of case;  
NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services enter into a contract with Chapel House for the period April 1, 2008 through December 31, 2009 at a rate of \$20/day, per person; and be it further

RESOLVED, that these expenditures will be paid out of account #6140 of the Human Services Budget.

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

**RESOLUTION NO. 579-08 September 23,2008 NHrprdrvwyrev  
AUTHORIZING THE ADMINISTRATOR OF THE NURSING HOME TO TRANSFER FUNDS TO THE  
CAYUGA COUNTY HIGHWAY DEPARTMENT FOR REPAIR OF THE DRIVEWAY AND ADDITION OF  
THE PARKING SPACES AT THE CAYUGA COUNTY NURSING HOME.**

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

Whereas, the Cayuga County Nursing Home requires repair the driveway and 6 (six) additional parking spaces at the Nursing Home, and

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

Whereas, the Cayuga County Highway Department has estimated that the repairs and new spaces can be completed for no more than \$27,000; now therefore be it

Resolved, that the Administrator of the Cayuga County Nursing Home is authorized to arrange for repairs and new spaces with the Highway Department for no more than \$27,000 (Twenty-seven thousand dollars).

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

**RESOLUTION NO. 580-08**

**Date of Meeting: 9/23/08 nhotbrickner**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ENTER INTO AN AGREEMENT WITH JOAN BRICKNER TO PROVIDE OCCUPATIONAL THERAPY SERVICE TO CAYUGA COUNTY NURSING HOME RESIDENTS.**

BY: Francis Mitchell, Chairman, Ways and Means Committee

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

WHEREAS, Joan M. Brickner has the required experience and wishes to provide occupational therapy service to Cayuga County Nursing Home; and

WHEREAS, Cayuga County Nursing Home has been unable to recruit other occupational therapists and is required by New York State Health Department regulation to provide occupational therapy service; and

WHEREAS, Joan Brickner will be paid for her services to Cayuga County Nursing Home residents at a rate of \$ 60/hour; now therefore be it

RESOLVED that the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home be authorized to sign an agreement with Joan M. Brickner to provide occupational therapy service at Cayuga County Nursing Home effective September 24, 2008 for one year at a rate of \$ 60/hour.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 581-08**

**Date of Meeting: 9/23/08 nhptraymond**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ENTER INTO AN AGREEMENT WITH MELANIE RAYMOND TO PROVIDE PHYSICAL THERAPY SERVICE TO CAYUGA COUNTY NURSING HOME RESIDENTS.**

BY: Francis Mitchell, Chairman, Ways and Means Committee

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

WHEREAS, Melanie J Raymond has the required experience and wishes to provide physical therapy service to Cayuga County Nursing Home; and

WHEREAS, Cayuga County Nursing Home has been unable to recruit other physical therapists and is required by New York State Health Department regulation to provide physical therapy service; and

WHEREAS, Melanie J Raymond will be paid for her services to Cayuga County Nursing Home residents at a rate of \$ 65/hour; now therefore be it

RESOLVED that the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home be authorized to sign an agreement with Melanie J. Raymond to provide physical therapy service at Cayuga County Nursing Home effective September 24, 2008 for one year at a rate of \$ 65/hour.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 582-08**

**Date of Meeting: 9/23/08**

**nhchngordrfiresystemrev**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ACCEPT A CHANGE TO THE PROPOSAL FOR REPLACEMENT OF THE FIRE SYSTEM.**

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

BY: Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, Resolution No. 54-07 authorized the issuance of an RFP to obtain proposals for replacement of the fire control system at the Cayuga County Nursing Home; and

WHEREAS, Resolution No. 386-08 awarded the proposal to Binder Electric Corporation; and,

WHEREAS, specifications of the drawings were not accurate and that the confirming codes enforcement officer is requiring additional smoke and heat detectors; and,

WHEREAS, Binder Electric Corporation has submitted an updated proposal that contains all of the above stipulations for an additional cost of \$ 30, 610; and

WHEREAS, Binder Electric Corporation has offered to discount that price by \$8,000 if our Buildings and Grounds Department takes care of the finishing work; and

WHEREAS, nursing Home Buildings Department is able to complete the finish work; and

WHEREAS, Binder Electric Corporation will accept a 2% prompt payment discount that will save an additional \$2475.20; and

WHEREAS, the proposal has been approved by the engineering firm Erdman Anthony Associates; now therefore be it, RESOLVED, that the proposal be changed to include the above costs for an amount not to exceed \$20,134.80 (Twenty thousand one hundred thirty-four dollars and eighty cents); and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature and the Administrator of the Nursing Home are hereby authorized and directed to sign any and all documents required to implement this resolution.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 583-08 9-23-08 COLstudentgovtsunset08**

**Authorizing the County Treasurer to Pay the Sunset Restaurant for Student Government Day Lunches.**

**By: Christopher Palermo, Chairperson Government Operations**

WHEREAS, The Cayuga County Legislature will hold the annual Student Government Day on Tuesday October 28, 2008; and

WHEREAS, selected students attending Cayuga County High Schools will attend and observe the County Legislature and County Departments in operation; and

WHEREAS, funds have been appropriated in the adopted 2008 County Budget to pay for the lunches of the students and the School Chaperones attending Student Government Day; and

WHEREAS, the Sunset Restaurant requires payment at the conclusion of the luncheon on Student Government Day; and

WHEREAS, the members of the Legislature, Department Heads and other members of the public attending the Student Government Day Luncheon will pay for their own luncheon and said funds collected will be deposited in the Cayuga County Treasurer's Office; now therefore be it

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to pay the Sunset Restaurant for the Student Government Day Luncheon upon submission of an invoice certified by the Clerk of the Legislature and the Chairman of the Legislature out of account A1010.400.071; and be it further

RESOLVED, That the County Treasurer make all necessary journal and accounting entries to accomplish same.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 584-08 September 23, 2008 colworkplacebidrev**

**AUTHORIZATION FOR THE REJECTION OF THE RFP, THE NEW YORK STATE WORKPLACE VIOLENCE PREVENTION ACT.**

BY: Christopher Palermo, Chair, Government Operations

Francis Mitchell, Chair, Ways & Means

Whereas, Resolution No. 208-08 authorized the Purchasing Agent and the clerk of the Legislature to send out a Request for Proposal for services in connection with the Workplace Violence Prevention Act, and

Whereas, the following response was received:

1.) Practical Consultants LLC responded with the following options:

Option #1 \$ 9,800.00

Option #2 \$14,000.00

Option #3 \$ 6,500.00

Option #4 \$27,270.00

Now, therefore, it is

Resolved, that the Chairman of the Legislature be authorized and directed to reject this contract with Practical Consultants, LLC.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 585-08**

**Action Date 9/23/08**

**VETDriverPT2008-rev**

**Create TWO Part Time Driver positions within the Veteran's Office and transfer funds to accomplish the same.**

BY: Christopher Palermo, Government Operations Committee

Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, the Cayuga County Veteran's Office has used independent contractors to drive Veterans to medical appointments; and

WHEREAS, the Veteran's Service Agency has discovered that this service should be within the county payroll system to be in compliance with internal revenue service statutes and labor law; and

WHEREAS, the positions and the service is needed to allow our veterans to have access to the medical care that they need; and

WHEREAS, there are not enough contractual funds left in the professional line item to transfer the amount needed to pay the Drivers for the remaining three months of 2008; now therefore be it

RESOLVED, that two positions of Driver, part-time be created in the Veteran's Service Agency and added to the Cayuga County Compensation Plan, Part II for non-bargaining employees at a rate of \$10.00 per hour; and, be it further

RESOLVED, that the Director of the Veteran's Service Agency be hereby authorized to fill these two positions in accordance with the 2008 Compensation Plan (Part II) and in a manner consistent with Civil Service Rules and Regulations and the policies of the County of Cayuga; and be it further

RESOLVED, that the County Treasurer be authorized to transfer the amount of \$2,900 from Account No.

A6510.400.059 and the sum of \$2,903 from Contingent Fund Account No. A1990 and transfer the amount of \$5,390

into Veteran's Salary Account No. A6510.100 the amount of \$413. into Veteran's Fringe Benefits Account No.

A6510.800.001 for the

remainder of 2008; and, be it further

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

in the Veteran's Service Agency Budget for the year of 2008.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 586-08**

**9-23-08**

**RECRETGRANT.08**

**AUTHORIZING ACCEPTANCE OF GRANT FUNDS AND AMENDING THE 2008 COUNTY BUDGET**

BY: Christopher Palermo, Chairman, Government Operations Committee, and

Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, the Coordinator of Records Retention has been notified of the awarding of a 2008-2009 State Grant for Records Retention Storage Shelving, now, therefore, be it

RESOLVED, that the aforesaid Grant be accepted, and be it further

RESOLVED, that the County Treasure is hereby directed to establish a revenue line, 3061.000.000 State Aid Records

Grant in which the grant funds of \$8578.00 shall be deposited, and be it further

RESOLVED, that \$8578.00 be added to the Cayuga County 2008 budget line #1413.200.000 Shelving, and be it further

RESOLVED, that the County Treasurer be directed to make the necessary journal and accounting entries to carry out the

intent of this resolution, and be it further

RESOLVED, that the Chairman of the Legislature is hereby authorized and directed to sign necessary documents and

reports required to accomplish the aforesaid Grant.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 587-08**

**AUTHORIZES CAYUGA COUNTY CLERK TO OBTAIN TWO COMPUTER WORK STATIONS**

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

MR. FRANCIS MITCHELL, Chairperson, Ways and Means Committee

WHEREAS, there is a new Supervisor in the Department of Motor Vehicles and a new Senior Clerk position in the Cayuga County Recording Office; and

WHEREAS, these two staff people require a workstation at their desk to perform their day to day duties; and

WHEREAS, there is funding for workstations included in the 2008 Information Technology budget; therefore be it RESOLVED, that the Information Technology Department is authorized to purchase workstations and related software on New York State contract in the amount of \$950 each (\$1900. total) 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, Chapman, Mitchell, Fearon, Petrus, Murphy, Sincebaugh, Axton, Lockwood, Schuster, Tortorici.

Approved by voice vote, all in favor.

**RESOLUTION NO. 588-08**

**SEPTEMBER30, 2008 BOECARPETRESOrev**

**A Resolution to Purchase Carpet for the Board of Elections**

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

Mr. Mitchell, Chair, Ways & Means Committee

WHEREAS, the Board of Elections wishes to utilize the basement of its office at

10 Court Street for election inspector training, demonstrations, and other election-related activities; and,

WHEREAS, the floor is bare and carpeting would eliminate noise in the room and make for a more comfortable working environment; such carpeting can be installed by Maintenance staff; and,

WHEREAS, sufficient funds exist within the Board of Elections Contracts (Digitization) account 1450.100.073-A; now therefore, be it

RESOLVED, that the sum of \$1,700 be transferred from Board of Elections' Contracts (Digitization) account 1450.100.073-A to 1450.200 (Equipment), and said sum shall be expended for this purpose.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 589-08 Sept 23, 2008**

**PB\_AmendWQMABudgetrev2**

**AUTHORIZING THE TREASURER TO AMEND THE 2008 BUDGET ON BEHALF OF THE PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT TO RECEIVE THE GRANT FUNDS FROM THE FINGER LAKES/LAKE ONTARIO WATERSHED PROTECTION ALLIANCE, SFY 2007 – 2008 SPECIAL PROJECTS FUND AS AUTHORIZED BY COUNTY RESOLUTION 409-08**

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

Mr. Francis Mitchell, Chair, Ways and Means Committee

WHEREAS, as authorized by County Resolution #409-08, a contract has been signed with the Finger Lakes Association to access grant funds in the amount of \$15,000 for the "Feasibility Study and Preliminary Cost Benefit Analysis for the Owasco Inlet Channel and Owasco Flats Wetland Restoration"; and

WHEREAS, this project requires an in-kind match of \$6,345 in staff time and labor, for a total project budget of \$21,345, and

WHEREAS, Cayuga County has been awarded the funding and a budget amendment must be made to the departmental budget to accept and expend the grant funds; NOW, therefore, be it

RESOLVED, that the Cayuga County Treasurer is hereby authorized to amend the Planning and Economic Development Department's budget so as to add \$15,000.00 to the Department's 3994.000.000 – A- State-Aid-FL\_LOWPA Grant Revenue account, and the WQMA 2008 budget is hereby amended so as to add \$15,000.00 to the agency's 8740.410.00-A FL\_LOWPA Grant expenses account, with no net change in the Planning Department budget to accommodate this project; and, be it further

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

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

RESOLVED, that this resolution take effect immediately.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 590-08 September, 23, 2008**

**PB-NutriBar\_HUD\_Grant\_Auth**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO EXECUTE GRANT FUNDING CONTRACTS BETWEEN CAYUGA COUNTY AND NYS HOUSING TRUST FUNDS CORPORATION, OFFICE OF COMMUNITY RENEWAL, FOR ECONOMIC DEVELOPMENT FUNDS SECURED IN SUPPORT OF NUTRITIONAL BAR CONFECTIONERS, LLC. ECONOMIC DEVELOPMENT PROJECT IN THE TOWN OF IRA AND AUTHORIZING THE PLANNING DEPARTMENT TO ADMINISTER SUCH FUNDS**

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

Mr. Francis Mitchell, Chair, Ways and Means Committee

WHEREAS, Nutrition Bar Confectioners, LLC., a small manufacturing business located in the Town of Ira, has prepared a business plan that projects the employment of fifty (50) full time employees over a five-year time frame and identifies various equipment needed at the facility to implement the business plan, at a cost to the business entity of approximately \$375,000.00 (the "Project"); and

WHEREAS, the Cayuga County Department of Planning & Economic Development has worked with Nutrition Bar Confectioners LLC on a preliminary loan application to the New York State Governor's Office of Small Cities for \$375,000.00 in economic development grant funds for the proposed project that requires a municipal application to the state, followed by administration of the grant award and monitoring of the funds and the job creation requirements associated with the grant award; and

WHEREAS, Cayuga County is eligible to receive grant funds for economic development projects under the U.S. Department of Housing and Urban Development's Community Development Small Cities Block Grant program administered by the NYS Office of Small Cities through itself or on behalf of County municipalities such as the Town of Ira where the Project is located; and

WHEREAS, the Cayuga County Department of Planning & Economic Development has the staff and the administrative capacity to apply for, administer and monitor this grant award on behalf of the Town of Ira and has offered to act as the Town of Ira's agent with regard to applying for the grant, administering the funds and monitoring compliance with all statutory requirements associated with the grant at no cost or obligation to the Town of Ira; and

WHEREAS, the Town Board of Ira has unanimously approved a Resolution authorizing Cayuga County and the County Department of Planning & Economic Development to act as its agent in securing, distributing and administering Small Cities funds for this project and has conducted the required Public Hearings with regard to the proposed economic development projects; and

WHEREAS, the Department of Planning & Economic Development has been notified by the NYS Office of Small Cities that \$375,000.00 in Small Cities Community Development Block Grant (CDBG) funding has been secured for the Project; and

WHEREAS, the CDBG program includes among its objectives creating and retaining jobs available to low- and moderate income persons, and the County of Cayuga supports this objective, now, therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby directed and authorized to sign such documents as may be necessary to obtain and disperse these funds and the Cayuga County Planning & Economic Development Department is hereby authorized to administer same; and be it further

RESOLVED, that the Treasurer make the journal and accounting entries necessary to carry out the project.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 591-08 (8-26-08) P&T Multi Day Park Fees 8 08**

**ADJUSTMENT OF FEE FOR MULTIPLE DAY RENTALS OF EMERSON PARK FACILITIES**

By: David R. Axton, Chair, Public Works

Francis Mitchell, Chair, Ways & Means Committee

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

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

Whereas, the Parks Commission has agreed that there should be a reduced charge for renting these facilities on multiple days (3-days or more) in the same calendar year; and

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

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

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

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

Approved by voice vote, all in favor.



**RESOLUTION NO. 595-08 Action Date 9/23/08 PSAPptESDfill-rev**  
**AUTHORIZATION TO FILL A VACANT PART – TIME EMERGENCY SERVICES DISPATCHER POSITION**

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

WHEREAS, the Cayuga County 911 Center currently has one vacant Emergency Services Dispatcher; Part Time (sub); and

WHEREAS, it is necessary to select a candidate and fill the Part-Time Emergency Services Dispatcher position for continuity of services; now therefore be it

RESOLVED, that the position (#001873) be re-titled to Emergency Services Dispatcher, PT and that the 911 Administrator be hereby authorized to fill the vacant Emergency Services Dispatcher PT position from the existing Civil Service list; and be

it further

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

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

**Amendment made by Frances Mitchell to amend the third Whereas clause by replacing four with three new vehicles. All voted in favor of the amendment.**

**RESOLUTION NO. 596-08 9/23/08 SHR-Retain Patrol Cars.rev2**

**AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO RETAIN THREE (3) MARKED PATROL VEHICLES THAT WERE TO BE TURNED IN FOR AUCTION PURSUANT TO RESOLUTION NO. 228-08.**

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

WHEREAS, Resolution No. 228-08 resolved that six vehicles utilized by the Cayuga County Sheriff's Office be turned in for auction, including a 2002 Ford Crown Victorian, VIN 2FAFP71W12X128713; a 2003 Ford Crown Victorian, VIN 2FAHP71W33X201945; and a 2003 Ford Crown Victorian, VIN 2FAHP71W33X201946; and WHEREAS, the Cayuga County Sheriff's Office has continued need for the three aforementioned vehicles, for the SRO's; and

WHEREAS, it is economically favorable for the Sheriff's Office to retain these three of the six used vehicles as it limits the Sheriff's 2009 request to only *three* new vehicles which will be a savings of \$40,000.00 to \$60,000.00; and

WHEREAS, auctioning these vehicles does not generate a significant income as historically they sell for less than \$500.00, and

WHEREAS, to continue insuring these three vehicles would be at a cost of no more than \$900.00 annually; now therefore be it

RESOLVED, that the following vehicles scheduled to be turned in for auction shall be retained by the Cayuga County Sheriff's Office for continued use by the SROs": (1) 2002 Ford Crown Victorian, VIN 2FAFP71W12X128713; (2) 2003 Ford Crown Victorian, VIN 2FAHP71W33X201945; and (3) 2003 Ford Crown Victorian, VIN 2FAHP71W33X201946; and be it further

RESOLVED, that upon termination of the SRO contract, the vehicle will be returned to the Clerk of the Legislature as required by Resolution No. 228-08, resolution No. 173-05 and Resolution No. 364-98, as amended.

Signed by Lockwood, Chapman, Cuddeback, Mahunik, Murphy, McIntosh, Axton, Schuster, Tortorici.

Approved by voice vote, all in favor.

**RESOLUTION NO. 597-08                    9/23/08                    SHR-Transfer Monies (Law Library)**  
**AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO TRANSFER MONIES FROM THE SHERIFF'S 2008 CUSTODY CONSTRUCTION/RENOVATION BUDGET LINE (3150.400.178) TO THE SHERIFF'S 2008 CUSTODY LAW BOOKS BUDGET LINE (3150.400.122).**

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

WHEREAS, there is an insufficient amount of money in the Sheriff's 2008 Custody Law Books Budget Line (3150.400.122) to cover the cost of books mandated by New York State to be maintained in the jail's law library; and WHEREAS, there is enough money in the Sheriff's 2008 Custody Construction/Renovation Budget Line (3150.400.178) to compensate the shortfall in the Sheriff's 2008 Custody Law Books Budget Line (3150.400.122); now therefore be it

RESOLVED, that the Cayuga County Treasurer be authorized to transfer \$3,000.00 from the Sheriff's 2008 Custody Construction/Renovation Budget Line (3150.400.178) to the Sheriff's 2008 Custody Law Books Budget Line (3150.400.122); and further be it

RESOLVED that the Cayuga County Treasurer make the necessary accounting and journal entries to accomplish the intent of this Resolution.

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

Approved by voice vote, all in favor.

**Close Public Hearing at 7:35PM, all in favor.**

**RESOLUTION NO. 598-08                    9/23/08                    SHR-Transfer Monies (Salaries/OT)**  
**AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO TRANSFER MONIES FROM THE SHERIFF'S 2008 CUSTODY JAIL EQUIPMENT BUDGET LINE (3150.200.000) TO THE SHERIFF'S 2008 LAW ENFORCEMENT SALARIES/OVERTIME BUDGET LINE (3110.100.000).**

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

WHEREAS, there is an insufficient amount of money in the Sheriff's 2008 Law Enforcement Salaries/Overtime Budget Line (3110.100.000) to cover the cost of overtime accumulated by the Road Deputies employed by the Cayuga County Sheriff's Department; and

WHEREAS, there is a surplus amount of money in the Sheriff's 2008 Custody Jail Equipment Budget Line (3150.200.000) to compensate the shortage in the Sheriff's 2008 Law Enforcement Salaries/Overtime Budget Line (3110.100.000); now therefore be it

RESOLVED, that the Cayuga County Treasurer be authorized to transfer \$15,000.00 from the Sheriff's 2008 Custody Jail Equipment Budget Line (3150.200.000) to the Sheriff's 2008 Law Enforcement Salaries/Overtime Budget Line (3110.100.000); and further be it

RESOLVED that the Cayuga County Treasurer make the necessary accounting and journal entries to accomplish the intent of this Resolution.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 599-08                    9/23/08                    SHR-Pur. 24/7 Chairs**  
**AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO PURCHASE 24/7 CHAIRS FOR USE BY THE CORRECTION OFFICERS AT THE COUNTY PUBLIC SAFETY BUILDING.**

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

WHEREAS, all of the 24/7 chairs presently utilized by the Correction Officers at the County Public Safety Building are in need of replacing as their condition is dilapidating, they are unsafe and are not ergonomically correct; and WHEREAS, there is money in the Sheriff's 2008 Custody Jail Equipment Budget Line (3150.200.000) to purchase new 24/7 chairs; now therefore be it

RESOLVED, that the Cayuga County Sheriff is authorized to purchase new 24/7 chairs not to exceed \$10,000.00; and further be it

RESOLVED, that the purchase will be made in accordance with the existing purchasing policies of Cayuga County.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 600-08**

**9/23/08**

**SHR-Bulletproof Vestsrev**

**AUTHORIZING THE CAYUGA COUNTY SHERIFF TO PURCHASE BODY ARMOR/BALLISTIC VESTS FOR USE BY THE ROAD PATROL AND LAW ENFORCEMENT OFFICERS OF THE CAYUGA COUNTY SHERIFF'S OFFICE AND ACCEPT GRANT.**

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

WHEREAS, body armor/ballistic vests utilized to maintain an officer's safety during the line of duty have a useful life span of approximately five years and the body armor/ballistic vests presently owned and worn by the deputies and law enforcement officers of the Sheriff's Office are outdated, unsafe and showing signs of deterioration; and

WHEREAS, body armor/ballistic vests have been proven to be an absolute necessity of having effective protection to help ensure the safety of the officers wearing these vests; and

WHEREAS, the purchase price of the 24 body armor/ballistic vests will be \$15,600.00 and the Cayuga County Sheriff's Office has been awarded grant money through the Bulletproof Vest Partnership, an agency that provides reimbursement to law enforcement agencies for approximately 50% of the cost of purchasing such body armor/ballistic vests upon the submission of receipts, bringing the total cost of the vests to the county of approximately \$7800.00; and

WHEREAS, the source of funding would be a transfer from the Cayuga County Contingency Fund Account No. A-1990; now therefore be it

RESOLVED, that the Sheriff of Cayuga County and the Chairman of the Cayuga County Legislature are hereby authorized and directed to purchase twenty-four new PACA Body Armor Concealable Vests; and further be it

RESOLVED, that the sum of \$15,600.00 be transferred from the Cayuga County Contingency Fund, Account No. A-1990 and disbursed to the 2008 Sheriff's Law Enforcement Budget Line 3110.400.062 for purchase of said vests and when reimbursed by the Bulletproof Vest Partnership approximately \$7,800.00, that these funds will be put back into the Contingency Fund; and further be it

RESOLVED, that the Cayuga County Sheriff is authorized to purchase twenty-four new PACA Body Armor Concealable Vests; and further be it

RESOLVED, the Cayuga County sheriff and the Chairman of the Cayuga County Legislature are hereby authorized and directed to sign any and all documents associated with the grant application and its acceptance; and be it further and

RESOLVED, that the purchase will be made in accordance with the existing purchasing policies of Cayuga County and that the Cayuga County Treasurer is hereby authorized and directed to make the necessary journal entries to accomplish the foregoing.

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

**RESOLUTION NO. 601-08**

**9/23/08**

**SHR-CORRECT 2008 SALARIESrev**

**AUTHORIZING THE TREASURER'S DEPARTMENT TO TRANSFER MONIES FROM THE PROVISION FOR SALARY ADJUSTMENT ACCOUNT TO THE 2008 SHERIFF'S BUDGET DUE TO THE RATIFICATION OF THE DEPUTY SHERIFF'S POLICE ASSOCIATION CONTRACT.**

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

WHEREAS, the contract between Cayuga County and the Deputy Sheriff's Police Association was ratified in January 2008 and retro payments were made to the union employees in February 2008; and

WHEREAS, this Agreement has resulted in payment of back wages, including overtime of \$148,336 for 2007 and an increase in the base salaries of \$165,547 for 2008, as well as an overtime adjustment for 2008 of \$850 for wages paid to date; now therefore be it

RESOLVED, that Cayuga County transfer \$314,733 from the Provision for Salary Adjustment Account Line No.

1991.000.000-A to the 2008 Sheriff's Law Enforcement Operating Budget Line No. 3110.100.000A; and be it further

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

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

**RESOLUTION NO. 602-08 Action Date 9/23/08 EMOcreatefillFireInvest08rev4**  
**AUTHORIZATION TO CREATE AND FILL SIX POSITIONS OF FIRE INVESTIGATOR, PT and**  
**TRANSFER FUNDS FROM CONTINGENT ACCOUNT FOR SAME.**

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

WHEREAS, the Cayuga County Emergency Management Office has oversight of the fire investigation team members;  
and

WHEREAS, the team members are currently not compensated for the extended hours that are worked to provide this service for the county; and

WHEREAS, the Judicial and Public Safety Committee has recommended that the Fire Investigation Team Members be compensated; now, therefore be it

RESOLVED, that six positions of Fire Investigator PT be hereby created retro-active from January 1, 2008; and be it further

RESOLVED, that the Cayuga County Compensation Plan, Part II, for non-bargaining employees be hereby amended to include the title of Fire Investigator PT under Fire Control at the following rates of pay:

Certification as Fire Investigator I:	\$750.00 per year
Certification as Fire Investigator II:	\$1,250.00 per year
International Certification as a Fire Investigator:	\$1,250.00 per year;

And be it further

RESOLVED, that the Director of Emergency Services be hereby authorized to fill the six part-time positions of Fire Investigator in accordance to the Cayuga County Civil Service Rules and Regulations and the Policies of the County of Cayuga; and be it further

RESOLVED, that the part-time positions shall receive no fringe benefits except those that are statutorily required; and be it further

RESOLVED, that the County Treasurer be hereby authorized and directed to make the appropriate journal and accounting entries to carry out the intent of this resolution by transferring funds from contingent account A1990 in the amount of \$6997.25 to Emergency Management Account A3640.100 in the amount of \$6,500 and to A3640.800.001 in the amount of \$497.25.

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

Approved by voice vote, all in favor.

**(TABLED)**

**RESOLUTION NO. 602A-08 9/23/08 Coroner-Create/fill Investigator**  
**AUTHORIZATION TO CREATE AND FILL THE FOURTH POSITION OF CORONER INVESTIGATOR,**  
**PART TIME WITHIN THE COUNTY CORONER/MEDICAL EXAMINER'S OFFICE**

BY: Mr. Raymond Lockwood, Chairperson, Judicial and Public Safety Committee Mr. Francis Mitchell, and Chairman of Ways and Means Committee

WHEREAS, the Coroner's Office budgeted for a fourth part-time Coroner Investigator position in the 2008 budget which was approved in the budget process and

WHEREAS, due to the difficulty of scheduling on call coverage for 24/7/365 days requirement of the department and the fourth position of Investigator part time, must be filled and

WHEREAS, the current Coroner and part time Coroner's Investigators have full time employment and do not have the flexibility within their employment as was allowed before by their employers; and

WHEREAS, these positions are difficult to fill due to the commitment of the position, therefore, be it

RESOLVED, that the part-time position of Coroner Investigator #4 be created and filled within the Coroner/Medical Examiner's Office, with a salary not to exceed \$5085 with no fringe benefits except those mandated by law; and be it further

RESOLVED, that the position be placed in the Cayuga County Compensation Plan, Part II for non-bargaining employees at the appropriate rate within the Coroner's Office and be it further.

RESOLVED, the position be filled in accordance with Civil Service and Rules and Regulations.

Motion by Petrus to table, all in favor except Fearon and Mitchell voting no.

**RESOLUTION NO. 603-08 Action Date 9/23/08**

**EMOpurchaserescuevehiclerev1**

**AUTHORIZATION TO PURCHASE 1991 INTERNATIONAL RESCUE VEHICLE TRANSFER FUNDS FROM CONTINGENT ACCOUNT FOR SAME.**

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

Mr. Francis Mitchell, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County Emergency Management Office has oversight of the Fire Investigation team members; and

WHEREAS, the current Cayuga County Fire Investigation vehicle is in need of desperate replacement due to mechanical failures; and

WHEREAS; the Judicial and Public Safety Committee has recommended that the Director of Emergency Services attempt to locate a good quality used vehicle; and

WHEREAS; the Director of Emergency Services has located a rescue vehicle that is being replaced at the Cato Fire Department and the vehicle is for sale; and

WHEREAS; the Cato Fire Department is selling the 1991 International Rescue Vehicle for the total sale amount of \$15,000; and

WHEREAS, the Judicial and Public Safety Committee has recommended that the Director of Emergency services be authorized to purchase the 1991 Rescue Vehicle from the Cato Fire Department for the amount not to exceed \$15,000 out of contingent account A1990 in the amount of \$15,000; now, therefore be it

RESOLVED, that the Director of Emergency Services be authorized to purchase from the Cato Fire Department one 1991 International Rescue Vehicle; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is here by authorized to sign any and all documents required to effect the transfer of the vehicle; and be it further

RESOLVED, that the sum of \$15,000 be transferred from contingent account No. A1990, to account No. 3640.200.000, Equipment; and be it further

RESOLVED, that the County Treasurer by hereby authorized and directed to make the appropriate journal and accounting entries to carry out the intent of this resolution; and be it further

RESOLVED, that the 1979 fire investigation vehicle be surrendered to the Clerk of the Legislature for the eventual disposal

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 604-08 (9/23/08) COA-LLtoEnhPrivacy&IncFeesCoClk'sOff-ADP)**

**TO ADOPT LOCAL LAW NO. 3 FOR THE YEAR 2008 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, Local Law No. 3 for the year 2008 was presented to the Cayuga County Legislature on the 5th day of August, 2008; and

WHEREAS, pursuant to law and after proper notice having been given, the County Legislature held a public hearing on said Local Law No. 3 for 2008 on September 23, 2008 at 6:30 P.M.; now, therefore be it

ENACTED, that the Cayuga County Legislature does hereby adopt Local Law No. 3 for 2008 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.

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

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

Approved by voice vote, all in favor.

STATE OF NEW YORK  
COUNTY OF CAYUGA

LOCAL LAW NO. 3 FOR THE YEAR 2008

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.

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

**Section 1. Purpose.** The reason for this Local Law is to provide enhanced personal privacy protection for recorded documents.

**Section 2. Intent.** In accordance with subparagraph (2) of paragraph 4 of subdivision (a) of section 8021 of the Civil Practice Law and Rules, as amended by Chapter 78 of the Laws of 1989, the Cayuga County Legislature intends to authorize the Cayuga County Clerk to increase the fees charged for certain documents recorded with the County Clerk's office.

**Section 3. Fees for Recording Documents.** For recording, entering, indexing and endorsing a certificate on any instrument, the fee is increased from five dollars to twenty dollars and, in addition thereto, is increased from three dollars to five dollars for each page or portion of a page. For the purpose of determining the appropriate recording fee, the fee for any cover page shall be deemed an additional page of the instrument. A cover page shall not include any social security account number or date of birth. To the extent that the Cayuga County Clerk has placed an image of such cover page on line, the County Clerk shall make a good faith effort to redact such information.

**Section 4. Severability.** If any section, subsection, sentence, clause, phrase or other portion of this Local Law is for any reason declared unconstitutional, or invalid or in whole or in part by any court of competent jurisdiction, such portion shall be deemed severable and such unconstitutionality or invalidation shall not affect the validity of the remaining portions of this law which remaining portions shall remain in full force and effect.

**Section 5. Effective Date.** This Local Law shall take effect thirty days after filing in the office of the Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.

Motion by Chapman to go into executive session at 7:43PM re: Personnel Issue, all in favor.

Motion by Lockwood to come out of executive session at 8:08PM, all in favor.

Reminder by Palermo that Government Operations Committee will meet Tuesday, October 7<sup>th</sup> at 7:00PM.

Motion by Chapman to adjourn at 8:10PM, all in favor.

Minutes approved 11-25-08, Motion by Chapman, 2<sup>nd</sup> Sincebaugh, all in favor