

**MINUTES
CAYUGA COUNTY LEGISLATURE
SEPTEMBER 22, 2009, 6:00 PM (Time Change)**

CALL TO ORDER: Hon. Peter Tortorici, Chairman, at 6:00PM.

ROLL CALL: Mary Jones, Clerk of the Legislature, all Legislators present, except Chapman arriving at 6:34PM.

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

DEATHS: Chester P. Palega, he was a Legislator for 16 years represented the northeastern part of Auburn, he served in the Merchant Marines during World War II, was a marine engineer with the State Department of Transportation in Syracuse.

PROCLAMATIONS:

United Way Day in Cayuga County, Tuesday, September 15, 2009, read by Mary Jones, Clerk of the Legislature, presented at an earlier date.

Constitution Week in Cayuga County, September 17, through September 23, 2009. read by Mary Jones, Clerk of the Legislature, presented at an earlier date.

Auburn YMCA – WEIU 150th Anniversary, October 7, 2009, read by Mary Jones, Clerk of the Legislature, presented by Legislator Cynthia Aikman and Legislator Dan Schuster to Mr. Kurt Cramer, Director of the YMCA, thank you to all, hopefully the YMCA will be around another 50 years.

Cayuga County Salutes the Cayuga County's Sheriff's Dept. in Recognition of Sheriff's Week October 18 – 24th, 2009, read by Mary Jones, Clerk of the Legislature, presented by Chairman Tortorici and Legislator Ray Lockwood to Sheriff David Gould, thank you, I have handed out and will hand out each month "a good guy letter packet" this will let the Legislators know what are employees do and all the good guy letters they receive from the public for the good job that they do.

PRIVILEGE OF THE FLOOR: If you wish to speak, you must 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: 7/28/09 and 8-20-09, **Motion by Palermo, 2nd by Lockwood, all in favor.**
For Reading: 6-23-09 (correction), 8-25-09, 8-29-09, 9-10-09 and 9-21-09.

CCC REPORT: Dr. Daniel Larson: Enrollment update, Fall 3,612 students, full-time equivalent is up by 24.7%. Financial Aid at Record Level, increase of 25% over last year. Faculty Forum, our 2nd annual Faculty Forum was held the week before classes began. SUNY Opiniform Coming to Cayuga, will be held on 9-3-09 to talk about degree programs, financial aid, admissions, transfer opportunities and new developments. Alumni 50th Anniversary, to celebrate this event a "Golden Gala" dinner dance will be held on Saturday, October 3, at the Springside Inn. Tobacco Free Campus Policy, the Board of Trustees has approved a tobacco-free policy which will take effect in January 2010, which will make all of our buildings and grounds tobacco-free zones.

CHAIRMAN'S REPORT: Peter Tortorici, the budget process is moving forward, we are just about done with the first phase with a couple more phases to go. We are also moving forward with the process of looking for an interim County Manager. I would like to thank all the Department Heads and their staff for their professionalism and all their help as we move forward with this process.

COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS:

Legislator Lockwood, at the NYSAC meeting last week, I participated as vice-chair of the State Association on Native American Affairs Gaming Committee, we set October 7, 2009, in Albany for a State wide meeting to discuss other issues on this topic.

APPOINTMENTS AND RE-APPOINTMENTS:

Ethics Committee:

Donald Thompson, 11512 N. St., Cato, NY 13033, term – 9-1-09 to 8-31-2014

Motion by Palermo, 2nd by Lockwood, all in favor.

COMMUNICATIONS AND ANNOUNCEMENTS:

1. Received a letter from Mark Palesh, City Manager, re: thanking the County Legislators for donating part of a parcel of land at 168 Genesee St. for inclusion in the City of Auburn's Veterans Park.
2. Received a letter from Karen Hathaway, Deputy Clerk Schoharie Co. Board of Supervisors, re: sent a copy of their resolution #78, "Encouraging Immediate Relief for Dairy Farmers and Supporting Changes at the Federal Level Establishing the Price of Fluid Milk at the Farm Gate.
3. Received a letter from Brian Kolb, State Assembly Minority Leader, re: acknowledging receipt of resolution #429-09, Urging Senators Schumer and Gillibrand and Congressman Arcuri to oppose any "Carcieri Fix".
4. Received the final Sate equalization rate for 2009 assessment rolls.
5. Received a letter from Stephen Acquario, Executive Director NYSAC, re: acknowledging receipt of resolution #429-09 Urging Senators Schumer and Gillibrand and Congressman Arcuri to oppose any "Carcieri Fix", they will review it.
6. Received a letter from David Valesky Senator, re: expressing his support of Cayuga County's grant application to the New York State Office of Parks, Recreation and Historic Environmental Protection Fund's Historic Property Preservation and Planning Program.
7. Received a letter from John Ognibene Administrator Mercy Health & Rehabilitation Center, thanking Peter Tortorici Chairman and the Cayuga County Legislature for the letter of support for their application to the New York State Department of Health.

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

RESOLUTION NO. 489-09 **OFA Senior Nutrition Program**
REPORT AND APPROVAL OF BILLS PAID BY THE COUNTY TREASURER FOR OPERATION OF THE SENIOR NUTRITION PROGRAM IN THE OFFICE FOR THE AGING.

BY: Ms. Ann Petrus, Chair of Health & Human Services Committee, and

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

WHEREAS, The Director of the Office for the Aging presented bills for service providers in regard to operation of the Senior Nutrition Program, to the County Treasurer for payment pursuant to Resolution No. 297, duly adopted on June 21, 1994, which claims total \$11,280.00 covering the period through 8/28/09 and have been paid as set forth on the attached lists; now, therefore, be it

RESOLVED, that the aforesaid claims shall become part and parcel of the full legislative audit for the Office for the Aging.

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

RESOLUTION NO. 490-09 **09.22.09**
AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF CREDIT CARD CHARGES

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

WHEREAS, this Legislature did by Resolution No. 1-99, adopted January 01, 1999, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Credit Card Charges, and,

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

August 2009	
First Niagara	\$ 69.98
AmExpress	\$ 2,205.95
Sunoco	\$ 588.32
Walmart	\$ 193.80
<u>Exxon</u>	<u>\$ 110.13</u>
Total:	\$ 3,168.18

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

Signed by Mitchell, Axton, Chapman, Lockwood, Mahunik, Petrus, all in favor.

RESOLUTION NO. 491-09 **09.22.09**
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:

August 2009	
Copier Leases and Maintenance:	\$ 11,804.46
<u>Postage Leases:</u>	<u>\$ 956.00</u>
Total:	\$ 12,760.46

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

Signed by Mitchell, Axton, Chapman, Lockwood, Mahunik, Petrus, all in favor.

RESOLUTION NO. 492-09 (9/22/09)

COA-CAPH9PAY(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 #03-7 (Phase 4/ Integration of Services (IOS)):

HEWLETT PACKARD COMPANY:

Inv. No. 46386937 - \$715.00
Less Credit of - 249.72\$ 465.28

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

GRAY MANAGEMENT SYSTEMS:

Inv. No. 2.....\$ 3,743.25

KLEINFELDER:

Inv. No. 594092.....\$ 1,500.00

THE CITIZEN:

Ad No. 400978.....\$ 26.51

Ad No. 402692.....\$ 48.09

WAYUGA COMMUNITY NEWSPAPERS, INC.:

Inv. No. 0228953-IN.....\$ 43.76

COMMUNITY NEWSPAPERS:

Inv. No. 31.....\$ 25.08

3. Project No. 09-1 (Salt Storage Shed for Highway Dept.):

FARMBOY GRAPHICS:

Inv. Dated 8/10/09.....\$ 224.04

SECOR BUILDING SOLUTIONS:

Inv. No. 727-3569.....\$ 50,000.00

Inv. No. 727-3570.....\$ 8,891.25

And be it further

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

Signed by Mitchell, Axton, Murphy, Mahunik, Petrus, all in favor.

RESOLUTION NO. 493-09 (9/22/09)

RPSapplyforgrant2009-2010

Authorizing Cayuga County Office of Real Property to Develop a Grant Application for the 2009-2010 Grant Cycle

BY: Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, the Cayuga County Office of Real Property would like to develop a grant application through the New York State Department of State Local Government Efficiency Grant Program; and

WHEREAS, the grant would offer implementing a county wide online system for applying for building permits for all municipalities; and

WHEREAS, the grant proposal would require a ten percent match from the County budget; therefore; be it

RESOLVED, that the Cayuga County Office of Real Property develop a grant application for the New York State Department of State Local Government Efficiency Grant Program.

Signed by Mitchell, Petrus, Lockwood, Mahunik, Chapman, all in favor.

RESOLUTION NO 494-09

09/22/09

RPSrepuchasetaxparcels2009#13

AUTHORIZING THE REPURCHASE OF TAX-DELINQUENT PROPERTY OWNED BY CAYUGA COUNTY AND AUTHORIZING THE DELETING OF THE TAX MAP NUMBER ON THE ASSESSMENT ROLL AND THE 2009 TAX BILLS

By Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, established policies and procedures have been set in place for the sale, disposition and use of certain real property owned by the County of Cayuga, as approved in Resolution 382-04; and

WHEREAS, the Director of Real Property Services has received an offer to repurchase to be considered by the Ways and Means Committee for approval by the County Legislature; in accordance with said policies and procedures; and

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

<i>Tax Map #</i>	Location of	Purchase Offer Made By
165.00-1-45.22-1	387 Firelane 25	Robert Balk

WHEREAS, this parcel is a suffix parcel that will be absorbed into the parcel number it resides on, and

WHEREAS, there are 2009 county tax bills and 2009 school tax bills pertaining to the parcel that need to be deleted:

NOW THEREFORE BE IT RESOLVED, that the recommendations of the Ways & Means Committee (Motion # 480-09) set forth above are hereby approved and the Real Property Services Director and the Chairman of the County Legislature are instructed to take whatever steps are necessary to complete the transfer, and also be it;

RESOLVED, that this tax map number be deleted from the 2009 final assessment roll, and also be it;

RESOLVED, that the 2009 County tax bill and the 2009 School tax bill be deleted.

Signed by Mitchell, Petrus, Chapman, Lockwood, Axton, all in favor.

RESOLUTION NO. 495-09 (9/22/09)

HR-WagnerContract2009

AUTHORIZING THE CHAIRMAN OF THE COUNTY LEGISLATURE TO SIGN A CONTRACT FOR THE PROFESSIONAL SERVICES PROVIDED TO ADMINISTER PHYSICAL FITNESS EXAMINATIONS.

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

WHEREAS, Professor Edward Wagner has provided services to the county including the evaluation of the Public Safety Building and the development of appropriate physical fitness testing for Corrections Officers that work at the Public Safety Building; and

WHEREAS, Mr. Wagner has administered the physical fitness portion of Police Officer, Deputy Sheriff, and Corrections Officer examinations for the Civil Service Commission without proper compensation for the same; and

WHEREAS, the services provided are vital to the administration of physical fitness examinations required by law and the local Civil Service Commission; and

WHEREAS, there are sufficient funds in Account # A1430.400.118 to pay the contractual/professional expense for this purpose; now, therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature be hereby authorized and directed to sign the contract with Edward Wagner that would provide physical fitness examination assistance as stated above at a cost not to exceed the adjusted budgeted amounts; and be it further

RESOLVED, that the County Attorney develop a contract for Edward Wagner to provide the necessary services for the Civil Service Commission to administer physical fitness examinations and remain at a rate of \$30.00 per hour for services rendered; 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, Mahunik, Petrus, all in favor.

RESOLUTION NO. 496-09 (September 22, 2009) HD HRI PHP Grant 2009

Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Renew a Contract with Health Research, Inc. and Accept Funding for Public Health Preparedness/Response for Bioterrorism

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

WHEREAS, the Health Department once again has been awarded funding for the Public Health Preparedness/Response for Bioterrorism Grant; and

WHEREAS, this funding in the amount of \$149,697 serves a twofold purpose; \$82,898 is intended for "Response for Bioterrorism," and \$66,799 is intended for "Phase 1 and Phase 2 H1N1." The H1N1 funding is intended to provide additional resources to augment the mass vaccination planning and implementation preparedness activities for vaccination, antiviral distribution/dispensing and administration; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with Health Research, Inc. and to accept funding in the amount of \$149,697 for the period 8/10/09 through 8/9/10 for the purpose of continued development of "Public Health Preparedness/Response for Bioterrorism Plan" for Cayuga County; and be it further

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into all contracts necessary to execute this grant and that the Cayuga County Health Department through this 100% reimbursable grant be authorized to purchase equipment and supplies necessary to implement this grant; and be it also

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make all the necessary journal and accounting entries and to amend the Health Department's 2009 budget in the following manner:

Increase Revenue Account #A40250 43425..... \$149,697
Increase Appropriation Account #A40254 54000.....\$149,697

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

RESOLUTION NO. 497-09 (August 25, 2009) HS Back-to-School

Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Accept State OTDA Funding for the "Back-to-School" Payment

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

WHEREAS, the Office of Temporary and Disability Assistance (OTDA) will issue a one-time non-assistance payment during August 2009 to defray the back-to-school costs such as school supplies, shoes/clothing/uniforms, etc., for Temporary Assistance (TA) and Food Stamp (FS) households with children aged 3-17; and

WHEREAS, TA and FS households meeting the eligibility criteria will receive a payment of \$200 per eligible child for which OTDA will issue the payment directly into the Electronic Benefit Transfer (EBT) cash account of the TA or FS case; NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services accept \$618,400 from NYS OTDA for these case payments; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the necessary journal and accounting entries to the Human Services 2009 Budget as follows:

Increase Expense Account #A61094 54000.....\$618,400
Increase Revenue Account #A61090 44089.....\$494,720 (Federal)
Increase Revenue Account #A61090 43609.....\$123,680 (State)

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

**RESOLUTION NO. 498-09 (September 22, 2009) HS Fill RPN LTCAO
Authorizing the Director of Health & Human Services to Fill an RPN Vacancy (100% Funded) at the Long
Term Care Access Office, Division of Human Services**

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

WHEREAS, there is an RPN vacancy at the Long Term Care Access Office Division of Human Services due to resignation of incumbent; and

WHEREAS, this position is 100% funded (State and Federal Funds) and necessary for the effective and efficient operation of the Department; and

WHEREAS, sufficient funding exists in the Human Services' 2009 Budget to support this position; NOW,
THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized to fill the RPN vacancy at the Long Term Care Access Office and any fill behind that may occur in a manner consistent with the rules and regulations of the County of Cayuga and the Cayuga County Civil Service Commission; and be it further

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

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

RESOLUTION NO. 499-09 Action 09/22/09 MHFillSSW09.09Res

**AUTHORIZE THE FILLING OF A FULL-TIME STAFF SOCIAL WORKER (CMH) POSITION AT THE
COMMUNITY MENTAL HEALTH CENTER OF CAYUGA COUNTY DUE TO A RESIGNATION**

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

WHEREAS, there will be a full-time Staff Social Worker (CMH) position in the Community Mental Health Center of Cayuga County as the result of a resignation from position control number 02119; and

WHEREAS, this position provides direct patient care to individuals with severe and persistent mental illnesses; and
WHEREAS, the position (02119) 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 full-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, all in favor.

RESOLUTION NO. 500-09 Action 09/22/09 MHFillSSW09.09AnticREV

**AUTHORIZE THE FILLING OF A FULL-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 will be a vacant full-time Staff Social Worker (CMH) position in the Community Mental Health Center of Cayuga County, position control number 02116; and

WHEREAS, this position provides direct patient care to individuals with severe and persistent mental illnesses; and
WHEREAS, the position (02116) 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 full-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, all in favor.

RESOLUTION NO. 501-09 DATE: 09/22/09 OFAamendbudgetSept09

Authorizing the Chairman of the Legislature and the Director of the Office for the Aging to Amend contracts with various subcontractors for Title III B Services.

BY: Ms. Ann Petrus, Chair, Health & Human Services Committee, and

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

WHEREAS, the Office for the Aging has received additional funding from Title III B federal funding for in-home respite services and for transportation services in the amount of \$16,000; and

WHEREAS, these funds were not available to this Office when the year 2009 budget was prepared and Cayuga County Treasurer's Office will need to amend the year 2009 Office for the Aging budget to reflect the increased funding to be received; and

WHEREAS, the Office for the Aging received permission to enter into a contract with the Transportation Project, Inc. for transportation services per Resolution 167-09; and the Office for the Aging received permission to enter into a contract with Cayuga Health Association, Inc. for in-home respite services per Resolution 58-09; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of the County Office for the Aging are hereby authorized to accept funding in the amount of \$16,000 and to amend the above contracts necessary to execute this grant;

and be it further

RESOLVED, that the County Treasurer be and he is authorized and directed to amend the Year 2009 Cayuga County Office for the Aging budget in the following manner:

Increase Revenue	A67720 44773 Supplemental Services	\$16,000
Increase Contractual	A67724 54118 Contractual	16,000

And be it further

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

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

RESOLUTION NO. 502-09 (September 22, 2009) HS Early Outreach HEAP/Catholic Charities Authorizing the Chairman of the Legislature and the Director of Health and Human Services to Enter Into a Contract With Catholic Charities of the Fingerlakes, Inc., to Perform Outreach Activities for the State Mandated HEAP Program, and Accept Early Outreach Funding (100% Federally Funded), for the Period of September 1, 2009 Through December 31, 2009

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

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

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

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

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

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

WHEREAS, this year there is an early start-up of the program and early administrative funds in the amount of \$58,784 are available to assist counties who open the program early; and

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

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services be authorized to enter into a contract (100% federally funded) with Catholic Charities of the Fingerlakes, Inc., in the amount of \$74,900; 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.....	\$58,784
Increase Expenditure Acct. #A60104 54260.....	\$48,784
Increase Expenditure Acct. #A60102 5200.....	\$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.

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

RESOLUTION NO. 503-09 (September 22, 2009) HD YMCA Pool MOU Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter Into a Memorandum of Understanding with the Auburn YMCA-WEIU

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

WHEREAS, the Cayuga County Health Department has sponsored a pool therapy program at the Auburn YMCA-WEIU for several years; and

WHEREAS, the Department wishes to enter into a memorandum of understanding with the Auburn YMCA-WEIU to rent the Allyn-Rifford Pool for the above mentioned therapy program; NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services be authorized to enter into a memorandum of understanding with the Auburn YMCA-WEIU to rent the Allyn-Rifford Pool for the period August 1, 2009 through December 31, 2009, twice a week for 1½ - hour sessions (8 am – 9:30 am) at \$65/hr. (billed monthly by the YMCA), and that the MOU may be renewed annually unless amended or terminated; and be it further

RESOLVED, that this expense be paid from account #A40104 – 54124 of the Health Department's Budget.

Signed by Petrus, Aikman, Cuddeback, Mills, Schuster, Sincebaugh, Mitchell, Axton, Chapman, Lockwood, Mahunik, all in favor, except Murphy abstained.

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

RESOLUTION NO. 504-09 (September 22, 2009) HD Wolff-Evans Contract 2009
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Renew the Contract with Elizabeth Wolff-Evans, PT, to Provide Physical Therapy Services for the CHHA

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

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

WHEREAS, the Department at this time relies in part on independent contractors for their services; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to renew the contract with Elizabeth Wolff-Evans to provide the needed services for the period of October 1, 2009 through September 30, 2010 at the following rates:

Physical Therapy:

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

and be it further

RESOLVED, that the charges for these services be paid out of account #A40124 54127 of the 2009 Health Department Budget.

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

RESOLUTION NO. 505-09 (September 22, 2009) HD Raymond Physical Therapy 2009
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Renew the Raymond Physical Therapy Contract at 0% Increase

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

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

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

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to renew their contract with Raymond Physical Therapy, PLLC at the following rates:

<u>Disciplines</u>	<u>10/1/09 – 9/30/10</u>
Evaluation.....	\$68.98
Revisit.....	\$61.55
Revisit (if >10 mi. radius..... Of Weedsport)	\$63.67
Conference Fee.....	\$31.83
Not Home/Not Found – Half Payment Rate	

and be it further

RESOLVED, that the costs of the above services be paid from account #A40124 54127 of the 2009 Health Department Budget.

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

RESOLUTION NO. 506-09 9/22/09 nhammedtech
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO SIGN AN AGREEMENT WITH AMERICAN MEDICAL TECHNOLOGIES FOR PART B SERVICES FOR 2 YEARS.

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

WHEREAS, the Cayuga County Nursing Home has the need to have an agreement for the provision of medical wound supplies that are billed by provider to Medicare; and,

WHEREAS American Medical Technologies has provided those services for many years satisfactorily; and,

WHEREAS there is no cost to the facility as items are only billed under this agreement directly to Medicare; and; Now therefore be it

RESOLVED that the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home be authorized to sign the agreement with American Medical Technologies.

Signed by Petrus, Cuddeback, Aikman, Mills, Schuster, Sincebaugh, Murphy, all in favor.

**RESOLUTION NO. 507-09 (September 22, 2009) HD Hannibal Central School District
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter Into an
MOU with Hannibal Central School District for Transportation of a Wheelchair-Bound Special Ed. Child**

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

Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, the Health Department is responsible under SED 4410 to insure that children are transported to their authorized special education placement and to provide payment for such transportation; and

WHEREAS, the Department is responsible for the transportation of a four year old wheelchair-bound child attending a tuition-based integrated special education classroom at the Hannibal Central School District; and

WHEREAS, the School District is outside of the Birnie Bus routes, therefore, transportation of this child had to be negotiated separately; and

WHEREAS, the School District currently owns and operates transportation vehicles including wheelchair-accessible buses and the "School District Committee for Pre-School Special Education" has authorized transportation for this child; NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services enter into an MOU with Hannibal Central School District for transportation of one wheelchair-bound pre-schooler with a disability during the 2009-2010 school year at a rate of \$86.14 per round trip (round trip includes transporting child from home to elementary school and back to home each day that school is in session.)

These charges will be paid from account #A40454 54306 of the Health Department Budget.

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

Motion by Schuster, 2nd by Palermo to amend last Resolved to read annual fee, all in favor.

RESOLUTION NO. 508-09 (9/22/09) colcodenffeesrev3

Setting a Fee Schedule for Code Enforcement and Buildings Fire Inspections Services preformed by the County at the request of Towns and Villages within Cayuga County.

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

BY: MR. CHAPMAN, Chairman, Government Operations Committee

WHEREAS, Cayuga County may be required to provide Code Enforcement and Building Fire Inspections for any Town or Village located within the County at the request of said municipality; and

WHEREAS, Cayuga County has not established a rate for said service; and

WHEREAS, a review of the current rates paid by the Towns and Villages has been completed; and

WHEREAS, said fee shall be based upon the number of inhabitants of the requesting municipality based upon the most recent United States 10 year Census times \$ per capita plus mileage reimbursement based upon the existing federal reimbursement mileage rate; now, therefore be it

RESOLVED, that Cayuga County will charge annual fee of \$20.00 per capita plus mileage reimbursement for services provided to any Town or Village for Code Enforcement and Building Fire Inspections services provided to them by the County of Cayuga; and

RESOLVED, that the population of municipality requesting the service shall be based upon the most recent Census; and be it further

RESOLVED, that said rate shall take effect on January 1, 2010.

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

RESOLUTION NO. 509-09 September 22, 2009 BOECOMP-ElectionWorkers09rev2
Authorization to create, set rate of pay and fill Election Worker positions to be in compliance with IRS Regulations.

BY: Mr. Chapman, Chair, Government Operations Committee, and
 Mr. Mitchell, Chair, Ways & Means Committee

WHEREAS, Election Inspectors, Poll Managers and Voting Machine Technicians are needed for primary and general elections; and,

WHEREAS, the workers will need to be paid on payroll so that the proper documentation can be done in accordance to IRS guidelines; and,

WHEREAS, funds for the Election positions are reimbursed by the various municipalities; NOW, therefore, be it RESOLVED, that the following positions be hereby created for the primary and general elections and any other special elections as designated by law:

<u># of positions</u>	<u>Title:</u>	<u>Primary Election Rate</u>	<u>General Election Rate</u>	<u>Training</u>
15	Election Inspector	\$100.00 /day	\$150.00/day	\$25.00/day
6	Inspector Poll Manager	\$150.00/day	\$200.00/day	\$25.00/day
12	Voting Machine Technician	\$100.00/day	\$150.00/day	\$25.00/day

And be it further

RESOLVED, Payment to workers in the above categories shall be made from the following budget accounts

<u>POSITION</u>	<u>ACCOUNT</u>
Election Inspector	54077 (Primary Election Inspectors) or 54078 (General Election Inspectors)
Inspector Poll Manager	54181 (Machine Custodians)
Voting Machine Technician	54074 (Department Expense)

And be it further

RESOLVED, that, the positions be filled in accordance to the policies of the County of Cayuga ; and, be it further RESOLVED, that the proposed 2009 Cayuga County Budget be amended and the Treasurer make journal and accounting entries necessary to implement the intent of this resolution.

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

RESOLUTION NO. 510-09 9/22/09 COA Rescinding 109-09
Rescinding Resolution No. 109-09 Amending the Travel/Training Policy for County Employees

By: Hon. Michael Chapman, Chairman Government Operations Committee
 Hon. Francis Mitchell, Chairman Ways and Means Committee

Whereas, the County Legislature has adopted Resolution No. 109-09 which amended the Travel and Training Policy for County Employees, and

Whereas said resolution may conflict with certain employee agreements, Now Therefore be it

Resolved, that Resolution No. 109-09 is hereby rescinded, and be it further

Resolved, that this resolution shall take effect immediately.

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

RESOLUTION NO. 511-09 Date To Be Acted On: 9/22/08 PL09-10wia
AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN THE LOCAL PLAN MODIFICATION FOR PROGRAM YEAR 2009-2010 FOR WIA TITLE I-B AND WAGNER PEYSER PROGRAM

BY: LINDA MURPHY, CHAIRPERSON, PLANNING & ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, pursuant to the Workforce Investment Act of 1998 (20 USC 9201 et, seq, Public Law 105-220, 112 Stat.936) a Local Plan Modification is required to be submitted for the Cayuga Cortland Workforce Investment Area (WIA) for Title I-B and Wagner Peyser programs; and

WHEREAS, said Local Plan Modification must be signed by the Workforce Invest Board Chairman and the Chief Elected Officials in Cayuga and Cortland Counties; and

WHEREAS, said plan is due to be submitted to the New York State Department of Labor by September 2009; and

WHEREAS, this legislature has been informed that there are no local funds involved in the program; now, therefore be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute the Local Plan Modification for WIA Title I-B and Wagner Peyser programs and related documents upon review and approval of the County Attorney.

Signed by Murphy, Petrus, Mills, Schuster, Aikman, all in favor.

RESOLUTION NO. 512-09

September 29, 2009

PB_AgPlanContract T.Cato01

Resolution Authorizing the Chairman of the Legislature to Execute a Memorandum of Agreement with the Town of Cato for the provision of Professional Services through the Department of Planning & Economic Development related to Preparation of the Town of Cato Agriculture and Farmland Protection Plan

BY: Ms. Linda Murphy, Chair, Planning and Economic Development Committee

Mr. Fran Mitchell, Chair, Ways and Means Committee

WHEREAS, the Town of Cato, with the assistance of the Cayuga County Department of Planning and Economic Development, has been awarded a Farmland Protection Planning Grant through the NYS Department of Agriculture & Markets; and

WHEREAS, the Town of Cato wishes to engage the professional and technical services of the Department of Planning & Economic Development for assistance with preparation of the Town of Cato Ag & Farmland Protection Plan and Plan process; and

WHEREAS, the NYS Ag & Markets Grant of \$25,000.00 to the Town of Cato plus the Town of Cato required cash match of \$1,674.00, for a total of \$26,674.00 is available through the Town of Cato for payment of the provision of professional services by the Planning Department; now,

THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized and directed to execute a Memorandum of Agreement with the Town of Cato for Planning Department professional services related to the Town of Cato Ag & Farmland Protection Grant; and be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized to make the appropriate journal and accounting entries to accommodate \$26,674.00 in project revenue within Account A8020.42116 (Local Assistance Revenue) in Fiscal Year 2010.

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

**RESOLUTION NO. 513-09 September 22, 2009 PB_ErieHeritage_DOT SafeteaLu_Cntrct 9_09.2
AUTHORIZING THE EXECUTION OF CONTRACTS WITH NYSDOT FOR THE PASS THROUGH AND
ADMINISTRATION OF NYSDOT SAFETEA-LU GRANT FUNDING AND NYSCS MATCHING FUNDS
FOR THE IMPLEMENTATION OF FINAL DESIGN PHASES OF THE HISTORIC ERIE CANAL
HERITAGE PROJECT (THE PROJECT) AND AUTHORIZING THE EXTENSION OF A PROFESSIONAL
SERVICES CONTRACT WITH CAMP, DRESSER & MCKEE ENGINEERS (CDM) FOR ENGINEERING
DESIGN WORK ASSOCIATED WITH THE PROJECT, AND INCREASING THE CAPITAL H ACCOUNT
NO. 07-1 FROM \$2,065,000.00 TO \$2,335,910.00.**

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

WHEREAS, the Cayuga County Legislature has supported the Erie Canal Heritage Project since 1999 by way of Resolutions 353-99, 354-99, 460-00, 159-04, 96-07, 97-07 and 101-07; and

WHEREAS, the Erie Canal Heritage Project (the "Project") is eligible for funding under Title 23 U.S. Code, as amended (SAFETEA-LU Federal Transportation Funding); and

WHEREAS, the County of Cayuga has approved and authorized the County to act as municipal sponsor in the administration, receipt and expenditure of Federal transportation funds for the Project on behalf of the NYS Canal Society via Resolution 353-99 adopted on August 17, 1999; and

WHEREAS, Cayuga County established Capital H Account No. 07-1 for the implementation of final design and construction phases of the Project with adoption of Resolution 97-07 on January 23, 2007, thereby increasing the NYSDOT project in the Capital H Account from \$1,540,000.00 to \$2,065,000.00; and

WHEREAS, Cayuga County has executed a contract for professional engineering services related to the Project with Camp, Dresser & McKee Engineers (CDM) under the authority of Resolution #159-04 approved by the County Legislature on March 23, 2004; and

WHEREAS, an additional \$216,728.00 in SAFETEA-LU Federal Transportation Funding for the Project is available through the NYSDOT which requires the execution of a contract between Cayuga County and the NYSDOT, and the required 20% matching funds for the SAFETEA-LU funding, in the minimum amount of \$54,182.00, is available through the New York State Canal Society (NYSCS) using the \$62,000.00 in NYSCS funding already allocated to Capital H Account No. 07-1; and

WHEREAS, the additional \$216,728.00 in SAFETEA-LU funds plus the required \$54,182.00 in NYSCS matching funds result in a total of \$270,910.00 to be added to the Total Project Cost in the Capital H Account No. 07-1, thereby increasing the Capital H Account Total Project Cost to \$2,335,910.00; and

WHEREAS, Cayuga County wishes to provide for the receipt and administration of the NYSDOT Grant Funding for the Project and wishes to extend the current contract with CDM for the professional services related to the Project; now, therefore be it

RESOLVED, by the Cayuga County Legislature as follows:

1. The Chairman of the Legislature is hereby authorized and directed to execute the required contract documents with the NYSDOT to access and administer the SAFETEA-LU federal transportation funds and matching funds;
2. The Chairman of the Legislature is hereby authorized and directed to execute the required contract documents with Camp, Dresser & McKee Engineers for the professional services required for the project under the SAFETEA-LU federal transportation funds and NYSCS matching funds; and
3. The Total Project Cost in Capital H Account No. 07-1 will be increased from \$2,065,000.00 to \$2,335,910.00; and, BE IT FURTHER

RESOLVED, that the Cayuga County Treasurer is hereby authorized to amend make the necessary and appropriate journal and accounting entries to allocate the SAFETEA-LU federal transportation funds to Capital H Account No. 07-1 for the implementation of final design phases of the Project.

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

**RESOLUTION NO. 514-09 (9/22/09) COA-HomeRuleReqToAmdPub.AuthsLawReCCW&SA(Rev)
REQUESTING STATE HOME RULE LEGISLATION TO AMEND THE PUBLIC AUTHORITIES LAW
SECTION 5, INsofar AS IT PERTAINS TO THE CAYUGA COUNTY WATER AND SEWER
AUTHORITY'S ABILITY TO COLLECT DELINQUENT WATER AND SEWER CHARGES THROUGH
CHARGES ON COUNTY TAX BILLS.**

BY: MS. MURPHY, Chair, Public Works Committee; and

MR. MITCHELL, Chair, Ways & Means Committee.

WHEREAS, the Cayuga County Water and Sewer Authority was created by the New York State Legislature effective July 26, 1995; and

WHEREAS, the Cayuga County Water and Sewer Authority, by Resolution, has requested the County's assistance to seek Home Rule Legislation to amend the Public Authorities Law insofar as it pertains to the Cayuga County Water and Sewer Authority's ability to collect delinquent water and sewer charges through charges on Cayuga County tax bills; now, therefore, be it

RESOLVED, that this County Legislature hereby requests our State Legislators, Senator Michael Nozzolio, Senator David Valesky, Assemblyman Gary Finch, Assemblyman Robert Oaks and Assemblyman Brian Kolb, to prepare a Home Rule Statute for enactment of an additional statute to the Cayuga County Water and Sewer Authority's New York State Enabling Statute based on or similar to Public Authorities Law Section 1199-yyy relating to the Livingston County Water and Sewer Authority's ability to collect delinquent water and sewer charges through charges on County tax bills.

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

**RESOLUTION NO. 515-09 (9/22/09)P&TseasonalCleanerrev29 09
AMENDING RESOLUTION 465-09 WHICH AUTHORIZED THE HIRING OF SEASONAL POSITIONS
WITHIN THE PARKS AND TRAILS DEPARTMENT REDUCING SEASONAL LABORERS BY TWO (2)
AND AUTHORIZING THE HIRING OF UP TO TWO (2) SEASONAL CLEANERS FOR EMERSON PARK**

By: Mr. David Axton, Chairman, Public Works

Mr. Francis Mitchell, Chairman, Ways & Means Committee

Whereas, from September 23, 2009 till the end of the year there will be 26 events in the Emerson Park Pavilion, 3 shelter rentals and, hopefully, some nice weather requiring us to open (and clean) the toilet facilities at Emerson Park, and

Whereas, Cayuga County Parks & Trails has called upon minimum wage (\$7.25/hour) laborers to keep our facilities at Emerson Park clean, and

Whereas, most years this position has been very difficult to keep filled because most seasonal laborers request to be moved from these duties as soon as they can, and

Whereas, it is anticipated that we could keep these important positions filled if we paid more than minimum wage, and

Whereas, two (2) seasonal cleaner positions have been placed in the County of Cayuga Compensation Plan, Part II, under Parks and Trails for the year 2009 and rate of pay set at \$8.75/hr., and

Whereas, it is understood that if Parks and Trails is authorized to hire two (2) cleaners they will reduce the number of laborers from six (6) to four (4); now, therefore, be it

Resolved, that the Park Maintenance Supervisor with the approval of the Public Works Committee, and full legislature is hereby directed and authorized to hire up to two (2) seasonal cleaners as stated above; and be it further

Resolved, that the rate of pay be hereby set at \$8.75 per hour; and be it further

Resolved and understood that the funding for the above-stated positions shall not cause The Parks and Trails Department Budget Account #A71101-51002 to exceed the amount budgeted for 2009 of \$105,130 plus the \$12,000 transferred into that account per Resolution 123-09.

Signed by Axton, Cuddeback, Lockwood, Mitchell, Palermo, Sincebaugh, Chapman, Mahunik, Petrus, all in favor.

**RESOLUTION NO. 516-09 9/29/09 Blds except abatement for water meter room cobrev
Authorizing the Chairman of the Cayuga County Legislature and Superintendent of Buildings and Grounds, to accept the quote for the abatement of the water meter room at the Cayuga County Office Building and to execute documents**

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

WHEREAS, the valves and water meter need to be replaced in the County Office Building. The valves and water meter are insulated with asbestos containing materials; and

WHEREAS, the County does not have qualified personal to remove asbestos substances, and

WHEREAS, four firms were contacted to give a quote for the removal of asbestos materials in the County Office Building water meter room. AAC Contraction Inc, \$7,975.00, Summit Environmental, \$8,355.00, Seabird Environmental \$6,460.00. and Sullivan Contraction inc. \$8,700.00; and

WHEREAS, the Cayuga County Legislature did not budget for any asbestos removal in the Buildings and Grounds budget, therefore let it be

RESOLVED, that the funds for the asbestos removal will come from the County's contingent account number A-1016 and transfer to Buildings and Grounds account A16204 54176 in the amount of \$8,960 for the removal and air monitoring; and be it further

RESOLVED, that the Superintendent of Buildings and Grounds be authorized to awarded the job to Seabird Environmental at a cost not to exceed \$6,460.00; and be it further

RESOLVED, that our Compliance Officer AECC Group do the project/air monitoring at a cost not to exceed \$2,500.00; and be it further

RESOLVED, that the Superintendent of Buildings and Grounds be authorized to submit the proper forms for payment to implement the intent of this resolution; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute any documents required to implement this resolution; and be it further

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

Signed by Axton, Cuddeback, Lockwood, Mills, Mitchell, Palermo, Sincebaugh, Chapman, Mahunik, Petrus, all in favor.

**RESOLUTION NO. 517-09 9/22/09 HWY sshedchangeorder1 H-001rev
Authorizing the Chairman of the Cayuga County Legislature to sign change order H-001 for County Highway Department Project Salt Storage Building in Sempronius and amending Capital "H" Project No. 09-1**

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

WHEREAS, Cayuga County has adopted Resolution Number 356-09 that set up Capital "H" Project No. 09-1 for the Continuation of the Salt Storage Building in the Town of Sempronius; 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 site contained hard digging for the foundation, as the backfill contained large rocks and slag; and

WHEREAS, Secor Building Solutions submitted a cost estimate of \$8892 to cover the cost of additional labor & equipment to install the post in the foundation; and

WHEREAS, there is sufficient means in the Shared Municipal Services Grant to cover the cost of this change order; now therefore be it

RESOLVED, that the Chairman of Cayuga County is hereby authorized to sign the change order H-001, and be it further

RESOLVED, that the funds for this change orders not to exceed \$8892.00 will come from the change order fund set up in Capital "H" Project No. 09-1, 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, Palermo, Sincebaugh, Mahunik, Petrus, all in favor.

RESOLUTION NO. 518-09

Date: September 22, 2009

HWYwntrwtrchmn

AUTHORIZATION TO HIRE PART TIME SEASONAL LABORERS

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

Hon. Francis Mitchell, Chairman, Ways & Means Committee

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

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

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

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

RESOLVED, that these personnel be paid at an hourly rate of \$9.50 for 1st&2nd shift and not to exceed \$10.00 per hour for 3rd shift, without benefits; from Account D51101 51001; 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, Palermo, Sincebaugh, Chapman, Mahunik, Petrus, all in favor.

RESOLUTION NO. 519-09

September 22, 2009

hwytransfertownplowing

Budget Transfer of the 2009 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 2009 Highway Budget, a total of \$1,188,440.00 was budgeted for hiring the towns to plow county and state roads; and,

WHEREAS, it is necessary to amend the 2008 Highway Budget to do additional mileage contracted and a 3.00% 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>
D51134 54099 (Paving)		\$44,000
D51424 54105 (Contract plowing – County)	\$13,346	
D51444 54105 (Contract plowing – State)	\$30,654	

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, Lockwood, Mills, Mitchell, Palermo, Sincebaugh, Chapman, Mahunik, Petrus, all in favor.

RESOLUTION NO. 520-09 Date: September 22, 2009 HWY lafap grove&erronhillRev
AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE
FEDERAL-AID AND STATE "MARCHISELL" PROGRAM-AID ELIGIBLE COSTS, OF A
TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE

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

WHEREAS, two Projects for the Grove Street bridge, BIN 3365820, P.I.N. 3754.28, and Erron Hill bridge BIN 3311610, P.I.N. 3754.30 (the Project") are eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Cayuga desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Design Phases I-IV; Now

Therefore be it

RESOLVED, that the County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED, that the County Legislature hereby authorizes the County of Cayuga to pay in the first instance 100% of the federal and non-federal share of the cost of Design work for the Project or portions thereof; and it is further

RESOLVED, that the Chairman of the County Legislature of the County of Cayuga be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the County of Cayuga with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching any necessary Agreement in connection with the Project. And it is further

RESOLVED, that the Cayuga County Treasurer is authorized to accept 80% of funding for the Grove Street and Erron Hill bridge projects. And it is further

RESOLVED, that the Cayuga County Treasurer is authorized and directed to make the necessary journal and accounting entries necessary to accomplish the foregoing; and be it further

RESOLVED, this resolution shall take effect immediately.

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

RESOLUTION NO. 521-09 Date: September 22, 2009 hwysnowcont3%inc
AUTHORIZING THE INCREASE OF THE COUNTY/TOWN SNOW PLOW CONTRACT RATES

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

WHEREAS, the towns within Cayuga County provide snow and ice removal for the county; and

WHEREAS, the current agreement was for three years and expires on June 30, 2011 and was agreed to be negotiated annually; and

WHEREAS, the county and towns desire to continue this operating procedure; and

WHEREAS, town and county officials met and discussed the contract, and agreed upon a 3% increase for the 2009 -10 season, and to negotiate annually the remaining season; now therefore be it

RESOLVED, a 3% raise for the 2009-2010 season is to be provided to the towns.

Signed by Axton, Cuddeback, Lockwood, Mills, Mitchell, Palermo, Sincebaugh, Chapman, Mahunik, Petrus, all in favor.

**RESOLUTION NO. 522-09 Date: September 22, 2009 HWYBIDPUTRK
 AUTHORIZING THE COUNTY HIGHWAY SUPERINTENDENT TO ACCEPT BID AND PURCHASE
 HEAVY DUTY PICKUP TRUCK**

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 current vendors on state bid were unable to provide a ½ ton pickup due to recent circumstances affecting the automotive industry; and

Whereas, a bid packet was developed and advertised for a 2009(or newer) ½ ton pickup truck and was opened on August 20, 2009 with the following results:

BIDDER	Fairport Ford, LLC 71 Marsh Road E. Rochester, NY 14445	Vision Ford Attn: Kelly McCombs 4545 Ridge Rd West Rochester, NY 14626	Motors Fleet Attn: Lisa Ansbro 900 Route 35 Ocean, NJ 07712	Van Bortel Ford, Inc. Attn: Bonnie Malzewski 1159 Pittsford Victor Rd, Suite 125 Pittsford, NY 14534
MAKE	FORD	FORD	FORD	FORD
MODEL	F150 4X4 SUPER CAB	F150 4X4 SUPER CAB	F150 SUPER CAB 4x4	F250 4x4 Ext. Cab
YEAR	2010	2010	2010	2010
PRICE	\$21,587.00	\$21,217.00	\$17,071.00	\$20,754.37

Whereas, the bids were reviewed and the Ford F-150 offered by Motors Fleet best meets the specifications outlined in the bid packet and is the lowest bid; now therefore be it

Resolved, the Cayuga County Legislature hereby authorizes the Highway Department to purchase a Ford F-150 from Motors Fleet with funds from account DM51302 52000; and be it further

Resolved, that the cost of the truck is not to exceed \$17,071.00; and be it further

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

Signed by Axton, Cuddeback, Lockwood, Mills, Mitchell, Palermo, Sincebaugh, Chapman, Mahunik, all in favor.

**RESOLUTION NO. 523-09 Date: September 22, 2009 HWYchaseabandonrdREV
 AUTHORIZING THE ABANDONMENT AND DISCONTINUANCE OF “CHASE” ROAD IN THE TOWN
 OF IRA.**

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

WHEREAS, “Chase” Road, C.R. # 37b, was at one time a usable highway located in the Town of Ira running East and West between Ferris Rd and Bradt Rd; and

WHEREAS, no maintenance activities have been done in over 6 years; and

WHEREAS, the best interests of the county would be to discontinue this county highway as laid out in 131-b of the Highway Law; and

WHEREAS, under Highway Law §118a, sections of old road that are of no further use to the county for highway purposes may be discontinued or abandoned to the abutting property owners; therefore be it

RESOLVED, that the portion of County Route #37b, Chase Road, located in the Town of Ira running East and West between Ferris Rd and Bradt Rd be discontinued as a county highway; and be it further

RESOLVED, that the Chairman of the Legislature is authorized to execute quit claim deeds of the land so abandoned to the abutting property owners.

Signed by Axton, Cuddeback, Lockwood, Mills, Mitchell, Palermo, Sincebaugh, Chapman, Mahunik, Petrus, all in favor.

RESOLUTION NO. 524-09 9/22/2009 colbidbldgsupplies

Authorizing the Clerk of the Legislature to advertise and receive sealed bids for Discount from regular retail price for Building, Plumbing, Electrical supplies, etc. purchased at vendors store locations

BY: David Axton, Chairman of Public Works Committee

Francis Mitchell, Chairman of Ways and Means Committee

Whereas, Cayuga County purchases a variety of building supplies from several different vendors within Cayuga County; and

Whereas, there presently is no contract setting forth the terms and conditions of the said suppliers from whom we do business with; and

Whereas, we presently do not receive any discount from items purchased; and

Whereas, it would be in the best interest of the county to bid these said items to receive a discount from the retail stores, be it

Resolved, that the Clerk of the Cayuga County Legislature is authorized to advertise and receive sealed bids for various building supplies.

Signed by Axton, Cuddeback, Lockwood, Mills, Mitchell, Palermo, Sincebaugh, Chapman, Mahunik, Petrus, all in favor.

RESOLUTION NO. 525-09 (9-23-09) P&TMGRSecurityTransfer 10 09

APPROVING AN INCREASE OF \$994.63 TO 2009 CURRENT BUDGET AMOUNT OF ACCOUNT #A71100-42459 MISCELLANEOUS REVENUE (CHANGING IT FROM -\$400.00 TO -\$1,394.63) AND A \$994.63 INCREASE TO ACCOUNT #A71101-51001 EMERSON PARK SALARIES FT (CHANGING IT FROM \$174,050.00 TO \$175,044.63) TO COVER THE COST OF ADDITIONAL SECURITY TO COVER THE EXTENDED 2009 SEASON OF THE MERRY-GO-ROUND PLAYHOUSE

By: David R. Axton, Chair, Public Works

Francis Mitchell, Chair, Ways & Means Committee

Whereas, in Merry-Go-Round Playhouse (MGR) extended it's season in 2009; and

Whereas, this change has made it necessary have additional security at Emerson Park; and

Whereas, the Public Works Committee ruled that MGR should pay for this additional security; and

Whereas, the Park Maintenance Supervisor has determined the cost of the additional security will be \$994.63; and

Whereas, MGR did issue a check for \$994.63 which was deposited in the Emerson Park Miscellaneous Revenue Account #A71100-42459; now, therefore be it

Resolved, that the Cayuga County Treasurer is hereby authorized and directed to increase the 2009 current budget amount of account #A71100-42459 Miscellaneous Revenue by \$994.63 (changing it from -\$400.00 to -\$1,394.63) and increase to account #A71101-51001 Emerson Park Salaries FT by the same \$994.63 (changing it from \$174,050.00 to \$175,044.63) to cover the cost of additional security to cover the extended 2009 season of the Merry-Go-Round Playhouse.

Signed by Axton, Cuddeback, Lockwood, Mills, Mitchell, Palermo, Sincebaugh, all in favor.

**RESOLUTION NO. 526-09 September 22, 2009 PW_UST_2009_Work w/o Option #2
 AUTHORIZING A CONTRACT WITH OP-TECH ENVIRONMENTAL SERVICE, INC. FOR 2009 FUEL
 STORAGE TANK AND PIPING REMOVAL SERVICES**

BY: Mr. David Axton, Chair, Public Works Committee
 Mr. Francis Mitchell, Chair, Ways and Means Committee

WHEREAS, in the County’s continuing efforts to locate and remove out-of-service underground petroleum facilities, the Clerk of the Legislature advertised seeking sealed bids for removal of underground storage tanks and associated piping systems located at the County Office Building, Highway Administration Building, Highway’s Ira Facility and the County Nursing Home; and

WHEREAS, bids were received and opened on September 14, 2009 as follows:

Item/Firm	Op-Tech	EP&S
1. CCOB, generator tank(s)	\$3,250	\$5,296
2. CCOB water tank	\$8,583	\$10,080
3. York Street, heating tank	\$2,585	\$3,000
4. York Street, underground pipes	\$2,070	\$1,000
5+6. Nursing Home generator tank	\$2,805	\$3,362
7. Ira Barn underground piping	\$1,728	\$1,750
Base Bid	\$21,021	\$24,488
Base Bid Minus Item 2	\$12,438	\$14,408

;and

WHEREAS, OP-Tech Environmental Services, Inc. is the apparent low bidder, and they successfully removed similar tanks from three County sites in the fall of 2008 to the satisfaction of the New York State Department of Environmental Conservation; and

WHEREAS, the County’s bid documents for said work anticipate extra work may be needed to cleanup possible leakage from these older tanks, by the inclusion of unit pricing for “extra excavation” and “extra hauling” services, and Op-Tech Environmental Service, Inc.’s unit prices are all lower than the second bidder’s prices; and

WHEREAS, there are sufficient funds in Account No. A16204 54251 (Removal of Under Ground Tanks) to cover the expenses; and

WHEREAS, the County is not required to fill the abandoned Civil Defense era water tank under the Cayuga County Office Building’s flagpole at this time; and

WHEREAS, the County has time to explore less costly methods to close this abandoned underground water tank; now, therefore, be it

RESOLVED, that the Chairman of the County Legislature is hereby authorized to sign an agreement with OP-Tech Environmental Services, Inc. to remove these underground petroleum storage tanks and associated petroleum piping systems at these sites, not to include the water tank work; and, be it further

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

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

RESOLUTION NO. 527-09 9/29/09 SHR-Transfer Monies (Consoles/Detail Patrol Cars)
AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO TRANSFER MONIES FROM THE SHERIFF'S
2009 LAW ENFORCEMENT BUDGET LINE – AUTO EXPENSE OTHER (A31104 54009) TO THE
SHERIFF'S 2009 LAW ENFORCEMENT BUDGET LINE – EQUIPMENT MARKED PATROL CARS
(A31102 52005) FOR THE PURCHASE OF CONSOLES, AUTO DETAILS AND THE INSTALLATION OF
RADIO EQUIPMENT.

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, was authorized to purchase three new patrol vehicles pursuant to Resolution No. 193-09 from Hoselton Chevrolet, Inc. for an amount of \$75,209.94; and WHEREAS, the three new patrol vehicles were delivered with consoles, the cost of which was not included in the aforementioned amount; and

WHEREAS, the invoices submitted to the Cayuga County Sheriff's Office were for an amount of \$76,559.94 as they included the cost of the installed consoles; and

WHEREAS, these consoles are an essential part to the vehicles utilized by the Road Patrol; and

WHEREAS, to further ready these vehicles for service, the necessary radio equipment will need to be installed and they will require auto detailing to identify them as marked Cayuga County Sheriff's patrol cars; and

WHEREAS, there is an insufficient amount of money in the Sheriff's 2009 Law Enforcement Budget Line – Equipment Marked Patrol Cars (A31102 52005) to cover the cost of the consoles, radio installation and auto detailing; and

WHEREAS, there is enough money in the Sheriff's 2009 Law Enforcement Budget Line – Auto Expense Other (A31104 54009) to compensate the shortfall in the Sheriff's 2009 Law Enforcement Budget Line – Equipment Marked Patrol Cars (A31102 52005); now therefore be it

RESOLVED, that the Cayuga County Treasurer be authorized to transfer \$2,350.00 from the Sheriff's 2009 Law Enforcement Budget Line – Auto Expense Other (A31104 54009) to the Sheriff's 2009 Law Enforcement Budget Line – Equipment Marked Patrol Cars (A31102 52005) for payment of the consoles, radio installation and auto detailing for the three new patrol vehicles; 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, Palermo, Axton, Aikman, Mitchell, Petrus, Axton, Chapman, Mahunik, all in favor.

RESOLUTION NO. 528-09 Date: 9/29/09 SHR CID vacancy
AUTHORIZE THE SHERIFF TO FILL ONE VACANT DETECTIVE POSITION IN THE CRIMINAL
INVESTIGATION DIVISION OF THE CAYUGA COUNTY SHERIFF'S OFFICE.

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

WHEREAS, due to a resignation in the Cayuga County Criminal Investigation Division, one Detective Position (3044) is vacant; and

WHEREAS, the services provided by the position of Detective are critical due to work load demands; and

WHEREAS, this position is clearly designated and accepted in the 2009 Cayuga County Sheriff's Law Enforcement Budget Line - Salaries Full Time (A31101 51001); now therefore be it

RESOLVED, that the Sheriff be hereby authorized and directed to fill one Detective Position; and be it further

RESOLVED, the employee hired will be placed at the appropriate step within the Deputy Sheriff's Police Association Compensation Plan for 2007-2011; and be it further

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

Signed by Lockwood, Fearon, Cuddeback, Palermo, Aikman, Mitchell, Petrus, Chapman, Mahunik, all in favor, except Axton abstained.

RESOLUTION NO. 529-09 Date: 9/29/09 SHR patrol vacancy
AUTHORIZE THE SHERIFF TO FILL ONE VACANT DEPUTY SHERIFF POSITION IN THE LAW ENFORCEMENT DIVISION OF THE CAYUGA COUNTY SHERIFF'S OFFICE.

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

WHEREAS, one Deputy Sheriff presently employed with the Cayuga County Sheriff's Office who has yet to be determined will be transferring to the Cayuga County Criminal Investigation Division leaving a vacancy in the Cayuga County Sheriff's Department Law Enforcement Division; and

WHEREAS, the services provided by the position of Deputy Sheriff are critical for maintaining the smooth and efficient operations of the Sheriff's Office Law Enforcement Division; and

WHEREAS, this position is clearly designated and accepted in the 2009 Cayuga County Sheriff's Law Enforcement Budget Line - Salaries Full Time (A31101 51001); now therefore be it

RESOLVED, that the Sheriff be hereby authorized and directed to fill one Deputy Sheriff position; and be it further RESOLVED, the employee hired will be placed at the appropriate step within the Deputy Sheriff's Police Association Compensation Plan for 2007-2011; and be it further

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

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

RESOLUTION NO. 530-09 9/29/09 SHR-Craftmaster Sole Provider
AUTHORIZING THE CAYUGA COUNTY SHERIFF'S OFFICE TO PURCHASE NECESSARY EQUIPMENT FROM CRAFTMASTER HARDWARE, A SOLE SOURCE PROVIDER FOR LOCKING MECHANISMS UTILIZED IN THE CAYUGA COUNTY JAIL.

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

WHEREAS, the locking system utilized for the jail cells in the Cayuga County Jail is manufactured by Southern Folger and distributed solely by Craftmaster Hardware; and

WHEREAS, there are times when the locking mechanisms in the Cayuga County Jail require repair or replacement; and

WHEREAS, there is no other distributor that can provide the appropriate parts for fixing and/or replacing the locking devices when required; now therefore be it

RESOLVED, that Craftmaster Hardware, 190 Veterans Drive, Northvale, New Jersey 07647, shall be the sole source provider to the Cayuga County Sheriff's Office for the maintenance and replacement of the security locking system utilized for the jail cells in the Cayuga County Jail.

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

**RESOLUTION NO. 531-09 (09-22-2009) J&PS-authorizetoenterintomoa
AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND THE DIRECTOR
OF EMERGENCY SERVICES TO DIRECT THE DEPUTY DIRECTOR OF FIRE/RESCUE SERVICES
(FIRE COORDINATOR) TO SIGN ON BEHALF OF CAYUGA COUNTY AND ENTER INTO A
MEMMORANDUM OF AGREEMENT (MOA) WITH TOMPKINS COUNTY, THE SUBMITTING
PARTNER OF THE CENTRAL NEW YORK REGIONAL HAZARDOUS MATERIALS RESPONSE
CONSORTIUM FOR PARTICIPATION IN AND THE EXECUTION OF THE NEW YORK STATE OFFICE
OF HOMELAND SECURITY HAZARDOUS MATERIALS GRANT PROGRAM AWARD.**

BY: MR. LOCKWOOD, Chairman, Judicial & Public Safety Committee

MR. MITCHELL, Chairman, Ways & Means Committee.

WHEREAS, the Tompkins County Hazardous Materials Response Team applied for and was awarded a \$68,844.00 New York State Homeland Security Hazardous Material Grant to receive equipment and training in the use of this equipment for Chemical, Biological, Radiological, Nuclear, Explosive / Weapon of Mass Destruction (CBRNE/WMD) response and to enhance capabilities to respond to CBRNE/WMD events; and

WHEREAS, the funds from this New York State Homeland Security Hazardous Materials Grant must be utilized to procure a Smith's Gas Identification Device and appropriate warranty & service contract for first responders to respond to CBRNE/WMD; and

WHEREAS, the New York State Office of Homeland Security mandates all regional non submitting partner counties to enter into a Memorandum of Agreement (MOA) with the submitting partner member of the Central New York Regional Hazardous Materials Response Consortium; therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature and the Director of Emergency Services be authorized to direct the Deputy Director of Fire/Rescue Services (Fire Coordinator) to sign on behalf of Cayuga County and enter into the Memorandum of Agreement (MOA) with Tompkins County, the submitting partner of the Central New York Regional Hazardous Materials Response Consortium for participation in and the execution of the Hazardous Materials Grant Program.

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

**RESOLUTION NO. 532-09 Date: 9/22/09 SHR – CustodyTitleChg-09
AUTHORIZATION TO CHANGE THE TITLES ONLY WITHIN THE CUSTODY DIVISION OF THE
CAYUGA COUNTY SHERIFF'S OFFICE.**

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

MR. FRANCIS MITCHELL, Chairman, Ways & Means Committee

WHEREAS, the Sheriff has conducted an analysis of the Cayuga County Sheriff's Department Custody Division; and

WHEREAS, the Sheriff has conferred with the Cayuga County Civil Service Commission and the Commission authorized the changes in title pursuant to a resolution being adopted by the legislature approving the title changes; now, be it therefore

RESOLVED, that the below titles be hereby changed as follows:

<u>Current Title:</u>	<u>New Title:</u>
Corrections Officer	Sheriff Custody Officer
Corrections Sergeant	Sheriff Custody Sergeant
Corrections Lieutenant	Sheriff Custody Lieutenant

And be it further

RESOLVED, that the above changes be effective October 4, 2009 and incorporated into the SEACC Compensation Plan as title changes only with no change in compensation; and be it further

RESOLVED, that the changes in title be in accordance with the Cayuga County Civil Service Rules and Regulations.

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

RESOLUTION NO. 533-09

Date: 9/22/09

SHRReorgCustodyDivision-09

AUTHORIZATION TO CREATE 10 POSITIONS AND ABOLISH 11 POSITIONS WITHIN THE CUSTODY DIVISION OF THE CAYUGA COUNTY SHERIFF’S OFFICE.

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

WHEREAS, the Sheriff has conducted an analysis of the Cayuga County Sheriff’s Department Custody Division; and WHEREAS, the Sheriff has submitted duties statements for ten new positions to the Cayuga County Civil Service Commission and the Commission classified the positions as appropriate for the duties proposed; and WHEREAS, the new organizational plan must be adopted by the legislature prior to enactment; and WHEREAS, it is currently mandated by the New York State Commission of Correction that the Cayuga County Sheriff’s Department Custody Division maintain 95 full time Correctional Officer positions to comply with the minimum staffing complement as the services provided by these positions are critical for maintaining the safe, smooth and efficient operation of the Sheriff’s Office Custody Division; and

WHEREAS, with the analysis of the facility and reorganization of staffing proposed in the Sheriff’s proposed reorganization of the Custody Division, that number of employees mandated by the NYS Commission of Corrections would be reduced from 95 to 94, thus creating a savings with the new organization of the department; now therefore be it

RESOLVED, nine positions of Sheriff Custody Corporal and one position of Sheriff Custody Captain be hereby created; and be it further

RESOLVED, that the new titles be added to the SEACC Compensation Plan at the following grades and rates of pay for 2010:

Grade	Inc	Probation	Step One	Step Two	Step Three	Step Four
17S*	401	52,311	52,661	53,603	54,571	55,561
10S*	287	39,181	39,531	40,473	41,441	42,431

;and be it further

RESOLVED, that the Sheriff be hereby authorized and directed to fill the ten new positions, effective 1/1/10; and be it further

RESOLVED, that upon successful completion of the probationary period for the promoted Corrections Officers (Sheriff Custody Officers), that 11 positions of Corrections Officer (Sheriff Custody Officer) be hereby abolished to have a total of 94 corrections positions within the Custody Division; and be it

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

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

Legislator Lockwood, there has been many accidents involving motorcycles, I would like the Sheriff to bring to the next Judicial & Public Safety meeting statistics regarding motorcycles accidents.

RESOLUTION NO. 534-09

(September 22, 2009)

DA.VictimWitnessVacancy.09

AUTHORIZING THE DISTRICT ATTORNEY TO FILL A VACANCY IN HIS OFFICE

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

WHEREAS, the District Attorney anticipates a vacancy in the position of the Victim/Witness Services Program Coordinator Position Control #001787-SYS in his office effective October 4, 2009; and

WHEREAS, the Victim/Witness Services Program Coordinator position is a critical position in the District Attorney’s office responsible for fulfilling our legal obligations to advise victims of their rights and to keep them apprised of the status of their cases and;

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

WHEREAS, this is a grant-funded position and has been budgeted for the entire year; and

WHEREAS, by Resolution No. 476-09, District Attorney Jon E. Budelmann received Legislative approval on August 25, 2009 accepting a Grant from the New York State Crime Victims Board to continue the operation of the Victim/Witness Services Program for the contract period of October 1, 2009 through September 30, 2012; now therefore be it

RESOLVED, that the District Attorney be hereby authorized to advertise for and fill the vacancy of Victim/Witness Services Program Coordinator Position Control #001787-SYS on a full time basis; 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, Fearon, Cuddeback, Palermo, Axton, Aikman, Mitchell, Petrus, Chapman, Mahunik, all in favor.

Motion by Palermo, 2nd by Cuddeback to go into Executive Session at 6:43, re: the proposed acquisition, sale or lease of real property, all in favor.

Motion by Lockwood, 2nd by Cuddeback to come out of Executive Session at 7:38, all in favor.

Motion by Lockwood, 2nd by Murphy to adjourn at 7:41PM, all in favor.

Motion by Palermo, 2nd by Lockwood to approve minutes of 9-22-09 on 11-24-09, all in favor.