

**MINUTES  
CAYUGA COUNTY LEGISLATURE  
MARCH 24, 2009, 6:00 PM**

**WELCOME:** By Mary Jones Clerk of the Legislature

**In case of an emergency, please exit to the rear of the chambers. You will have to take the stairs down to the basement, turn right and exit through the rear door. Please note, the elevators will not function. If anyone is unable to use the stairway, I will stay with you in the safe room, located behind the chambers, caucus room #2.**

**Restrooms are located in the main hallway and handicapped restroom is located behind the chambers.**

**CALL TO ORDER:** Hon. Peter Tortorici, Chairman

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

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**DEATHS:** Patrick A. Devoe II, Army Pfc, was killed in action March 8, 2009, while serving our Country. He is survived by his parents, his daughter, Jazzibell, her mother Jen, family and friends. Letter of Honor read by Mary Jones, Clerk of the Legislature.

**PROCLAMATION:**

Army Private First Class Patrick A. Devoe II, read by Mary Jones, presented at a latter date.

**PRIVILEGE OF THE FLOOR:** Legislator Roger Mills for Jason Lesch, Certified Public Accountant and Health Care Consultant. Re: meeting that was held on Friday concerning CHHA, it should have been the first meeting. RFP shouldn't have gone out before the meeting. Plan should come from the manager, we owe County Employee's and County residents more. I recommend that you throw out the bids and start over, please consider this.

Chairman Peter Tortorici for Robert Foresti, President CSEA, re: CHHA, revenue increased in 2006-07, by more than expenses, result, County taxpayers contributed less. County share 2006, \$486,000.00, 2007 348,000.00. Long Term Care County share \$16,000.00 2006 and \$1,400.00 in 2007. Percentage of visits increased 38,000 in 2007, 40,000 in 2008. Its clear CHHA operations are more efficient. Private sector won't know the clients, less pay, care will be affected.

**MINUTES:** For Approval: 1-27-09, Motion by Palermo, all in favor.  
For Reading: 2-24-09 and 3-5-09

**CCC REPORT:** Dr. Daniel Larson: New VP and Dean of Fulton Campus, Maggie Killoran. Enrollment Update, Spring 2009 are up 4.3% over last year, 720 students are registered for Summer Courses, college credit courses in high school is up 33% over last year. National Community College Survey, will take place this semester, we look forward to the results, which will provide aggregate data about SUNY community colleges. Student Artwork, 5 art and design students have their illustrations and drawings on display at the SUNY Administration Building in Albany. Distinguished Guests, Professor Christopher Kennedy, teaching a course in mythology, Denis Sullivan, gave a speech on Intellectual Property, Patents, and Trademarks, Jerry Mirskin, presented a public reading of his poetry, and Ms. Hurley and Ms. Sherman will doing a book reading and signing in April. Women's Basketball has concluded an outstanding season that put the Spartans on the Division III map.

**PROCLAMATION:**

Commendation for Outstanding Actions, Deputy Thomas F. Wallace and Deputy Douglas W. Wallace, read by Mary Jones, presented by Chairman Tortorici to each deputy.

**PUBLIC HEARING: Opened at 6:30PM**

To Adopt Local Law No. \_\_\_\_ for the Year 2009, amending Local Law No. 3 of 1994 and Local Law No. 5 of 2007 to Continue the Room Tax for Three Years.

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

Legislator Lockwood, there will be a radio meeting next Tuesday at 5:30PM at BOCES, Public is invited.

**MANAGER'S REPORT:** Wayne Allen, handed out on your desk is New York State Municipal Workers Compensation Survey, they are asking for a plan of action, there are ten critical issues, that their supervisor risk manager identified in our County Buildings. Ten that are critical that pertain to general safety, life safety, personal protective equipment, procedures and security. This survey has been given to the department head of this committee, he will start working on this and I expect that some of these items will have to be addressed by the Legislature. We have 60 days to respond with a plan of action to address these issues. Lag payroll options have been placed on your desk.

**CHAIRMAN'S REPORT:** Peter Tortorici, Congressman Arcuri was here Friday and brought a check for \$140,000.00 for the Child Advocacy Center, I would like to thank him and Sheriff Gould and his staff for all they have done to bring this center up to speed. I will be announcing a date for Public to be Heard on the CHHA.

**APPOINTMENTS AND RE-APPOINTMENTS:**

**Cayuga County Planning Board:**

Town of Fleming – Fred Farrell, 5394 W. Lake Rd., Auburn, NY 13021, term – to serve until replaced by locality.

Town of Montezuma – John Malenick, 7345 Laraway Rd. Cayuga, NY, term – to serve until replaced by locality.

Village of Aurora – Pat Bianconi, PO Box 197, Aurora, NY, term – to serve until replaced by locality.

**Cayuga County Ag and Farmland Protection Board:**

Peter Tortorici, 19 Union St. Auburn, NY 13021 term – Coterminous with position.

**Motion by Palermo to approve all appointments, all in favor.**

**COMMUNICATIONS AND ANNOUNCEMENTS:**

1. Received a thank you card from the family of Terri Bridenbecker.
2. Received a copy of a letter from Senator Nozzolio, to Alice Sears PHN at CHHA for talking to his staff and sharing her concerns with the possible sale of Cayuga Home Health Agency.
3. Received a letter from Senator Nozzolio to Chairman Tortorici, asking the Legislature to carefully review any proposal to sell the agency and take into consideration the comments and concerns raised by local residents.
4. Received a letter from Carmila Trusso, Auburn, NY, re: her opposition to the selling of CHHA.
5. Received a letter Michael Arcuri, Member of Congress, re: his support of the application submitted by the Cayuga County Industrial Development Agency to the US Dept. of Commerce EDA for \$3.9M in funding to be used for Aurelius Industrial Park Site Development.
6. Notice, there will be a benefit for S.A.V.A.R., Friday, April 3, 2009, Springside Inn, Social Hour 5:30/Dinner 6:30PM, please call 253-9795.
7. Received Employee Recognition Notice from the Child Support Unit for Greg Haberlaev and John Borza, Buildings Dept. for going beyond their duties, appreciate the good work.
8. Received several letters thanking the Sheriff's Dept. for all there hard work.

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

**RESOLUTIONS**

**RESOLUTION NO. 145-09**

**AuditMarch2009REV.doc**

**AUTHORIZING THE COUNTY TREASURER TO PAY MARCH 2009 AUDIT OF CLAIMS**

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

WHEREAS, the Legislature did at its regular meeting on March 24, 2009 audit claims against the County of Cayuga in the aggregate sum of \$1,430,788.33, 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 November 25, 2008.

Signed by Mitchell, Chapman, Lockwood, Mahunik, Murphy, Petrus.

Approved by voice vote, all voting aye.

**RESOLUTION NO. 146-09**

**3.24.09**

**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:

FEbruary 2009

Electric	\$105,575.01
Telephone:	\$ 15,221.51
Total:	\$120,796.52

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

Signed by Mitchell, Chapman, Lockwood, Mahunik, Murphy, Petrus.

Approved by voice vote, all voting aye.



**RESOLUTION NO. 151-09**

**3/24/09**

**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:

FEBRUARY 2009

Copier Leases and Maintenance:	\$6,626.41
Postage Leases:	\$ 0.00
Total:	\$6,626.41

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

Signed by Mitchell, Axton, Chapman, Lockwood, Mahunik, Murphy, Petrus.

Approved by voice vote, all voting aye.

**RESOLUTION NO. 152-09 (3/24/09)**

**COA-Caph3PAY**

**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 #07-1 (Erie Heritage Preservation):

KENT ENVIRONMENTAL PLANNING & DESIGN:

Inv. No. 75.....\$ 1813.54

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

TYLER TECHNOLOGIES, INC.:

Inv. No. 145924.....\$ 3,041.00

HOLIDAY INN AUBURN:

Inv. No. 11943.....\$ 140.00

INN AT THE FINGERLAKES:

Inv. No. 4017.....\$ 210.00

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

C & S COMPANIES:

Inv. No. 0879.....\$ 50,646.00

CITY OF AUBURN (City and School Taxes Owed for 2 Park Ave.):

Inv. No. 116211005000.....\$ 1,960.49

4. Project #08-2 (Emerson Park Pavilion Renovations):

CRAWFORD & STEARNS

Inv. No. 6315.....\$ 1,842.82

And be it further

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

Signed by Mitchell, Axton, Chapman, Lockwood, Mahunik, Murphy, Petrus.

Approved by voice vote, all voting aye.

**RESOLUTION NO. 153-09 (03/24/09)** signcontractfortaxsale

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO SIGN AN AGREEMENT WITH SCHERRER AUCTIONS TO AUCTION OFF CAYUGA COUNTY TAX FORECLOSED PROPERTY.**

By: Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, pursuant to Resolution 188-02, Auction Policies and Procedures, section 2, the same auctioneer may conduct the auction again upon authorization of the Ways & Means Committee; now, therefore, be it RESOLVED, that the Chairman of the Legislature is authorized to sign an agreement with Auctions International to dispose of certain Cayuga County owned real property.

Signed by Mitchell, Axton, Chapman, Lockwood, Mahunik, Murphy, Petrus.

Approved by voice vote, all voting aye.

**RESOLUTION NO. 154-09 (March 2009)**

**RPS correctionerrorsMar pg1of1**

**Authorizing Correction of Tax Errors in Several Towns:**

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

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

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

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

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

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

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

RESOLVED, that the 2008 Assessment Roll shall also be corrected as follows:

Town of Fleming: TM#123.18-1-1. Assessed to Sean Lattimore. Clerical Error. Property assessment was reduced but failed to be placed on the 2008 assessment roll. The 2008-2009 school tax roll and the 2009 town tax roll should be corrected to reflect this with any refund issued.

Signed by Mitchell, Axton, Chapman, Lockwood, Mahunik, Murphy, Petrus.

Approved by voice vote, all voting aye.

**RESOLUTION NO. 155-09 (3/24/09)**

**COA-DOGTXAPP2009**

**DIRECTING THE COUNTY TREASURER TO PAY DOG TAX MONIES AS APPORTIONED.**

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

WHEREAS, in accordance with Section 111 of the Agriculture and Markets Law the County Treasurer herewith presents for filing his annual Dog License Report, together with a Statement of Amounts Remitted and Apportioned; now, therefore, be it

RESOLVED, that the attached Dog License Report be received, approved and printed in the Journal of the County Legislature and that the County Treasurer be authorized and directed pay to the City of Auburn and the several towns the amounts mentioned in the apportionment column of said Statement, totaling \$8,610.38.

Signed by Mitchell, Axton, Chapman, Lockwood, Mahunik, Murphy, Petrus.

Approved by voice vote, all voting aye.

**Motion to table by Lockwood, 2<sup>nd</sup> by Palermo, all in favor.**

**(TABLED)RESOLUTION NO. 156-09 (TABLED) 3/24/09 COA-Spend2009rev**

SPENDING RESOLUTION

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

WHEREAS, this Legislature is of the opinion that a spending plan for the County of Cayuga is in order; now, therefore be it

RESOLVED, that for the time period from the adoption of this resolution on March 24, 2009 until rescinded by the Legislature:

- A. A weighted majority vote of the County Legislature shall be required for equipment purchases over **\$9,999.99**
- B. A weighted majority vote of the County Legislature shall be required for any new capital improvement or renovation expenses over \$5,000.00
- C. Specifically excluded from the aforesaid procedures are:
  - a. Equipment purchase restrictions where the source of funding is 100% reimbursable.
  - b. Emergency authorizations approved by the Chairman of the Legislature, the Oversight Committee Chairman, the Ways and Means Committee Chairman, the Minority Leader and the County Manager

And, be further

RESOLVED, that resolution No. 21-08 is hereby amended to conform with this resolution.

**Motion to table by Lockwood, 2<sup>nd</sup> by Palermo, all in favor.**

**RESOLUTION NO. 157-09 (3/24/09)**

**HR-PsTekContract09rev**

**AUTHORIZING THE CHAIRMAN OF THE COUNTY LEGISLATURE TO SIGN CONTRACT WITH PSTEK AND EXPEND FUNDS FROM CAPITAL "H" PROJECT NO. 07-5 (TYLER SOFTWARE) TO ACCOMMODATE SOFTWARE EXPENSE.**

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

WHEREAS, the County of Cayuga has determined that it would be advantageous to move payroll operations to an in-house system using MUNIS payroll software; and

WHEREAS, the Civil Service/Human Resources Department currently uses software with multi-module programs that communicate with each other; and

WHEREAS, MUNIS cannot support the examination module that communicates and updates the roster module automatically; and

WHEREAS, the PSTek Vendor can write programs so the data needed for payroll/budget could be transferred from the PSTek Software to the Treasurer's Payroll System, eliminating the current practice of double entry of data for many fields; and

WHEREAS, there are sufficient monies in Capital "H" Project No 07-5 (Tyler software) A for this purpose; now, therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to sign a contract with PSTek to provide professional technical services as stated above at the rate of \$125.00 per hour; and be it further

RESOLVED, that the cost not to exceed \$5,000 for professional services; and be it further

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

Signed by Mitchell, Axton, Chapman, Lockwood, Murphy, Mahunik, Petrus.

Approved by voice vote, all in favor.

**RESOLUTION NO. 158-09 (March 24, 2009) HD Staffings Contract 2009**  
**Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into a Contract with Staffings Healthcare Systems**

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

WHEREAS, there exists in the Certified Home Health Agency (CHHA) of the County Health Department a need to provide RN, LPN and Home Health Aide services; and  
WHEREAS, at times the CHHA does not have sufficient staff to meet the fluctuating needs of the agency and must rely on contracting with licensed home care agencies; and  
WHEREAS, funds have been budgeted in the 2009 budget in account A40124 54219 Home Health Aides and account A40124 54128 Nurses/Contracts; and  
WHEREAS, this contract will only be used in those circumstances when administration determines that there is insufficient clinical coverage; 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 effective April 1, 2009 through March 31, 2010 with Staffings Healthcare Systems to provide the following services at the following rates:

<u>Rates</u>	<u>Rate</u>
RN	\$41.00/hr.
LPN	\$31.50/hr.
Home Health Aide	\$19.00/hr.

Signed by Petrus, Aikman, Cuddeback, Mills, Murphy, Schuster, Sincebaugh, Mitchell, Axton, Chapman, Lockwood, Mahunik.  
Approved by voice vote, all in favor.

**RESOLUTION NO. 159-09 (March 24, 2009) HD Mary Lou Barrette, RD**  
**Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into a Contract with Mary Lou Barrette, RD as a Nutrition Consultant**

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

WHEREAS, there exists in the Certified Home Health Agency (CHHA) and in Community Health Services' MOMS Nutrition Program a need to provide nutrition consultation; and  
WHEREAS, the Health Department relies on obtaining this service through professional contractors; 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 Mary Lou Barrette, R.D., to provide nutrition consultant services for the CHHA and for the MOMS Program at a per visit rate of \$71.03 inside the city of Auburn; \$87.43 outside a 10 mile radius of their offices; and \$25.50/hr. for inservice/training for the period January 1, 2009 to December 31, 2009; and be it further  
RESOLVED, that the charges for these services be paid from account #40124 54059 and account #40104 54059 of the 2009 Health Department Budget.

Signed by Petrus, Aikman, Cuddeback, Mills, Murphy, Schuster, Sincebaugh, Mitchell, Axton, Chapman, Lockwood, Mahunik.  
Approved by voice vote, all in favor.

**RESOLUTION NO. 160-09 (March 24, 2009) HD Therapy Partners Contract**  
**Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into a Service Contract with Therapy Partners in OT, PT and Speech-Language Pathology, PLLC**

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

WHEREAS, there exists in the Certified Home Health Agency (CHHA) a need to provide occupational therapy services; and  
WHEREAS, the Department at this time relies solely on independent contracts for their services; now, therefore, be it  
RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Therapy Partners in OT, PT and Speech-Language Pathology, PLLC to provide the needed therapy services for the CHHA for the period of April 1, 2009 through March 31, 2010 at the following rates:

Initial Visit:	\$74/visit
Revisit Rate:	\$64/visit
Orientation/Inservice:	\$22.50/hr.

and be it further

RESOLVED, that the charges for these services be paid from account #A40124; objects #54127, #54217, and #54218 of the Health Department Budget.

Signed by Petrus, Aikman, Cuddeback, Mills, Murphy, Schuster, Sincebaugh, Mitchell, Axton, Chapman, Lockwood, Mahunik.  
Approved by voice vote, all in favor.

**RESOLUTION NO. 161-09 (March 24, 2009) HD Optimum Partners CHA 2009**  
**Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter Into a Contract With Optimum Partners to Update the Community Health Assessment**

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

WHEREAS, the Health Department has developed a comprehensive Community Health Assessment recognized by the Community; and

WHEREAS, the Department is required to maintain such an assessment that is used as the basis for our Municipal Public Health Services Plan; and

WHEREAS, we have successfully contracted with Optimum Partners for the purpose of maintaining the assessment;

NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services enter into a contract with Optimum Partners for the period of January 1, 2009 to December 31, 2009 to update our current assessment in an amount not to exceed \$16,000; and be it further

RESOLVED, that the charges for these services be paid out of account A40104 54059 of the 2009 Health Department Budget.

Signed by Petrus, Aikman, Cuddeback, Mills, Murphy, Schuster, Sincebaugh, Mitchell, Axton, Chapman, Lockwood, Mahunik.

Approved by voice vote, all in favor.

**RESOLUTION NO. 162-09 (March 24, 2009) HS IMA Contract**  
**Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter Into a Contract with Industrial Medicine Associates, PC (IMA)**

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

WHEREAS, IMA with an office in Syracuse provides consultive medical exams for Social Security Disability and SSI, and also provides workforce or "employability" evaluation services to a number of counties; and

WHEREAS, our Department currently has a number of individuals in receipt of cash assistance who are medically exempt from work and/or in the process of awaiting an SSI determination; and

WHEREAS, our goal remains to move as many individuals as possible to self-sufficiency through employment or to SSI or SSD, and provide assistance on a temporary basis; and

WHEREAS, a contract with IMA will, when appropriate, be an effective compliment to our SSI case management contract, as well as allow us to get a "second opinion" on some individuals to see if the work restriction could be lifted;

NOW, THEREFORE, BE IT

RESOLVED, the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Industrial Medicine Associates, PC for provision of workforce or employability evaluation services for the period of January 1, 2009 through December 31, 2009, or until funds are fully allocated, in an amount not to exceed \$4,000 for TANF (100% funded by FFFS) and \$1,500 for Safety Net Assistance; and be it further

RESOLVED, that charges for services related to Safety Net Assistance be paid from account #A60104 54059 and for services related to TANF be paid from account #60604 54000 of the 2009 Human Services Budget.

Signed by Petrus, Aikman, Cuddeback, Mills, Murphy, Schuster, Sincebaugh, Mitchell, Axton, Chapman, Lockwood, Mahunik.

Approved by voice vote, all in favor.

**RESOLUTION NO. 163-09 (March 24, 2009) HS Med-Rev 2009**  
**Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Renew a Contract with Med Rev Recoveries, Inc. for the Provision of Debt Recovery Services**

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

WHEREAS, recipients of public assistance on occasion become ineligible for benefits with an identifiable amount due to the County of Cayuga; and

WHEREAS, the Human Services Division of Health & Human Services is required to provide debt recovery services in order to re-coup monies owed to the County; and

WHEREAS, the Human Services Division has successfully contracted with Med Rev Recoveries, Inc. in the past to provide these services; and

WHEREAS, Med Rev Recoveries, Inc. would receive a contingent fee of 23% of amounts recovered; 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 Med Rev Recoveries, Inc. for the contract period May 1, 2009 through April 30, 2010; and be it further

RESOLVED, that the charges for these services be paid from account #A60104, object 54059 of the 2009 Human Services Budget.

Signed by Petrus, Aikman, Cuddeback, Mills, Murphy, Schuster, Sincebaugh, Mitchell, Axton, Chapman, Lockwood, Mahunik.  
Approved by voice vote, all in favor.

**RESOLUTION NO. 164-09 (March 24, 2009) HS Chapel House Amended**  
**Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Amend the Contract With Chapel House (Temporary Homeless Shelter)**

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

WHEREAS, Chapel House has opened a facility that will offer temporary shelter to those in need; and

WHEREAS, we received permission to enter into a contract with Chapel House per Resolution #578-08; and

WHEREAS, the contract has been amended to include family rates; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services be authorized to amend the contract with Chapel House to include a family rate of \$30 a night for up to 3 persons; \$40 a night for 4 or more per bed night for a temporary stay; and be it further

RESOLVED, that these expenditures will be paid out of account #A61404 54000 of the Human Services Budget.

Signed by Petrus, Aikman, Cuddeback, Mills, Murphy, Schuster, Sincebaugh, Mitchell, Axton, Chapman, Mahunik.  
Approved by voice vote, all in favor.

**RESOLUTION NO. 165-09 (March 24, 2009) HS CST Funds 2009**  
**Authorize the Chairman of the Legislature and the Director of Health & Human Services to Accept Federal Funding Attached to the Community Solutions for Transportation Grant**

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

WHEREAS, the Human Services Division of the Cayuga County Health & Human Services Department has been awarded (100%) federal funding attached to the "Community Solutions for Transportation Grant" in the amount of \$50,546; and

WHEREAS, this grant is used to develop transportation solutions that will meet the needs of persons eligible for federal Temporary Assistance for Needy Families (TANF) as well as persons with income levels at or below the 200% poverty level as they transition to work and retain employment; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to accept additional 100% federal funding attached to the "Community Solutions for Transportation Grant" in the amount of \$50,546 for the period July 1, 2008 – June 30, 2009, and that they be authorized to enter into sub-contracts in order to implement the Grant; and be it further

RESOLVED, that the Cayuga County Treasurer make the following adjustments to the 2009 Human Services Budget to accommodate the grant:

Increase Appropriation Account #60104 54261.....\$50,546

Increase Revenue Account #60100 44612.....\$50,546

and be it also

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

Signed by Petrus, Aikman, Cuddeback, Mills, Murphy, Schuster, Sincebaugh, Mitchell, Axton, Chapman, Lockwood, Mahunik.  
Approved by voice vote, all in favor.

**RESOLUTION NO. 166-09    March 24,2009    nhbdoxy**  
**AUTHORIZING THE PURCHASING AGENT OF THE CAYUGA COUNTY LEGISLATURE AND THE ADMINISTRATOR OF THE NURSING HOME TO ADVERTISE AND RECEIVE BIDS FOR OXYGEN CONCENTRATORS AND PORTABLE OXYGEN AT THE CAYUGA COUNTY NURSING HOME**

BY: Ann Petrus, Health and Human Services

Whereas, the Cayuga County Nursing Home requires use of oxygen in the routine care of the patients at the Cayuga County Nursing Home; and

Whereas, there are several vendors providing this type of service on a monthly rental basis; now therefore be it Resolved, that the Purchasing Agent of the Cayuga County Legislature and Administrator of the Cayuga County Nursing Home are authorized to advertise and receive sealed bids for the rental of oxygen concentrators and portable oxygen.

Signed by Petrus, Schuster, Aikman, Cuddeback, Mills, Murphy, Sincebaugh.

Approved by voice vote, all in favor.

**RESOLUTION NO. 167-09    DATE: 03/24/09    OFAContractsMarch09**  
**Authorizing the Chairman of the Legislature and the Director of the Office for the Aging to sign contracts with various subcontractors.**

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

WHEREAS, appropriations were approved in the County budget for the year 2009 for various subcontractors (A67724 54118) for the Cayuga County Office for the Aging, in return for which these subcontractors agree to perform certain services for the benefit of Senior Citizens of Cayuga County; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of the County Office for the Aging are hereby authorized and directed to enter into contracts with the subcontractors listed below:

EISEP (Expanded In Home Services for the Elderly)	*Total of EISEP Services
STAFKINGS HEALTHCARE SYSTEMS, INC.	not to exceed \$208,616
CAYUGA HEALTH ASSOCIATION, INC.	
NORTHBROOK HEIGHTS ASSISTED LIVING CENTER	
Title III E Caregiver Respite	*Total of III E Services
CAYUGA COUNTY NURSING HOME	not to exceed \$35,000
CSE (Community Services for the Elderly)	
TRANSPORTATION PROJECT, INC.	\$28,500
CSI (Congregate Services Initiative)	
BOYLE SENIOR CENTER, INC.	\$5,500
AAA (Area Agency on Aging Transportation Funds)	
TRANSPORTATION PROJECT, INC.	\$9,500
WRAP (Weatherization Referral & Packaging Last Resort Program)	
CAYUGA COUNTY HOMESITE DEVELOPMENT CORP.	\$21,280

and be it further

RESOLVED, that the Office for the Aging is authorized and directed to enter into contracts with the above referenced subcontractors for the period of April 1, 2009 through March 31, 2010, in an amount not to exceed the above referenced sums.

Signed by Petrus, Aikman, Cuddeback, Mills, Murphy, Schuster, Sincebaugh, Mitchell, Axton, Chapman, Lockwood, Mahunik.

Approved by voice vote, all in favor.

**RESOLUTION NO. 168-09**

**Action 03.24.09**

**MHhillsidecontract03-09**

**AUTHORIZE THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND THE DIRECTOR OF THE CAYUGA COUNTY COMMUNITY MENTAL HEALTH CENTER TO ENTER INTO AN AGREEMENT WITH HILLSIDE CHILDREN'S CENTER, INC. TO PROVIDE CUSTOMIZED SERVICES.**

BY: Ms. Ann R. Petrus, Chair, Health and Human Services Subcommittee, and

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

WHEREAS, the Community Mental Health Center of Cayuga County serves a number of high-risk individuals with specific individual needs; and

WHEREAS, Hillside Children's Center, Inc. has a specialized service to serve youth, known as Customized Skill Building Services; and

WHEREAS, the Community Mental Health Center of Cayuga County entered into a contract with Hillside Children's Center, Inc., for these specialized services in 2008, determined the services to be beneficial, and continues to identify individuals in need of said services; and

WHEREAS, the New York State Office of Mental Health provides 100% State dollars, identified as Service Enhancement Funds, to meet the unique needs of the intensive Case Management clients, now, therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature and Director of the Cayuga County Community Mental Health Center be authorized to enter into an agreement with Hillside Children's Center for Customized Skill Building Services at a cost not to exceed \$32.06 per hour; and be it further

RESOLVED, that the payment for these services will be charged to line A43164 54074, Mental Health Intensive Case Management, Service Enhancement Funds, Department Expense in the 2009 Cayuga County Budget.

Signed by Petrus, Aikman, Cuddeback, Mills, Murphy, Schuster, Sincebaugh, Mitchell, Axton, Chapman, Lockwood, Mahunik.

Approved by voice vote, all in favor.

**RESOLUTION NO. 169-09**

**Date of Meeting: 3/24/09**

**nhcmpthrhdwre**

**AUTHORIZING THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ACCEPT PROPOSALS FOR A COMPUTER HARDWARE AT THE NURSING HOME.**

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

BY: Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, Resolution No. 803-08 authorized a project to continue the process for an electronic medical record at the Cayuga County Nursing Home; and

WHEREAS, the Information Technologies Staff has identified all the necessary equipment on New York State contract; and,

WHEREAS, the following equipment proposals were received:

Laser Jet Printer (NY Contract PT58424) for \$648.

Desktop Computers (2) for the nurses' stations (NY Contract 2008 NYAG8) \$1028.

Laptop (NY contract 2008 NYAG8) \$640

Wireless access \$395

PDA (18) (NY Contract PT58964) \$24,784.92.

Spare rechargeable batteries (10) (NY Contract PT58964) \$414.00

Cradle for recharging (12) (NY Contract PT58964) \$1640.88

Stylus (6) (NY Contract PT 58964) \$219.36

Three-year Service Contract (NY Contract PT57964) \$4,882.50; and

WHEREAS, the funds have been budgeted in the capital component of the nursing home budget; Now therefore be it

RESOLVED, that the equipment be purchased under state contract for a total of \$35,473.10 (Thirty-five thousand four hundred seventy-three dollars and ten cents).

Signed by Petrus, Aikman, Cuddeback, Mills, Murphy, Schuster, Sincebaugh, Mitchell, Axton, Chapman, Lockwood, Mahunik.

Approved by voice vote, all in favor.

**RESOLUTION NO. 170-09      Action 3/25/09      MHFillSSW03-09**  
**AUTHORIZE THE FILLING OF A PART-TIME STAFF SOCIAL WORKER (CMH) POSITION AT THE COMMUNITY MENTAL HEALTH CENTER OF CAYUGA COUNTY**

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

WHEREAS, there is a vacant part-time Staff Social Worker (CMH) position, control number 06624, at the Community Mental Health Center of Cayuga County; and

WHEREAS, this position provides direct patient care to individuals with severe and persistent mental illness; and

WHEREAS, the position is reflected in the 2009 County Budget as a 100% funded position through state aid and revenues generated by that individual; now therefore, be it

RESOLVED, that the Director of Community Mental Health Services be authorized and is hereby directed to fill the position of one part-time Staff Social Worker (CMH) in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Petrus, Aikman, Cuddeback, Mills, Murphy, Schuster, Sincebaugh, Mitchell, Axton, Chapman, Lockwood, Mahunik.

Approved by voice vote, all in favor.

**RESOLUTION NO. 171-09      Action: 03/17/09      MHSalAdjPsych-03-09**  
**AUTHORIZING A SALARY ADJUSTMENT IN PART IV OF THE COUNTY OF CAYUGA 2009 COMPENSATION PLAN FOR PART-TIME AND CONTRACTUAL STAFF PSYCHIATRISTS**

BY: Hon. Ann R. Petrus, Chairman Health and Human Services Committee

            Hon. Francis Mitchell, Chairman Ways and Means Committee

WHEREAS, it has become increasingly difficult to recruit and retain physicians for the position of Staff Psychiatrist, and

WHEREAS, the County of Cayuga therefore desires to provide an adjustment to the monetary compensation rate for the positions of part-time and contractual Staff Psychiatrist based on the current market rate; therefore, be it

RESOLVED, that the salary for the part-time and contractual Staff Psychiatrist positions be adjusted, based on both of these aforementioned factors; and be it further

RESOLVED, that the compensation rate for the year 2009 be revised in Part IV of the Cayuga County Compensation Plan to \$150 per hour; and be it further

RESOLVED, that the compensation rate for the year 2009 for those Staff Psychiatrists paid by contract also be increased to \$150; and be it further

RESOLVED, that these additional costs will be applied to account A43104.54330, Mental Health Administration, Medicaid Eligibles, and will not cause said account to exceed the amount budgeted for 2009; and be it further

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

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

Approved by voice vote, all in favor.

**Motion by Fearon, 2<sup>nd</sup> by Mills to change date of Public Hearing to April 27, 2009, all in favor.**

**RESOLUTION NO. 172-09      (3/24/09)      COA-LLestcoauditorfixingrev**  
**FIXING DAY AND NOTICE OF PUBLIC HEARING ON A LOCAL LAW ESTABLISHING THE OFFICE OF COUNTY AUDITOR FOR CAYUGA COUNTY**

BY: HON. MR. CHAPMAN, Chairman Government Operations Committee, and

            HON. MR. MITCHELL, Chairman, Ways & Means Committee.

WHEREAS, there has been duly presented and introduced at a meeting of this County Legislature held on March 24, 2009, a proposed local law entitled:

"A LOCAL LAW ESTABLISHING THE OFFICE OF COUNTY AUDITOR FOR CAYUGA COUNTY."

Now, therefore, be it

RESOLVED, that a public hearing shall be held concerning the proposed local law before the Cayuga County Legislature on April 27, 2009 at 6:30 P.M., at the Chambers of the Cayuga County Legislature, County Office Building, 160 Genesee Street, Auburn, New York, and the Clerk of the Cayuga County Legislature is hereby directed to give due legal notice of said public hearing as provided by statute.

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

Approved by voice vote, all in favor.

**RESOLUTION NO: 173-09 (3/24/09)**

**CC – FIREFIGHTER-CDL WAIVER**

**RESOLUTION TO URGE ALL STATE REPRESENTATIVES TO SUPPORT CURRENT LEGISLATION TO GIVE A CDL WAIVER TO THE FIRE SERVICE.**

BY: MR. MICHAEL CHAPMAN, Chairman, Government Operations Committee

MR. FRANCIS MITCHELL, Chairman, Ways & Means Committee

WHEREAS, in 2008, state officials amended sections of the State Vehicle and Traffic Law (V&T LAW) removed a prior exemption allowing emergency service workers to operate their vehicles without a Commercial Driver License (CDL).

WHEREAS, as the law presently reads, firefighters are allowed to drive a fire truck to the scene of an emergency but cannot drive the apparatus back to their fire station unless they hold a CDL.

WHEREAS, this presents a seriously dangerous situation in many cities and towns in New York State since this limits the firefighters who can respond to an emergency and to require every firefighter to have a CDL would be extremely costly; now therefore be

RESOLVED that by this resolution, the Cayuga County Legislature urges all of our State representatives to support current legislation introduced (S.1624 / A.6051) which addresses this problem by giving a CDL waiver to the fire service.

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

**RESOLUTION NO. 174-09 (03/24/00) e&tcrtfllsmrythemplymntrev2**

**AUTHORIZING THE DIRECTOR OF THE EMPLOYMENT & TRAINING DEPARTMENT TO CREATE AND HIRE THREE (3) TEMPORARY WORKFORCE DEVELOPMENT PROGRAM ASSISTANTS (100% Federal funds) TO ASSIST IN OPERATING THE SUMMER YOUTH EMPLOYMENT TRAINING PROGRAM.**

By: Linda Murphy, Chairperson, Planning & Economic Development Committee

Frances Mitchell, Chairman Ways and Means Committee

WHEREAS, Cayuga County Employment & Training Department is expecting an additional \$194,000 in Youth Funding from the Workforce Investment Act under the Administrations New Stimulus Bill; and

WHEREAS, Cayuga County Employment & Training Department expects to double its Work Experience slots for the Summer Youth Employment & Training program; and

WHEREAS, the funding for the positions will be from 100% federal allocations; now therefore be it

RESOLVED, that three positions of Temporary Workforce Development Program Assistants be created in a manner consistent with rules and regulations of the Cayuga County Civil Service Commission and the policies of the County of Cayuga; and be it further;

RESOLVED, that the Director of Employment & Training Department be authorized and directed to hire three (3) Temporary Workforce Development Program Assistants in a manner consistent with rules and regulations of the Cayuga County Civil Service Commission and the policies of the County of Cayuga; and be it further;

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

RESOLVED, that the positions be abolished when 100% federal funding is no longer available for the Summer and Year Round Youth Programs.

Signed by Murphy, Aikman, Petrus, Schuster, Mitchell, Chapman, Lockwood, Mahunik, Petrus.

Approved by voice vote, all in favor.

**RESOLUTION NO. 175-09 March 24, 2009 planHHWGRANT09REV  
AUTHORIZING THE FILING OF AN APPLICATION FOR STATE ASSISTANCE FROM THE  
HOUSEHOLD HAZARDOUS WASTE (HHW) STATE ASSISTANCE PROGRAM AND SIGNING OF THE  
ASSOCIATED STATE CONTRACT, UNDER THE APPROPRIATE LAWS OF NEW YORK STATE.**

By: Linda Murphy, Chair, Planning & Economic Development Committee  
Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, the State of New York provides financial aid for household hazardous waste programs; and  
WHEREAS, the County of Cayuga, herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Aid;

NOW, THEREFORE, BE IT RESOLVED by the Legislature of the County of Cayuga

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized;
2. That the Chairman of the Legislature or his designee is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the STATE;
3. That the MUNICIPALITY agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the STATE for the STATE share of such costs and \$50,000 has been properly budgeted for by the Cayuga County Planning and Economic Development Department (FY 2009 Special Programs Account A80204 54164) to be utilized for this purpose;
4. That five (5) Certified Copies of this Resolution be prepared and sent to the NYSDEC together with a complete application;
5. That this resolution shall take effect immediately;
6. That the Chairman of the Legislature is hereby authorized and directed to sign such documents as may be necessary to implement this project so long as costs do not exceed the available budget;
7. That the County Treasurer is hereby authorized to make the journal and accounting entries necessary to accomplish the same.

Signed by Murphy, Aikman, Fearon, Mahunik, Mills, Petrus, Mitchell, Axton, Chapman, Lockwood.

Approved by voice vote, all in favor.

**RESOLUTION NO. 176-09 (March 24, 2009) PB\_AurBusPark\_ProfServ\_SubdivSurv Rev2**  
**Authorizing the Award of Professional Services Contract for Subdivision Survey Work at the Aurelius Business Park to CT Male Associates, P.C. to Facilitate Park Subdivision and Site Development**

BY: Ms. Linda Murphy, Chair, Planning and Economic Development Committee  
Mr. Fran Mitchell, Chair, Ways and Means Committee

WHEREAS, Schematic Site Development Plans for the Cayuga County IDA Aurelius Business Park in the Town of Aurelius have been prepared that will result in the creation of up to eleven shovel-ready manufacturing sites which will facilitate Cayuga County's business retention, expansion and attraction efforts and lead to future job creation for Cayuga County residents; and

WHEREAS, Implementing the Site Development Plans calls for the immediate Subdivision of the single 110-Acre site into the identified parcels through the Town of Aurelius Subdivision Review procedures which requires the preparation and submission of a comprehensive subdivision survey prepared by a professional, licensed surveyor; and

WHEREAS, the Cayuga County Planning Department circulated a Request for Fee Proposals to the nine (9) local and regional licensed surveyors (attached as Exhibit 1 to this resolution and made a part hereto) to solicit qualified and competitive fee proposals for the completion of the survey work and have identified CT Male Associates, P.C. of Syracuse, NY, as the lowest, qualified bidder with a fee proposal price of \$1,450.00; and

WHEREAS, the Cayuga County Planning Department has encumbered FY08 funds in Planning Department Budget MUNIS Line #A80204-54059 for completion of this work without any impact to the FY09 Departmental budget; now,

THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized and directed to execute the required documents and contracts needed to enter into a professional services contract with CT Male Associates, P.C. of Syracuse, NY, for the survey work, in the amount of \$1,450.00, and the Planning Department is hereby authorized and directed to manage the completion and delivery of the required work; and be it further

RESOLVED, that the Treasurer is authorized and directed to make the necessary journal and account entries to facilitate completion of the professional services contract.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 177-09 (3/24/09) P&TFireworkscontract 3 09**  
**APPROVING CONTRACT WITH AUBURN TELSTAR DISPLAY FIREWORKS INC. OTHER EXPENSES ASSOCIATED WITH THE ANNUAL JULY THIRD EVENT AT EMERSON PARK**

By: David R. Axton, Chairperson, Public Works  
Francis Mitchell, Chairperson, Ways & Means Committee

Whereas, Cayuga County, through the Parks and Trails Department, in conjunction with the City of Auburn, provides a public event celebrating the Fourth of July with a Syracuse Symphony concert and a fireworks display at Emerson Park on July 3; and

Whereas, the Public Works Committee is desirous of providing the traditional, professional fireworks display and Syracuse Symphony performance at Emerson Park on July 3, 2009; and

Whereas, the Parks and Trails Department has funds budgeted in Account No. A71104-54074 (Department Expense), the amounts are \$4,500.00 for the fireworks portion of this event and \$5,000.00 for The Syracuse Symphony portion of this event; and

Whereas, the Parks and Trails Department has funds budgeted in Account No. A71104-54059 (Professional Services) up to \$3,000 for Sheriff Deputies for this event, and

Whereas, the fireworks will be purchased according to Cayuga County purchasing policies and procedures; now therefore be it

Resolved, that, pending approval by the Auburn City Council, the Chairman of the County Legislature is hereby authorized to sign the agreement with the Auburn Telstar Display Fireworks Inc. submitted herewith in the budgeted amount of \$4,500.00; and be it further,

Resolved, that the Parks and Trails Department is authorized to pay the budgeted amount for the Syracuse Symphony, and be it further

Resolved, that the Parks and Trials Department is authorized to pay the Cayuga County Sheriff's Department up to \$3,000, and be it further

Resolved, that the Treasurer is hereby directed to make the journal and accounting entries necessary to carry out the intent of this resolution.

Signed by Axton, Cuddeback, Lockwood, Mills, Mitchell, Sincebaugh, Chapman, Murphy, Mahunik, Petrus.

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

**RESOLUTION NO. 178-09 Date: 3/24/09 P&T MGR Lot Repair Resurface 3 09**  
**AUTHORIZING THE CAYUGA COUNTY HIGHWAY DEPARTMENT TO REPAIR AND RESURFACE THE MERRY GO ROUND PARKING LOT AT EMERSON PARK**

By: By: David R. Axton, Chairperson, Public Works  
Francis Mitchell, Chairperson, Ways & Means Committee

Whereas, the 2009 Budget Emerson Park allowed for the repair and resurfacing of the Merry Go Round (MGR) parking lot at Emerson Park at a price not to exceed \$30,000 from Equipment Account No. A71102-52000; and Whereas, we should be able to repair and resurface approximately 2/3rds of the lot for that amount; and Whereas, the MGR lot is in the most need of repair and resurfacing of all the lots at Emerson Park; now therefore be it Resolved, the Park Maintenance Supervisor is authorize to coordinate with the Cayuga County Highway Department to repair and resurface as much of the MGR lot as possible for a price not to exceed the budgeted amount of \$30,000. Signed by Axton, Cuddeback, Lockwood, Mills, Mitchell, Sincebaugh, Chapman, Murphy, Mahunik, Petrus. Approved by voice vote, all in favor.

**RESOLUTION NO.179-09 03/24/09 Bldgs HPO HVAC 2009**  
**Authorization to enter into an Assured Maintenance Agreement for the Historic Post Office Temperature Control system**

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

WHEREAS, the HVAC at the Historic Post Office system is a intricate piece of equipment; and WHEREAS, the County does not have an employee that is trained or certified to work on this system; and WHEREAS, it would not be cost effective for the county to train an employee to perform this service; now therefore be it,

RESOLVED, that the County enter into a Maintenance Agreement with Upstate Temperature Control, Inc for service on the controls portion of the HVAC system, at the cost of \$3,000.00; and be it further

RESOLVED, that account A16234 54001 has sufficient funds for this agreement; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is authorized and directed to enter into a contract with Upstate Temperature Control, Inc.; and be it further

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

Signed by Axton, Cuddeback, Lockwood, Mills, Mitchell, Sincebaugh, Chapman, Murphy, Mahunik, Petrus. Approved by voice vote, all in favor.

**RESOLUTION NO. 180-09 3/24/09 BLDS COB HVAC electrical final payment**  
**Authorizing the Superintendent of Buildings and Grounds to authorize final payment for the electrical contractor for Cayuga 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, The Electrical Contractor has completed all obligation under their contract and are requesting final payment; now therefore be it

RESOLVED, that the Superintendent of Buildings and Grounds of Cayuga County is hereby authorized to submit the final application for the electrical work for Capital H project #06-5 in the amount of \$3,375.00, 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, Lockwood, Mills, Mitchell, Sincebaugh, Chapman, Murphy, Mahunik, Petrus. Approved by voice vote, all in favor.

**RESOLUTION NO. 181-09                      3/24/09                      BLDS COB HVAC plumbing final payment  
Authorizing the Superintendent of Buildings and Grounds to authorize final payment for the plumbing  
contractor for Cayuga 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, The Plumbing Contractor has completed all obligation under their contract and are requesting final payment; now therefore be it

RESOLVED, that the Superintendent of Buildings and Grounds of Cayuga County is hereby authorized to submit the final application for the Plumbing work for Capital H project #06-5 in the amount of \$414.00, 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, Lockwood, Mills, Mitchell, Sincebaugh, Chapman, Murphy, Mahunik, Petrus.

Approved by voice vote, all in favor.

**RESOLUTION NO. 182-09    Date: March 24, 2009    HWYSUMHLP  
RESOLUTION TO AUTHORIZE HIRE OF 10 SEASONAL LABORERS**

By:   Hon. David Axton, Chairman Public Works Committee  
      Hon. Francis Mitchell, Chairman Ways and Means Committee

WHEREAS, summer is the prime construction season as well as the period when many regular employees take time off; and

WHEREAS, funding was allocated in the 2009 highway budget for the hiring of seasonal laborers for an 18 week period in Account No. D 51101 51002 SAL- PT; and

WHEREAS, the decrease in the size of the Highway Department over the last few years has made the reliance on seasonal employees more critical than in the past to get work done in the short summer construction season; and

WHEREAS, the lack of these seasonal employees would seriously hamper the operations of the department during prime construction season; and

WHEREAS, many of the tasks that need to be done are seasonal in nature commencing from the beginning of June to the end of September; now therefore be it

RESOLVED, that the County Highway Superintendent be hereby authorized to hire 10 seasonal laborers to start in June and end in October for a period not to exceed 18 weeks to accomplish the added seasonal tasks required by the highway department; and be it further

RESOLVED, that the seasonal personnel be paid at an hourly rate of \$10.00 without fringe benefits except those that are required by law; and be it further

RESOLVED, that the foregoing be accomplished in accordance with Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Axton, Cuddeback, Lockwood, Mills, Mitchell, Sincebaugh, Chapman, Murphy, Mahunik, Petrus.

Approved by voice vote, all in favor.

**RESOLUTION NO. 183-09    Date: 3/24/09                      hwyfillmech-rev1  
Authorization for the Superintendent of Highways to fill a Automotive Mechanic(Diesel) Position within the  
Highway Department**

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

WHEREAS, a current Automotive Mechanic (Diesel) is retiring from their position on March 28, 2009 and the position will be vacant at that time; and

WHEREAS, this Automotive Mechanic (Diesel) position (#3071) is critical to the operation of the highway department; and

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

RESOLVED, to authorize the Highway Superintendent to fill this open position and be it further

RESOLVED, that the foregoing be accomplished in accordance with Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga.

Signed by Axton, Cuddeback, Lockwood, Mills, Mitchell, Sincebaugh, Chapman, Murphy, Mahunik, Petrus.

Approved by voice vote, all in favor.

**RESOLUTION NO. 184-09**      **Date: March 24, 2009**      HWYCSAWrev

**AUTHORIZING THE COUNTY HIGHWAY SUPERINTENDENT TO PURCHASE 4 CHAINSAWS**

By:      David Axton, Chairman Public Works Committee  
         Francis Mitchell, Chairman Ways and Means Committee

Whereas, in the 2009 Highway Department budget, funds were budgeted for equipment at a cost of \$380,500 in account DM51302 52000; and

Whereas, the chainsaws were not budgeted for; and

Whereas, the Highway Department needs to replace chainsaws that were identified in a NYS Department of Labor inspection as being unsafe as they do not have anti-kickback safety devices on them; and

Whereas, it is more cost effective to replace the older saws with new saws with chain brakes; and

Whereas, to purchase 4 saws will be in excess of \$1000;and

Whereas, the following quotes were received:

Auburn Chain Saw-Mower	\$1,150.00	
Paine's Garage, Inc	\$1,160.00	
Genoa Ag-Trac	\$1,169.80	;now therefore be it

Resolved, the Highway Superintendent is authorized to purchase 4 chainsaws from Auburn Chain Saw-Mower with funds in account DM51302 52000; and be it further

Resolved, that the cost of 4 chainsaws will not exceed \$1,150; and be it further

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

Signed by Axton, Cuddeback, Lockwood, Mills, Mitchell, Sincebaugh, Chapman, Murphy, Mahunik, Petrus.

Approved by voice vote, all in favor.

**Motion by Axton, 2<sup>nd</sup> by Mills to add to 4<sup>th</sup> WHEREAS and RESOLVED (or Clerk of the Works), all in favor.**

**RESOLUTION NO. 185-09**      **3.24.09**      **COA146noprjtmgr**

**AUTHORIZING THE CLERK OF THE CAYUGA COUNTY LEGISLATURE TO ADVERTISE FOR SEALED BIDS FOR THE HIRING OF A PROJECT MANAGER FOR THE 146 NORTH STREET PROJECT**

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

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

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

WHEREAS, Resolution No. 735-08 established Capital "H" Project No. 08-1 (Renovation and Expansion of 146 North Street); and

WHEREAS, the Cayuga County Legislature is of the opinion that the retaining a project manager, **or Clerk of the Works** is in its best interest for this project; now therefore be it

RESOLVED, that the Clerk of the Cayuga County Legislature is hereby authorized and directed to advertise for sealed bids for a project manager, **or Clerk of the Works** for the renovation of 146 North Street, Auburn, New York.

Signed by Axton, Cuddeback, Lockwood, Mills, Mitchell, Sincebaugh, Chapman, Murphy, Mahunik, Petrus.

Approved by voice vote, all in favor.

**RESOLUTION NO. 186-09**      **3.24.09**      **COA2parkaveadvhavrml**

**AUTHORIZING THE CLERK OF THE CAYUGA COUNTY LEGISLATURE TO ADVERTISE FOR SEALED BIDS FOR THE REMOVAL OF HAZARDOUS SUBSTANCES LOCATED WITHIN THE STRUCTURES AT 2 PARK AVENUE, AUBURN, NEW YORK.**

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

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

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

WHEREAS, the structure will be demolished in anticipation of the ongoing restoration project located at 146 North Street, auburn, New York; now therefore be it

RESOLVED, that the Clerk of the Cayuga County Legislature is hereby authorized and directed to advertise for sealed bids for the removal of hazardous substances located within the structures located at 2 Park Avenue, Auburn, New York.

Signed by Axton, Cuddeback, Lockwood, Mills, Mitchell, Sincebaugh, Chapman, Murphy, Mahunik, Petrus.

Approved by voice vote, all in favor.

**RESOLUTION NO. 187-09 3.24.09 COA2parkaveadvairmonitoring**  
**AUTHORIZING THE CLERK OF THE CAYUGA COUNTY LEGISLATURE TO ADVERTISE FOR SEALED BIDS FOR AIR MONITORING DURING THE REMOVAL OF HAZARDOUS SUBSTANCES FROM THE STRUCTURES AT 2 PARK AVENUE, AUBURN, NEW YORK.**

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

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

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

WHEREAS, the structure will be demolished in anticipation of the ongoing restoration project located at 146 North Street, Auburn, New York; now therefore be it

RESOLVED, that the Clerk of the Cayuga County Legislature is hereby authorized and directed to advertise for sealed bids for air monitoring services during the removal of hazardous substances located within the structures located at 2 Park Avenue, Auburn, New York.

Signed by Axton, Cuddeback, Lockwood, Mills, Mitchell, Sincebaugh, Chapman, Murphy, Mahunik, Petrus.

Approved by voice vote, all in favor.

**RESOLUTION NO. 188-09 3.24.09 COA2parkaveadvabtmntspecs**  
**AUTHORIZING THE CLERK OF THE CAYUGA COUNTY LEGISLATURE TO ADVERTISE FOR SEALED BIDS FOR ABATEMENT DESIGN SPECIFICATIONS FOR 2 PARK AVENUE, AUBURN, NEW YORK FOR ABATEMENT OF HAZARDOUS SUBSTANCE.**

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

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

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

WHEREAS, the structure contains hazardous substances which must be abated prior to the demolition of the structure; now therefore be it

RESOLVED, that the Clerk of the Cayuga County Legislature is hereby authorized and directed to advertise for sealed bids for abatement design specifications for 2 Park Avenue, Auburn, New York.

Signed by Axton, Cuddeback, Lockwood, Mills, Mitchell, Sincebaugh, Chapman, Murphy, Mahunik, Petrus.

Approved by voice vote, all in favor.

**RESOLUTION NO. 189-09 3.24.09 COA2parkaveOadvdemolition**  
**AUTHORIZING THE CLERK OF THE CAYUGA COUNTY LEGISLATURE TO ADVERTISE FOR SEALED BIDS FOR DEMOLITION OF THE STRUCTURES LOCATED AT 2 PARK AVENUE, AUBURN, NEW YORK.**

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

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

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

WHEREAS, the structure will be demolished in anticipation of the ongoing restoration project located at 146 North Street, Auburn, New York; now therefore be it

RESOLVED, that the Clerk of the Cayuga County Legislature is hereby authorized and directed to advertise for sealed bids for demolition of the structures located at 2 Park Avenue, Auburn, New York.

Signed by Axton, Cuddeback, Lockwood, Mills, Mitchell, Sincebaugh, Chapman, Murphy, Mahunik, Petrus.

Approved by voice vote, all in favor.

**RESOLUTION NO. 190-09 (3.24.09) coaRFQCompliOff.Pw**  
**AUTHORIZING THE PURCHASING AGENT TO SOLICIT AN RFQ TO PROVIDE QUALIFIED PERSONNEL TO ACT AS A CAYUGA COUNTY COMPLIANCE OFFICER**

BY: Hon. David Axton, Chairman Public Works Committee

Hon. Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, Cayuga County has adopted a Multi-Point Plan to protect the health and safety of Cayuga County employees and members of the public; and

WHEREAS, the County hired Geometrix/Kleinfelder in the past to perform an environmental health and safety hazardous survey of all County structures and buildings; and

WHEREAS, the County will be renovating and performing preventative maintenance on all its structures and buildings; and

WHEREAS, an important component of the County's Multi-Point Plan is to contract with a professional environmental firm to provide qualified personnel to act as a Cayuga County Compliance Officer; now, therefore be it

RESOLVED, that Cayuga County does hereby solicit requests for qualification for a professional environmental firm to act as the Cayuga County Compliance Officer.

Signed by Axton, Cuddeback, Lockwood, Mills, Mitchell, Sincebaugh, Chapman, Murphy, Mahunik, Petrus.

Approved by voice vote, all in favor.

**RESOLUTION NO. 191-09 3/24/09 SHR-NYSSA Traffic Grant**  
**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO ACCEPT A GRANT FROM THE NEW YORK STATE SHERIFFS' ASSOCIATION'S SHERIFFS' COOPERATIVE TRAFFIC SAFETY INITIATIVE**

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

Mr. Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, monies were awarded from the New York State Sheriffs' Association's *Sheriffs' Cooperative Traffic Safety Initiative Grant* for the Cayuga County STEP (Selective Traffic Enforcement Program); and

WHEREAS, the New York State Sheriffs' Association's *Sheriffs' Cooperative Traffic Safety Initiative Grant* would aide in identifying traffic safety problems in the Cayuga County Jurisdiction and to develop and implement various countermeasures, with emphasis on selective enforcement; and

WHEREAS, the New York State Sheriffs' Association's, *Sheriffs' Cooperative Traffic Safety Initiative Grant*, would provide funding for supplemental traffic enforcement, educational activities, related training, and in some instances, equipment for the Cayuga County STEP; and

WHEREAS, the Cayuga County Sheriff's Department qualified for the Grant in the amount of \$15,000.00; and

WHEREAS, the County will share no cost for this program; now therefore be it

RESOLVED, that the Chairman of the Legislature be authorized to sign the necessary documentation to accept the New York State Sheriffs' Association's *Sheriffs' Cooperative Traffic Safety Initiative Grant*; and be it further

RESOLVED, the Sheriff's 2009 Operating Budget, Revenue Account Line A31100 44390 (Fed Aid – Traffic Enforcement Gr) needs to be increased in the amount of \$15,000.00, and be it further

RESOLVED, that the Salary Line A31101 51003 (Salary Overtime) be increased in the amount of the Grant (\$15,000.00), and be it further

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

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 192-09 3/24/09**

**SHR-US MARSHAL REIMB**

**AUTHORIZING THE TREASURER'S DEPARTMENT TO AMEND THE 2009 SHERIFF'S BUDGET TO ACCEPT REIMBURSEMENT FOR OVERTIME IN SUPPORT OF THE NEW YORK NEW JERSEY REGIONAL FUGITIVE TASK FORCE FOR THE PERIOD JANUARY 27 – SEPTEMBER 30, 2009**

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

WHEREAS, the Sheriff's Department has been approached by the U S Marshals to assist in future special details to pick up individuals with outstanding warrants and be reimbursed for the overtime up to \$5,000.00; now, therefore, be it RESOLVED, that the 2009 Cayuga County Sheriff's Law Enforcement Operating budget be amended to allow the following changes: an increase in the Revenue Line A31100 41513 Sheriff/Services to Other Governments of \$5,000.00 and an increase in the Expenditure Account A31101 51003 of \$5,000.00 for overtime; and further be it RESOLVED that the Cayuga County Treasurer is authorized to make the journal and accounting entries required to implement the intent of this resolution.

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

**RESOLUTION NO. 193-09**

**3/24/09**

**SHR-Purchase 3 Patrol Cars**

**AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO PURCHASE THREE (3) NEW MARKED PATROL CARS TO REPLACE THREE (3) EXISTING PATROL CARS THAT HAVE EXCEEDED THEIR USEFUL LIFE SPAN AND HAVE ACCUMULATED HIGH MILEAGE.**

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, Law Enforcement Division, presently has three (3) marked patrol cars that have exceeded their useful life span and have accumulated high mileage; and

WHEREAS, Hoselton Chevrolet, East Rochester, New York, pursuant to NYS Contract No. PC64274, can provide these marked patrol vehicles for \$75,209.94 (\$25,069.98 each); and

WHEREAS, there are sufficient funds in the Sheriff's 2009 Law Enforcement Marked Patrol Cars Budget Line A31102 52005 to purchase three (3) new vehicles; and

WHEREAS, the following three (3) existing marked patrol vehicles will be turned in for auction upon the delivery of the three (3) new marked patrol vehicles to the Cayuga County Sheriff's Office: (1) 2002 Ford Crown Victoria, VIN 2FAFP71W12X128713, (2) 2003 Ford Crown Victoria, VIN 2FAHP71W33X201945; and (3) 2002 Ford Crown Victoria, VIN 2FAFP71W12X128713; and now therefore be it

RESOLVED, that the Cayuga County Sheriff is authorized to purchase three (3) new marked patrol vehicles from Hoselton Chevrolet, Inc., East Rochester, New York, for \$75,209.94; and further be it

RESOLVED, that upon the delivery of the three (3) new marked patrol vehicles, the three (3) existing marked patrol cars will be delivered to and accepted by the Cayuga County Motorpool for auction; and further be it

RESOLVED, that the purchase of the three (3) new marked patrol vehicles will be made in accordance with the existing purchasing policies of Cayuga County.

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

**RESOLUTION NO. 194-09**

**3/24/09**

**SHR-Nav. Employment**

**AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO EMPLOY SEASONAL PERSONNEL FOR THE MARINE UNIT**

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

WHEREAS, the Legislature has authorized the Sheriff to employ seasonal personnel to assist in implementation of the Sheriff's Marine Unit as designated in the Marine Unit ; and

WHEREAS, it is now necessary to set the pay rate for the 2009 season so the Sheriff may hire qualified Peace Officers and Police Officers to supplement his Deputy Sheriffs working in the Marine Unit; and

WHEREAS, the State of New York through Parks and Recreation reimburses the County of Cayuga upon application and certification of the Sheriff at the current rate of approximately seventy-five percent; and

WHEREAS, these positions are funded in the 2009 Sheriff's Navigation Unit Budget Line (Salaries – Part Time) A31111 51002 in the amount of \$55,000.00; now therefore be it

RESOLVED, that under the recommendation of the Sheriff and the Judicial & Public Safety Committee the hourly rates of pay rates for Deputy Sheriff – Navigation – Seasonal Positions are hereby set as follows: Seasonal Peace Officer at the rate of \$12.00 per hour and Seasonal Police Officer at the rate of \$18.00 per hour; and be it further

RESOLVED, that the Sheriff is authorized to hire and pay up to twenty Seasonal Marine Unit Personnel (Deputy Sheriff-Navigation (Seasonal)) at the rates set forth above; and be it further

RESOLVED, that the Sheriff is authorized to fill these positions in accordance with Civil Service Rules and Regulations and within the policies of the County of Cayuga.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 195-09**

**3/24/09**

**SHR- MOU SUNY Upstate**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND THE SHERIFF OF CAYUGA COUNTY TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES FOR USAGE OF THE SECURE PRISONER UNIT LOCATED AT SUNY UPSTATE MEDICAL UNIVERSITY.**

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

WHEREAS, SUNY Upstate Medical Hospital has agreed to permit the NYS Department of Correctional Services to operate a 10-bed Secure Prison Unit at SUNY Upstate Medical Hospital, used exclusively for the medical care and treatment of State Inmates; and

WHEREAS, the NYS Department of Correctional Services has agreed to allow SUNY Upstate Medical Hospital to admit Cayuga County Sheriff's Office inmate-patients, who are medically appropriate, to the Secure Prison Unit on the 7<sup>th</sup> floor when and if bed space is available; and

WHEREAS, the Cayuga County Sheriff's Office has determined that it will be beneficial to enter into a Memorandum of Agreement securing a bed in the Secure Prison Unit at SUNY Upstate Medical Hospital for inmates who may require hospitalization; and

WHEREAS, the Cayuga County Sheriff's Office will continue to only be responsible for the Medicaid rate for the use of a bed and services in the Secure Prison Unit at SUNY Upstate Medical Hospital when needed; now therefore be it

RESOLVED, that the Memorandum of Understanding between the NYS Department of Correctional Services and the Cayuga County Sheriff's Office is approved and the Chairman of the Cayuga County Legislature and the Sheriff of Cayuga County are hereby authorized and directed to sign said MOU on behalf of the County of Cayuga.

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

Approved by voice vote, all in favor.

**RESOLUTION NO. 196-09**

**Date: March 24, 2009**

**cemo budget transfer**

**AUTHORIZATION FOR THE EMERGENCY MANAGEMENT OFFICE TO TRANSFER \$7500.00 FROM LINE A36424 5400 TO LINE A 36402 52000 OF THE STATE AID DISASTER PREPAREDNESS FUND**

By: Hon. Raymond Lockwood, Chairman Judicial and Public safety  
Hon. Francis Mitchell, Chairman Ways and Means Committee

WHEREAS, the Cayuga County Legislature approved the Director of Emergency Services be authorized to purchase the 1985 Ford F700 Rescue Vehicle from the Aurora Fire District for the amount not to exceed \$7,500 out of Munis Account State Aid Disaster Preparedness A36424 5400 by resolution number 40-09 on January 27, 2009 ; now, WHEREAS, the State Aid Disaster Preparedness A36424 54000 is a contractual account line; and WHEREAS, funds are needed to be transferred into an equipment line to be added to the assets of CEMO; now therefore be it

RESOLVED, that the sum of \$7500.00 be transferred from A36424 5400 to A36402 52000; and be it further RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the necessary journal and accounting entries to accomplish the same.

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

Approved by voice vote, all in favor.

**Motion to Close Public Hearing at 7:02PM, all in favor.**

**RESOLUTION NO. 197-09 (3/24/09) COA-LL#3-94&#5-2007RMTAXAmd09ADP  
TO ADOPT LOCAL LAW NO. 1 FOR THE YEAR 2009, AMENDING LOCAL LAW NO. 3 OF 1994 AND  
LOCAL LAW NO. 5 OF 2007 TO CONTINUE THE ROOM TAX FOR THREE YEARS.**

BY: MRS. MURPHY, Chair, Planning & Economic Development Committee, and  
MR. MITCHELL, Chair, Ways & Means Committee.

WHEREAS, Local Law No. 1 for the year 2009 was presented to the Cayuga County Legislature on February 24th, 2009; and

WHEREAS, pursuant to law and after proper notice having been given, the County Legislature held a public hearing on said Local Law No. 1 for 2009 on March 24, 2009 at 6:30 P.M.; now, therefore be it

ENACTED, that the Cayuga County Legislature does hereby adopt Local Law No. 1 for 2009, amending Local Law No. 3 of 1994 and Local Law No. 5 of 2007 to continue the room tax for three years; and be it further

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

Signed by

Mitchell, Axton, Chapman, Lockwood, Murphy, Petrus, Aikman, Mahunik, Mills, Schuster.

**STATE OF NEW YORK  
COUNTY OF CAYUGA**

**LOCAL LAW NO. 1 OF 2009**

**A LOCAL LAW AMENDING LOCAL LAW NO. 3 OF 1994 AND LOCAL LAW NO. 5 OF 2007 TO  
CONTINUE THE ROOM TAX FOR THREE YEARS .**

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

**Section 1.** Local Law No. 3 of the year 1994 entitled " A Local Law Imposing A Tax On The Occupancy Of Hotel Rooms Pursuant To Chapter 533 Of The Laws Of 1994 Of The State Of New York" is hereby amended to add a new Section 8 and amending Local Law No. 5 of 2007 entitled "A Local Law Amending Local Law No. 3 of 1994 to Increase the Rate of the Hotel/Motel Room Tax to Five Percent (5%) in Cayuga County, and Also Authorize Cayuga County to Use All or Part of the Money in the Special Fund to Pay a Single Not-For-Profit Corporation to Promote Tourism and Convention Development in the County is hereby amended to add a new Section 4, as follows:

**Section 8** Continuing Hotel Room Tax for Three Years.

The tax imposed by this Local Law is hereby continued, authorized and enacted for an additional period of three (3) years, beginning September 20, 2009 and ending on September 21, 2012.

**Section 4.** Continuing Hotel Room Tax for Three Years.

The tax imposed by this Local Law is hereby continued, authorized and enacted for an additional period of three (3) years, beginning September 20, 2009 and ending on September 21, 2012.

**Section 2.** Said Local Law No. 3 of the year 1994 and Local Law No. 5 of 2007 shall remain unchanged in all other respects and are hereby so ratified.

**Section 3.** This Local Law shall take effect immediately upon its filing with the Secretary of State.

**RESOLUTION NO. 198-09 (March 24, 2009)**

**DA.vacancyada.09**

**AUTHORIZING THE DISTRICT ATTORNEY TO FILL VACANCY IN THE DISTRICT ATTORNEY'S OFFICE**

BY: Raymond Lockwood, Chairman, Judicial & Public Safety; and  
Francis Mitchell, Chairman, Ways and Means

WHEREAS, District Attorney Jon E. Budelmann will have a vacancy in an Assistant District Attorney position in the District Attorney's office effective April 17, 2009 as a result of the resignation of a full-time Assistant District Attorney; and

WHEREAS, the full-time Assistant District Attorney position is a critical position in the District Attorney's office responsible for prosecutorial duties; and

WHEREAS, the Legislature is desirous about continuing this important prosecutorial position in the District Attorney's Office; and

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

RESOLVED, that the District Attorney be hereby authorized to fill this vacancy; 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 Lockwood, Aikman, Axton, Chapman, Cuddeback, Fearon, Palermo, Mitchell, Murphy, Mahunik.

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

**RESOLUTION NO. 199-09**

**March 24, 2009**

**COL VVMH**

**REQUESTING THE NEW YORK STATE LEGISLATURE TO DESIGNATE STATE ROUTE 38 AS THE NEW YORK STATE VIETNAM VETERANS' MEMORIAL HIGHWAY**

WHEREAS, over eight million men and women bravely served our country during the Vietnam War era, over 400,000 of these coming from New York State; and

WHEREAS, New York State Route 38 bisects the state, beginning in Sterling, New York, running through the Finger Lakes South to the Village of Owego, New York; and

WHEREAS, State Route 38 passes the final resting place of Congressional Medal of Honor recipient Specialist Robert F. Stryker; now, therefore, be it

RESOLVED, the Cayuga County Legislature hereby requests that the State of New York designate State Route 38 as the New York State Vietnam Veterans' Memorial Highway; and be it further

RESOLVED, that a certified copy of this resolution be delivered to New York State Senators Hon. Michael Nozzolio, Hon. David Valesky; and New York State Assemblymen Hon. Gary Finch, Hon. Brian Kolb, and Hon. Robert Oaks.

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

Approved by voice vote, all in favor.

Motion by Axton, 2<sup>nd</sup> by Palermo to go into Executive Session at 7:08PM, re: Personnel and Contract, all in favor.

Motion by Palermo, 2<sup>nd</sup> by Murphy to come out of Executive Session at 7:48PM, all in favor.

Motion by Cuddeback, 2<sup>nd</sup> by Murphy to adjourn at 7:49PM, all in favor.

**Motion by Petrus, 2<sup>nd</sup> by Lockwood to approve minutes of 3-24-09, on 5-26-09, all in favor.**