

**MINUTES
CAYUGA COUNTY LEGISLATURE
OCTOBER 28, 2008, 10:00 AM
STUDENT GOVERNMENT DAY**

WELCOME:

CALL TO ORDER: Hon. Roger Mills, Chairman, At 10:00AM

ROLL CALL: Mary Jones, Clerk of the Legislature, All Legislator's present, except McIntosh excused.

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

STUDENTS ASSIGNED TO LEGISLATORS:

<u>Legislator</u>	<u>Student</u>	<u>School</u>
Roger Mills Chair, District 6	Liz Mahoney	Auburn High School, New Vision Program
Christopher Palermo, District 1	Paul Jones	Cato Meridian High School
Michael Chapman, District 2	Vince Giannone	Auburn High School
David Axton, District 3	Carlos Lozada	Port Byron High School
Ann Petrus, District 4	Samanta Tanner	Port Byron High School
Raymond Lockwood, District 5	Michael Miller	Southern Cayuga High School
George Fearon, District 7	Jaime Jones	Union Springs, New Visions Program
Frances Mitchell, District 8	Natalie McNabb	Southern Cayuga, New Visions Program
Steven Cuddeback, District 9	Jessica Ryerson	Moravia High School
Peter Tortorici, District 10	Abby Valentino	Auburn High School
Linda Murphy, District 11	J'nelle Oxford	Skaneateles High School
Patrick Mahunik, District 12	Tom Ryan	Auburn High School
Daniel Schuster, District 13	Kate Dellonte	Auburn High School, New Visions Program
Daniel Sincebaugh, District 14	Erin Meier	Auburn High School, New Visions Program
Patrick McIntosh, District 15		
Mary Jones, Clk. Of Legislature	Katie Deluca	Auburn High School, New Visions Program
Wayne Allen, Co. Manager	Brad Anderson	Port Byron High School

PRESENTATION: United Way Campaign, 2008 Campaign Chair Jim Courtney, showed a short video on services available in Cayuga County.

PROCLAMATION'S: Cayuga County Salutes the Cayuga County Sheriff's Dept. in Recognition of Sheriff's Week, October 5 through October 11, 2008, read by Katie Deluca, Auburn High School, Roger Mills, Chairman presented to David Gould, Cayuga County Sheriff.

Domestic Violence Awareness Month in Cayuga County October 2008, read by Katie Deluca, Auburn High School, presented by David Gould, Cayuga County Sheriff to Roger Mills, Chairman.

Cayuga County Salutes Brandon J. Wilmot, November 29, 2008, read by Katie Deluca, will be presented at a letter date.

Cayuga County Salutes David J. Chappell, November 29, 2008, read by Katie Deluca, will be presented at a letter date.

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.

MINUTES: For Approval: 8-26-08 and 9-15-08, **Motion by Chapman, 2nd by Palermo all in favor.**
For Reading: 9-23-08 and 9-30-08

CCC REPORT: Dr. Daniel Larson, President, Enrollment and Transfer Events, open house held Saturday mornings during November. Voter Registration, the College encouraged participation during the current election season. Distance Learning Upgrade, between Auburn and Fulton Campuses has been upgraded. Mental Health Awareness, two programs were held in October. Cultural Highlights, Notes to the Motherland was held at the Bisgrove Theatre and The Humanities Division presented a talk by two Authors re: the Wizard of Oz Lore. Alumni Note, Jason Roche premiered his new film, Willard Chapel in September.

COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS:

Petrus, status of Mental Health Project, is moving forward.

Lockwood, Radio Committee now has a consultant onboard and moving forward.

Axton, Sergeant Bell was laid to rest, a very touching tribute, monumental moment.

MANAGER'S REPORT: Wayne Allen, the 2009 Tentative Budget and the 2009-2014 Capital Improvement Plan will be released on Thursday October 30, 2008 at 5:00PM.

CHAIRMAN'S REPORT: Roger Mills, Cayuga County is the recipient of The Risk Management Award, which was present a few weeks ago at the NYSAC Conference, (Risk Management Award, Cayuga County in Recognition of a Commitment to Sound Risk Management, Safety and Training. A new President for NYSAC was elected Sarah Purdy. Since that time I have received a letter from her requesting applicants for Legislator's to serve on various committees, I have put the applications in each Legislator's box. Also about a week ago, myself, county manager, attended a session on what to do in the event of an emergency, the Emergency Operations Center has been rebuilt in the basement and is fully functional, and a training session is being scheduled for the near future, to see how much we have learned, and how well we function in an emergency.

APPOINTMENTS AND RE-APPOINTMENTS:**Mental Health Subcommittee:**

Robert M. Godbout, Route 90, King Ferry, NY, Term: 1/01/08 – 12/31/11

Cayuga County Water and Sewer Authority

Bruce Ross, Assistant Engineer, City of Auburn, term 1/1/09 to 12/31/2011

Robert Bower, 1644 State Route 326, Auburn, term 1/1/09 to 12/31/2011

Benjamin Vitale, Townsend Road, Auburn, term 1/1/09 to 12/31/2011

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

COMMUNICATIONS AND ANNOUNCEMENTS:

1. Received letters from, Weedsport School District, Town of Owasco, Town of Ira, Town of Brutus, Wells College, Montezuma Historical Society and Syracuse University Dept. of Public Safety, thanking the Sheriff's Dept. for their help with various programs.
2. Received a letter from Katie McDermott and Mark Landeryou, thanking the Sheriff's Dept. for their help when they were broke down on the NYS Thruway.
3. Received a letter from Carl Griffin, thanking the Deputy Michael Beck, for his investigation work involving an accident.
4. Received a letter from the Town of Cato, re: Cayuga County Sales and Use Tax.

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

RESOLUTIONS:

RESOLUTION NO. 605-08

AuditOct.08.doc

AUTHORIZING THE COUNTY TREASURER TO PAY SEPTEMBER 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 \$1,900,298.58, 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 Lockwood, Mitchell, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 606-08

10/28/08

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:

		SEPTEMBER 2008
Gas & Electric	:	\$ 11,090.08
Telephone:		\$ 21,502.70
Water		\$ 11,511.31
Landfill/Rubbish		<u>\$ 836.92</u>
Total:		\$ 44,941.01

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. 607-08

10/28/08

PURCHSVCSSEPTEMBER

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	\$18,711.93
TOTAL		\$18,711.93

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

Approved by voice vote, all in favor.

RESOLUTION NO. 612-08

10/28/08

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.

SEPTEMBER TOTAL

\$3253.52

Signed by Mitchell, Tortorici, Petrus, Schuster.

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

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

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

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

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

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

THE HAMILTON GROUP:

Inv. No. I111421.....\$ 2,250.00

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

KENT ENVIRONMENTAL:

Inv. No. 70.....\$ 2,279.44

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

TYLER TECHNOLOGIES, INC.:

Inv. No. 135273.....\$ 2,778.10

Inv. No. 135332.....\$ 1,669.61

Inv. No. 135344.....\$ 3,000.00

Inv. No. 136045.....\$ 1,480.60

Inv. No. 135486.....\$ 3,000.00

Inv. No. 137088.....\$ 1,500.00

Inv. No. 136481.....\$ 558.85

Inv. No. 137102.....\$ 2,500.00

Inv. No. 137310.....\$ 745.18

INN AT THE FINGERLAKES:

Inv. No. 3852.....\$ 140.00

Inv. No. 3882.....\$ 280.00

Inv. No. 3895.....\$ 210.00

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

CME ASSOCIATES, INC.:

Inv. No. 36028.....\$ 4,700.00

C & S COMPANIES:

Inv. No. 0860.....\$ 29,855.04

5. Project #08-2 (Repairs & Maintenance to Emerson Park Pavilion):

LOWE'S:

Inv. No. 978430.....\$ 179.44

And be it further

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 614-08

10/28/08

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:

SEPTEMBER 2008

Copier Leases and Maintenance: \$ 9,536.23

Postage Leases: \$ 478.00

Misc. Leases: \$ 7,331.31

Total \$17,345.54

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 615-08

10/28/08

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:

SEPTEMBER 2008

\$ 276.67

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

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 616-08 (10/28/08) rpsadoptequalizationrates
To Adopt Equalization Rates for the Apportionment of the 2009 County Tax Levy**

By: Francis Mitchell, Chairman, Ways & Means Committee

Whereas, it is recommended that the following equalization rates, which have been set by the NYS Board of Real Property Services for the City of Auburn and the several Towns, be adopted for the 2007 Cayuga County tax levy.

City of Auburn	95.00	Town of Moravia	60.00
Town of Aurelius	92.50	Town of Niles	78.00
Town of Brutus	97.00	Town of Owasco	81.75
Town of Cato	88.00	Town of Scipio	88.00
Town of Conquest	81.00	Town of Sempronius	32.00
Town of Fleming	41.52	Town of Sennett	79.00
Town of Genoa	74.00	Town of Springport	89.99
Town of Ira	100.00	Town of Sterling	100.00
Town of Ledyard	63.00	Town of Summerhill	65.00
Town of Locke	89.00	Town of Throop	100.00
Town of Mentz	71.97	Town of Venice	76.00
Town of Montezuma	92.00	Town of Victory	100.00

Now, therefore, be it

RESOLVED, that the above equalization rates be fixed, determined, approved and adopted as the percentages on which the assessed value of the real property in the several tax districts of Cayuga County bear to the full value thereof, and that the equalization of the real property for the purpose of appropriating the amount to be levied and raised by taxes for County purposes for the year 2009 be obtained and made on the basis of such percentages.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 617-08 (October 28, 2008) rptscorrtrrollOct08

Authorizing Correction of Tax Errors in Several Towns

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

WHEREAS, petitions for corrections have been received by the Director of Real Property Tax, from the Town Assessors to correct clerical errors or an error in essential fact as specified below, as existed on the 2008 Tax Roll, and;

WHEREAS, The petitions for correction were received too late to make the necessary adjustments before the extension of taxes, and;

WHEREAS, the Director of Real Property Tax Services has reviewed the petitions and found them to be correct; now therefore be it

RESOLVED, that the Director of Real Property Tax Services under Real Property Tax Law 553-554 and 556A be authorized to make the change set forth hereafter; and be it further

RESOLVED, that the County Treasurer is authorized and directed to correct the 2008 County and Town Tax Roll; and be it further

RESOLVED, that a corrected tax statement shall be prepared, or a refund of any overpayment of taxes be made, as is applicable; and be it further

RESOLVED, that the 2007/2008 School Tax Roll shall also be corrected as follows:

Town of Montezuma: Tax Map #'s 91.00-1-1.12 this parcel transferred to the United States of America on May 31, 2007 and should have become immediately exempt from further taxation. The 2008 county/town tax bill in the amount of 4,119.20 should be deleted and any liens that may have been filed in association with this bill should also be deleted.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 618-08 (10/28/08) rpsprobatecostofservice

THE DISABLED (BATES TROY LAUNDRY) TO PROVIDE CONTRACT LINEN SERVICE TO THE NURSING HOME.

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

BY: Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, the Nursing Home has had linen service provided by New York State Industries for the Disabled for the past 3 years; and,

WHEREAS, those services have been provided in a satisfactory manner; and

WHEREAS, the agreement allows for an extension of 1 year, 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 for an extension of one year with New York State Industries (Bates Troy Laundry) for said services at an estimated cost of \$79,394.00 (Seventy-Nine Thousand Three Hundred Ninety-Four dollars), depending on actual usage.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 622-08 Date of Meeting: 10/28/08 nhrenewmeddiragmentrev
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO RENEW AN AGREEMENT WITH SAUL ROSENBLUM, M.D.P.C. AS MEDICAL DIRECTOR OF 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 required to provide the residents of the facility with a medical director; and

WHEREAS, It is necessary to contract with a medical doctor from outside the facility to provide this service; and

WHEREAS, Cayuga County Nursing Home has been able to identify a medical doctor willing to provide the service as set forth in the attached agreement for provision of services; and

WHEREAS, the compensation for the services of Saul Rosenblum, M.D. shall be at a rate of \$1326.00 (One Thousand Three hundred twenty-six Dollars) on a monthly basis after submission of a voucher for services amounting to 3 (three) hours per each week of the calendar; employee physical examinations will be \$40.00 (Forty Dollars) per examination, separately invoiced to the Cayuga County Nursing Home monthly; Now therefore be it

RESOLVED that the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home be authorized to enter into an agreement with Saul Rosenblum, MD for a period of 2 years, from November 1, 2008 to October 31, 2010.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 623-08 Date of Meeting: 10/28/08 nhagmntkaradiorev
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO SIGN AN AGREEMENT WITH K & A RADIOLOGY SERVICES FOR 1 YEAR.**

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

BY: Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, the Cayuga County Nursing Home has the need to have an agreement for the provision of radiology services; and,

WHEREAS K & A Radiologic Technology Services has provided those services for many years satisfactorily; and, WHEREAS services are billed to third party payers whenever possible; and,

WHEREAS the services that are the responsibility of the facility are discounted at a rate of 20% of the allowable fee schedule if paid within 45 days of the invoice; and; Now therefore be it

RESOLVED that the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home be authorized to sign the agreement with K & A Radiologic Technology Services.

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

Approved by voice vote, all in favor.

AUTHORIZING THE TREASURER OF CAYUGA COUNTY TO TRANSFER FUNDS TO THE CAYUGA COUNTY NURSING HOME ACCOUNT DERIVED THROUGH THE INTER-GOVERNMENTAL TRANSFER PROCESS (IGT)

BY: Francis Mitchell, Chairman, Ways & Means Committee

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

WHEREAS, the Cayuga County Nursing Home has the need for funding the operations of the facility; and WHEREAS, the New York State Health Department in conjunction with the federal Centers for Medicaid and Medicare has derived a formula for compensating public nursing homes for costs in the years 2006, 2007 and 2008; and WHEREAS, the County of Cayuga must match the funds provided by the federal government in an account to be issued by New York State to the Nursing Home; Now therefore be it

RESOLVED, that the Treasurer of Cayuga County be authorized and directed to transfer the amount of \$200,000 from Account Number 9903 (orgA99005 object54603) and \$1,344,062 from Account 0909 (org A object 19090) for a total of \$1,544,062 to Account 6100.4 (org A61004 object 54000) to be deposited in an account with New York State; and be it further

RESOLVED, that the Nursing Home will receive a total of \$2,832,010 in a November 2008 payment and \$256,114 in a March 2009 payment from New York State Health Department.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 625-08 (October 28, 2008) HD MOA NYSNA

Authorizing the County Manager, the Chairman of the Legislature and the Director of Health & Human Services to Sign a "Memorandum of Agreement" with an Employee of the County Health & Human Services Department and NYSNA

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

Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, a "Memorandum of Agreement" has been drawn up by the County of Cayuga in the matter of the employment relationship between the County of Cayuga, the Cayuga County Department of Health and Human Services and an Employee of the Cayuga County Department of Health & Human Services, and the New York State Nurses Association (hereinafter referred to as "NYSNA"); NOW, THEREFORE, BE IT

RESOLVED, that the Legislature of the County of Cayuga hereby approves the "Memorandum of Agreement" presented by NYSNA, and authorizes and directs the County Manager, the Chairman of the Legislature and the Director of Health and Human Services to sign the aforementioned "Memorandum of Agreement" with the "Employee" of the Cayuga County Department of Health and Human Services and NYSNA.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 626-08 (October 28, 2008) HD Enhanced Peer Counseling Grant WIC

Authorizing the Director of Health & Human Services to Accept Additional WIC Funding for the Enhanced Peer Counseling Grant

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

Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, the NYS WIC Program has made funds available to initiate programming to further promote breast feeding among WIC participants; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized to accept this additional funding for Enhanced Peer Counseling in the amount of \$6,192 for the period October 1, 2008 through September 30, 2009; and be it further

RESOLVED, that the County Treasurer amend the 2008 WIC Budget in the following manner:

Munis

<u>Org</u>	<u>Object</u>			
A40821	51001	Increase 4011.1000A	Salaries	\$6,192
A40820	43411	Increase 3411.000000A	Revenue (State Aid WIC)	\$6,192

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

Approved by voice vote, all in favor.

RESOLUTION NO. 627-08 (October 28, 2008) HD

Mandel Therapy Group

Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Renew the Contract with Mandel Therapy Group

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) and LTHHCP a need to provide therapy services; and

WHEREAS, the Department relies to an extent on obtaining services through certain professional independent contractor providers; 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 Mandel Therapy Group at the following rates:

<u>Disciplines</u>	<u>Effective 10/1/08-9/30/09</u>
Physical, Occupational and	\$74.25/visit within 10 mi. radius of Auburn
Speech Therapy	\$74.97/visit greater than 10 mi. radius of Auburn
Inservice/Training	\$15.30/hr.

	<u>Effective 10/1/09-9/30/10</u>
	\$75.74/visit within 10 mi. radius of Auburn
	\$76.47/visit greater than 10 mi. radius of Auburn
Inservice/Training	\$15.61/hr.

and be it further

RESOLVED, that the costs of the above services be paid out of account #4012.400, line item numbers .127 (Physical Therapy), .220 (Occupational Therapy), and .221 (Speech Therapy) of the Health Department Budget.

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

**RESOLUTION NO. 628-08 (October 28, 2008) HD Raymond Physical Therapy
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Contract with Raymond Physical Therapy, PLLC**

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) and LTHHCP a need to provide therapy services; and

WHEREAS, the Department relies to an extent on obtaining services through certain professional independent contractor providers; 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 Raymond Physical Therapy, PLLC at the following rates:

<u>Disciplines</u>	<u>10/1/08 – 9/30/09</u>
Evaluation.....	\$68.98
Revisit.....	\$61.55
Revisit (if >10 mi. radius.....	\$63.67
Of Weedsport)	
Conference Fee.....	\$31.83

and be it further

RESOLVED, that the costs of the above services be paid out of account #4012.400, line item #.127 of the Health Department Budget.

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

Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into a Contract with Jill Garcia, Speech Therapist

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

WHEREAS, there is a need to provide speech language therapy to clients of the County’s Certified Home Health Agency (CHHA) who require these services based on their plan of care; and

WHEREAS, Jill Garcia has satisfactorily provided these services for the CHHA in the past; 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 Jill Garcia to provide speech language therapy for the period 10/01/08 through 9/30/10 at the following rates;

	<u>10/1/08 – 9/30/09</u>	<u>10/1/09 – 9/30/10</u>
Visit.....	\$67.11/visit	\$68.45/visit
Inservice/Training.....	\$15.61/hr.	\$15.92/hr.

and be it further

RESOLVED, that payment for these services will be from account #4012.400, line item #.221, of the Health Department’s Budget.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 630-08 (October 28, 2008) HD Daley Physical Therapy
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Contract with Linda Daley to Provide Physical Therapy Services for CHHA**

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

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

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

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a 2-year contract with Linda Daley at the following rates:

<u>Disciplines</u>	<u>Effective 10/1/08-9/30/09</u>	<u>Effective 10/1/09-9/30/10</u>
Initial Visit.....	\$63.67	\$64.94
Revisit.....	\$58.36	\$59.53
Inservice/Training.....	\$25.50/hr.	\$26.01/hr.

and be it further

RESOLVED, that the costs of the above services be paid out of account #4012.400, line item #.127 of the Health Department Budget.

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

Approved by voice vote, all in favor.

Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into a Service Contract with Elizabeth Wolff-Evans, PT to Provide Physical 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 physical therapy services; and

WHEREAS, the Department at this time relies in part on independent contractors 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 Elizabeth Wolff-Evans to provide the needed services for the period of October 1, 2008 through September 30, 2009 at the following rates:

Physical Therapy:

\$61.95 Initial Visit
\$56.95 Revisit
\$28.00 Orientation/Inservice

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

RESOLUTION NO. 632-08 (October 28, 2008) HD Amend CHHA Budget 2008rev

Authorizing the County Treasurer to Amend the 2008 Cayuga County Health Department's CHHA Budget

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

WHEREAS, after the submission of the 2008 Health Department Budget, it has been determined that due to an increase in caseload at the CHHA, there is an unanticipated increase in expenses and it follows that there is also an unanticipated increase in revenue; NOW, THEREFORE, BE IT

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

Munis

<u>Org</u>	<u>Object</u>				
A40120	41601	Increase	1601.000.000	Home Health Fees	\$105,000
A40121	51000	Increase	4012.100.000	Salaries	\$ 40,000
A40124	54008	Increase	4012.400.008	Auto Exp/Motor Pool	\$ 10,000
A40124	54129	Increase	4012.410.000	HHA	\$ 35,000
A40124	54019	Increase	4012.400.019	Computer Support	\$ 7,000
A40124	54218	Increase	4012.400.221	Speech Therapy	\$ 3,000
A40124	54127	Increase	4012.400.127	Physical Therapy	\$ 5,000
A40124	54128	Increase	4012.400.130	Nurses/Contract	\$ 5,000

and be it further

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

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

Authorizing the Director of Health & Human Services to Fill the Staff Development Supervisor in Human Services Due to Retirement of Incumbent

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

WHEREAS, there will be a Staff Development Supervisor vacancy in Human Services due to retirement of the incumbent effective October 30, 2008; and

WHEREAS, the Staff Development Supervisor plans all needs assessments related to staffing and training; coordinates the completion of the Department of Social Services Annual Report; maintains the STARS (Statewide Training and Registration System) data base which registers staff for state training and maintains the employee training history; monitors CPS worker compliance with State training mandates; and conducts orientation for new employees; and

WHEREAS, this position is reimbursed at 86% (state and federal funds); and

WHEREAS, sufficient funding exists in the Human Services Department's 2008 budget to support this position; NOW, THEREFORE BE IT

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the Staff Development Supervisor vacancy, and any fill behind that may occur, in accordance with Civil Services Rules and Regulations and the policies of the County of Cayuga; and be it further

RESOLVED, that due to the complexity of this position, the Director of Health & Human Services be authorized to provide 14 days of cross training for the successor; and be it also

RESOLVED, that if the State/Federal reimbursement for this position gets withdrawn at the current level, the position will be brought before the County Legislature to be re-evaluated.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 634-08 (October 28, 2008) HS Fill 2 Sr. Typists Vacancies Amended
Authorizing the Director of Health & Human Services to Fill Two Sr. Typist Vacancies in the Human Services Division Due to Retirement and Abolish One Typist Vacancy**

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

WHEREAS, effective September 29, 2008 there will be two Sr. Typist vacancies in Human Services due to retirement of the incumbents, one from Human Services Administration and one from Temporary Assistance; and

WHEREAS, the Department has evaluated those retiring and made recommendations on consolidation of duties where possible, and based on the evaluation and consolidation of duties, has determined that one typist vacancy (also due to retirement) can be abolished; and

WHEREAS, these Sr. Typist positions are necessary for the effective and efficient operation of the Department and are reimbursed at 75%; and

WHEREAS, sufficient funding exists in the 2008 Human Services Budget to support these positions; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized to fill the two Sr. Typist vacancies in Human Services, and any fill behinds that may occur, in a manner consistent with the rules and regulations of the County of Cayuga and the Cayuga County Civil Service Commission; and if the State/Federal reimbursement for these positions gets withdrawn at the current level, the positions will be brought before the County Legislature to be re-evaluated; and be it further

RESOLVED, that one full-time typist position in Human Services, Control #002201, be abolished.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 635-08 (October 28, 2008) HS Fill Clerk FSMA (100% Funded) Amended

Authorizing the Director of Health & Human Services to Fill a Full-Time Clerk Position in the FSMA Unit of Human Services

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

WHEREAS, there is a Full-Time Clerk position vacancy in the FSMA (Food Stamp/Medicaid) Unit of Human Services due to resignation of the incumbent, effective September 12, 2008;

WHEREAS, this position is necessary for the effective and efficient operation of the FSMA Unit of the Human Services Department; and

WHEREAS, this position is 100% funded through Food Stamps and Medicaid; and

WHEREAS, sufficient funding exists in the 2008 Human Services' Budget to support this position; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized to fill the Full-Time Clerk vacancy in the FSMA Unit of Human Services and any fill behind that may occur, in a manner consistent with the rules and regulations of the County of Cayuga and the Cayuga County Civil Service Commission; and be it further

RESOLVED, that if the State/Federal reimbursement for this position gets withdrawn at the current level, the position will be brought before the County Legislature to be re-evaluated.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 636-08 (October 28, 2008) HS Amend 2008 Budget & Med Ans Serv
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Contract with Medical Answering Services, LLC for a Non-Emergency Medicaid Transportation Management System and Amend 2008 HS Budget**

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

WHEREAS, in an effort to save labor, technology, communication, and management costs while improving the control of the Medicaid Transportation System that the Human Services Division of Health & Human Services has in place, the Department desires to contract with a provider of such services; and

WHEREAS, in order to identify a vendor to support this work, the Clerk of the Legislature advertised for, and received requests for proposals for a Non-Emergency Medicaid Transportation Management System; and

WHEREAS, it was determined that of the respondents, the Medical Answering Services, LLC best met the needs of the Department; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a 100% State and federally funded contract with Medical Answering Services, LLC for a Non-Emergency Medicaid Transportation Management System for the period November 1, 2008 through December 31, 2009 in the amount of \$69,300 paid in equal monthly installments of \$4,950; and be it further

RESOLVED, that the 2008 Human Services budget be amended in the following manner to reflect the cost of the transportation management system:

Munis

<u>Org</u>	<u>Object</u>			
A60104	54059	Increase 6010.400.059	Contractual	\$69,300
A60100	43610	Increase 3610	Revenue (State Aid DSS Admin)	\$34,650
A60100	44610	Increase 4610	Revenue (Federal Aid DSS Admin)	\$34,650

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

Approved by voice vote, all in favor.

Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Accept 100% Funding for the Provision of Services Related to the Home Energy Assistance Program (HEAP) Weatherization Referral and Packaging (WRAP) and Contract With Cayuga/Seneca

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

WHEREAS, the Department of Health and Human Services (Human Services Division) has received a 100% federally funded WRAP allocation in the amount of \$10,299; and

WHEREAS, these funds are for the provision of home energy assessments to help low income HEAP eligible individuals who are at risk because they are unable to heat or cool their homes adequately; and

WHEREAS, the Department of Health & Human Services has in the past relied on the Cayuga/Seneca Community Action Agency, Inc. to identify eligible families to receive these services; now, therefore, be it

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

Munis

<u>Org</u>	<u>Object</u>				
A60104	54260	Increase	6010.42	Appropriations	\$10,299
A60100	44610	Increase	4610	Revenue	\$10,299

and be it further

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to enter into a contract with Cayuga/Seneca Community Action Agency, Inc. for the period October 1, 2008 - September 30, 2009.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 638-08 (October 28, 2008) HS NYSOFA Contract POE
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter Into a Contract With NYS Office for the Aging and Accept 100% Funding**

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

WHEREAS, the State requires every county to operate a Long Term Care Point of Entry Program and Cayuga County, through its Long Term Care Access Office, has again been approved to operate this "Point of Entry" program for the time period October 1, 2008 through September 30, 2009, and accept funds to meet the program mandates; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services enter into a contract with NYS Office for the Aging to operate the Long Term Care Point of Entry Program in Cayuga County and accept funding in the amount of \$64,000 for the period of October 1, 2008 – September 30, 2009, and that the Cayuga County Treasurer be authorized and directed to make the necessary journal and accounting entries to amend the 2007 Human Services budget in the following manner:

Munis

<u>Org</u>	<u>Object</u>				
A60101	51002	Increase Appropriations	6010.100		\$21,000
A60104	54264	Increase Appropriations	6010.470		\$43,000
A60100	43650	Increase Revenue	3650		\$64,000

and be it further

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to subcontract for services necessary to implement this program.

Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into Contracts with Cayuga County Employment & Training Department for Provision of Services

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 has need to provide employment and training services to public assistance recipients to meet the obligations of the Work Requirement Program; and
WHEREAS, Human Services also has need of a Job Search Program for non-public assistance and Safety Net Food Stamp recipients; and

WHEREAS, our Human Services Division has successfully contracted with Cayuga County Employment and Training Department 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 Cayuga County Employment and Training to provide employment and training services to public assistance recipients for a period 10/1/08 to 9/30/09 at a cost of \$90,000; and be it further

RESOLVED, that the charges for these services be paid out of account #6010.400, line item # .0189 of the 2008 Human Services Budget; and be it also

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Cayuga County Employment and Training to provide a job search program for non-public assistance recipients and Safety Net Food Stamp recipients for the period 10/1/08 to 9/30/09 at a cost of \$18,000; and be it also

RESOLVED, that the charges for these services be paid out of account #6010.400, line item # .0188 of the 2008 Human Services Budget.

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

**RESOLUTION NO. 640-08 (10.28.08) MHtransfundsoct08Rev.
AUTHORIZING CIVIL SERVICE/HUMAN RESOURCES DEPARTMENT TO ADVERTISE FOR FILLING THE POSITION OF DIRECTOR OF COMMUNITY MENTAL HEALTH SERVICES AND EXECUTIVE DIRECTOR TO THE CSB; AND TRANSFERRING FUNDING FROM CONTINGENT TO CIVIL SERVICE/HUMAN RESOURCES DEPARTMENT**

BY: Hon. Francis Mitchell, Chairman Ways and Means Committee
Hon. Ann Petrus, Chairperson Health and Human Services Committee

WHEREAS, Resolution No. 536-08 and Resolution No. 537-08 filled the positions of the Director of Community Mental Health Services and Executive Director of the Community Services Board for a period not to exceed six (6) months; and

WHEREAS, the positions need to be filled at the expiration of the six (6) month period; and

WHEREAS, the Cayuga County Legislature is desirous of filling these import positions of Director of Community Mental Health Services/Executive Director of the CSB; and

WHEREAS, at the present time there are no funds available to advertise for these positions; now, therefore be it
RESOLVED, that the Civil Service/Human Resources Department is authorized to solicit resumes from qualified individuals to fill the position of Director of Community Mental Health Services/Executive Director to the CSB; and, be it further

RESOLVED, that \$5,000.00 be transferred from Contingent Account A10164 54000 (A1990) to Civil Service/Human Resources Department Contractual Expense, Publishing Notices Account A14304 54061 (A1430.400.061) to accomplish the advertising for this position; and, be it further

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

Signed by Petrus, Cuddeback, Sincebaugh, Tortorici, Axton, Palermo.
Approved by vice vote, all in favor.

AUTHORIZE INFORMATION TECHNOLOGY TO PURCHASE PORTABLE SOUND SYSTEM

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

MR. FRANCIS MITCHELL, Chairperson, Ways and Means Committee

WHEREAS, the County Legislature utilizes a rented sound system for meetings and special events; and
WHEREAS, a rented sound system is not always available on short term notice for needed County functions; therefore
be it

RESOLVED, that the Information Technology Department is authorized to purchase a portable sound system,
microphones, cables, and stands at a cost not to exceed \$2,500.00; from Account No. A16102 52007 (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, Petrus, Chapman, Fearon, Murphy, Sincebaugh, Mitchell, Schuster, Lockwood, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 642-08 October 28, 2008

ITworkstations1008revb.doc

**AUTHORIZING THE INFORMATION TECHNOLOGY DEPARTMENT TO PURCHASE
WORKSTATIONS**

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

Frances Mitchell, Chairman Ways and Means Committee

WHEREAS, the County is replacing County Department workstations that are due to be replaced; and
WHEREAS, there are 18 workstations and 2 laptops used by County Department employees that are over 5 years old
and are due to be replaced in 2008, and

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

RESOLVED, that the Information Technology Department is authorized to purchase 18 workstations, 2 laptops, and
related software on New York State contract in the amount of \$16,427.84 from Account No. No. A16102 52007
(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, Petrus, Chapman, Fearon, Murphy, Sincebaugh, Mitchell, Schuster, Lockwood, Tortorici, Axton.

Approved by voice vote, all in favor.

RESOLUTION NO. 643-08 (10/28/08)

COA-ToExtDueDatesOfRPTforDepMilitaryrev

**AUTHORIZING THE COUNTY TREASURER TO EXTEND THE DUE DATES OF REAL PROPERTY
TAXES FOR THE DEPLOYED MILITARY.**

BY: MR. PALERMO, Chairman, Government Operations Committee, and

MR. MITCHELL, Chairman, Ways & Means Committee.

WHEREAS, section 925-d of the Real Property Tax Law allows municipal corporations to adopt a local resolution
authorizing the extension of due dates on real property taxes for a person deployed by the military, with the deadlines
to be extended for a period of Ninety (90) days after the end of such deployment; and

WHEREAS, the County Legislature recognizes that the individuals who are members of the military make a
tremendous sacrifice, especially in times like these when our military personnel are in so many locations throughout the
world and here, in New York, fighting terrorism; and

WHEREAS, the Legislature also recognizes that personnel who are called to active duty still face the obligations to
their own well-being and the well-being of their families, but still need to focus their energy on defending our Country;
and

WHEREAS, in order to fully offer this benefit to service men and women deployed by the military, all Cayuga County
towns, villages, school districts, and the City of Auburn should be encouraged to offer this extension as well; now,
therefore, be it

RESOLVED, that, pursuant to section 925-d of the Real Property Tax Law, the County of Cayuga hereby authorizes
the extension of due dates on real property taxes for a person deployed by the military, with the deadlines to be
extended for a period of Ninety (90) days after the end of such deployment; and be it further

RESOLVED, that a copy of this resolution be sent to all towns, villages, school districts and the City of Auburn, and be
it further

RESOLVED, that the County Treasurer be and hereby is charged with administration of said
extensions.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 644-08

(10/28/08)

COA-EstReserveAcctForTrspnOfAreaVetsrev3

AUTHORIZING ESTABLISHMENT OF A TRUST AND AGENCY ACCOUNT FOR TRANSPORTATION OF AREA VETERANS TO MEDICAL APPOINTMENTS.

BY: Hon. Christopher Palermo, Chair, Government Operations Committee
Hon. Francis Mitchell, Chair, Ways and Means Committee

WHEREAS, the Cayuga County Veterans Service Agency Transportation Program has met with difficult times; and
WHEREAS, since its inception, the Agency has serviced approximately 260 annual riders in each of the 10 years it has operated; and

WHEREAS, currently the Cayuga County Veterans Service Agency services approximately 326 veterans with transportation to veterans medical centers for medical appointments; and

WHEREAS, there is a shortfall in the 2008 Budget for the County Veterans Agency due to increased gasoline and driver costs for the Transportation Program, which could run as much as \$5,000.00; and

WHEREAS, the County wishes to seek contributions for the Transportation Program and to earmark those contributions in a dedicated Trust and Agency Account and to pay for expenses associated with the Transportation Program, which funds may not be utilized for any other contractual expenses or other budgetary uses; now, therefore, be it

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to establish a dedicated Trust and Agency Account and to pay for expenses associated with the Cayuga County Veterans Service Agency Transportation Program, which funds may not be utilized for any other contractual expenses or other budgetary uses; and be it further

RESOLVED, that contributions to the Trust and Agency Account Accounts will not be utilized for any other purpose than by the Cayuga County Veterans Service Agency for the Transportation Program; and be it further

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 645-08 (10/28/08)

IT-Internetconnectionrev10-28-08.doc

AUTHORIZING THE CHAIRMAN TO SIGN AN AGREEMENT WITH VERIZON FOR A DEDICATED INTERNET CONNECTION

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

WHEREAS, Cayuga County currently has email with a hosted service; and

WHEREAS, moving email in house will allow more control over email support and allow the County to reduce support time; and

WHEREAS, to increase security of the County network, a separate Internet connection for email and web servers is required; and

WHEREAS, all proposals received from a recent RFP were higher than Verizon's standard two year business package which has become available to the County; and,

WHEREAS, The Ways and Means Committee previously rejected all proposals received for a dedicated Internet connection, therefore, be it

RESOLVED, that the Chairman of the County Legislature is authorized to sign an agreement with Verizon for a dedicated Internet connection for email; the annual cost per year being \$2,279.88 from Information Technology Account No. A16104 540747 (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, Chapman, Fearon, Murphy, Sincebaugh, Lockwood, Tortorici, Axton, Schuster.

Approved by voice vote, all in favor.

Permitting Employees to Rescind Their Irrevocable Intent to Retire Upon payment of Previously Unpaid Health Insurance Premium.

BY: Christopher Palermo, Government Operations Committee
Francis Mitchell, Chairman, Ways and Means Committee

Whereas, Resolution No. 148-06 and Resolution No.303-06 authorized the modification of both the bargaining non-bargaining health insurance coverage and permitted any County non-bargaining employee to retire with certain health benefits effective December 31, 2008; and

Whereas, several employees who have not yet retired would like to continue to work for Cayuga County after their announced date of retirement; and

Whereas, it is in the County's best interest to permit those individuals who wish to rescind their retirement to continue with employment with the County; now therefore be it

Resolved, the Cayuga County does hereby permit any employee not yet retired, with the consent of the employee's bargaining unit (if applicable), to rescind their intent to retire and to continue employment with the County of Cayuga upon payment to the County of the additional health insurance premium not previously paid due to their previously announcement of retirement; and be it further

Resolved, that the premium repayment must be paid by the earlier of 52 weeks from January 1, 2008 or the date of retirement.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 647-08 October 28, 2008 PB_Budget Amend FY08 EquipPurch
AMENDING THE FY 2008 PLANNING BUDGET TO TRANSFER FUNDS FROM .400 LINE TO .200 LINE
TO PURCHASE EQUIPMENT AND REDUCE FY09 EQUIPMENT REQUEST TO \$0**

BY: Mr. Daniel Schuster, Chair, Planning and Economic Development
Mr. Francis Mitchell, Chair, Ways and Means Committee

WHEREAS, the proposed Planning Department FY 2009 Planning Budget requested an allocation of \$1,010.00 in the .200 Equipment Line to allow the department to purchase required vertical and lateral files utilized by the department for document management and storage; and

WHEREAS, the Budget Officer requested that the Director of Planning utilize funding available within the FY 2008 Planning Department budget to purchase the requested equipment and revise the FY 2009 equipment request to \$0.00; and

WHEREAS, the Planning Department has identified FY08 funding in the A80204.54085 (8020.400.085A) budget line (Tuition Reimbursement) available to transfer from the .400 contractual expense line to the .200 equipment line in the FY 2008 budget to purchase the required equipment and reduce the FY09 Planning Department Equipment Budget Line to \$0; and

WHEREAS, it is necessary to amend the FY 2008 Planning Department budget in order to purchase this equipment in fiscal year 2008; now

THEREFORE, BE IT RESOLVED, that the County Treasurer be and is hereby authorized and directed to transfer funds in the amount of \$1010.00 from the Contractual Expense Account A80204 54085 (8020.400.085A) to the Equipment Account A80202.52000 (8020.200.000A) in the Cayuga County Department of Planning and Economic Development FY 2008 Budget; and

BE IT FURTHER RESOLVED, that the County Treasurer be and is hereby authorized and directed to make the necessary journal and accounting entries to accomplish the same.

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

Approved by voice vote, all in favor.

Authorizing a Loan of \$65,000.00 from the County of Cayuga to the Cayuga County Soil and Water District for the Installation of a Roof on a Soil and Water District Building

BY: Mr. Daniel Schuster, Chair, Planning and Economic Development Committee
Mr. Francis Mitchell, Chair, Ways and Means Committee

Whereas, the Soil and Water District has determined the need to replace the existing roof due to numerous water leaks; and

Whereas, the Soil and Water District has solicited bids for the replacement of the existing roof and has by resolution awarded the bid to: Pine Ridge Construction; and

Whereas, the Soil and Water District needs \$65,000.00 to complete the replacement of the roof, repair gutters and drains; and

Whereas the County had provided funding for the Soil and Water District to construct this building and provided a loan with the an outstanding balance of the loan of \$ 68,135.16; and

Whereas the Soil and Water District pays the County \$2,977.09 per month for the existing loan; and

Whereas the Soil and Water District wishes to continue this payment schedule for the additional loan amount of \$65,000.00 and agrees the extend the payment schedule to pay off the additional borrowings; now therefore be it Resolved, that the County Legislature does hereby approve the loan of \$65,000.00 to the Soil and Water District for their roof, repair gutters and drains project pursuant to the terms and conditions of the County Legislature; and be it further

Resolved, that the funding for this project will come from Account No. AA1381 (AS0381.000.000); and be it further Resolved, that the Cayuga County Treasurer make the journal and accounting entries required to implement the intent of this resolution; and be it further

Resolved, that the chairman of the Cayuga County legislature is hereby authorized to sign any and all documents required to implement this resolution.

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

RESOLUTION NO. 649-08 (10/28/08) COA-SupportingPartnershipForWater&SewerServices SUPPORTING THE PARTNERSHIP OF THE CITY OF AUBURN, CURRENT PARTICIPATING TOWNS AND THE CAYUGA COUNTY WATER AND SEWER AUTHORITY IN THEIR EFFORTS TO DETERMINE FEASIBILITY AND BENEFITS OF SHARING OR CONSOLIDATING WATER AND SEWER SYSTEM SERVICES AMONG THE COMMUNITIES IN CAYUGA COUNTY.

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

WHEREAS, the City of Auburn has undertaken an evaluation to determine its water and sewer system capital investment needs for the next ten years, including any system impacts which may result from growth in the outlying communities; and

WHEREAS, various towns and villages in Cayuga County provide water and sewer services to their residents and businesses from services provided by the City of Auburn; and

WHEREAS, in addition to determining capital needs, the purpose of the evaluation is to develop ten-year cash flow projections and the proposed allocation of costs to provide that service to the City of Auburn and the surrounding communities; and

WHEREAS, the evaluation will result in a reasonable plan for infrastructure investment in order for the City of Auburn to meet its regulatory obligations, and support redevelopment as well as enhance new development in the region; and

WHEREAS, such an analysis would include an investigation to determine the value of each municipal entity's infrastructure assets, the condition of those assets and the exploration of institutional, statutory and financing alternatives, including, but not necessarily limited to the formation of a water and sewer authority; and

WHEREAS, various municipalities are attempting to obtain funding to conduct the analysis through a New York State Local Government Efficiency Grant Program; and

WHEREAS, the County Legislature wishes to express its unqualified support for the analysis and the grant application for funding; now, therefore, be it

RESOLVED, that the County of Cayuga supports the commitment among the City of Auburn, Towns of Aurelius, Fleming, Owasco, Sennett, Throop and the Cayuga County Water and Sewer Authority to determine the feasibility and benefits of sharing and for consolidating water and sewer system services among the communities.

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

RESOLUTION NO. 650-08 (10/28/08) P&TRevSnowmobileFundBalanceRes352-08 10 08

REVISING RESOLUTION #352-08 AUTHORIZING TRANSFER OF REMAINING SNOWMOBILE GRANT FUNDS FROM THE SNOWMOBILE TRAIL ACCOUNT NO.7112.420.074A TO THE CAPITAL "H" NO. 07-02 FOR THE CATO/BRUTUS TRAIL

By: David R. Axton, Chairperson, Public Works

Francis Mitchell, Chairperson, Ways & Means Committee

WHEREAS, Cayuga County is an annual recipient of NYS Office of Parks, Recreation and Historic Preservation grant funds to assist the snowmobile clubs in Cayuga County in their efforts to develop and maintain the county snowmobile trails; and

WHEREAS, many years ago funds were received and not entirely distributed to the clubs resulting in the remaining money, currently \$3,600, being carried forward year after year by resolution in the park Account No. A 71165 54000 (7112.420.074-A); and

WHEREAS, Resolution No. 352-08 was to transfer the remaining \$3,600 in snowmobile grant funds to Capital H #07-02 for the Cato/Brutus Trail; and

WHEREAS, the treasurers office, because of the way Resolution 352-08 was written, transferred money from the current snowmobile grant funds rather than the funds that have been carried over year to year, and

WHEREAS, those funds are now in the unappropriated fund balance, Account # A0909, and

WHEREAS, the \$3,600 can only be used for snowmobile trail development and maintenance or must be returned to NYS Office of Parks, Recreation and Historic Preservation; now therefore be it

RESOLVED, that the Cayuga County Treasurer be directed to transfer the \$3,600 from the unappropriated fund balance to Expense Account No. A 71165 54000 (7112.420.074-A), Snowmobile Trails, to correct this error.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 651-08 October 28, 2008 Hwybudtraoct08rev
Authorization to Amend the 2008 Cayuga County Highway Budget**

BY: David Axton Chairman, Public Works Committee

Francis Mitchell Chairman, Ways and Means Committee

WHEREAS, after the submission of the 2008 Cayuga County Highway Budget, it appears that the usage of Highway equipment has been different than originally predicted; and

WHEREAS, the funds to pay for these expenditures were originally budgeted in several other Highway accounts; and

WHEREAS, it is necessary to amend the 2008 Highway Budget to more accurately reflect the usage of equipment; now, therefore, be it

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

<u>Appropriation Accounts</u>	<u>Increase</u>	<u>Decrease</u>
D5110.400.093 Maintenance of Roads and Bridges	\$ 312,000	
D51104 54093 Machinery rental		
D5113.400.093 Capital Improvements		\$ 312,000
D51134 54093 Machinery rental		

AND BE IT FURTHER

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

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 652-08 10-28-08 Hwyssremvland
AUTHORIZING THE COUNTY CHAIRMAN TO SIGN A CONTRACT AMENDMENT FOR WINTER SEVERITY INDEX FOR THE 2008/2009 NYS DOT SNOW AND ICE REMOVAL CONTRACT.**

By: David Axton, Chairman Public Works Committee

Francis Mitchell, Chairman Ways & Means Committee

Whereas, the County of Cayuga was under contract with the NYS DOT for Snow and Ice removal under Contract Agreement D009816 for the 2008/2009 Season; and

Whereas, the NYS DOT is allowing a Winter Severity Index via Amendment B to Contract Agreement Doo9816 for the 2008/2009 season; now therefore be it

Resolved, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to sign the Amendment B to Contract D009816 for the 2008/2009 season; and be it further

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 653-08 October 28,2008 hwysremovalagreerev

AUTHORIZING THE COUNTY CHAIRMAN TO SIGN THE SNOW REMOVAL AGREEMENT WITH THE NYS DOT FOR THE 2009-2010 SEASON

By: David Axton, Chairman Public Works Committee

By: Francis Mitchell, Chairman Ways and Means Committee

WHEREAS, the Public Works Committee has recommended that the County Highway Department continue to conduct snow removal operations on the State Highways; and

WHEREAS, the present agreement (Agreement No. D009816) expires on June 30, 2009; now therefore be it RESOLVED, to authorize the Chairman of the Cayuga County Legislature to sign the Agreement to Extend Municipal Snow and Ice Control Agreement with the State of New York for the 2009-2010 season.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 654-08 Date: 10/28/08 hwyfillsrengtech
Authorization for the Superintendent of Highways to fill a Sr. Engineering Technician Position within the Highway Department**

BY: Hon. David Axton, Chairman, Public Works Committee

Hon. Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, the current Sr. Engineering Technician is retiring from their position on October 31, 2008 and the position will be vacant at that time; and

WHEREAS, this Sr. Engineering Technician 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. 655-08 Date October 28, 2008 HWYwntrwtrchmn
AUTHORIZATION TO HIRE PART TIME SEASONAL LABORERS**

BY: Hon. David Axton, Chairman, Public Works Committee

Hon. Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, during the past several winter seasons individuals have been hired to cover the phones and radios during weekends and holidays; and

WHEREAS, it is more cost effective to staff the weekends and holidays with temporary personnel as compared to paying permanent personnel overtime; and

WHEREAS, seasonal laborers required from mid-November to the middle to end of April for weekends and holidays; now therefore be it

RESOLVED, that the County Highway Superintendent be authorized hire seasonal Laborer employees for the mid-November to the end of April time frame, and be it further

RESOLVED, that these personnel be paid at an hourly rate of \$9.00 for 1st&2nd shift and not to exceed \$10.00 per hour for 3rd shift, without benefits; from Account No.5142.100-D; 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. 659-08 10.28.08 COA146NOADDALSRVCrev2
AUTHORIZING THE CHAIRMAN TO SIGN AN AGREEMENT WITH C&S COMPANIES FOR
ADDITIONAL SERVICES AT 2 PARK AVENUE, AUBURN, NEW YORK FOR ADDITIONAL WORK
ASSOCIATED WITH INCORPORATING THE PARCEL INTO PARKING SPACE AND SITE WORK
ASSOCIATED WITH THE 146 NORTH STREET PROJECT FOR A LUMP SUM OF \$6,900.00 AND
TRANSFERRING MONIES.**

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

WHEREAS, Resolution No. 186-08 authorized the hiring of an architectural and engineering firm for the purpose of the renovation and construction of new space at 146 North Street, Auburn, New York; and

WHEREAS, Resolution No. 356-08 authorized the purchase of 2 Park Avenue, Auburn, New York for the purpose of converting the lot into parking space for employees, staff and consumers utilizing services at 146 North Street; and

WHEREAS, the scope of work of the mental health project is thereby expanded to include 2 Park Avenue and the associated work involved to incorporate the new parking lot and site work; and

WHEREAS, these additional services are beyond the scope of the original agreement with C&S Companies; and

WHEREAS, the County wishes to move forward with the project, including the additional associated work involved to incorporate the new parking lot and site work; and

WHEREAS, C & S Companies submitted an additional proposal for the additional services for a lump sum of \$6,900.00, copy attached; and

WHEREAS, Account No. A16204-54059 (1620.400.059-A), Professional Services, does not contain sufficient monies to pay for the additional work; now therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature be authorized to enter into a contract for additional services with C & S Companies for the associated work at 2 Park Place to incorporate a new parking lot and site work at 2 Park Place for a lump sum of \$6,900.00; and be it further

RESOLVED, that the sum of \$6,900.00 be transferred from Account No. A10164-54000 (1990-A), Contingency into Account No. A16204-54059 (1620.400.059-A), Professional Services; and be it further

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

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 660-08 (10/28/08) COA-AppChgsToDesignOfMHBldgPrj146NorthSt.
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO SIGN AMENDMENT TO AGREEMENT
WITH C&S COMPANIES FOR ADDITIONAL WORK ASSOCIATED WITH DESIGN CHANGES TO THE
146 NORTH STREET MENTAL HEALTH PROJECT.**

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

WHEREAS, the County entered into an Agreement with C&S Companies for the purpose of the renovation and construction of new space at 146 North Street, Auburn, New York; and

WHEREAS, C&S Companies had completed their program design work and received approval to proceed with the project; and

WHEREAS, the interim department head and Director of Community Services hired by the County had an opportunity to review the program design and recommended changes which would cause the size of the new extension to be reduced by 1000 square feet, resulting in potential savings of between \$80,000.00 and \$150,000.00 for construction of the project, and would also save dollars on future maintenance of the building; and

WHEREAS, these additional services are beyond the scope of the original agreement; and

WHEREAS, C & S Companies submitted an additional proposal for the additional services not to exceed \$11,500.00; and

WHEREAS, Account No. A16204-54059 (1620.400.059-A), Professional Services, does not contain sufficient monies to pay for the additional work; now there fore be it

RESOLVED, that the Chairman of the Cayuga County Legislature be authorized to sign an amendment to the original Agreement with C & S Companies for additional services related to the work at 146 North Street, Auburn, New York; and be it further

RESOLVED, that the sum of \$11,500.00 be transferred from Account No. A10164-54000 (1990-A), Contingency into Account No. A16204-54059 (1620.400.059-A), Professional Services; and be it further

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

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 661-08 (10-28-08) COA-EstablishCaphProjectNo.08-2
AUTHORIZING ESTABLISHMENT OF CAPITAL "H" PROJECT NO. 08-2 (EMERSON PARK
PAVILION RENOVATION) AND AMENDING RESOLUTION NO. 289-08.**

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

MR. MITCHELL, Chairman, Ways & Means Committee.

WHEREAS, Resolution No. 289-08 authorized the Parks & Trails Department to renovate Emerson Park Pavilion as recommended in the Crawford and Stearns Report in 2007 in an amount not to exceed \$67,000.00; and

WHEREAS, Resolution No. 289-08 authorized and directed the establishment of the Capital "H" Account, but did not assign a Capital "H" Project number to the Account; and

WHEREAS, Resolution No. 289-08 directed the County Treasurer to transfer the sum of \$67,000.00 from Kclient No. 7110.200.000-A (Munis Account No. A71102 52000) to the Capital "H" Account; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized and directed to establish Capital "H" Project Account No. 08-2 (Emerson Park Pavilion Renovation) in an amount not to exceed \$67,000, the source of funding to be by transfer from Account No. 7110.200.000-A (Munis Account No. A71102 52000); and be it further

RESOLVED, that Resolution No. 289-08 is amended as herein set forth; and be it further

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

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 662-08 Action Date 10/28/08 PSAPptESDfill
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 position; 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 (#001914) be filled, 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.

**RESOLUTION NO. 663-08 Action Date 10/28/08 PSAPftESDfillrev
AUTHORIZATION TO FILL TWO (2) FULL TIME VACANT EMERGENCY SERVICES DISPATCHER
POSITIONS.**

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

Mr. Francis Mitchell, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County 911 Center currently will have *two (2)* vacant Emergency Services Dispatcher positions, effective November 18, 2008 *and November 21, 2008* due to a resignation; and

WHEREAS, it is necessary to select candidates and fill the Emergency Services Dispatcher positions for continuity of services; now therefore be it

RESOLVED, that the positions (#001875 and #001922) be filled, and that the 911 Administrator be hereby authorized to fill the *two (2) full time* vacant Emergency Services Dispatcher positions from the existing Civil Service list; and be it further

RESOLVED, that the positions 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, Mitchell, Axton, Petrus, Schuster.

Approved by voice, vote all in favor.

RESOLUTION NO. 664-08 10/28/08 SHR-Pur.SaltDogg Spreader
AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO PURCHASE A SALTDogg SPREADER FOR USE AT THE CAYUGA COUNTY PUBLIC SAFETY BUILDING TO CONTROL ICE AND SNOW.

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

WHEREAS, the vehicles utilized by the Cayuga County Highway Department to control ice and snow do not sufficiently and safely prevent the build-up of ice and snow in the driveway of the Cayuga County Public Safety Building due to their large size and the difficulty in maneuvering said vehicles around said driveway; and WHEREAS, to safely and effectively control ice and snow build-up in the driveway of the Cayuga County Safety Building, a spreader designed for medium commercial applications that can be easily mounted upon a pick-up truck would ideally maintain safe, ice and snow-cleared passage ways at the jail; and WHEREAS, there is sufficient money in the 2008 Sheriff Custody Equipment Budget A31502 52000 (3150.200.000A) to purchase this item; now therefore be it

RESOLVED, the Cayuga County Sheriff is authorized to purchase a SaltDogg 7-1/2" Poly Electric Spreader in the amount of \$2,796,00 from General Welding & Fabricating, Inc. (State Contract No. PC63864); 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. 665-08 10/28/08 SHR-Transfer Monies (Veh.Loc.Proj.)
AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO TRANSFER MONIES FROM THE SHERIFF'S 2008 CUSTODY JAIL EQUIPMENT BUDGET LINE A31502 52000 (3150.200.000A) TO THE SHERIFF'S 2008 LAW ENFORCEMENT EQUIPMENT BUDGET LINE A31102.52000 (3110.200.000A)

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 Equipment Budget Line A31102 52000 (3110.200.000A) to cover the cost of additional computer equipment required to upgrade the Vehicle Locator Project; and

WHEREAS, there is a surplus amount of money in the Sheriff's 2008 Custody Jail Equipment Budget Line A31502 52000 (3150.200.000A) to compensate the shortage in the Sheriff's 2008 Law Enforcement Equipment Budget Line A31102 52000 (3110.200.000A); now therefore be it

RESOLVED, that the Cayuga County Treasurer be authorized to transfer \$3,500.00 from the Sheriff's 2008 Custody Jail Equipment Budget Line A31502 52000 (3150.200.000A) to the Sheriff's 2008 Law Enforcement Equipment Budget Line A31102 52000 (3110.200.000A); 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. 666-08 10/28/08 SHR-Pur.Port.Radios.rev
AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO PURCHASE 10 PORTABLE RADIOS FOR USE AT THE CAYUGA COUNTY PUBLIC SAFETY BUILDING.

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

WHEREAS, the Jail is in need new portable radios to replace old and defective radios; and

WHEREAS, the portable radios utilized by the Corrections Officers at the Sheriff's Office are purchased at Fingerlakes Communications; and

WHEREAS, there is sufficient money in the 2008 Sheriff Custody Equipment Budget A31502 52000 (3150.200.000A) to purchase these items; now therefore be it

RESOLVED, the Cayuga County Sheriff is authorized to purchase ten portable radios not to exceed \$7,000.00; 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, Mitchell, Axton, Petrus, Schuster.

Approved by voice, vote all in favor.

**RESOLUTION NO. 667-08 (October 28, 2008) DA.contractual transfer.08rev
AUTHORIZING THE DISTRICT ATTORNEY OF CAYUGA COUNTY TO TRANSFER FUNDS WITHIN
THE 2008 DISTRICT ATTORNEY A11654 [A.1165.400] CONTRACTUAL EXPENSE ACCOUNT (FROM
A11654 54086 [A.1165.400.086] WITNESS & TESTIMONY FEES TO A11654 54059 [A.1165.400.059]
PROFESSIONAL SERVICES)**

By: Raymond E. Lockwood, Chairman, Judicial & Public Safety, and
Francis Mitchell, Chairman, Ways and Means

WHEREAS, recently professional services, included a psychiatric examination of a defendant & finalization of report, as well as the testimony of an Expert Witness at trial were required; and

WHEREAS, the District Attorney 2008 Budget has insufficient funds in the 2008 A11654 [A.1165.400] Contractual Expense Account Budget Line A11654 54059 Professional Services to pay an invoice for Professional Services rendered by an Expert Witness; and

WHEREAS, there are sufficient funds in the 2008 A11654 [A.1165.400] Contractual Expense Account Budget Line A11654 54086 [A.1165.400.086] Witness & Testimony Fees to cover the cost of said invoice; now therefore be it

RESOLVED, that the Cayuga County Treasurer be authorized to transfer \$4,532 from A11654 [A.1165.400] Contractual Expense Account Budget Line A11654 54086 [A.1165.400.086] Witness & Testimony Fees to A11654 [A.1165.400] Contractual Expense Account Budget Line A11654 54059 Professional Services; and be it further RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to make the necessary journal and accounting entries to accomplish same.

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

Approved by voice, vote all in favor.

**RESOLUTION NO. 668-08 (October 28, 2008) DA.ADA salary adjustments.2Rev
REDUCING THE SALARY OF THE VACANT ASSISTANT DISTRICT ATTORNEY POSITION IN THE
DISTRICT ATTORNEY'S OFFICE AND AUTHORIZING SALARY ADJUSTMENTS AMONG FIVE (5)
SENIOR ASSISTANT DISTRICT ATTORNEYS TO REFLECT EXPERIENCE, CASELOAD AND COURT
ASSIGNMENTS (No Increase in Budget or County Share)**

By: Raymond E. Lockwood, Chairman, Judicial & Public Safety, and
Francis Mitchell, Chairman, Ways and Means

WHEREAS, by Resolution No.832-07, District Attorney Jon E. Budelmann received Legislative approval on December 18, 2007 to fill the Chief Assistant District Attorney vacancy in his office by an outside applicant or by promotion from within; and

WHEREAS, effective February 26, 2008 a full-time senior Assistant District Attorney was appointed to Chief Assistant District Attorney; and

WHEREAS, by Resolution No. 155-08, District Attorney Jon E. Budelmann also received Legislative approval on February 26, 2008 adjusting various responsibilities for the Assistant District Attorney positions and authorizing salary adjustments among the Assistant District Attorneys to reflect experience, caseload and assignments; and

WHEREAS, after several months of interviewing candidates, the District Attorney has been unsuccessful in filling the vacancy with an experienced candidate; and

WHEREAS, in order to accurately reflect legal/prosecutorial experience, caseload, job responsibilities, oversight and court assignments, the District Attorney has deemed it necessary to reduce the salary of the vacant Assistant District Attorney position by \$14,800.00 and adjust the salaries of the five (5) senior Assistant District Attorneys; and

WHEREAS, the District Attorney proposes the following adjustments in Part IV of the Cayuga County 2008 Compensation Plan:

DISTRICT ATTORNEY:

Position #001785-SYS (Chief Assistant District Attorney)	\$80,000 increase to \$80,795
Position #003095-SYS (Assistant District Attorney)	\$65,000 increase to \$66,500
Position #001795-SYS (Vacant Assistant District Attorney)	\$60,000 decrease to \$45,200
Position #001797-SYS (STOP DWI ADA)	\$55,000 increase to \$61,208
Position #001784-SYS (STOP VAW ADA)	\$49,948 increase to \$53,005
Position #005202-SYS (Assistant District Attorney)	\$47,000 increase to \$50,240

WHEREAS, the Legislature is desirous about retaining experienced prosecutors and making certain the salaries within the District Attorney's Office accurately reflect legal/prosecutorial experience, caseload, job responsibilities, oversight and court assignments, and in order to retain the experienced prosecutors in the office; and

WHEREAS, the proposed allocations do not raise the District Attorney's 2008 Budget or county share therein; now therefore be it

RESOLVED, that the Assistant District Attorney salary adjustments are hereby amended effective 1-1-09 as follows:

DISTRICT ATTORNEY:

Position #001785-SYS (Chief Assistant District Attorney)	\$80,000 increase to \$80,795
Position #003095-SYS (Assistant District Attorney)	\$65,000 increase to \$66,500
Position #001795-SYS (Vacant Assistant District Attorney)	\$60,000 decrease to \$45,200
Position #001797-SYS (STOP DWI ADA)	\$55,000 increase to \$61,208
Position #001784-SYS (STOP VAW ADA)	\$49,948 increase to \$53,005
Position #005202-SYS (Assistant District Attorney)	\$47,000 increase to \$50,240

RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to make the necessary journal and accounting entries to accomplish the foregoing; and it is 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 that Part IV of the 2008 Cayuga County Compensation Plan are amended to reflect the adjustments herein.

Discussion: Fearon, difficult times, I don't support, needs to fail of be tabled until we know budget.

Chapman, I did the research, DA Jon Budelmann is adjusting salaries, comparable with other counties. He is moving money within his budget, other department also do this, I support this.

Axton, this is promoting from within and creating entry level position, I support.

Cuddeback, enter level attorney will help with workload.

Mahunik, I don't think resolution accomplishes the problem, it will come back.

Palermo, not an increase in budget.

Lockwood, need to vote.

Cuddeback, let departments use the money.

Mitchell, we can adjust fund balance to correct, not helpful in the long run.

Signed by Lockwood, Chapman, Cuddeback, Murphy, Axton, Petrus, Schuster.

Approved by majority voice vote, voting yes Chapman, Palermo, Axron, Petrus, Lockwood, Cuddeback, Tortorici, Murphy, Schuster, Sincebaugh, Mills. Voting no, Mahunik, Fearon, Mitchell. Excused McIntosh.

RESOLUTION NO. 669-08 10/28/08 SHR-Transfer Monies (Auto Exp./Motor Pool & Auto Exp. Other) AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO TRANSFER MONIES FROM THE SHERIFF'S 2008 CUSTODY GAS HEAT BUDGET LINE A31504 54024 (3150.400.024) AND SHERIFF'S 2008 CUSTODY ELECTRICAL SERVICE BUDGET LINE A31504 54023 (3150.400.023) TO THE SHERIFF'S 2008 LAW ENFORCEMENT AUTO EXPENSE/MOTOR POOL BUDGET LINE A31104 54008 (3110.400.008) AND AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO TRANSFER MONIES FROM THE SHERIFF'S 2008 CUSTODY WATER SERVICE BUDGET LINE A31504 54068 (3150.400.068) TO THE SHERIFF'S 2008 LAW ENFORCEMENT AUTO EXPENSE/OTHER BUDGET LINE A31104 54009 (3110.400.009).

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 Auto Expense/Motor Pool Budget Line A31104 54008 (3110.400.008) to cover the cost of motor fuel due to the significant increase in gasoline prices; and

WHEREAS, there is an insufficient amount of money in the Sheriff's 2008 Law Enforcement Auto Expense/Other A31104 54009 (3110.400.009) to cover the cost of repairs, etc. needed for the Sheriff's Office patrol vehicles; and

WHEREAS, there is enough money in the Sheriff's 2008 Custody Gas Heat Budget Line A31504 54024 (3150.400.024) and Sheriff's 2008 Custody Electrical Service Budget Line A31504 54023 (3150.400.023) to compensate the shortfall in the Sheriff's 2008 Law Enforcement Auto Expense/Motor Pool Budget Line A31104 54008 (3110.400.008); and

WHEREAS, there is enough money in the Sheriff's 2008 Custody Water Service Budget Line A31504 54068 (3150.400.068) to compensate the shortfall in the Sheriff's 2008 Law Enforcement Auto Expense/Other Budget Line A31104 54009 (3110.400.009); now therefore be it

RESOLVED, that the Cayuga County Treasurer be authorized to transfer \$10,000.00 from the Sheriff's 2008 Custody Gas Heat Budget Line A31504 54024 (3150.400.024) and \$10,000 from the Sheriff's 2008 Custody Electrical Service Budget Line, totaling a \$20,000.00 transfer, to the Sheriff's 2008 Law Enforcement Auto Expense/Motor Pool Budget Line A31104 54008 (3110.400.008); and further be it

RESOLVED, that the Cayuga County Treasurer be authorized to transfer \$5,000.00 from the Sheriff's 2008 Custody Water Service Budget Line A31504 54068 (3150.400.068) to the Sheriff's 2008 Law Enforcement Auto Expense/Other Budget Line A31104 54009 (3110.400.009); 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. 670-08

10/28/08

SHR-Pur.SteamTable.rev

AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO PURCHASE A FOUR HOT WELL CORRECTIONAL-STYLE STEAM TABLE WITH AN ENCLOSED HEATED BASE FOR FOOD SERVICE AT THE CAYUGA COUNTY PUBLIC SAFETY BUILDING.

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

WHEREAS, the Jail is in need of a new steam table for food service at the Cayuga County Public Safety Building that contains an enclosed heated base to hold additional trays of warm food; and

WHEREAS, the Sheriff's Office contacted the following companies to obtain quotes for a steam table with an enclosed heated based: (1) Syracuse Restaurant Supply, (2) Buffalo Hotel Supply Co., Inc., (3) Cook's, (4) Central Restaurant Products, (5) Gerharz Equipment, Inc., and (6) B & W Supply Company; and

WHEREAS, the Sheriff's Office was only able to receive quotes from half of the companies contacted as the other companies did not carry the particular four hot well correctional-style steam table with an enclosed heated base as needed by the Jail; and

WHEREAS, the prices obtained for the steam table were as follows: (1) Buffalo Hotel Supply Co., Inc. - \$8,457.43, including freight and delivery, (2) B&W Supply Company - \$5,537.00 and (3) Gerharz Equipment, Inc. - \$7,542.20, including freight and delivery; and

WHEREAS, the lowest quote obtained from B&W Supply Company is for a product made from a lesser grade gauge of steel causing concern that it will not be able withstand the frequency it will need to be used (seven days a week, three times a day); and

WHEREAS, the steam tables offered through Buffalo Hotel Supply Co., Inc. and Gerharz Equipment, Inc. are made well and will sufficiently meet the needs of the kitchen at the Cayuga County Public Safety Building; and

WHEREAS, there is sufficient money in the 2008 Sheriff Custody Equipment Budget A31502 52000 (3150.200.000A) to purchase the steam table through Gerharz Equipment, Inc. in the amount of \$7,542.20; now therefore be it

RESOLVED, that the Cayuga County Sheriff is authorized to purchase a four hot well correctional-style steam table with an enclosed heated base from Gerharz Equipment, Inc., Inc. for \$7,542.20; and further be it

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 671-08 Date of Meeting: 10/28/08 Amicus Curiae Brief

REQUESTING HARRIS BEACH, PLLC, TO PREPARE AND SUBMIT AN AMICUS CURIAE BRIEF SUPPORTING MADISON AND ONEIDA COUNTIES IN OPPOSITION TO LAND BEING TAKEN INTO FEDERAL TRUST FOR THE ONEIDA INDIAN NATION

BY: George Fearon

BY: Ray Lockwood

BY: David Axton

Whereas, the Oneida Indian Nation has applied for land to be placed in federal trust for it in Madison and Oneida counties, and

Whereas, the United States Secretary of the Interior has issued a Record of Decision indicating that department's intent to take 13,003 acres in those counties into federal trust for the Oneida Indian Nation, and

Whereas, the counties of Madison and Oneida have until November 18, 2008, to file their objection to title to such land being taken by the federal government,

and

Whereas, the counties of Cayuga and Seneca are facing land into trust applications filed by the Cayuga Indian Nation, and

Whereas, the taking of any land in the State of New York for any Indian tribe would set a precedent disadvantageous to the counties of Cayuga and Seneca, and

Whereas, the law firm of Harris Beach currently represents the counties of Cayuga and Seneca in land into trust matters, be it therefore

RESOLVED, the Cayuga County Legislature hereby directs Harris Beach, PLLC, to prepare and submit to the Federal District Court of Northern New York an amicus curiae brief in support of the counties of Madison and Oneida in opposition to the taking of land into trust by the U. S. Department of Interior for the Oneida Indian Nation.

Signed by Fearon, Lockwood, Axton.

Approved by voice vote, all in favor.

Motion by Chapman to recess at 11:25AM, all in favor, to reconvene at 2:00PM

Legislator Murphy excused from afternoon session.

Motion by Chapman to go into Executive Session at 1:56PM re: Personnel Issue, all in favor. Invited in Jeff Edwards Commissioner of Civil Service and Fred Westphal County Attorney.

Motion by to come out of Executive Session at 3:09PM, all in favor.

Motion by Chapman to adjourn at 3:10PM, all in favor.

MINUTES: For Approval: 10-20-08, 10-28-08, and 10-30-08, **Motion by Chapman 2nd by Tortorici to approve, all in favor.**