

**MINUTES
CAYUGA COUNTY LEGISLATURE
DECEMBER 16, 2008, 6:30 PM**

WELCOME:

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

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

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

PUBLIC HEARING: Opened at 6:32PM:

To Adopt Local Law No. for the Year 2008 Providing for a Salary Increase for the County Attorney, Who is Appointed for a Fixed-Term, During his Term.

PROCLAMATION:

Recognizing The Church of the Holy Family for its 175th Anniversary, read by Mary Jones, Clerk of the Legislature, will be presented to members of the Church at a latter date.

Declaring December 30, 2008 as Nicholas C. Valenti Day in Cayuga County, read by Mary Jones, Clerk of the Legislature, presented to Nick Valenti by Roger Mills, Chairman Cayuga County Legislature.

Declaring December31, 2008 as George H. Daniels Day in Cayuga County, read by Mary Jones, Clerk of the Legislature, presented to George Daniels by David Gould, Sheriff and Roger Mills Chairman Cayuga County Legislature.

EMERGENCY AUTHORIZATION FOR SPENDING:

Department: Buildings & Grounds

Reason:

County Office Building heating project change order

2 Heating units at the Hardenburg Building have failed.

The unit that supplies heat to the DA office and Grand Jury room has a bad heat exchanger and burned out some of the controls. This unit needs to be replaced.

The unit that supplies heat to the Veterans and Norm Cherco's area requires a new blower motor for a temporary repair.

This unit should be replaced soon, do to its condition.

Account number A16224-54001 (1622.400.001) has \$10,000.00 to cover this expense.

Total estimate \$9,570.00 installed.

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

EMERGENCY AUTHORIZATION FOR SPENDING:

WHEREAS, the current Director of Veterans Service Agency is retiring effective December 30, 2008, Now therefore be it

RESOLVED, that the undersigned authorize on an emergency basis the following;

RESOLVED, that the Cayuga County Department of Human Resources and Civil Service Commission be hereby authorized to advertise for a full-time Director of Veterans Service Agency; and be it further

RESOLVED, that a sum up to \$3,500.00 be transferred from Contingency Account (A1990-K-Client) (A1016-Munis) to Advertising Account (A1430.400.061-K-Klient) (A14304-54061-Munis); and be it further

RESOLVED, that the County Treasurer be hereby authorized to make any journal or accounting entries to transfer the funds for the cost of the advertisements pursuant to this emergency authorization.

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

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

For Reading: 11-18-08 and 11-25-08

CCC REPORT: Dr. Daniel Larson: December Graduation, 31 students completed their requirements for associate's degrees as of the end of Fall 08. Holiday Events, Holiday Craft Fair, Holiday Cookie Drop, Music students gave three public performances during December. State Senator Darrel Aubertine of the 48th Senate District, visited our Fulton Campus and reviewed our proposal to expand. Accounting Program Speaker Series, covers job searches, accounting for non-profit entities, and assistance with the IRS-sponsored CASH program. Enrollment, full time enrollment is down by 4 and part time by 248, compared to 2007. FTE enrollment is up compared to 2007.

PRESENTATION: Langone & Associates on the 911 Radio Communication Project. Chick Langone Presenter:

Handout attached to original minutes: Discussion:

Chapman, look at sites beyond borders of County, people not in the consortium can they use this system.

Chick Langone, yes with a translator devise.

Chapman, vehicle to vehicle.

Chick Langone, can link to 911 system, look at other counties you need to communicate with.

Fearon, can we share towers, Aurora is a dead area.

Chick Langone, one way site now, we can change.

Sincebaugh, 5 counties on board now, is that a fact?

Chick Langone, 5 counties have signed up to work as a consortium, Onondaga, contract, Madison no contract yet,

Oswego, developing conceptual design, Cortland looking at options no status yet, Chenango is looking at.

Denise Stayton 911 Administrator, could be more counties.

Fearon, if we don't do it now it will be more in the future.

Schuster, City of Auburn has to get off their system, does our schedule fit in with theirs.

Chick Langone, more related to County, the City is under FCC mandate to reshuffle their radio frequency, could be implemented sooner than the County.

Schuster, goal is to have the City system compatible with the County. City can go first then County.

Chick Langone, County does the master plan.

Schuster, how much as Onondaga County spent?

Chick Langone, 33 million for signed contract, 15 radio sites 5,200 radios, could go up if they need more. 3 new towers near Cayuga County boarder.

Sincebaugh, what is the cost for Cayuga County.

Chick Langone, no idea yet, we are working on it.

Chapman, does Onondaga County have their own towers or are they using Cayuga County towers.

Chick Langone, they want to own their own towers, 15 sites, one is a Verizon tower.

Al Kozlowski Director of Real Property, internet packages, need broad band service, help economy.

Chick Langone, haven't looked at, we can look at it.

Roger Mills Chairman, is there an infrastructure we could use for broadband.

Chick Langone, not sure.

Schuster, need to get a Project Manager for this, wise investment move forward.

Denise Stayton 911 Administrator, need a job description, Onondaga County has a person they use.

Lockwood, Public Safety Committee issue, first of year advertise and interview, get the best person for the job.

Public Hearing closed at 7:34PM, all in favor.

COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS:

Lockwood, Native American Affairs, thank you to Jon Budelmann DA, we had a conference call with Senator Schumer he will lead us to get a moratorium on Indian Land in Cayuga County. Moving in a good direction. Fred Westphal Co. Attorney, appeal process has started, will keep you informed.

MANAGER'S REPORT: Wayne Allen, Governor has released budget, cuts across the board. Nursing Home, Public Health, Dept. of Social Services, we need Medicaid cap. Adopt budget by 3-1-08, 13.7 deficit for next year. Lockwood, prior to cap, 1.4 million will double 2 to 3 million increase with out cap on Medicaid.

APPOINTMENTS AND RE-APPOINTMENTS:

Cayuga County Industrial Development Agency

Raymond Lockwood, 1877 State Route 326, Auburn, NY, term 1/1/09 – 12/31/10 (2 yrs)
Vijay K. Mital, 52 Kearney Avenue, Auburn, NY, term 1/1/09 - 12/31/10 (2 yrs)
John Latanyshyn, 5663 Silver Street Road, Auburn, NY, term 1/1/09 - 12/31/10 (2 yrs)
Carol Contiguglia, 125 South Herman Avenue, Auburn, NY, term 1/1/09 – 12/31/10 (2 yrs)
Paul Lattimore, 363 Cottonwood Lane, Auburn, NY, term 1/1/09 – 12/31/10 (2 yrs)

Motion by Chapman, 2nd by Sincebaugh to approve, all in favor

Ag and Farmland Protection Board

Craig Culver, 4826 Silver Street, Auburn, NY, term 1/1/09 – 12/31/12 (4 yrs)
Ron Podolak, 5002 North Road, Auburn, NY, coterminous with position

Motion by Chapman, 2nd Cuddeback to approve, all in favor.

Cayuga County Public Utility Service Agency

James Young, 4549 State Route 34B, Union Springs, NY, term 4/1/08 – 3/31/11 (3 yrs)
Cal Scheckler, 10866 Bonta Bridge Road, Cato, NY, term 4/1/08 – 3/31/11 (3 yrs)
William Graney, 4 Sumner Street, Auburn, NY, term 4/1/08 – 3/31/11 (3 yrs)
Ron Colella, 6662 Butera Drive, Auburn, NY, term 4/1/08 – 3/31/12 (4 yrs)

Motion by Chapman, 2nd by Sincebaugh to approve, all in favor.

Water Quality Management Agency

Stephen Lynch, 160 Genesee St., 5th Floor, Auburn, NY, term 1/1/09 – 12/31/09
Eileen O'Connor, 160 Genesee St., 2nd Floor, Auburn, NY, term 1/1/09 – 12/31/09
Gary Duckett, 6914 East Lake Road, Auburn, NY, term 1/1/09 – 12/31/09
Ron Podolak, 5002 North Road, Auburn, NY, term 1/1/09 – 12/31/09
Bruce Natale, 160 Genesee St., 2nd Floor, Auburn, NY, term 1/1/09 – 12/31/09
Doug Ververs, Cornell Cooperative Ext., 248 Grant Ave., Auburn, NY, term 1/1/09 – 12/31/09
Edward Wagner, 57 Willowbrook Dr., Auburn, NY, term 1/1/09 – 12/31/09
Bruce Ross, Memorial City Hall, 24 South St., Auburn, NY, term 1/1/09 – 12/31/09
Harry Hinman, 2722 Mechanic St., PO Box 13, Weedsport, NY, term 1/1/09 – 12/31/09
Keith Batman, 3649 Keesee Road, Moravia, NY, term 1/1/09 – 12/31/09
Dale Powell, 192 East Lake Road, Port Byron, term 1/1/09 – 12/31/09
Barbara Harvey, 1220 Lake Como Road, Cortland, NY, term 1/1/09 – 12/31/09
John Corcoran, 11790 State Route 90, Locke, NY, term 1/1/09 – 12/31/09
William Hecht, Po Box 86, Union Springs, NY, term 1/1/09 – 12/31/09
James Young, 4549 State Route 34B, Union Springs, NY, term 1/1/09 – 12/31/09

Motion by Chapman, 2nd by Fearon to approve, all in favor.

Cayuga County Convention & Visitors Bureau (Tourism Board)

Peter Tortorici, 19 Union St., Auburn, NY, term: Ex-Officio

Motion by Chapman, 2nd by Sincebaugh to approve, all in favor.

Cayuga County EMS Advisory Board

David M. James, 2687 Bell St., Weedsport, NY 13166, term 1/1-09 to 12/31/09
Dr. Mary DiRubbo, PO Box 775, Skaneateles, NY 13152 term 1/1/09 to 12/31/09
Roman Rotko, 213 Dunning Ave., Auburn, 13021 term 1/1/09 to 12/31/09
Michael Deyneka, 6468 E. Lake Rd., Auburn, NY 13021 term 1/1/09 to 12/31/09
Joseph DiFabio, 260 McIntosh Dr., Auburn, NY 13021 term 1/1/09 to 12/31/09
Deanna Gates, PO Box 100, Meridian, NY 13113 term 1/1/09 to 12/31/09
Sam Giannettino, 100Swift St., Auburn, NY 13021 term 1/1/09 to 12/31/09
Travis Poole, 33 French Ave., Auburn, NY 13021 term 1/1/09 to 12/31/09
Lon Fricano, 321 Backus Rd., Cayuga, NY 13034 term 1/1/09 to 12/31/09
Albert Mantey, 3045 White Rd., Moravia, NY 13118 term 1/1/09 to 12/31/09
Kezia Parseghian, 294 Lake Rd., King Ferry, NY 13081, term 1/1/09 to 12/31/09
Jen Savery, 1069 Swamp Rd., Cato, NY 13033, term 1/1/09 to 12/31/09
Edward B. Sherman, 107 Melrose Rd., Auburn, NY 13021, term 1/1/09 to 12/31/09
Lori DeBois, 626 McDonald Rd., Port Byron, NY 13140, 1/1/09 to 12/31/09

Motion by Chapman, 2nd by Sincebaugh to approve, all in favor.

Board of Elections

Democratic Election Commissioner – 4 year term (1/1/09 – 1/1/12)

Katie Lacey, 49 Chedell Place, Auburn, New York

Motion by Mahunik, 2nd by Sincebaugh to approve, all in favor.

Republican Election Commissioner – 4 year term (1/1/09 -1/1/12)

Cherl Heary, 561 Dills Road, Union Springs, New York

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

Health Care Consortium Board of Directors:

Jeffrey L. Edwards, 1986 Rte. 34, Genoa, NY 13071 term 1/1/09 to 12/31/09

Pamela Kirkwood, 22 Willowbrook Dr., Auburn, NY 13021 term 1/1/09 to 12/31/09

John A. Karpinski, 22 Eastern Pkwy, Auburn, NY 13021 (**Alternate**)

Motion by Chapman, 2nd by Sincebaugh to approve, all in favor.

Fish & Wildlife Management Board:

Dennis Rhoads, 7219 Hatfield Rd., Cortland, NY 13045, (**Sportsman Rep.**) term 1/1/09 to 12/31/09

Dennis Zach, 97 N. Lewis St., Auburn, NY 13021 (Alternate for Dennis Rhoads)

Lance Robson, 365 Center St. Rd., Auburn, NY 13021 (**Landowner Rep.**) term 1/1/09 to 12/31/09

TBD Legislative appointment, **No one was appointed.**

Motion by Chapman, 2nd by Cuddeback, all in favor.

COMMUNICATIONS AND ANNOUNCEMENTS:

1. Received a letter from Brian Kolb, State Assembly, re: reductions in state funding.
2. Received a letter from William Door, President Musical Theatre Festival, thanking the Cayuga County Legislature's decision to invest \$25,000.00 to support the festival.
3. Received acknowledgment from Brian Kolb, State Assembly for receipt of a copy of Resolution 685-08, urging the Governor and the State Legislature to reduce State spending.
4. Received a letter from Susan Crabtree, Clerk Oneida County Legislature, re: Memorializing Petition to enforce the collection of sales taxes on sales to non-Indians at Indian-owned enterprises.
5. Received a letter from the City of Auburn, giving the County Highway permission to dispose of animal carcasses at the City's Solid Waste Facility, no charge.
6. Received a letter from New York State Emergency Management Office, Albany, NY, re: FFY08 Citizen Corps Grant Program, the application was denied.
7. Received a letter from Kate Flannery, Executive Director Susan G. Komen, Central New York Affiliate, thanking the Cayuga County employees for their gift of \$1,415.25.
8. Received a letter from Michael F. Nozzolio, Senator, re: resolution No. 685-08 (Urging the Governor and the State Legislature to Reduce Spending without Shifting Costs for State Programs to County Government), thanking the County for keeping him informed.
9. Received a letter from The Holy Family Church, Auburn, NY, Re: The Church will be celebrating its 175th anniversary starting December 27, throughout all of 2009.
10. Received several letters thanking the Sheriff's Dept. for their services and help.
11. Received a letter from Gay Wayne, re: approval for rescinding his irrevocable intent to retire.
12. Received a letter from David Sincerbeaux, re: approval for rescinding his irrevocable intent to retire.
13. Received a letter from David J. Swarts, Commissioner Dept. of Motor Vehicles approving the 2009 STOP-DWI Plan as submitted.

Motion by Lockwood, 2nd by Tortorici, to waive reading of correspondence and announcements, all in favor.

RECESS:

RESOLUTIONS

RESOLUTION NO. 755-08

AuditDec.08.doc

AUTHORIZING THE COUNTY TREASURER TO PAY DECEMBER 2008 AUDIT OF CLAIMS

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

WHEREAS, The Legislature did at its regular meeting on November 25, 2008 audit claims against the County of Cayuga in the aggregate sum \$1,155,604.06, therefore be it

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

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 756-08

AudithighwayDec.08.doc

AUTHORIZING THE COUNTY TREASURER TO PAY CAYUGA COUNTY HIGHWAY DEPARTMENT'S DECEMBER 2008 AUDIT OF CLAIMS

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

WHEREAS, The Legislature did at its regular meeting on December 16, 2008 audit claims against the County of Cayuga Highway Department in the aggregate sum of \$359,425.93, 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 11, 2007.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 757-08

12/16/08

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:

NOVEMBER 2008		
Gas & Electric	:	\$22,244.04
Telephone:		\$17,579.43
Water		\$24,233.25
Landfill/Rubbish		<u>\$ 3,394.98</u>
Total:		\$67,451.70

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

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

Approved by voice vote, all in favor.

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.

NOVEMBER TOTAL

\$4,242.23

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

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

RESOLUTION NO. 763-08 (12/16/08)

COA-CAPH12PAY(Rev)

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 #04-4 (Enhanced Wireless 911 Expedited Deployment Plan):

NEW WORLD SYSTEMS:

Inv. No. 57315.....	\$ 960.00
Inv. No. 57636.....	\$ 2,500.00
Inv. No. 55568.....	\$ 4,500.00

CDW GOVERNMENT, INC.:

Inv. No. LST1941.....	\$ 1,335.00
Inv. No. LSP3961.....	\$ 20.00

ESRI:

Inv. No. 91835235.....	\$ 5,733.00
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2. Project #06-5 (Modification to the Cayuga County Office Bldg. Heating System):

C-COM OF CNY:

Inv. No. 4393.....	\$ 7,742.00
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BOULEY ASSOCIATES, INC.:

Application & Certificate for Payment #2 dated 11/18/08 (FIREPROOFING).....	\$ 28,500.00
Application & Certificate for Payment #3 dated 11/25/08 (FIREPROOFING) (Final Payment).....	\$ 7,610.00

SIRACUSA MECHANICAL, INC.:

Application & Certificate for Payment #12 dated 11/20/08 (HVAC).....	\$ 43,047.40
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3. Project #07-1 (Erie Heritage Preservation):

KENT ENVIRONMENTAL:

Inv. No. 72.....	\$ 2,470.00
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4. Project #08-1 (Renovations – Mental Health, North Street):

C & S COMPANIES:

Inv. No. 0865.....	\$ 25,000.00
Inv. No. 0866.....	\$ 11,500.00

And be it further

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 764-08

12/16/08

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:

NOVEMBER 2008

Copier Leases and Maintenance:	\$6,838.86
Postage Leases:	\$1,195.00
Misc. Leases:	<u>\$1,761.31</u>
Total	\$9,795.17

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 765-08

12/16/08

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:

NOVEMBER 2008

\$ 56.89

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 766-08

12/16/08 RPSparcontractrev

AUTHORIZING AN AGREEMENT BETWEEN PAR GOVERNMENT SYSTEMS CORP AND CAYUGA COUNTY TO DEVELOP REAL PROPERTY ONLINE SOFTWARE.

Whereas, currently the Office of Real Property uses a software called Imagemate online to provide taxpayers with online access to property data; and

Whereas, the annual fee to maintain this software is \$3,000.00, and the annual fees to have to software hosted at the college is \$7,200.00; and

Whereas, the county has already purchased a dedicated server through grant funds, and is now ready to host and maintain our own software; and

Whereas, the final stage of this plan is to develop our own software to allow public access to property records on-line; and

Whereas, PAR Government Systems Corp. has submitted a quote for the work to be done for \$16,500; and

Whereas, there are sufficient monies from the 2008 Centralized Tax Administration Grant cover this fee; and

Whereas, the fee will be paid out of account number 1355.400.059 (kclient) 1355A54059 (munis); and

Whereas, developing this software and maintaining it on a county server in the office of Real Property will save the county \$10,200 yearly in maintenance and hosting fees; Now therefore be it,

Resolved, that the Chairman of Cayuga County is authorized to execute an agreement with PAR Government Systems Corp. to develop Cayuga County Real Property Online software, using the guidelines set forth in the attached draft of the principles to be included in the agreements; and also be it

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 767-08 (12/16/08)

rpsCCCapportioncostres

Authorize Director of Real Property Services to Apportion Community College Costs for Tax Purposes

By: Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, The Cayuga County Treasure’s has provided figures to be levied back against several municipalities; Now therefore be it

RESOLVED, that the Office of Real Property Services is hereby authorized to charge the several municipalities the costs as certified by the County Treasurer for Community College purposes as follows:

City of Auburn	113,187.26	Town of Moravia	35,093.22
Town of Aurelius	13,242.44	Town of Niles	7,676.56
Town of Brutus	27,981.36	Town of Owasco	32,627.21
Town of Cato	26,093.26	Town of Scipio	15,126.06
Town of Conquest	8,462.26	Town of Sempronius	20,352.82
Town of Fleming	26,730.40	Town of Sennett	21,032.32
Town of Genoa	21,772.27	Town of Springport	18,328.06
Town of Ira	16,967.26	Town of Sterling	26,950.29
Town of Ledyard	11,761.69	Town of Summerhill	19,979.91
Town of Locke	19,753.02	Town of Throop	11,659.95
Town of Mentz	6,321.72	Town of Venice	7,955.36
Town of Montezuma	10,040.31	Town of Victory	9,136.02

Total 528,231.03

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

Approved by voice vote, all in favor.

RESOLUTION NO. 768-08 (12/16/08)CayCoWaterDistictsrev

AUTHORIZING THE LEVY OF AD VALOREM TAXES FOR COUNTY WATER DISTRICT # 1,WATER DISTRICT #2, WATER DISTRICT # 3 & AND UNIT TAXES FOR SEWER DISTRICT # 2 FOR THE COUNTY WATER AND SEWER AUTHORITY IN SEVERAL TOWNS.

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

WHEREAS, New York State Finance Law requires the legislative body to annually approve the rates and/ or ad valorem or unit based taxes in water and sewer districts; and

WHEREAS, the Director of Operations of the Cayuga County Water and Sewer Authority presented rates and ad valorem taxes in Water Districts #1, #2 & #3 and Unit taxes in Sewer Distric #2; therefore be it

RESOLVED, that the following amounts in the respective towns, representing the capital cost outlay and operation and maintenance for the County Water/Sewer Authority WaterDistricts 1, 2, and 3, and Sewer District #2 be collected for the 2009 tax roll, are hereby approved:

COUNTY WATER DISTRICT # 1 & #2

Town of Brutus	\$1,212.17
Town of Mentz	\$4,273.83
Town of Sennett	\$14,195.00
Town of Throop	<u>\$12,586.00</u>
Total	\$32,267.00

COUNTY WATER DISTRICT #3

Town of Aurelius	\$14,143.58
Town of Fleming	\$ 455.42
Total	\$14,599.00

COUNTY SEWER DISTRICT # 2

Town of Sterling	\$192,649.65
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Signed by Mitchell, Axton, Lockwood, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor.

RESOLUTION NO. 769-08 12/16/08 COL annex08

DESIGNATING DECEMBER 16, 2008, AS THE DATE TO ANNEX THE TAX WARRANT (M).

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

WHEREAS, pursuant to section 904 of the Real Property Tax Law of the State of New York the county Legislative body shall annex to or, in the case of assessment rolls prepared in accordance with the provisions of article fifteen-C now, therefore, be it

RESOLVED, that December 16th, 2008 is the date when, pursuant to Section 904 of the Real Property Tax Law of the State of New York, this Legislature hereby orders that there shall be annexed to the Tax Rolls of the constituent towns and city of this County, the warrant described in Section 904 of the Real Property Tax Law, under the Seal of this Legislature signed by the Chairman of the Legislature and the Clerk of the Legislature, authorizing and directing the collecting officers of the city and towns to collect from the several persons, corporations and other entities named in said Tax Roll, the amounts listed opposite their respective names, together with any interest or penalties thereon prescribed by law, ON or BEFORE the first day of February, 2009.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 770-08

12/16/87COL signtaxrolls08

APPROVE THE TAXES AS EXTENDED AND AUTHORIZE THE CHAIRMAN AND THE CLERK OF THE LEGISLATURE TO SIGN THE TAX ROLLS.

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

RESOLVED, that the several taxes extended upon the tax rolls of the County be approved by the County Legislature, and be it further

RESOLVED, that the Chairman and the Clerk of the Legislature be and are hereby authorized and directed to sign the warrants attached to said rolls as provided by the Tax Law of the State of New York and deliver the said rolls to the respective Supervisors for transfer to their respective Collectors.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 771-08 12/16/078

COL UNDTAKCO.OFF08

ANNUAL RESOLUTION APPROVING AND FIXING UNDERTAKING FOR COUNTY OFFICIALS PURSUANT TO STATUTE.

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

WHEREAS, the Public Officers Law, the County Law, the Social Services Law and other statutes of the State of NY provide that certain officials and employees of the County shall have an official undertaking which shall be to the effect that he/she will faithfully discharge the duties of his/her office and promptly account for and pay over all moneys or property received by him/her as such officer or in default thereof, that the party executing such undertaking will pay all damages, cost and expenses resulting from such default (hereafter "the undertaking"); and

WHEREAS, subsection 2 of section 11 of the Public Officers law provides that a blanket undertaking may be used in place of a person specific undertaking and the County has historically availed itself of that option; and

WHEREAS, the County regularly maintains Public Employee Dishonesty Coverage (including faithful performance of duty) with a \$500,000 limit per employee and a \$1,000 deductible; Now, therefore, be it

RESOLVED, that this County Legislature confirms that its Public Employee Dishonesty Coverage which covers all county employees and officers (including, but not limited to, those required by law to have an undertaking) written by its current insurance Company (or similar renewal thereof) in the amount of \$500,000 coverage (\$1,000 deductible) is hereby fixed and approved as sufficient and proper undertaking to satisfy the requirements of all of said statutes above referred to; and be it further

RESOLVED, that said undertaking, which covers each and every existing employee and officer and will cover each and every employee and officer to take office or employment during the term of the undertaking shall be deemed to be so fixed and approved as sufficient and proper undertaking statutorily for said existing employees and officers as well as future employees and officers commencing their duties hereafter unless the amount of the coverage is changed (thus requiring a new resolution approving it) or this resolution is superseded by a future resolution of this body; and be it further

RESOLVED, that this resolution shall be considered adequate approval of the subject matter for the entire year of 2008 and until a future resolution concerning the subject matter is adopted; and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to file a certified copy of this resolution and a copy of said undertaking with the Comptroller of the State of New York to satisfy statutory requirements in section 403 of the County Law.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 772-08

12-16-08

yearend.W&M09

AUTHORIZING ACCOUNTS PAYABLE YEAR END ADJUSTMENTS –2008 OPERATING BUDGET

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

WHEREAS, provisions of the Federal Single Audit Act and regulations of the State Comptroller require Cayuga County to utilize modified accrual as the basis for governmental fund accounting; and

WHEREAS, modified accrual accounting principles require that the County accrue accounts payable so expenditures are generally reflected in the period for which goods or services are received; and

WHEREAS, application of this principle may result in the over-expenditure of certain individual line item expenditures and revenues particularly in areas where spending is mandated by State and Federal laws and requirements; now, therefore be it

RESOLVED, that the Cayuga County Legislature hereby authorizes and directs the County Treasurer to make adjusting entries to provide sufficient appropriations to avoid individual line item deficits upon the accrual of year-end accounts payable, provided that said entries do not result in an increase in total appropriations approved by the County Legislature, for 2008; and, be it further

RESOLVED, that said adjusting entries shall be subject to approval of the Chairman of the Legislature, Chairman of Ways and Means Committee and County Manager who shall upon completion of the year-end closing, report the same to the County Legislature.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 773-08 (12/16/08) rpsOmittedtaxes2008

Authorizing the Levy of Omitted Taxes

By: Paul Dudley, Chairman, Ways & Means Committee

WHEREAS, pursuant to Real Property Tax Law Section 520, an individual becomes liable for a pro rata tax liability when a property transfer takes place after the taxable status date, on formerly wholly or partially exempt property; and

WHEREAS, pursuant to Chapter 736 of the 1988 Agricultural District Law, a penalty tax shall be levied for conversion of agricultural land to non-agricultural; Now therefore be it

RESOLVED, the following omitted taxes in the amount of \$9,479.67 shall be levied against the property owners in their respective Towns who are liable for said tax; and be it further

<u>Town</u>	<u>Amount</u>	<u>Town</u>	<u>Amount</u>
Cato	\$ 499.56	Fleming	\$ 231.82
Genoa	\$2,273.53	Locke	\$1,678.11
Niles	\$1,077.51	Sempronius	\$ 125.61
Sennett	\$2,260.07	Venice	\$1,333.46
Total		\$9,479.67	

RESOLVED, That the levies shall be in accord with filed forms dealing with the above-mentioned penalty tax, which have been approved by each respective Town assessor.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 774-08 (12/16/08) RPSrefundproptaxesrev
Authorizing the Cayuga County Treasurer to Make Refunds or Corrections of Real Property Taxes in the Amount of \$2,500 or less

BY: Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS the Real Property Tax Law allows this County Legislature to delegate to the County Treasurer responsibility for making corrections and refunds of Real Property Taxes where the amount involved does not exceed \$2,500; and

WHEREAS so delegating that responsibility will create greater efficiency and save money because the simpler process will take less time of County personnel; now, therefore be it

RESOLVED that pursuant to Sections 554 and 556 of the New York State Real Property Tax Law, this Cayuga County Legislature hereby authorizes the County Treasurer for the County of Cayuga to perform the duties for refunds or corrections of taxes as provided in said Sections, where the recommended refund or correction is \$2,500 or less; and be it further

RESOLVED that action by the County Treasurer is to be based on a sworn affidavit by the local assessing authority (Town Assessor) and the written report and recommendation of the Cayuga County Director of Real Property Tax Services; and be it further

RESOLVED that the Director of Real Property Services will submit a monthly reporting for the precluding month, to the Legislative Ways and Means committee, containing township, parcel, and ownership information, the reason for the correction, along with the dollar amount of the correction or refund.

RESOLVED that this Resolution shall take effect immediately and is effective during the calendar year 2009.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 775-08 (12/16/08) rpsRelevy Village Tax)
Levy Returned Village Tax & Authorize County Treasurer to Pay Same

By: Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS Cayuga County Local Law #3 for 1987 provides for the collection of certain Delinquent Village Taxes by the County of Cayuga; now therefore be it

RESOLVED that the following claims from the various Villages within Cayuga County, including 7 percent added by the County Treasurer, be audited and allowed and the same be placed upon the Assessment Rolls, and added to the tax on the various parcels for the amounts shown on the Returned Village tax forms which are filed in the County

Treasurer's Office by the various Village Tax Collectors and Treasurers in the County of Cayuga, and be it further

RESOLVED that the County Treasurer be authorized and directed to pay the various Villages the amounts returned by each.

VILLAGE	RETURNED 2008 VILLAGE TAX
Aurora	\$ 377.57
Cato in Cato	1,689.17
Cato in Ira	2,333.25
Cayuga	10,814.74
Fair Haven	10,034.65
Meridian	1,741.55
Moravia	23,880.50
Port Byron	32,492.97
Union Springs	18,969.82
Weedsport	<u>12,899.07</u>
	\$115,233.29

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

Approved by voice vote, all in favor.

RESOLUTION NO. 776-08 (12/16/08) RPS Water&Sewer

Levy Unpaid Water and Sewer Bills -- Several Towns

By: Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, pursuant to Section 198 of Town Law, several Towns have turned in listings of Delinquent Water & Sewer Bills to be relieved on the County & Town Tax Bill; therefore, Now be it

RESOLVED, that the following amounts in the respective districts representing unpaid water and sewer bills in the various Towns be levied against property owners in their respective Towns who are liable for service charges and unpaid water and sewer bills as claimed by the Water Department of the City of Auburn or their respective Town. pursuant to Section 198 of Town Law.

<u>Delinquent Water</u>		<u>Delinquent Sewer</u>	
Aurelius	2,067.58	Aurelius	1,114.37
Fleming	13,894.06	Fleming	10,776.95
Genoa	6,194.55	Locke	5,172.72
Locke	4,513.89	Owasco	20,590.84
Montezuma	569.83	Springport	7,618.97
Owasco	29,854.88	Sennett	<u>3,678.75</u>
Springport	5,466.67		
Sennett	9,753.38		
Throop	247.50		
Brutus	<u>179.85</u>		
<i>Total</i>	<u>72,742.19</u>		<u>48,952.60</u>

GRAND TOTAL \$ 121,694.79

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

Approved by voice vote, all in favor.

RESOLUTION NO. 777-08 (12/16/08) RPSextendlevy

Authorizing the Director of Real Property Tax Services to extend the levy of taxes and establish rates for the same.

By: Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS the Director of Real Property Tax Services has received from various political subdivisions of Cayuga County a report of delinquencies in payment of taxes and/or water and sewer services and in some instances charges for direct expense related to individual properties; Now, therefore be it

RESOLVED, that the Director of Real Property Tax Services is hereby authorized as follows:

a. To relevy on the appropriate properties any delinquencies in the aforesaid categories and additionally to relevy the appropriate amounts submitted by resolution of the towns and/or villages.

b. To set the rates for town purposes, including special districts, and for County tax purposes, said amounts being based on **Resolution No. 754-08** adopting the County budget for 2009, passed by the Cayuga County Legislature on November 25, 2008, and resolutions passed by the other 32 political subdivisions of the County, adopting their respective budgets for 2009.

and be it further

RESOLVED, that the Director of Real Property Tax Services shall furnish, in a timely manner, to the County Legislature and various town supervisors a list of the new tax rates for town, county and special districts.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 781-08

12/16/08

TREacceptfundsny

AUTHORIZING THE COUNTY TREASURER TO ACCEPT FUNDS FOR EASEMENT TO NYS

By: Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, Cayuga County acquired tax parcel #46.19-1-20 (Brownfield), located in the Village of Meridian through a prior tax foreclosure procedure; and

WHEREAS, New York State has acquired an easement across this property through its eminent domain process and offered the County \$3,550 for the easement; and

WHEREAS, there is an on-going clean-up of this property (executed in September 2008 for approximately \$125,000) being conducted through an Environmental Restoration Grant of which NYS pays 90% and Cayuga County pays 10% through in-kind services (labor, money, etc.); therefore, be it

RESOLVED, that the Chairman of the Legislature be designated to execute closing papers for the easement; and the County Treasurer be authorized to receive \$3,550.00 from New York State and make all necessary journal entries to apply it towards in-kind services to satisfy this grant.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 782-08 (12/16/08) RpsAnnualTownBudgetscorr.

Levy Taxes and Assessments required for the purpose of the Annual Budgets of the Towns of Cayuga County

By: Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, there has been provided a duly certified copy of the annual budgets of each of the several Towns of the County of Cayuga for the fiscal year beginning January 1, 2009; Now therefore be it

RESOLVED, that there shall be and hereby is assessed and levied upon the taxable real property situated in the Towns outside of any incorporated Villages wholly or partially located therein, the amount indicated as specified in the budgets of the respective Towns. See attached list; and be it further

RESOLVED, that there shall be and hereby is assessed and collected from the real property within the respective fire protection and improvement districts the amounts for the purpose of such districts as specified in the respective annual budgets. See attached list.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 783-08

12/16/08

COL ctytax2009

DIRECTING THE LEVY OF TAX AGAINST THE CITY OF AUBURN FOR COUNTY PURPOSES FOR 2009.

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

WHEREAS, the total amount of taxes levied against the County of Cayuga for the year 2008, in accord with Section 360 of the County Law, and pursuant to the duly adopted County Budget for 2009 in which the City of Auburn participates is \$32,933,217.00; and

WHEREAS, apportionments of this amount to all municipalities have been made and determined by applying the equalization table as adopted by Resolution No. 616-08 on 10-28-08,

RESOLVED, that the City of Auburn's share of County Taxes is computed to be \$7,059,367.00 for 2009, which is directed to be levied against city properties; and be it further

RESOLVED, effective January 1, 2009, there is due and payable to the Cayuga County Treasurer by the City of Auburn residents for County Tax Purposes for 2009, the following amount A430 charges covering expenses related to the preparation and mailing of tax bills to city residents for county taxes, a total of \$4,467.08 to be spread on the County tax bills going to city property owners; and be it further

RESOLVED, that the proportionate share for the City of Auburn for the Community College charges per Resolution No. 767-08, duly adopted on December 16, 2008 is \$113,187.26, due and payable to the County Treasurer to be itemized on the county tax bills going to city property owners; and be it further

RESOLVED, that the Clerk of the Legislature be and he is hereby directed to deliver and file with the City of Auburn, a certified copy of this resolution.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 784-08

(12/16/08)

Fed&StMandatesrev2

ADOPTING A POLICY ON FEDERAL AND STATE MANDATES

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

WHEREAS, Cayuga County is mandated to provide Federal and State programs; and

WHEREAS, the County Budget encapsulates the total costs of all mandated Federal and State programs; and

WHEREAS, these total Federal and State mandated costs represent 80% of all County budgetary appropriations in the County Budget and 80% of the County tax levy to be raised to balance the County Budget; and

WHEREAS, there has been a State practice of shifting State mandated costs to the County in the process known as cost shifting; and

WHEREAS, the State's cost shifting of its mandated programs has caused the County to raise County property taxes; and

WHEREAS, the Cayuga County Legislature strongly believes the responsibility to pay for these State programs should be paid by State revenues not by local real property taxes; now, therefore be it

RESOLVED, that the Cayuga County Legislature does hereby institute the following County Policy:

"If the State of New York or the Federal Government shifts its costs for its mandated programs to the County, the County will commensurably reduce its appropriation to County taxpayers to match the loss of Federal and State Aid."

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

Approved by voice vote, all in favor.

Motion to Amend by Mitchell, add to 2nd WHEREAS, and provided for certain revenues, increase for County Attorney (A1420), Stop DWI Administration (A3315), Public Health (A4010), Social Services (A6010), and decrease in Employment & Training (A6370). And add to last RESOLVED, except for increase for County Attorney (A1420), Stop DWI Administration (A3315), Public Health (A4010), Social Services (A6010), and decrease in Employment & Training (A6370).

RESOLUTION NO. 785-08 12.16.08

coaamend09bdgt

AMENDING THE 2009 BUDGET

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

WHEREAS, Resolution No. 672-08, entitled Ways and Means Recommendation on the 2009 Budget Officer's Tentative Budget was adopted on November 18, 2008; and

WHEREAS, Resolution No. 672-08 at item 23 provided an increase for non-bargaining employees in Part II and IV of the County's Compensation Plan and provided for certain revenues, increase for County Attorney (A1420), Stop DWI Administration (A3315), Public Health (A4010), Social Services (A6010), and decrease in Employment & Training (A6370).

WHEREAS, Resolution No. 754-08 adopted the changes, alterations and revisions contained in Resolution No. 672-08; and

WHEREAS, after further review by the Ways and Means Committee, it is determined that the adoption of item 23, which provides for an increase for non-bargaining employees in Part II and IV of the County's Compensation Plan, requires adjustments; now therefore be it

RESOLVED, that the Cayuga County Legislature hereby amends the 2009 Budget by repealing item 23 contained in Resolution No. 672-08 and 754-08, except for increase for County Attorney (A1420), Stop DWI Administration (A3315), Public Health (A4010), Social Services (A6010), and decrease in Employment & Training (A6370).

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

Approved by voice vote, all in favor.

RESOLUTION NO: 786-08 (12/16/08) rpsrelevyschool

Levy Returned School Tax and Authorize County Treasurer to Pay Same

BY: Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, Various Schools in Cayuga County have turned in listings of Delinquent School Tax Bills; and

WHEREAS, Cayuga County has added a seven percent relevy penalty; now therefore be it

RESOLVED, that the claims from the various school districts in Cayuga County, including seven (7) percent added by the Treasurer, be audited and allowed and the same be placed upon the Assessment Rolls, and added to the tax on the various pieces and parcels of land as they appear on the Returned School tax forms filed in the County Treasurer's Office by the various School Collectors and Treasurers in the County of Cayuga, and be it further

RESOLVED, that the County Treasurer be authorized and directed to pay the several districts the amounts returned by each.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 787-08 (December 16, 2008) HD March of Dimes grant
Authorizing the Chairman of the Legislature and the Director of Health and Human Services to Enter in contract with The March of Dimes Foundation to accept funding for educational materials for pregnant women and mothers.**

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

WHEREAS, the March of Dimes Foundation has made funds available to Cayuga County Health Department to purchase educational materials related to pregnancy, childbirth, newborn parenting and prevention of birth defects; and WHEREAS, by accepting this funding Cayuga County Health Department will purchase these materials and use them for our clients in the MOMS program and other appropriate clients;

WHEREAS, it is the desire of the Cayuga County Health Department to participate in this one time grant offering for the purpose of purchasing the educational items for eligible individuals to utilize;

WHEREAS, this is a one time grant offering of \$2,000.00 which expires on December 31, 2008; NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services be allowed to enter into contract with the March of Dimes foundation to accept the grant of \$2,000.00 to purchase education materials related to pregnancy, childbirth, newborn parenting and prevention of birth defects; and

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

Increase Revenue Account # 4010.0.....\$2,000.00
Munis org. A40100 object 41600
Increase Appropriations Account #4010.074\$2,000.00
Munis org. A40104 object 54074

and be it also resolved

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the necessary journal and accounting entries in the Health Department's 2008 budget to accomplish the same.

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

**RESOLUTION NO. 788-08 (December 16, 2008) HD Bike/Pedestrian Safety 2008
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter Into a Contract with the State for Bicycle Helmet Distribution, Safety and Pedestrian Injury Reduction Program**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Paul Dudley, Chairman of the Ways & Means Committee

WHEREAS, the State has offered the Cayuga County Health Department a Grant of \$15,000 for the period October 1, 2008 through September 30, 2009 for the "Bicycle Helmet Distribution, Safety and Pedestrian Injury Reduction Program," and

WHEREAS, the purpose of this project is to raise community awareness of wheelsport and pedestrian safety through a number of education activities, as well as distribute bicycle helmets to children of needy families in Cayuga County in hopes to decrease the incidence of motor vehicle accidents involving these groups; and

WHEREAS, it is our desire to participate in this project; 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 New York State and accept funding in the amount of \$15,000 for the "Bicycle Helmet Distribution, Safety and Pedestrian Injury Reduction Program;" and be it further

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

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

MUNIS

<u>Org</u>	<u>Object</u>	
A40270	43427	Increase Revenue Account #3409.....\$15,000
A40274	54000	Increase Appropriation Account #4010.490.....\$15,000

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

**RESOLUTION NO. 789-08 (December 16, 2008) HS Human Services Examiner FSMA
Authorizing the Director of Health & Human Services to Fill a Full-Time Human Services Position (100%
Funded) 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 will be a Full-Time Human Services Examiner position vacancy in the FSMA (Food Stamp/Medicaid) Unit of Human Services due to retirement effective December 31, 2008; and

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 2009 Human Services' Budget Request to support this position; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized to fill the Full-Time Human Services Examiner vacancy in the FSMA Unit 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.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 790-08 (December 16, 2008) HS Fill Sr. Caseworker
Authorizing the Director of Health & Human Services to Fill a Sr. Caseworker Vacancy in Human Services Due to Retirement, Abolish Caseworker and Create/Fill Human Services Examiner**

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

WHEREAS, due to the retirement incentive offered to County employees, there will be a Sr. Caseworker vacancy in Human Services effective December 31, 2008; and

WHEREAS, this position is reimbursed at 75% state and federal funds and will be filled by the promotion of a Caseworker within the Department; and

WHEREAS, this position was budgeted for in the Human Services Department's 2009 Budget Request; and

WHEREAS, when a vacancy in the title of Caseworker becomes effective upon the promotion of a caseworker to Sr. Caseworker, the Department has determined that a Grade 10 Human Services Examiner could provide the needed services for the department; NOW, BE IT THEREFORE

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the Sr. Caseworker position in accordance with Civil Services Rules and Regulations and the policies of the County of Cayuga; and be it further

RESOLVED, that the anticipated vacancy that occurs in a Grade 17 Caseworker due to a Caseworker being promoted to Sr. Caseworker be hereby vacated upon the filling of the Sr. Caseworker and be abolished upon the successful completion of the Sr. Caseworker's probationary period; and be it further

RESOLVED, that one position of a grade 10 Human Services Examiner be hereby created by the legislature and filled by the Director of Health & Human Services in accordance to the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 791-08 (December 16, 2008) HS Fill 6 Retiree Positions
Authorizing the Director of Health and Human Services to Fill 6 Positions in the Human Services Division of Health & Human Services Due to the Retirement Incentive Offered to County Employees

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

WHEREAS, there will be six (6) vacancies in the Human Services Department due to the retirement incentive offered to County Employees:

<u>Positions</u>	<u>Division</u>	<u>Retirement Effective</u>
Sr. Examiner,	TANF	12/31/08
Grade B. Supervisor, CPS	Child Welfare	12/27/08
Sr. Caseworker	Child Welfare	12/31/08
Principal Account Clerk	Accounting	12/31/08
Sr. Account Clerk	Accounting	12/31/08
Resource Assistant	Accounting	12/31/08

WHEREAS, there is sufficient funding in the 2009 Human Services Budget Request to support these positions; and
WHEREAS, these positions are reimbursed at between 75% and 100%; and
WHEREAS, these positions are critical to the operation of the Department; NOW, THEREFORE, BE IT
RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the above listed positions and any fill behinds that may occur in a manner consistent with the rules and regulations of the Cayuga County Civil Service Commission and the policies of the County of Cayuga.
Signed by Petrus, Cuddeback, McIntosh, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.
Approved by voice vote, all in favor.

RESOLUTION NO. 792-08 (December 16, 2008) HS HEAP Additional Funds
Authorizing the Chairman of the Legislature and the Director of Health and Human Services to Accept Additional HEAP Funds and Amend a Contract With Catholic Charities of the Fingerlakes, Inc., to Continue Outreach Activities for the State Mandated HEAP Program, and Create and Fill a Temporary 90 day Senior Examiner Position (100% Federally Funded)

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

WHEREAS, We have previously entered into a contract with Catholic Charities of the Fingerlakes, Inc., beginning September 1, 2008, to provide outreach activities in connection with HEAP which includes providing and manning outreach and intake sites for regular and emergency assistance consistent with the State Plan and regulations; and
WHEREAS, additional 100% HEAP funds have been made available to the County; and
WHEREAS, these funds will be used to expand these services provided by Catholic Charities; and
WHEREAS, HEAP applications are up by 15% and there are more emergency HEAP eligible clients, the Department asks for a 90-Day Temporary Sr. Examiner (100% funded) position to assure timely determination of HEAP applications and payments to the area vendors; NOW, THEREFORE, BE IT
RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services be authorized to accept these additional funds and enter into a contract (100% federally funded) with Catholic Charities of the Fingerlakes, Inc., in an amount not to exceed \$80,000; and be it further
RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the County's Human Services 2009 Budget in the following manner:

Increase Revenue Acct.	A60100	44610.....	\$16,500
Increase Expenditure Acct.	A60104	54260.....	\$ 6,500
Increase Expenditure Acct.	A60101	51002.....	\$10,000

and make any necessary journal and accounting entries to reflect additional HEAP funding upon receipt of notification and documentation from the County's Human Services Department without further action by the Legislature; and be it also

RESOLVED, that the County Legislature create a 90-Day Temporary Sr. Examiner position in the HEAP Unit of Human Services, Grade 17, pursuant to Part 1 of the County's Compensation Plan; and that the Director of the Health & Human Services be authorized and directed to fill this newly created position in accordance with the rules and regulations of the Cayuga County Civil Service Commission and the policies of the County of Cayuga.
Signed by Petrus, Cuddeback, Mahunik, Schuster, Sincebaugh, Tortorici, Mitchell, Axton, Lockwood, Palermo.
Approved by voice vote, all in favor.

**RESOLUTION NO. 793-08 (December 16, 2008) HD Fill RN Positions
Authorizing the Director of Health & Human Services to Fill 2 RN Positions in the Nursing Division of the Health Department Due to Retirement, and Abolish Another RN Vacancy, Also Due to Retirement, and Create/Fill 2 P.T. RN's**

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

WHEREAS, due to the retirement incentive offered to County employees, our Nursing Division has three RN's retiring effective December 31, 2008; and

WHEREAS, these positions are necessary for the effective and efficient operation of the Department, we desire to fill two of the RN vacancies, abolish the third one, and create and fill two part-time RN positions; and

WHEREAS, sufficient funding exists in the Health Department's 2009 Budget request to support these positions;

NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized to fill the two full-time RN vacancies in the Nursing Division 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 the third RN vacancy (Position Control #2028) be abolished and that the Legislature be authorized to create two part-time RN positions in the Nursing Division, and that the Director of Health & Human Services be authorized to fill the two part-time RN positions in a manner consistent with the rules and regulations of the County of Cayuga and the Cayuga County Civil Service Commission.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 794-08 (December 16, 2008) HD Fill HCN Supervisor
Authorizing the Director of Health & Human Services to Fill a Home Care Nursing Supervisor at the CHHA Due to Retirement**

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

WHEREAS, due to the retirement incentive offered to County employees, a Full-Time Home Care Nursing Supervisor is retiring effective December 31, 2008; and

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

WHEREAS, sufficient funding exists in the Health Department's 2009 Budget Request to support this fill; NOW, THEREFORE BE IT

RESOLVED, that the Director of Health & Human Services be authorized to fill a Full-Time Home Care Nursing Supervisor vacancy 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.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 795-08 (Dec. 16, 2008) HD Create/Fill Home Care Nursing Supervisor
Authorizing the Cayuga County Legislature to Create a Home Care Nursing Supervisor Position, Abolish an
SPHN Position and Authorize the Director of Health & Human Services to Fill This New Position**

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

WHEREAS, due to the retirement incentive offered to County employees, a Supervising Public Health Nurse is retiring effective December 31, 2008; and

WHEREAS, due to continuing recruitment problems for Supervising Public Health Nurses at the Home Care Agency of the Health Department, the Department rewrote the duties statement including minimum qualifications for Supervising Public Health Nurse and requested a title change to Home Care Nursing Supervisor; and

WHEREAS, the Cayuga County Civil Service Commission has reviewed the New Position Duties Statement submitted for a Home Care Nursing Supervisor and has classified it as such with the jurisdictional class allocation being Competitive; and

WHEREAS, sufficient funding exists in the Health Department's 2009 Budget request to support these positions;
NOW, THEREFORE, BE IT

RESOLVED, that the Cayuga County Legislature create a Home Care Nursing Supervisor in CHHA at the same grade (23) and salary range as a Supervising Public Health Nurse (SPHN); and be it further

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

RESOLVED, that upon creation of the Home Care Nursing Supervisor position that one Supervising Public Health Nurse position be abolished.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 796-08 (December 16, 2008) HD Fill Jr. Accountant
Authorizing the Director of Health & Human Services to Fill a Jr. Accountant Position in the Health
Department's Accounting Division**

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

WHEREAS, due to the retirement incentive offered to County employees, there will be a Jr. Accountant vacancy in the Accounting Division of the Health Department effective December 31, 2008; and

WHEREAS, this position is budgeted for in the 2009 Health Department's Budget Request; and

WHEREAS, this position is critical for maintaining the smooth and effective functioning of the Health Department's Accounting Division; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the Jr. Accountant position in the Health Department's Accounting Unit and any fill behinds in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 797-08 (December 16, 2008) HD Create/Fill Sr. Typist CHHA
Authorizing the County Legislature to Create a Sr. Typist Position in the Home Care Unit of the Health
Department; Authorizing the Director of Health & Human Services to Fill the Newly Created Sr. Typist
Position and to Abolish a Sr. Stenographer Position in that Unit**

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

WHEREAS, due to the retirement incentive offered to County employees, there will be a Sr. Stenographer position vacancy in the Home Care Division of the Health Department effective December 30, 2008; and

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

WHEREAS, this position was classified by the Civil Service Commission as Sr. Typist with the jurisdictional class allocation being Competitive and will add the position to the position control file for the Public Health Department when the Legislature adopts this resolution; NOW, THEREFORE, BE IT

RESOLVED, that the Cayuga County Legislature create one Sr. Typist position, Grade 8, in the Home Care Division of the Health Department; and be it further

RESOLVED, that the Director of the Health & Human Services be authorized and directed to fill the newly created Sr. Typist position and any fill behind in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga; and be it also RESOLVED, that upon creation of the Sr. Typist position in the Home Care Division, the position of Sr. Stenographer (Position Control #2009) will be abolished.

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

**RESOLUTION NO. 798-08 (June 24, 2008) HD Fill RN CHHA
Authorizing the Director of Health & Human Services to Fill an RN Position at the CHHA (Certified Home
Health Agency) Division of the Health Department Due to Resignation**

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

WHEREAS, there is an RN vacancy at the County Health Department's CHHA Division due to her resignation effective May 30, 2008; and

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

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

RESOLVED, that the Director of Health & Human Services be authorized to fill the RN vacancy at the CHHA 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.

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

**RESOLUTION NO. 799-08 (December 16, 2008) HD Fill PT RN at CHHA
Authorizing the Director of Health & Human Services to Fill One Part-Time RN Vacancy at the Home Care
Agency**

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

WHEREAS, there exists a Part-Time RN vacancy at the CHHA due to the incumbent taking a Full-Time RN position at the CHHA; and

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

WHEREAS, this position is funded in the Health Department's 2009 Budget Request; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized to fill the Part-Time RN vacancy, 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.

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

RESOLUTION NO. 800-08 December 16, 2008

HHS – Transfer Funds

To Amend the 2008 Cayuga County Human Services Budget/Transfer Funds.

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

WHEREAS, after the submission of the 2008 Human Services Budget, it has been determined that additional funding is needed for unanticipated expenses in account 6142.400.000, Emergency Assistance to Adults; and
Whereas, the expenses paid out of this account relate to emergency public assistance needs; and
WHEREAS, funds are available for transfer in other Human Services accounts due to unexpected under spending; now, therefore, be it

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

<u>Appropriation Accounts</u>	<u>Increase</u>	<u>Decrease</u>
6142.400.000 Emerg. Assist. To Adults (A61424 54000)	\$4,000	
6070.400.184 Preventive Services (A60704 54184)		\$4,000

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

RESOLUTION NO. 801-08

Date of Meeting: 12/16/08

nhpttmclk

AUTHORIZATION TO CONTINUE PART TIME CLERK POSITIONS AT THE CAYUGA COUNTY NURSING HOME

BY: Francis Mitchell, Chairman, Ways and Means Committee

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

WHEREAS, Cayuga County Nursing Home is providing services to Cayuga County Nursing Home residents; and
WHEREAS, it has been necessary to hire a part-time clerks to cover two (2) evening hours per day for a total of fourteen (14) hours per week; and

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

WHEREAS, the position will be compensated at minimum wage; now therefore be it

RESOLVED, that the position of Clerk, PT be hereby maintained in the Nursing Home; and be it further

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

RESOLVED, that the Nursing Home Administrator be hereby directed and authorized to continue the positions of part time Clerks effective 1/1/09 to provide the aforementioned services at Cayuga County Nursing Home and that the hire be in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

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

RESOLUTION NO. 805-08 Date of Meeting: 12.16.08 MH healthcaredirect12-08
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF CAYUGA COUNTY MENTAL HEALTH TO SIGN AN AGREEMENT WITH HEALTH CARE DIRECT FOR PHARMACY SERVICES FOR 3 YEARS.

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

WHEREAS, Cayuga County Mental Health offers a Medical Management Program to the clients served; and
WHEREAS, the Program's efficiency can be enhanced by working with an institutional pharmacy; and
WHEREAS, Health Care Direct provides the services that are consistent with the tenants of the Program; and
WHEREAS, the services can be provided at no cost to the County; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of the Cayuga County Mental Health Center be authorized to sign the agreement with Health Care Direct.

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

RESOLUTION NO. 806-08 Action 12/16/08 MHAmendPTPsychi12-08
AUTHORIZING THE AMENDMENT OF THE AGREEMENT BETWEEN THE COUNTY OF CAYUGA, THE COMMUNITY MENTAL HEALTH CENTER OF CAYUGA COUNTY AND SOPHIA BEZIRGANIAN, MD

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

WHEREAS, Sophia Bezirgianian, MD has been satisfactorily serving the Community Mental Health Center of Cayuga County as a Staff Psychiatrist through a contractual agreement, limited to seventeen hours per week; and
WHEREAS, a formerly full-time Psychiatrist has announced his intent to reduce his hours to one-half day per week;
and

WHEREAS, there is a demand for services commensurate with a full-time position; now therefore be it

RESOLVED, that the Interim Director of Community Mental Health Services be authorized to amend the contract with Sophia Bezirgianian, MD to allow for contractual psychiatric services not to exceed thirty-five hours per week, and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature be authorized to sign this amended contract on behalf of the County of Cayuga.

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

RESOLUTION NO. 807-08 Date of Meeting: 12/16/08 NH-LPNCompPlanChange 2009
AUTHORIZATION TO REVISE THE COMPENSATION PLAN FOR PART-TIME LICENSED PRACTICAL NURSES.

BY: Francis Mitchell, Chairman, Ways and Means Committee

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

WHEREAS, Cayuga County Nursing Home is providing services to Cayuga County Nursing Home residents and must provide adequate nursing coverage; and

WHEREAS, recruitment efforts for part-time LPN positions has been difficult with positions staying open for months forcing administration to pay overtime rates for coverage; and

WHEREAS, discussions have taken place to come up with a plan to enable better recruitment of part-time LPN positions; and

WHEREAS, it was decided that if the compensation plan was revised to allow for a higher starting rate based on experience that recruitment efforts could be improved; now, therefore be it

RESOLVED, that the following rates of pay be revised in Part II of the Cayuga County Compensation Plan for non-bargaining LPN, PT titles in the Cayuga County Nursing Home:

	FIRST	SECOND	THIRD	FOURTH
PROB.	STEP	STEP	STEP	STEP
14.72	14.87	15.23	15.57	15.90

And be it further

RESOLVED, that the following Experience Differential be applied effective 1/1/09:

Incumbent Employees with over 6 months of service shall be placed on the step without subtracting the probationary \$.15 per hour based on experience and Employees newly hired shall be placed on the following salary steps based on experience but at \$.15 per hour less for the first six months of employment:

0-5 years – Start on Probation, move to first step after six months

5-9 years – Start on Step 2 less \$.15 per hour; move to step 2 after six months

10-14 years – Start on Step 3 less \$.15 per hour; move to step 3 after six months

15- 15+ years – Start on Step 4 less \$.15 per hour; move to step 4 after six months;

And be it further

RESOLVED, that the Nursing Home Administrator be hereby directed and authorized to change current part-time rates and future hires to the position of LPN, Part-time, effective 1/1/09 and in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Petrus, Cuddeback, Schuster, Sincebaugh, Tortorici, Lockwood, Palermo.

Approved by voice vote, all in favor.

RESOLUTION NO. 808-08 Date of Meeting: 12/16/08 nhchgcompplnrev
AUTHORIZING A CHANGE IN THE COMPENSATION PLAN TO ALLOW A RETIRING NURSE TO CONTINUE TO WORK PART TIME FOR THE COUNTY AT THE SAME RATE OF BASE PAY.

BY: Francis Mitchell, Chairman, Ways and Means Committee

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

WHEREAS, there is a significant shortage of qualified nurses to serve in the capacity of Licensed Practical Nurse for the Cayuga County Nursing Home; and

WHEREAS, Cayuga County Nursing Home has nurses that are willing to come out of retirement to fulfill this role that have been dependable employees with at least 15 years of service; and

WHEREAS, the current Compensation Plan would require those individuals who come back to the work force be paid at a reduced pay rate; now therefore be it

RESOLVED that an individual licensed practical nurse who is willing to work after their retirement may be hired after the individual retires to a position which is comparable in nature as determined by civil service rules and regulations and compensated at the same base rate of pay without longevity as the base rate of pay earned just prior to the individual's termination of his or her employment their relationship with the County by retirement; and be it further

RESOLVED, that the decision to hire after termination shall be based upon a review of their work record by the Nursing Home Administrator or designee and the fact that the individual who desires to return to employment after retirement had been in the employ of the County for at least 15 years prior to the date of retirement.

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 809-08 12/16/08 COL organizeleg2009
TO FIX DATE, TIME AND PLACE OF THE MEETING TO ORGANIZE THE CAYUGA COUNTY
LEGISLATURE FOR 2009.

BY: Hon Francis Mitchell, Government Operations Committee.

WHEREAS, Section 151 of Article 4 of New York State County Law requires the Cayuga County Legislature, by resolution duly adopted during the month of December of each year, to fix the date, time and place to organize the Legislature; now, therefore be it

RESOLVED, that the Cayuga County Legislature shall meet for the purpose of organizing the Legislature and choosing a Chairman on the 5th day of January 2009 at 6:30 P.M., in the Legislative Chambers on the Sixth Floor of the Cayuga County Office Building, 160 Genesee Street in the City of Auburn, New York.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 810-08 12/16/08 COL DesignatingNewspapers09
DESIGNATING NEWSPAPERS TO PUBLISH COUNTY MATTERS.

BY: Hon. Christopher Palermo, Government Operations Committee.

WHEREAS, Section 214, Subdivision 2, of the County Law directs that the Cayuga County Legislature shall annually designate at least two (2) newspapers for publication of all local laws, notices and other matters required by law to be published during fiscal year 2009.

NOW, BE IT RESOLVED, that the Cayuga County Legislature does hereby designate the following newspapers for that purpose:

REPUBLICAN REGISTER, Moravia, New York
The POST-HERALD, Fair Haven, New York
The CITIZEN, Auburn, New York

Moved by Mitchell

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

Approved by voice vote, all in favor, Palermo abstained

RESOLUTION NO. 811-08 Action Date 12/16/08 VETDirFT/DepPT-Palermorev
Reallocate funding to fill Director of Veteran's Service on a full time basis and fill the Deputy Director of
Veteran's Service on a part-time basis in the Veteran's Service Agency.

BY: Christopher Palermo, Government Operations Committee

Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, the Cayuga County Veteran's Office appointed a part-time Director of Veteran's Service by resolution #191 in the year 1996 with no pay until Resolution #255 in the year 2000 provided an hourly wage in 2000 for two days per week; and

WHEREAS, the Veteran's Service Agency received notification that the Deputy Director of Veterans Service who serves in a full time position will retire effective 12/30/08; and

WHEREAS, the positions and the service are needed to allow our veterans to have access to the services that they need and deserve; and

WHEREAS; the legislature, after review of the office, has determined to fund the Director on a full time basis and the Deputy Director on a part-time basis, effective 1/1/09; now, THEREFORE BE IT

RESOLVED, that the title of Director of Veterans Services be hereby funded and filled in accordance to Executive Law, Section 357, on a full time basis, effective 1/1/09; and, be it further

RESOLVED, that the position of Director of Veteran's Services salary rate by hereby set at \$42,545 for the year 2009; and be it further

RESOLVED, that the position of Deputy Director of Veteran's Service be hereby funded and filled on a part-time basis at an hourly rate of \$19.64 (step one equivalent of position) not to exceed \$20,000 per year; and be it further

RESOLVED, that the County Treasurer make the journal and accounting entries necessary to accomplish the foregoing in the Veteran's Service Agency Budget for the year of 2009.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 814-08 (December 16, 2008) COA-vacation payoff
AUTHORIZING THE TRANSFER OF FUNDS WITHIN THE COUNTY ATTORNEY'S 2008 BUDGET.

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

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

WHEREAS, one (1) employee of the County Attorney's Office currently has 10 days of vacation credit which cannot be used in 2008; and

WHEREAS, sufficient funds exist in Account A.1420.100.000-A Salaries [Munis A1421] for this purpose; now therefore, be it

RESOLVED, that the line item "Vacation Payoff" be created in the County Attorney's budget under Account A.1420.100.000-A Salaries [Munis A14201]; and be it further

RESOLVED, that the amount of \$1,841.00 be transferred from Account A.1420.100.000-A Salaries [Munis A14201] to (Salaries/Vacation Payoff); and be it further

RESOLVED, that these funds be immediately expended from the County Attorney's Account A.1420.100.000-A Salaries/Vacation Payoff [Munis A14201]; and be it further

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

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

RESOLUTION NO. 815-08 12/16/08 VET Acting Director 12-08

Authorization to appoint an Acting Director of Veteran's Service Agency

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

WHEREAS, Director of Veteran's Service Agency, Nicholas Valenti has submitted his intent to retire at the end of 2009; and

WHEREAS, Deputy Director Georgianna Tracy has also submitted her intent to retire at the end of 2009 and has expressed her willingness to continue to work to help with the transition; and

WHEREAS, the funding for a Director has been changed to full time for budget year 2009; and

WHEREAS, the funding for Deputy Director has been changed to part time for budget year 2009; now, be it therefore

RESOLVED, that Georgianna Tracy be hereby appointed as Acting Director of Veteran's Service Agency until such

time as a permanent Director is recruited and hired; and be it further

RESOLVED, that the salary for the acting Director be set at the annual salary of \$42,545 pursuant to the Cayuga County Compensation Plan, Part IV; and be it further

RESOLVED; that upon the filling of the permanent Director that Ms. Tracy be hired in the part-time position of Deputy Director at \$19.64 per hour pursuant to the Cayuga County Compensation Plan, Part II, and be it further

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

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

A Cayuga County Resolution Restating Support of Area Code Relief Plan Preferred Options for Central New York NYS Department of Public Service Case 07-C-1486

BY: Mr. Daniel Schuster, Chairman, Planning & Economic Development

WHEREAS, the New York State Public Service Commission (the "Commission") has determined that the 315 Area Code that has served the central New York community, including nearly all of Cayuga County, since the early 1950s is running out of assignable telephone numbers, and implementation of a new area code is necessary; and

WHEREAS, the Commission has charged the New York State Department of Public Service (the "NYS-DPS") with the task of developing a plan of options with the goal of providing long-term area code relief while causing the least possible disruption to consumers and businesses within the area; and

WHEREAS, the NYS-DPS staff have prepared a plan outlining four (4) options for area code relief entitled Area Code Relief for Central New York, A Description of Options, Case 07-C-1486, (the "Plan" attached hereto and made a part of this resolution), has circulated the Plan, has solicited comments from the general public on the area code relief options presented by the Plan and has remanded the proposed Plans and public comments to the Administrative Law Judge assigned to the case for a final determination; and

WHEREAS, the Planning & Economic Committee of the Cayuga County Legislature has conducted a review of the Plan and the four options it presents to determine which options would be detrimental and disruptive to the residents, businesses and industries in Cayuga County and which options would be beneficial to the County and resolved by Legislative Resolution #343-08, the following:

1. The Cayuga County legislature hereby objects to the Geographic Split represented as Option #1 of the Plan, acknowledging that the proposed division of the existing 315 area code into two (2) geographic areas along rate center boundaries, resulting in the portions of Cayuga County falling above the rate boundary line, including the majority of the towns of Cato, Conquest, Ira, Sterling and Victory being in one area code and the greater portions of Cayuga County falling below the rate boundary, including the City of Auburn and Towns and Villages south of Cato and Conquest would fall into a second area code.
 - a. Option 1 would require a greater portion of the residents and businesses in Cayuga County to adopt a new area code, including the need to change advertising and other materials related to their telephone numbers, placing a significant and unacceptable cost and operational burden on these individuals and businesses
2. The Cayuga County legislature hereby objects to the Overlay Plan Option, represented as Option #4 of the Plan, acknowledging that the proposed Overlay Option would assign and overlay a new area code to the entire 315 code area assigning new code numbers on an as-needed basis to new customers within the area and requiring that all customers within the existing 315 area code dial 11 digits on all calls,
 - a. The Option 4 overlay code will result in significant consumer confusion within the county with the establishment of multiple area codes sharing the same geographic area and further, the overlay option will require consumers to dial an 11-digit number for each call made in Cayuga County, a significant burden for county consumers and businesses.
3. The Cayuga County Legislature hereby supports and encourages the adoption of Geographic Split represented by both Options #2 and #3 of the Plan, both of which retain the current 315 exchange within those portions of Cayuga County which currently use 315. Either of these options have the least impact on the consumers and businesses of Cayuga County and are acceptable to and supported by the Cayuga County Legislature as the most viable alternatives for addressing the 315 area code plan of action; and

WHEREAS, the Administrative Law Judge assigned to the case has concluded and determined that the Overlay Option (presented as Option 4 of the Plan) is the Option that should be adopted by the State of New York Public Service Commission; and

WHEREAS, the Cayuga County Legislature remains in opposition to such Overlay Plan for the reasons previously stated herein; NOW, THEREFORE BE IT

RESOLVED, by the Cayuga County Legislature that it hereby directs the Clerk of the Legislature to forward copies of this resolution, under the signature of the Chairman of the Legislature, in the forms necessary for submission, to the attention of Ms. Jaclyn A. Brilling, Secretary, New York State Public Service Commission, 3 Empire Plaza, Albany, New York 12223-1350 with copy forwarded to each of the elected officials representing Cayuga County in the New York State Legislature.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 817-08 December 16, 2008 hwytransfersalt

Budget Transfer of the 2008 Cayuga County Highway Budget for Salt

BY: Dave Axton, Chairman, Public Works Committee

Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, in the 2008 Highway Budget , a total of \$160,000 was budgeted for Salt(D 5142.400.103) and, \$100,000 was budgeted for Salt in (D 5144.400.103); and

WHEREAS, it is necessary to amend the 2008 Highway Budget to more accurately reflect the increased cost and usage of salt; 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>Old Amount</u>	<u>New Amount</u>	<u>Increase</u>
<u>Decrease</u>			
D51444 54103(D 5144.400.103)	\$100,000	\$112,000	\$12,000
D51131 54099(D 5113.400.099)	\$1,860,888	\$1,848,888	
\$12,000			
D51104 54095(D 5110.400.095)	\$625,000	\$583,000	
\$42,000			
D51424 54103(D 5142.400.103)	\$160,000	\$202,000	\$42,000

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. 818-08 December 16, 2008 hwytransferautoparts

Budget Transfer of the 2008 Cayuga County Highway Budget for Auto & Truck Parts

BY: Dave Axton, Chairman, Public Works Committee

Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, in the 2008 Highway Budget, a total of \$24,000 was budgeted for Auto and Truck Parts and,

WHEREAS, it is necessary to amend the 2008 Highway Budget to more accurately reflect the increased cost and use of auto and truck parts; 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>Old Amount</u>	<u>New Amount</u>	<u>Increase</u>
<u>Decrease</u>			
DM51304 54110 (DM 5130.400.078)	\$33,000	\$26,000	
\$7,000			
DM5130454196 (DM 5130.400.196)	\$10,000	\$4,000	
\$6,000			
DM51304 54010 (DM 5130.400.010)	\$24,000	\$29,500	\$13,000

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. 819-08 December 16, 2008 hwytransferplowingrev

Budget Transfer of the 2008 Cayuga County Highway Budget for contract snow removal

BY: Dave Axton Chairman, Public Works Committee

Francis Mitchell Chairman, Ways and Means Committee

WHEREAS, in the 2008 Highway Budget, a total of \$1,098,880.00 was budgeted for hiring the towns to plow county roads; and,

WHEREAS, it is necessary to amend the 2008 Highway Budget for additional mileage contracted and a 5.00% negotiated increase in their contracts; 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>
(D5113.400.099) D51134 54099 (paving)		\$47,155
(D5142.400.105)D51424 54105(contract plowing)	\$47,155	

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. 820-08 December 16, 2008 hwytransfergreaseoil

Budget Transfer of the 2008 Cayuga County Highway Budget for Grease and Oil

BY: Dave Axton, Chairman, Public Works Committee

Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, in the 2008 Highway Budget, a total of \$24,000 was budgeted for Grease and Oil and,

WHEREAS, it is necessary to amend the 2008 Highway Budget to more accurately reflect the increased cost of grease and oil; 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>Old Amount</u>	<u>New Amount</u>	<u>Increase</u>
<u>Decrease</u>			
DM51314 54012 (DM 5130.400.012)	\$58,200	\$52,700	
\$5,500			
DM51304 54033(DM 5130.400.033)	\$24,000	\$29,500	\$5,500

AND BE IT FURTHER

RESOLVED, that the Cayuga County Treasurer be and is hereby

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

Approved by voice vote, all in favor.

RESOLUTION NO. 821-08 12/16/08 BLDS COB HVAC Change ordersrev

Authorizing the Chairman of the Cayuga County Legislature to sign change orders M-016, M-017 and M-018 for County Office Building Heating Project

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

Hon. Francis C. Mitchell, Chairman, Ways & Means Committee

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

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

WHEREAS, the following is a list of change orders: M-016 (-\$4846.00), M-017 (-\$9992.00) and M-018 (-\$2666.00); and

WHEREAS, the total cost for the change orders is a Credit of \$17,504.00; now therefor be it

RESOLVED, that the Chairman of Cayuga County is hereby authorized to sign the change orders M-016 (-\$4846.00), M-017 (-\$9992.00) and M-018 (-\$2666.00); and be it further

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 822-08 12/16/08 BLDS Transfer of funds
Authorizing the transfer funds between budgets in the Buildings and Grounds Department

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

WHEREAS, fuel prices and Repairs have depleted the Buildings and Grounds account A16204 54008 Auto Expense (1620-400-008); and

WHEREAS, there are sufficient funds in account A16234 54012 (Building Maintenance) (7530-400-012); and

WHEREAS, the 1999 Ford F150 truck is in need of repairs; now there for let it be

RESOLVED, that the sum of \$3,000.00 be transferred from account A16234 54012 (7530-400-012) to account A16204 54008 (1620-400-008), and be it further

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 823-08 (12/16/08) PRKS&TRLS Friend's Res12-08
APPROVING 2009 AGREEMENT WITH FRIENDS OF THE STERLING NATURE CENTER, INC.

BY: Mr. David Axton, Chairman, Public Works

Mr. Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, a group of volunteers have formed a corporation known as the Friends of the Sterling Nature Center Inc. for the purpose of providing volunteer services at the Sterling Nature Center on Jenvolt Road in the Town of Sterling in the County of Cayuga; and

WHEREAS, the Friends of the Sterling Nature Center Inc. are desirous of fostering programs that support and are consistent with the mission of the Nature Center for the edification of visitors to the Sterling Nature Center for educational and recreational use; and

WHEREAS, the Public Works Committee is desirous of utilizing the Friends of the Sterling Nature Center Inc. volunteer services at the Sterling Nature Center to assist the County and it's staff; now therefore be it

RESOLVED, that the Chairperson of the County Legislature is hereby authorized to sign the 2009 agreement with the Friends of the Sterling Nature Center Inc., and be it further,

RESOLVED, that the Treasurer is hereby directed to reimburse the Friend's for the commercial portion of their liability insurance in an amount not to exceed \$1,000 from the Sterling Nature Center Budget Account #7113.400.059-A, Professional Services (Munis Account #A71134.54059).

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

Approved by voice vote, all in favor.

RESOLUTION NO. 824-08 December 16, 2008 P&T Verizon FiOS 12 08
AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO SIGN A TWO YEAR AGREEMENT WITH VERIZON FOR INTERNET SERVICE AT EMERSON PARK

BY: Mr. David Axton, Chairman, Public Works

Mr. Francis Mitchell, Chairman, Ways & Means Committee

Whereas, Emerson Park currently has Internet service from the local cable company; and

Whereas, the IT Department recommended we consider Verizon FiOS service; and

Whereas, the parks department received a application for service from Verizon indication the cost of service would be \$99.00/month plus taxes estimated at 3% if we agree to sign up for two years of service; and

Whereas, Emerson Park currently pays \$129/month for a slower connection (Emerson Park Account # 7110-400.211-A, Munis Account # A71104 54211); now, therefore, be it

Resolved, that the Cayuga County Chairperson is hereby authorized and directed to sign the agreement with Verizon FiOS.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 825-08 (12/16/08) P&TSTERLINGTRAILGRANT 12 08REV
FINALIZING THE SOURCE OF MATCHING FUNDING FOR RESOLUTIONS 124-01, 273-02, 371-02, 518-05 AND 718-07 AND AMENDING CAPITAL "H" PROJECT NO. 02-2 AUTHORIZING TRANSFER OF FUNDS INTO CAPITAL "H" PROJECT NO. 02-2 FOR THE STERLING NATURE CENTER TRAIL GRANT**

BY: Mr. David Axton, Chairman, Public Works

Mr. Francis Mitchell, Chairman, Ways & Means Committee

Whereas, Resolution Numbers 124-01, 273-02, 371-02, 518-05 and 718-07 called for applying for and accepting a matching grant and establishing Capital "H" Project No. 02-2 for the completion of a trail at Sterling Nature Center; and

Whereas, these resolutions did provide for a local (matching) share, to be amortized in future operating budgets of the Sterling Nature Center; and

Whereas, the Director of the Sterling Nature Center and the Park Maintenance Supervisor propose that remaining funds from the 2008 operating budget of The Sterling Nature Center (Budget Account Number A7113 Munis Number A71134) be transferred into Capital H Project No. 02-2 as part of the county matching share; now, therefore, be it Resolved, the Cayuga County Treasurer is hereby authorized and directed to transfer the following remaining fund balance from the 2008 operating budget of The Sterling Nature Center (Budget Account Numbers 7113 Munis Number A71134) to Capital H Project No. 02-2 to serve as part of the county match;

7113.400.048(Munis A71134 54048) Books	\$206
7113.400.058(Munis A71134 54058) Dues & Memberships	\$103
7113.400.132(Munis A71134 54101) Promotion	\$1,990
7113.400.147(Munis A71134 54147) Park Improvement	\$190
Total	\$2,489; and be it further

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

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 826-08 December 16, 2008 (P&T) Little League t ball 12 08rev
Authorizing the Chairman of the Cayuga County Legislature and the Chairperson of the Cayuga County Parks and Trails Commission to enter into an agreement with Auburn Little League to allow for the setup of a T-Ball field behind the Little League fields at Emerson Park for the 2009 and 2010 playing seasons.**

BY: Mr. David Axton, Chairman, Public Works

Mr. Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, Auburn Little League has had an agreement with Cayuga County for many years to utilized playing fields at Emerson Park; and

WHEREAS, Auburn Little League has requested that the park allow them to set up a T-Ball field behind the existing Little League Fields in a lawn currently used for parking during large park events, and

WHEREAS, the Parks Commission supported this proposal as long as Little League agreed to remove the portable T-Ball field so the park could use the lawn for parking during large events, and

WHEREAS, this agreement would be for the 2009 and 2010 playing seasons to coincide with the current Little League agreement; now, therefore, be it

RESOLVED, that county attorney is hereby authorized and directed to draw up this agreement; and be it further

RESOLVED, that the Chairperson of the Cayuga County Legislature and the Chairperson of the Cayuga County Parks and Trails Commission are hereby authorized and directed to sign this agreement with the President of Little League Baseball of Auburn, Inc.

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

Approved by voice vote, all in favor.

RESOLUTION NO. 827-08 December 16, 2008 coaJordan Property 12 08

AUTHORIZING THE COUNTY ATTORNEY TO DRAFT A TWO-YEAR AGREEMENT WITH NYS DOT AND A NYS THRUWAY CONTRACTOR TO USE COUNTY OWNED LAND IN THE TOWN OF ELBRIDGE FOR A CONCRETE BATCH PLANT (FORMER RAILROAD PROPERTY)

BY: Mr. David Axton, Chairman, Public Works

Mr. Francis Mitchell, Chairman, Ways & Means Committee

Whereas, a contractor recently won a two-year contract for NYS Thruway reconstruction, and

Whereas, the is proposing to use a portion of Cayuga County owned property in the town of Elbridge for a proposed concrete batch plant; and

Whereas, the property is part of the former West Shore Railroad property acquired by the county in the mid 1990's for possible recreational or utility use; and

Whereas, the county has no immediate plans for, nor are we currently using, this portion of the property; and

Whereas, it is evident from the appearance of the property that it has been used by NYSDOT and/or others for years, and

Whereas, it makes sense for us to have an agreement for the use of the property or to forbid the use of the property; now, therefore, be it

Resolved, that the Cayuga County attorney is hereby authorized and directed to draft an agreement with NYSDOT and the current contractor for use of the property; and be it further

Resolved, that once the agreement is approved by the legislature the chairperson is hereby authorized and instructed to sign the agreement.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 828-08 (12/16/08) COA-AppNYSUnfCtAgrForClnGsvs&MnrReps
AUTHORIZING THE CHAIRMAN OF THE COUNTY LEGISLATURE TO SIGN AGREEMENT WITH THE
NEW YORK STATE UNIFIED COURT SYSTEM FOR CLEANING SERVICES, AS WELL AS MINOR
AND EMERGENCY REPAIRS.**

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

MR. MITCHELL, Chairman, Ways & Means Committee.

WHEREAS, the Chairman of the County Legislature has advised the Public Works Committee that the New York State Unified Court System is desirous of entering into an agreement with Cayuga County for cleaning services, as well as minor and emergency repairs to the court facilities; now, therefore, be it

RESOLVED, that the Chairman of the County Legislature is hereby authorized to enter into an agreement for cleaning services, as well as minor and emergency repairs, for the period of State Fiscal Years 2008-2009 through 2012-2013, effective April 1, 2008 and terminating March 31, 2013.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 829-08 12/16/08 HWYcreatefillPrincipalAccountclerkposrev
 AUTHORIZATION TO CREATE AND FILL PRINCIPAL ACCOUNT CLERK POSITION AND TO
 ABOLISH DATA ENTRY MACHINE OPERATOR.**

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

WHEREAS, there is a need to establish a position in the highway department to assist with budget control items; and
 WHEREAS, this position will also input all of the work orders and process bills for highway materials, fuel and
 equipment parts and maintain control figures for the department; and
 WHEREAS, the position of Principal Account Clerk has been funded for the entire 2009 year in the budget; and
 WHEREAS, by abolishing one Data Entry Machine Operator the increase will be minimal; and
 WHEREAS, there is a need for an individual to keep track of revenue and expenditures of the Highway Department
 budget as well as the Motor Pool budget; and
 WHEREAS, to accomplish this it is necessary to increase the responsibilities and the hours of this new position; now,
 therefore be it

RESOLVED, that one position of Principal Account Clerk be hereby created within the County Highway Department;
 and be it further

RESOLVED, that the hours be set at 40 hours per week with the following converted rates to be added to the CSEA
 Compensation Plan for a clerical grade 14 Principal Account Clerk within the Highway Department:

Grade	Inc.	Prob	1 st Step	2 nd Step	3 rd Step	4 th Step	(based on 2008 CSEA Plan)
14	333	37,768	38,118	39,448	40,770	42,142	

and be it further

RESOLVED, that the County Highway Superintendent be hereby authorized to fill the new position effective 1/1/09 ;
 and be it further

RESOLVED, that one position of Data Entry Machine Operator be hereby abolished upon the adoption of this
 resolution; 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, Mitchell, Petrus, Lockwood, Chapman, Sincebaugh, Schuster, Palermo, Tortorici.

Approved by voice vote, all in favor.

MOTION NO. 830-08 (TABBLD)

Motion by David Axton, 2nd by Lockwood to pay 50% of the cost to replace a water meter at Emerson Park, NY, take
 the cost out of contingency, estimate amount \$2,500, to \$3,000.

Discussion: Schuster, need it in writing.

Axton, this is time sensitive.

Schuster, we can do resolution next month and reimburse Fleming.

Cuddeback, should go to committee.

Petrus, let Fleming Know it will be resolved.

Motion by Schuster to Table, passed by majority vote. Ayes – Chapman(81), Mahunik(49), Fearon(63),
 Mitchell(57), Cuddeback(64), Tortorici(51), Schuster(47), Sincebaugh(48), Mills(79). Noes – Palermo(58), Axton(68),
 Petrus(53), Lockwood(63), Murphy(51). Excused – McIntosh(50). Vote 539/29350

**RESOLUTION NO. 831-08 (12/16/08) P&TSnowmobile Grant 12 08
AUTHORIZING AMENDMENT OF THE 2009 PARKS & TRAILS BUDGET TO INCLUDE SNOWMOBILE
GRANT FUNDS**

By: David R. Axton, Chairperson, Public Works

___Francis Mitchell, Chairperson, Ways & Means Committee

WHEREAS, Cayuga County has applied for and received a Snowmobile Trail and Development Grant of \$113,525.00, plus a high snow award if applicable, which has been received after the County 2009 Budget was passed; and

WHEREAS, these funds can only be used for snowmobile trail development and maintenance; and

WHEREAS, the funds are to be received in two payments one of \$76,282.50 representing 70% of the regular funding (as per the current voucher) and the second of the remaining 30% and the high snow award if applicable (as per a voucher received in March of 2008), now, therefore, be it

RESOLVED, that the Cayuga County Treasurer be directed to sign the State Aid Vouchers and make the necessary changes to amend the 2009 budget as follows: increase the Expense Account A7112.420.074 Dept Expense (Munis: A71164-54000 Contractual), and, increase Revenue Account A3812 (Munis: A71160-43812) by \$113,525.00 plus the high snow award if received; and be it further

RESOLVED, that the Parks and Trails Department is authorized to administer and expend such funds in strict accordance with the rules of the grant; and be it further

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

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 832-08 12/16/08 911AgrTuttleLandSurveyorsrev2
ACCEPTING THE BID OF TUTTLE LAND SURVEYORS AUTHORIZING THE CHAIRPERSON OF THE
LEGISLATURE TO SIGN A CONTRACT WITH TUTTLE LAND SURVEYORS.**

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

Mr. Francis Mitchell, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County 911 Center utilizes Finger Lakes Communications to maintain all County owned radio infrastructure within the E-911 Center, Sheriff's Department, and all Fire and EMS radios; and

WHEREAS, it is critical that all of these components function properly twenty-four hours per day, seven days per week without interruption; and

WHEREAS, it is critical that Finger Lakes Communications be able to access all tower sites to maintain the radio infrastructure at these sites 24/7; and

WHEREAS, the current access roads are in very poor condition and not feasible in the winter time and the land needs to be surveyed to complete this project; and

WHEREAS, Cayuga County received sealed bids from Keystone Associates and Tuttle Land Surveyors as follows:

Keystone Associates:

Total Survey Cost: \$9,900.00

Tuttle Land Surveyors as

Total Survey Cost: \$7,025.00

;and

WHEREAS, Tuttle Land Surveyors provided the most favorable pricing; and,

WHEREAS, there is money in the 911 Communication System Budget Account Number 3020.2.0000; Munis account number 302002; specifically for this purpose; and

RESOLVED, that the Chairman of the Legislature is hereby authorized to sign a contract with Tuttle Land Surveyors in the amount of \$7,025.00; and be it further

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 833-08 12/16/08 PRO-SALDirectorII-08
AUTHORIZING THE SALARY TO BE RESTORED FOR THE POSITION OF PROBATION DIRECTOR II.

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

WHEREAS, Bernard Newcomb was appointed as Probation Director II effective 12/31/08; and
WHEREAS, Mr. Newcomb has twenty-six years of experience in the field of probation and has served as Probation Supervisor for seventeen years; and
WHEREAS, the position warrants the rate of pay that was in the compensation plan for the position in 2008; now, therefore, be it

RESOLVED, that Mr. Newcomb be paid in accordance to Cayuga County Compensation Plan, Part IV for the title of Probation Director II at the rate of \$65,826; and be it further

RESOLVED, that the Treasurer make any and all journal and accounting entries necessary to accomplish the forgoing.
Signed by Lockwood, Chapman, Cuddeback, Fearon, Mahunik, Murphy, McIntosh, Mitchell, Axton, Palermo, Petrus, Schuster, Tortorici.

Approved by voice vote, all in favor, Voting No, Fearon and Mitchell.

RESOLUTION NO. 834-08 (12/16/08) IndigentDefendantsapptadmin
APPOINTING ADMINISTRATOR INDIGENT DEFENDANTS, PART TIME, AND SETTING SALARIES FOR ADMINISTRATOR INDIGENT DEFENDANTS, PART TIME, AND DEPUTY ADMINISTRATOR INDIGENT DEFENDANTS, PART TIME

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

WHEREAS, the position of Administrator Indigent Defendants, Part Time is a one (1) year fixed term appointment; and

WHEREAS, Lloyd E. Hoskins has held the position as Administrator since January 1, 1994; and
WHEREAS, the Legislature has determined that Lloyd E. Hoskins is best qualified to fill this position; and
WHEREAS, the position of Deputy Administrator Indigent Defendants, Part Time is a one (1) year fixed term appointment; now, therefore, be it

RESOLVED, that Lloyd E. Hoskins is hereby appointed as Director Indigent Defendants, Part Time, to serve for a (1) year term commencing January 1, 2009 and ending December 31, 2009, and be it further

RESOLVED, that the salary for Director Administrator Indigent Defendants, Part Time for the 2009 calendar year thereafter shall be \$12,539.00; and be it further

RESOLVED, that the salary for Deputy Administrator Indigent Defendants, Part Time for the 2009 calendar year thereafter shall be \$ 6,585.00; and be it further

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 835-08 (December 16, 2008) DA.vacation payoff
TO AUTHORIZE THE TRANSFER OF FUNDS WITHIN THE DISTRICT ATTORNEY'S BUDGET

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

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

WHEREAS, five (5) employees of the District Attorney's Office currently have 10 days of vacation credit which cannot be used in 2008; and

WHEREAS, sufficient funds exist in Account A.1165.100.000-A Salaries [Munis A11651] for this purpose; now therefore, be it

RESOLVED, that the line item "Vacation Payoff" be created in the District Attorney's budget under Account A.1165.100.000-A Salaries [Munis A11651]; and be it further

RESOLVED, that the amount of \$10,815.00 be transferred from Account A.1165.100.000-A Salaries [Munis A11651] to (Salaries/Vacation Payoff); and be it further

RESOLVED, that these funds be immediately expended from the District Attorney's Account A.1165.100.000-A Salaries/Vacation Payoff [Munis A11651]; and be it further

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

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

Approved by voice vote, all in favor.

RESOLUTION NO. 836-08 (December 16, 2008) DA.equippurchase.08-3
AUTHORIZING THE TRANSFER OF FUNDS FROM THE DISTRICT ATTORNEY'S 2008 SALARIES ACCOUNT A.1165.100.000-A [MUNIS A11651] TO THE DISTRICT ATTORNEY'S 2008 EQUIPMENT ACCOUNT A.1165.200.000-A [MUNIS A11652] FOR THE PURCHASE OF EQUIPMENT

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

WHEREAS, the District Attorney has a balance of salary funds that will not be expended in 2008 as a result of the vacant Assistant District Attorney position; and

WHEREAS, the District Attorney is in need of surveillance/body wire equipment, two (2) exterior security cameras/surveillance, typewriter and Grand Jury Amplification System; and

WHEREAS, the District Attorney has obtained the following quotes for said equipment:

Tactical Technologies Inc., 500 Pine Street, Suite 3A, Holmes Corp Center,
Holmes, PA 19043
Surveillance/Body Wire Equipment.....\$4,390.00
Herrtronics Inc., 55 Water Street, Auburn, New York 13021
CCTV Camera Material & Labor.....\$1,800.00
AmpliVox (quote provided by Steve Johnson, IT)
Wireless Powered Dual Speaker with 900 MHz Transmitter.....\$578.00
Amplified Lectern on Casters.....\$957.00
Plus shipping & handling
Metroland Business Machines, Inc., 1650 Western Avenue, P.O. Box 3975,
Albany, NY 12203
IBM Wheelwriter 1000.....\$695.00
Plus shipping & handling

WHEREAS, it is necessary to transfer and encumber funds from 2008 to accomplish the purchase of said equipment in 2008 and 2009; now, therefore, be it

RESOLVED, that the District Attorney is authorized to transfer \$8,420.00 from the District Attorney's 2008 Salaries Account A.1165.100.000-A [MUNIS A11651] to the District Attorney's 2008 Equipment Account A.1165.200.000-A [MUNIS A11652]; and be it further

RESOLVED, that the said \$8,420.00 is hereby encumbered for the purpose of purchasing the equipment referenced above and that the District Attorney in furtherance thereof shall prepare purchase requisitions for the respective quoted amounts; and be it further

RESOLVED, that the District Attorney is authorized to purchase said equipment and therefore the Cayuga County Treasurer is authorized and directed to make payments from the designated Equipment Account A.1165.200.000-A [MUNIS A11652] to the respective vendors upon delivery, acceptance and certification of said equipment; 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. 837-08

(December 16, 2008)

DA.atplumpsumrecruit

AUTHORIZING THE EXPENDITURE OF UNEXPENDED AID TO PROSECUTION GRANT FUNDS ACCORDING TO THE DISTRICT ATTORNEY’S APPROVED REQUEST FOR AN EXTENSION/PAYMENT BY THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES

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

WHEREAS, due to the extended vacancies this year while seeking a Chief ADA and two additional ADA positions, one of which required an experienced prosecutor, the District Attorney’s Office has accumulated unexpended grant funds in the amount of \$6,259.86 from the 2007-2008 Aid to Prosecution Grant which is due to expire December 31, 2008 and revert to NYS; and

WHEREAS, the New York State Division of Criminal Justice Services has granted the District Attorney’s Office an extension of the Aid to Prosecution Grant for the period ending February 28, 2009 to utilize the unexpended funds by means of a one-time, lump sum recruitment award; and

WHEREAS, by Resolution No. 744-08, District Attorney Jon E. Budelmann received Legislative approval on November 25, 2008 authorizing and directing the Cayuga County Treasurer to carry over any unexpended balance for the 2008 fiscal year and amend the 2009 County Budget; and

WHEREAS, by Resolution No. 668-08, District Attorney Jon E. Budelmann received Legislative approval on October 28, 2008 to reduce the salary of the vacant Assistant District Attorney position by \$14,000.00 to an “entry level salary”, and

WHEREAS, the District Attorney has now successfully hired an “experienced” candidate (with four (4) years prosecution experience in the Onondaga County DA’s office and nearly eight (8) years litigation experience and admission to the bar) to fill the vacant Assistant District Attorney position; and

WHEREAS, the District Attorney of Cayuga County proposed a plan to utilize the unexpended funds in the form of a “one-time, lump sum recruitment/sign-on bonus” to offset the “entry level salary” for the newly hired “experienced” assistant district attorney, and the State of New York Division of Criminal Justice Services approved that plan; now therefore, be it

RESOLVED, that the 2009 County Budget for the District Attorney be amended in the following manner:

INCREASE:

Revenue Account 3029.000.000-A – State Aid - Aid to Prosecution Grant.....\$6,259.86

INCREASE:

Munis A11651 51004 Salary – On-Call.....\$5,815.01

INCREASE:

Munis A11651 58001 Fringe (FICA).....\$444.85

RESOLVED, that the Cayuga County Treasurer be hereby authorized and directed to pay a “lump sum recruitment/sign-on bonus” pursuant to the approved extension of the Aid to Prosecution Grant; 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 foregoing.

Discussion: Schuster, what would the salary be for next year?

Jon Budelmann DA, reverts back to regular salary, this is a one time deal.

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

Approved by voice vote, all voting aye, except Schuster and Mahunik voting No.

RESOLUTION NO. 838-08 12/16/08 SHR-Transfer Monies (Equipment)
AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO TRANSFER MONIES FROM THE SHERIFF'S 2008 CUSTODY JAIL GAS/HEAT BUDGET LINE A31504 54024 (3150.400.024A) 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 necessary special weapons and tactical equipment; and
WHEREAS, there is a surplus amount of money in the Sheriff's 2008 Custody Jail Gas/Heat Budget Line A31504 52024 (3150.400.024A) 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 \$22,000.00 from the Sheriff's 2008 Custody Jail Gas/Heat Budget Line A31504 54024 (3150.400.024A) 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, Fearon, Cuddeback, Murphy, Chapman, Mahunik, Mitchell, Petrus, Tortorici, Palermo, Schuster, Axton.
Approved by voice vote, all in favor.

Motion by Mitchell to add to the first RESOLVED in accordance with the Bid Specks that the County sent out, all in favor.

RESOLUTION NO. 839-08 12/16/08 SHR-Transfer Monies (Purchase Diesel Generator)rev
AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO TRANSFER MONIES FROM THE SHERIFF'S 2008 CUSTODY DOCTORS AND HOSPITALS BUDGET LINE A31504 54036 (3150.400.036A) TO THE SHERIFF'S 2008 CUSTODY BUILDING MAINTENANCE BUDGET LINE A31504 54012 (3150.400.012A) TO SUPPLEMENT FUNDS PREVIOUSLY TRANSFERRED BY RESOLUTION NO. 738-08 TO MAKE NECESSARY REPAIRS TO THE PUBLIC SAFETY BUILDING'S DIESEL GENERATOR.

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

WHEREAS, the Cayuga County Sheriff's Office diesel generator's exhaust system on the west side of the Cayuga County Public Safety Building requires repairs as it vents into the Public Safety Building; and
WHEREAS, the Cayuga County Sheriff's Office was approved to by Resolution No. 738-08 on November 25, 2008 to transfer monies for the repairs required of the exhaust system to [prevent the emission of dangerous fumes into the building; and

WHEREAS, the Sheriff's Office obtained three quotes for the repair which are

- A). Comfort Systems, Inc. located in Syracuse, New York, \$14,880.00;
- B). Welch Construction, Inc. located at Marcellus, New York, \$22,810.00;
- C). Barber Welding, Inc, Weedsport, New York \$33,546.00

WHEREAS, Comfort Systems, Inc. has since informed the Cayuga County Sheriff's Office that they will not be able to repair the diesel generator's exhaust system until May 2009 and due to the safety concerns and health issues the faulty diesel generator's exhaust system presents, the repairs need to be made as soon as possible; and

WHEREAS, Welch Construction, Incorporated located in Marcellus, New York, issued the second lowest quote of \$22,810.00 and has indicated that they can begin the work approximately two weeks after the issuance of a Purchase Order; and

WHEREAS, additional money will need to be transferred into the Sheriff's 2008 Custody Building Maintenance Budget Line A31504 54012 (3150.400.012A) to cover the increased cost of the aforementioned repairs as quoted by Welch Construction, Incorporated; now therefore be it

RESOLVED, that Welch Construction, Incorporated be hired to repair the diesel generator's exhaust system at the Cayuga County Public Safety Building in accordance with the Bid Specks that the County sent out and that Purchase Order No. 0194657 be voided and a new Purchase Order be issued for Welch Construction, Incorporated at a cost not to exceed \$22,810.00; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized to transfer \$8,000.00 from the Sheriff's 2008 Custody Doctors and Hospitals Budget Line A31504 54036 (3150.400.036A) to the Sheriff's 2008 Custody Building Maintenance Budget Line A31504 54012 (3150.00.012A) to supplement the \$15,000.00 that was previously transferred by Resolution No. 738-08 to adequately cover the fees of Welch Construction, Inc.; 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, Fearon, Cuddeback, Murphy, Chapman, Mahunik, Mitchell, Petrus, Tortorici, Palermo, Schuster, Axton.
Approved by voice vote, all in favor.

RESOLUTION NO. 840-08 12-16-08 CORtransferfunds
Authorization for the County Treasurer to Transfer Funds from the Contingency Fund to the Coroner/Medical Examiner's Account (1185) Due to Lack of Funds.

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

WHEREAS, the Coroner's Office Budget for 2008 is Currently without sufficient funds to pay for services for November and December 2008 in line item #042(fees to other labs), #080(transfer & facility) and a shortage of funds to finish 2008 in line item #059(professional services/autopsies) and

WHEREAS, the line items with insufficient funds are contractual accounts and the need for additional funding is necessary from the Contingency Fund in order to pall "ALL" 2008 invoices that we receive in 2009 and

WHEREAS, in the past, the charges, incurred at the end of the year, are not received until the beginning of the following year and have been paid from the new year's budget thus causing funds from the beginning of the new budget year to be used for the pervious years charges and

WHEREAS, currently, there are invoices unable to be processed due to insufficient funds in these line items and it is difficult to project the activities of the next 2 months with these particular line items and be it

RESOLVED, that the Cayuga County Treasurer be authorized and directed to transfer funds from the Contingency Fund to the Coroner/Medical Examiner's account and that any funds remaining in the following line items remain encumbered so that all charges for 2008 are paid with 2008 funds.

Increase account 1185.400.042 (fees to other labs) \$7500.00 Munis# A11854-54042

Increase account 1185.400.080 (transfer & facility) \$6000.00 Munis# A11854-54080

Increase account 1185.400.059 (professional services/autopsies) \$7500.00 Munis# A11854-54059

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

Approved by voice vote, all in favor.

RESOLUTION NO. 841-08 12/16/08 Coroner-Create/fill Investigator
AUTHORIZATION TO CREATE AND FILL THE FOURTH POSITION OF CORONER INVESTIGATOR, PART TIME WITHIN THE COUNTY CORONER/MEDICAL EXAMINER'S OFFICE

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

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

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

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

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

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

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

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

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

Approved by voice vote, all in favor.

CHAIRMAN'S REPORT: Roger Mills, I now have a detailed understanding of County Government. Thank you to all. It has been difficult job at times, beaten up but not beaten down. I take personal satisfaction, that Cayuga County is a better place to live.

Motion by Chapman to adjourn at 8:50 PM, all in favor.

Motion by Cuddeback, 2nd by Lockwood, to approve minutes of 12/16/08 and 1-5-09, all in favor.