

**MINUTES  
CAYUGA COUNTY LEGISLATURE  
NOVEMBER 24, 2009, 6:00PM (Time Change)**

**WELCOME:**

**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, AT 6:00PM.

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

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**Motion by Palermo, 2<sup>nd</sup> by Cuddeback to go into executive session at 6:03PM, re: work performance of an employee, all in favor. Asked to come in, Stephen Barski, Tim Lattimore, Paul Pinckney, Jim Orman, and Fred Westphal.**

**Motion by Axton, 2<sup>nd</sup> by Palermo to come out of executive session at 6:58PM, all in favor. No action taken.**

**PRESENTATION:** Carey Eidel for Auburn Public Theatre, did a power point presentation on how the Auburn Public Theatre was founded and its positive impact on Cayuga County.

**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.

Chapman for Fred Rasmussen, re: having Cayuga County use Cayuga dollars as currency.

**MINUTES:** For Approval: 9-22-09, 10-13-09 and 10-20-09, **Motion by Palermo, 2<sup>nd</sup> by Lockwood, all in favor.**

For Reading: 10-27-09 and 11-11-09

**CHANGE ORDER AUTHORIZATION:**

Reason: (GMS CO#01

There is Asbestos Containing Material (ACM) mixed in with the Stone in the crawl space of the existing building. This was discovered during the ongoing abatement of the area and was verified by AECC the independent asbestos monitoring firm who is currently monitoring firm who is currently monitoring the abatement activities.

Signed by Axton, Schuster, Tortorici, Mitchell and Nick Mazza, Co. Manager.

**CCC REPORT:** Dr. Daniel Larson: Enrollment Update, fall enrollment is the highest in College history, 4,846 students. Veterans Day Remembrance, both campuses had well attended Veterans Day events. NYSERDA Grant, the College has been awarded a \$30,000.00 grant for energy upgraded to our physical plant. Telcom Department Renews SBE Certification, for high standards of professional. Community Education and Workforce Development, 400 students have registered for our expanded Fall credit free

courses. Community Engagement, Annual Appraisal Fair, Harlequin One-Acts, Cayuga reads, Alzheimer's Film Series, Red Cross Blood Drive and the Spirit of Giving.

**COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS: None**

**MANAGER'S REPORT:** Nick Mazza, I have spoken with Mary Jones, Jim Orman and Department Heads, on year end closing and encumbrances, and hope to give a more accurate statement and year end closing. Next month we will look at Capital Reserve, and set money aside for Capital Projects. Mortgage Tax Issue is moving along. We will look at department management and bond issuance. I have meet with Board Members and some staff to talk about the future. We will have a series of meetings in December to discuss expectations and goals re: the County Manager position. I will then make recommendations regarding adopting and modifying the current Local Law that is on the books. I also plan on meeting with Department Heads and getting their input and ideas. Tonight I hope that you sign up for one of these meetings. We will look at the Financial Operations as it pertains to the Legislature, re: Purchasing and Accounts Payable to accommodate that within our existing resources. I am also looking at the auditing situation, and we continue to move forward.

**CHAIRMAN'S REPORT:** Peter Tortorici, will do at end of meeting.

**APPOINTMENTS AND RE-APPOINTMENTS:** None

**COMMUNICATIONS AND ANNOUNCEMENTS:**

1. Received a letter from Gary Finch, Assembly Member, re: acknowledging receipt of resolution 573-09, license plate renewal increase.
2. Received notification from the Town of Brutus re: proposed five lot major subdivision, 8271 Ball Road.
3. Received a letter from John Barwinczok, Chairman Veterans Memorial Park Committee, re: work that was done next to the county's parking lot they are sorry for any inconvenience.
4. Received a letter from Brian Kolb, State Assembly Minority Leader, re: acknowledging receipt of resolution #267-09, license plate re-issuance project, and receipt of resolution 514-09, ability to collect delinquent water and sewer charges through charges on County Tax Bills.
5. Received a copy of resolution #24 from the Town of Cato, re: sales and use tax reimbursement.
6. Received a thank you letter from National Center for Missing & Exploited Children, for the County's Employees donation of \$185.00.

**Motion by Lockwood, 2<sup>nd</sup> by Petrus to waive reading of communications and announcements, all in favor.**

**RESOLUTIONS**

BY: Hon. Francis Mitchell, Chairman, and Ways and Means Committee  
WHEREAS, The Legislature did at its regular meeting on November 24,, 2009 audit claims against the County of Cayuga in the aggregate sum of \$1,740,604.51, 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, Axton, Chapman, Lockwood, Mahunik, Murphy, all in favor.

**RESOLUTION NO. 591-09** **11.24.09**  
**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:

	October 2009	
Electric		\$ 0
Telephone:		<u>\$ 20,226.09</u>
Total:		\$ 20,226.09

RESOLVED, that said payments be part and partial payment of the full audit of this Board.  
Signed by Mitchell, Axton, Chapman, Mahunik, Murphy, all in favor.

**RESOLUTION NO. 591A-09** **11.24.09**  
**AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF THRUWAY TOLLS**

BY: Hon. Francis Mitchell, Chairman, Ways & Means Committee.  
WHEREAS, this Legislature did by Resolution No. 24-97, adopted January 21, 1997, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Thruway Tolls, and,  
WHEREAS, said Committee has audited and authorized payments as follows:

October 2009  
\$310.03

RESOLVED, that said payments be part and partial payment of the full audit of this Board.  
Signed by Mitchell, Axton, Chapman, Lockwood, Mahunik, Murphy, all in favor.

**RESOLUTION NO. 592-09 NHClaims**  
**AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE ADMINISTRATOR OF THE CAYUGA COUNTY NURSING HOME**

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

WHEREAS, this legislature did by Resolution Number 70, duly adopted on the 20th day of March 1984, authorize the Nursing Home Committee of the County Legislature to audit all claims against the Cayuga County Nursing Home, and  
WHEREAS, said Committee has audited and authorized payment in the amount of \$140,653.08 for the month of October 2009, now therefore be it

RESOLVED, that said payment be part and partial payment of the full audit of this Board.  
Signed by Petrus, Aikman, Cuddeback, Murphy, Schuster, Sincebaugh, Mitchell, Axton, Chapman, Lockwood, Mahunik, all in favor.

**RESOLUTION NO. 593-09** **11-24-09** **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 \$11,991.90 covering the period through 10/30/09 and have been paid as set forth on the attached lists; now, therefore, be it

RESOLVED, that the aforesaid claims shall become

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

**RESOLUTION NO. 594-09**

**11.24.09**

**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:

October 2009	
First Niagara	\$ 318.92
AmExpress	\$ 7,305.23
Sunoco	\$ 682.95
Walmart	\$ 575.00
<u>Exxon</u>	<u>\$ 53.67</u>
Total:	\$ 8,935.77

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

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

**RESOLUTION NO. 595-09**

**11.24.09**

**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:

October 2009	
Copier Leases and Maintenance:	\$ 2,855.31
<u>Postage Leases:</u>	<u>\$ 1,075.51</u>
Total:	\$ 3,930.82

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

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

**RESOLUTION NO. 596-09 (11/24/09)**

**COA-CAPH11PAYREV2**

**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)):  
 DELL:  
 Inv. No.XDFD37388.....\$ 1,043.71
2. Project #07-5 (Tyler Software):  
 TYLER TECHNOLOGIES, INC.:  
 Inv. No. 19333.....\$ 592.70  
 INN AT THE FINGERLAKES:  
 Inv. No. 4238..... \$ 140.00  
 PAUL PADLICK:  
 Reimbursement Travel Expenses – Munis Conference (10/25-29/09).....\$ 164.19  
 JOANN HILDEBRANT:  
 Reimbursement Travel Expenses – Munis Conference (10/25-29/09).....\$ 296.61  
 MARLA CONNELLY:  
 Reimbursement Travel Expenses – Munis Conference (10/25-29/09).....\$1,131.37  
 AMERICAN EXPRESS:  
 Lodging for Paul Padlick and Joann Hildebrant – Munis Conference .....\$1,063.82
3. Project #08-1 (Renovations – Mental Health, North Street and Park Street):  
 GRAY MANAGEMENT SYSTEMS :  
 Inv. No. GMS #3.....\$22,006.00  
 J.W.J INDUSTRIES, INC./d/b/a SEABIRD ENVIRONMENTAL:  
 Inv. No.5710.....\$18,600.00  
 THE CITIZEN:  
 Ad No. 405189..... \$ 42.28
4. Project No. 09-1 (Salt Storage Shed for Highway Dept.):  
 SUIT-KOTE CORPORATION:  
 Inv. No. 08408600.....\$ 17,572.47

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, Murphy, Mahunik, all in favor.

**RESOLUTION NO. 597-09 11-24-09 RPS correctionerrorsNov.09**

**Authorizing Correction of a Tax Error in the Town of Springport**

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 2009 Tax Roll, and;  
 WHEREAS, The petitions for correction were received too late to make the necessary adjustments before the extension of taxes, and;

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

RESOLVED, 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 2009 County and Town Tax Roll; and be it further

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

RESOLVED, that the 2009/2010 School Tax Roll shall also be corrected as follows:

Town of Springport: TM# 141.09-1-2.2. Assessed to the Union Springs Senior Citizens Co. This parcel had an agreed assessment reduction due to a stipulation which was only recently received by the county. The 2009-2010 school tax roll should be corrected to include the reduced assessment.

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

**RESOLUTION NO. 598-09 (11/24/09) (W&M)RetLocey&CahillReHlthInsBfts2010  
 RETAINING THE CONSULTING FIRM OF LOCEY & CAHILL, LLC FOR SERVICES IN REGARD TO  
 CAYUGA COUNTY’S HEALTH INSURANCE BENEFITS.**

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

WHEREAS, due to the soaring costs of health insurance, the County of Cayuga feels an assessment of its health insurance benefits is necessary; and

WHEREAS, the County of Cayuga previously issued Requests for Proposals for a consultant to provide Cayuga County with an assessment of its health insurance benefits; and

WHEREAS, pursuant to said Requests for Proposals, four (4) proposals were received; and

WHEREAS after careful consideration it is determined that the proposal submitted by LOCEY & CAHILL, LLC to provide annual health insurance consulting services at a total cost of \$29,973.00 is the best proposal of the four (4) received; now, therefore, be it

RESOLVED, that the proposal received by LOCEY & CAHILL, LLC to furnish annual health insurance consulting services as set forth therein is hereby accepted at a total cost of \$29,973.00; and be it further

RESOLVED, that the Chairman of the Legislature is hereby authorized to enter into an agreement with LOCEY & CAHILL to perform said services at a cost not to exceed \$29,973.00, source of funding to be from the Cayuga County Health Consortium Fund; and be it further

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

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

**RESOLUTION NO. 599-09 11/24/09 COL annexfinalmeet09  
DESIGNATING DECEMBER 17, 2009, AS THE DATE OF THE FINAL MEETING OF THE CAYUGA COUNTY LEGISLATURE FOR THE FISCAL YEAR 2009.**

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

WHEREAS, at the November 24, 2009 meeting of the Cayuga County Legislature, it was agreed that the final meeting of the year be held, December 17, 2009; now, therefore, be it

RESOLVED, that it is hereby confirmed that this December 17, 2009 meeting is hereby designated to be the final meeting of the Cayuga County Legislature for the fiscal year 2009, subject to the right of the Chairman to call a special meeting if necessary.

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

Amendment: Motion made by Schuster to change amounts of salary as stated below, seconded by Chapman, All in favor.

**RESOLUTION NO. 600-09 11/24/09coa-countyTreasurerssalary 2010-13  
Establishing the salary for the Cayuga County Treasurer**

By: Mr. Mitchell, Chairman, Ways & Means Committee

WHEREAS, it is the duty and obligation of the Cayuga County Legislature to establish compensation for officers, pursuant to Section 201 of the County Law; and

WHEREAS, it is necessary to establish the salary for the Cayuga County Treasurer, commencing January 1, 2010; now therefore be it

RESOLVED, that compensation in the form of an annual salary for the Cayuga County Treasurer is hereby established as follows:

	*Amended amount
January 1, 2010 – December 31, 2010 - \$69,000	\$66,300
January 1, 2011 – December 31, 2011 - \$71,000	\$67,625
January 1, 2012 – December 31, 2012 - \$73,000	\$68,980
January 1, 2013 – December 31, 2013 - \$75,000	\$70,360

and be it further

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

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

**RESOLUTION NO. 601-09 (December 15, 2009) HD ARRA of 2009  
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into a Contract with the NYSDOH to Accept Additional Funding Through the American Recovery and Reinvestment Act of 2009 (ARRA) to Supplement the Administration of the Early Intervention Program.**

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

Francis Mitchell, Chairman of Ways & Means Committee

WHEREAS, the State Health Department has informed local health departments of their intention to provide supplemental funding for local administration of the Early Intervention Program for the period October 1, 2009 through September 30, 2011 in the amount of \$34,375; 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 the State to accept additional funding to offset our costs for administrative responsibilities in local oversight and implementation of the Early Intervention Program; and be it further

RESOLVED, that the County Treasurer be authorized and directed to make the necessary journal and accounting entries in the 2009 Health Department Budget as follows:

Increase Appropriation Account #A40264 54000.....\$34,375  
Increase Revenue Account #A40260 44089.....\$34,375

and be it also

RESOLVED, that the Director of Health & Human Service be authorized to enter into contracts with other agencies/individuals in order to accomplish the goals of this grant without further legislative action.

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

**RESOLUTION NO. 602-09 (November 24, 2009) HD ATUPA 2009**

**Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Renew the Agreement with the State to Participate in the Youth Tobacco Enforcement and Prevention Program and Accept Funding**

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

WHEREAS, the Cayuga County Health Department contracted with the State to participate in the 100% State funded Youth Tobacco Enforcement and Prevention Program (aka ATUPA) for the period October 1, 2008 through September 30, 2009; and

WHEREAS, the New York State Department of Health continues to make funds available to municipalities for the purpose of reducing the use and accessibility of tobacco to youth under 18 years of age and to enforce the Clean Indoor Air Act; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into an agreement with the State to continue to participate in the 100% State funded Youth Tobacco Enforcement and Prevention Program for the period of October 1, 2009 through September 30, 2010 in the amount of \$33,254; and be it further

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

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

Increase Appropriation Account #A40194 54000.....\$33,254  
Increase Revenue Account #A40190 43419.....\$33,254

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

**RESOLUTION NO. 603-09 (November 24, 2009) HS WRAP 2009-2010**

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

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

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

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

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

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

Munis

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

and be it further

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to enter into a contract with Cayuga/Seneca Community Action Agency, Inc. for the period October 1, 2009 - September 30, 2010.

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

**RESOLUTION NO. 604-09 (November 24, 2009) HS FSNEP Cornell Coop 2009  
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Accept Funding for the Food Stamp Nutrition Education Program (FSNEP) and Contract With Cornell Cooperative Extension for Services Related to FSNEP**

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

WHEREAS, the Human Services Department, a division of Health & Human Services, will act as the lead agency in regards to the claiming and reporting of the Food Stamp Nutrition Education Program to the State; and

WHEREAS, this program will provide nutrition education activities to any individual or household potentially eligible to participate in the Food Stamp Program, as well as current recipients; and

WHEREAS, the Department of Health and Human Services desires to renew their contract with Cornell Cooperative Extension which would allow the Human Services Division to reimburse Cornell Cooperative Extension and claim these expenditures at 100% Federal reimbursement; and

WHEREAS, the Human Services Department relies on Cornell Cooperative Extension to assist the above noted food stamp applicants and recipients, by providing them with nutritional education in order to help them adopt a more nutritional lifestyle as well as utilize their food stamp benefits more efficiently; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to accept 100% federal funding for the Food Stamp Nutrition Education Program for the period October 1, 2009 through September 30, 2010 in the amount of \$111,928, and enter into a contract for the above services with Cornell Cooperative Extension; and be it further

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

Increase Account A60704 54227 Education Services to Recipients .....\$111,928

Increase Account A60700 44670 Federal Aide Client Services.....\$111,928

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

**RESOLUTION NO. 605-09 (November 24, 2009) HS Accept OCFS Funding 2009  
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Accept \$88,200 funding from NYS OCFS for Alternatives to Detention for PINS and JD Youth and Continue Our Contract with Cayuga Home for Children**

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

WHEREAS, the NYS Office of Children and Family Services (OCFS) has approved Cayuga County Human Services' application for SFY 2009-2010 Funding for Prevention of Detention and Services to Youth at Risk of Becoming a PINS or Entering the Juvenile Justice System in the amount of \$88,200 (100% funding); and

WHEREAS, in order to implement this program, we desire to partner with Cayuga Home for Children using a multi-systemic therapy (MST) approach, the primary goals of which are (a) reduce youth criminal activity; (b) reduce other types of antisocial behavior such as drug abuse; and (c) achieve these outcomes at a cost savings by decreasing rates of out-of-home placements and detention; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of the Health and Human Services Department be authorized to accept \$88,200 from NYS OCFS and to continue our contract with Cayuga Home for Children for the period December 1, 2009 – June 30, 2010; 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 Revenue Account #A60700 44670.....\$88,200

Increase Expenditure Account #A60704 54151.....\$88,200

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

**RESOLUTION NO. 606-09                      Date of Meeting: 11/24/09                      NHagreehospice**  
**AUTHORIZING THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME AND THE CHAIR OF THE LEGISLATURE TO ENTER INTO AN AGREEMENT WITH HOSPICE OF THE FINGER LAKES FOR HOSPICE SERVICES TO BE PROVIDED AT THE NURSING HOME.**

BY: Francis Mitchell, Chairman, Ways and Means Committee

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

WHEREAS, the Nursing Home has had an agreement with Hospice of the Finger Lakes for the past five (5) years; and

WHEREAS, those services have benefited the residents and staff at the nursing home; and

WHEREAS, Hospice of the Finger Lakes has reimbursed the facility at the Medicaid rate as a pass through; therefore be it RESOLVED that the Administrator of Cayuga County Nursing Home and Chair of the Legislature sign an agreement for the necessary services and the associated reimbursement.

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

**DEFEATED**

**DEFEATED**

RESOLUTION NO. 607-09

Date of Meeting: 11/24/09      NHpurplowtrk

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ACCEPT A PROPOSAL FOR REPLACEMENT OF THE PICK UP TRUCK AT THE NURSING HOME.**

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

BY: Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, the truck at the Nursing Home needs replacement, and

WHEREAS, the Administrator of the Nursing Home found available vehicles through state contract; and,

WHEREAS, Van Bortal Ford has a vehicle meeting the necessary specifications for \$ 23, 026.75; now therefore be it, RESOLVED, that the proposal be awarded to Van Bortal Ford for \$23,026.75 (Twenty-three thousand twenty- six dollars and seventy-five cents).

Discussion: Deb English, no effect on the levy.

Fearon, it still will affect the levy, cheaper to bid.

Palermo, I thought we were going to consolidate, everybody has a truck. I vote no.

Schuster, truck would be used more than just for snow?

Deb English, yes.

**Motion by Lockwood to table**, 2<sup>nd</sup> by Palermo, defeated by roll call vote. Noes – Schuster, Petrus, Fearon, Mitchell, Murphy, Mahunik, Sincebaugh, Aikman, Tortorici. Ayes – Palermo, Chapman, Axton, Lockwood, Cuddeback.

Excused Mills. Vote – 469/334/79

**Roll call vote** on resolution: **Defeated**. Noes – Palermo, Chapman, Axton, Lockwood, Fearon, Cuddeback, Tortorici.

Ayes – Schuster, Petrus, Mitchell, Murphy, Mahunik, Sincebaugh, Aikman. Excused Mills. Vote – 448/335/79.

**RESOLUTION NO. 608-09(November 24, 2009)      HD Venesky Contract D&TC**  
**Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Renew Our Contract with Jack Venesky, CPA, for Auditing and Consulting Services for the Health Department's Diagnostic and Treatment Center**

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

Francis Mitchell, Chairman of the Ways & Means Committee

WHEREAS, the Health Department desires to obtain professional accounting and auditing services for its Diagnostic and Treatment Center Program to properly compile the AHCF-1 (D&TC) Medicaid Cost Reports to be filed with the New York State Department of Health (NYSDOH) for the time periods October 2009 – August 2010, September 2010 – August 2011, and September 2011 – August 2012; and

WHEREAS, we have successfully utilized the services of Mr. Venesky, CPA, for Medicaid Cost Reports in the past;

NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to renew the 3-year contract from October 1, 2009 through August 30, 2012 with Jack Venesky, CPA at an annual cost of \$7,500 to be expended from Account #A40104 54059 of the Health Department's Budget.

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

**RESOLUTION NO. 609-09 (November 24, 2009)**

**HD Fill 3 PT RPNs at CHHA**

**Authorizing the Director of Health & Human Services to Fill Two Part-Time Sub RPN Vacancies and One Part-Time RPN Vacancy at the CHHA Due to Resignations**

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

WHEREAS, in November we will have two full-time RPNs out on leave, one a medical leave and one a maternity leave; and; and

WHEREAS, we have two part-time sub RPN vacancies and one part-time RPN vacancy that are vacant and funded in the Health Department's budget; and

WHEREAS, if we are successful in filling these two part-time sub RPN vacancies and the one part-time RPN vacancy, we can maintain services during our full-time RPNs' absences without relying on more costly contract RPNs; and

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

RESOLVED, that the Director of Health & Human Services be authorized to fill the two Part-Time Sub RPN vacancies and one Part-Time RN vacancy at the CHHA in a manner consistent with the rules and regulations of the County of Cayuga and the Cayuga County Civil Service Commission.

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

**RESOLUTION NO. 610-09 (November 24, 2009) HD Fill Temp RPN at CHHA**

**Authorizing the Director of Health & Human Services to Fill a Temporary RPN at CHHA Due to Medical Leave of Absence**

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

WHEREAS, there will be a Temporary RPN vacancy at the CHHA due to a Medical Leave of Absence (from approximately November 15, 2009 through May 1, 2010); and

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

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

RESOLVED, that the Director of Health & Human Services be authorized to fill the Temporary RPN vacancy and any fill behinds that may occur in a manner consistent with the rules and regulations of the County of Cayuga and the Cayuga County Civil Service Commission.

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

**RESOLUTION NO. 611-09 (November 24, 2009) HS Amend 2009 Human Services Budget  
Authorizing the County Treasurer to Amend the 2009 Cayuga County Human Services Budget**

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

WHEREAS, after the submission of the 2009 Human Services Budget, it has been determined that additional funding is needed in several mandated Social Services accounts; and

WHEREAS, funds are available for transfer in other Human Services accounts due to unexpected under spending;

NOW, THEREFORE BE IT

RESOLVED, that the County Treasurer be authorized and directed to make the following transfers within the 2009 Human Services Budget:

Appropriation Accounts:

Increase #A60104 54208 State Charge-Backs.....\$ 35,000

Increase #A61194 54000 Foster Care.....\$900,000

Increase #A61424 54000 Emergency Asst. for Adults.....\$ 15,000

Decrease #A61004 54000 Medicaid.....\$950,000

and be it further

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

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

**RESOLUTION NO. 612-09**

**Action 11.24.09 MHContractEastHill11.09**

**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 EAST HILL FAMILY MEDICAL**

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

WHEREAS, East Hill Family Medical has been designated to provide short-term mental health services; and

WHEREAS, they anticipate a need for their medical staff to confer with psychiatric professionals; and

WHEREAS, there will be some individuals who will require referral for services beyond those provided under the short-term East Hill program; and

WHEREAS, a number of individuals in need of longer treatment services will be referred to the Community Mental Health Center of Cayuga County therefore it would be advantageous for Community Mental Health staff to be involved in the consultative process in anticipation of serving those individuals; and

WHEREAS, East Hill Family Medical has agreed to pay the Community Mental Health Center for telephone consultation at a rate of \$175.00 per hour for a minimum of four hours weekly; therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature and Director of the Community Mental Health Center of Cayuga County be authorized to enter into an agreement with East Hill Family Medical to authorize professional psychiatric staff from the Mental Health Department to provide this telephone consultation.

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

**RESOLUTION NO. 613-09 11/24/09**

**MHFundFillSSWfromContract**

**AUTHORIZE THE FUNDING AND FILLING OF A FULL-TIME STAFF SOCIAL WORKER (CMH) AT THE CAYUGA COUNTY COMMUNITY MENTAL HEALTH CENTER AND THE ABOLISHMENT OF A CONTRACTED STAFF SOCIAL WORKER TITLE**

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

WHEREAS, the Community Mental Health Center of Cayuga County is staffed primarily with salaried employees supplemented by contracted clinicians; and

WHEREAS, review of contracted services has identified the position of Staff Social Worker as one that should appropriately be identified as a salaried employee according to Internal Revenue Service regulations; and

WHEREAS, there is a continued need for services that are currently being provided by the contracted clinician; now, therefore, be it

RESOLVED, that the currently unfunded position of Staff Social Worker (CMH), position code 5146, be funded as reflected in the Cayuga County Compensation Plan; and be it further

RESOLVED, that one contracted Staff Social Worker title will be abolished, and be it further

RESOLVED, that the Director of Community Mental Health Services be authorized and directed to fill the position of Staff Social Worker (CMH) in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of Cayuga County, and be it further

RESOLVED, that the Cayuga County Treasurer be directed and authorized to make the necessary accounting entries transferring budgeted funds in the 2009 Cayuga County Budget as follows:

From A43104-54330	Medicaid Eligible to A43101-51000 Salaries	\$4,232
From A43104-54330	Medicaid Eligible to A43101-58001 Social Security	324
From A43104-54330	Medicaid Eligible to A43101-58002 Retirement	339
From A43104-54330	Medicaid Eligible to A43101-58003 Health Insurance	467
From A43104-54330	Medicaid Eligible to A43101-58004 Dental Insurance	33

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

**RESOLUTION NO. 614-09 11/24/09MHBudAdj11.09Rev**  
**AMENDING THE 2009 MENTAL HEALTH BUDGET BY A TRANSFER OF FUNDS FROM VARIOUS ACCOUNTS TO ACCOUNT A43104-54330 FOR PAYMENT OF CONTRACTED CLINICAL SERVICES**

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

WHEREAS, the expenditure line for contracted clinical services, identified as "Medicaid Eligible" expenses, was reduced during the budgetary process in part due to the conversion of several staff from contractual to salaried; and  
WHEREAS, in order to maintain professional services, hourly rates for contracted psychiatrists were increased and, in addition, a nurse practitioner was retained following the development of the 2009 budget; and  
WHEREAS, due to the aforementioned factors there are inadequate funds allocated in the 2009 Mental Health Department budget, line A43104-54330, Medicaid Eligible; and  
WHEREAS, upon thorough review of the 2009 Mental Health Budget there are available funds that can be transferred to cover the additional costs for these professional clinical staff; now, therefore, be it  
RESOLVED, that budget account 4310, line A43104-54330, be increased by \$70,000 from \$330,000 to \$400,000 and that these additional funds be transferred from the following lines:

A4310	Line A43104-54008	Auto Exp-Motor Pool	\$ 6,000.00
	Line A43104-54018	Computer Software	\$ 1,500.00
	Line A43104-54023	Electric Service	\$ 6,000.00
	Line A43104-54024	Gas Service	\$18,000.00
	Line A43104-54052	Medical Supplies	\$ 300.00
	Line A43104-54055	Postage	\$ 2,782.00
	Line A43104-54058	Dues Professional Organizations	\$ 300.00
	Line A43104-54069	Emergency Housing	\$ 600.00
	Line A43104-54070	Stationary and Forms	\$ 748.00
	Line A43104-54081	Client Transportation	\$ 600.00
	Line A43104-54112	Mileage Reimb-Staff	\$ 1,500.00
A4311	Line A43111-58001	Fringe Benefits-Social Security	\$ 4,800.00
	Line A43114-54008	Auto Expense-Motor Pool	\$ 7,000.00

	Line A43114-54030	Food Purchased for Meetings	\$ 200.00
	Line A43114-54067	Seminars and Conferences	\$ 250.00
	Line A43114-54070	Stationary & Forms	\$ 200.00
	Line A43114-54073	Contracts	\$ 2,850.00
	Line A43114-54075	Telephone Line	\$ 500.00
	Line A43114-54081	Transport of Clients	\$ 250.00
	Line A43114-54146	Repairs Other than Bldgs	\$ 150.00
	Line A43114-54159	Infectious Control	\$ 350.00
	Line A43114-54202	Patient Rehabilitation	\$ 1,000.00
	Line A43114-54211	Internet Service	\$ 550.00
A4313	Line A43134-54008	Auto Expense-Motor Pool	\$ 4,700.00
	Line A43134-54055	Postage	\$ 1,000.00
	Line A43134-54065	Rental of Facilities	\$ 2,020.00
	Line A43134-54067	Seminars and Conferences	\$ 400.00
	Line A43134-54081	Transport of Clients	\$ 670.00
	Line A43134-54084	Travel & Exp/Out of County	\$ 100.00
	Line A43134-54112	Mileage Reimb – Staff	\$ 200.00
A4317	Line A43174-54049	Office Supplies	\$ 500.00
	Line A43174-54055	Postage	\$ 611.00
	Line A43174-54059	Professional Services	\$ 2,756.00
	Line A43174-54112	Mileage	\$ 613.00

and be it further

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

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

**RESOLUTION NO. 615-09                      11/24/09      NHmaingenerators**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO ACCEPT A PROPOSAL FOR PREVENTIVE MAINTENANCE OF THE GENERATORS AT THE NURSING HOME, MENTAL HEALTH AND THE COUNTY OFFICE BUILDING.**

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

BY: David Axton, Chairman, Public Works Committee

BY: Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, the generators at the Nursing Home, Mental Health Center and County Office Building require preventive maintenance twice per year, and

WHEREAS, the request for proposals has been sent out to four regional firms; and,

WHEREAS, three (3) firms responded with proposals; and,

WHEREAS, the following proposals were received:

Kinsley Power Systems \$2125.00;

Kraft Power Corporation \$1007.80

Penn Power Systems \$1345.00; and,

WHEREAS, comparison was made of the three proposals considering the services to be performed and costs; and

WHEREAS, the proposal submitted by Kraft Power Corporation contains all of the elements anticipated in the specifications; now therefore be it,

RESOLVED, that the proposal be awarded to Kraft Power Corporation for \$1007.80 (One thousand seven dollars and eighty cents) annually for 3years.

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

**RESOLUTION NO. 616-09                      11/24/09      NHagreeStericycle**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO SIGN AN AGREEMENT WITH STERICYCLE, INC TO REMOVE REGULATED MEDICAL WASTE FOR 3 YEARS.**

BY: Francis Mitchell, Chairman, Ways and Means Committee

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

WHEREAS, the Cayuga County Nursing Home has the need to have medical waste removed by an authorized medical waste company; and,  
WHEREAS there are two medical waste companies that service the county of Cayuga; and,  
WHEREAS the current vendor, Stericycle has proposed a rate change that will off set additional charges so that the annualized amount will be \$8616.00; 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 Stericycle, Inc.  
Signed by Petrus, Aikman, Cuddeback, Mills, Murphy, Schuster, Sincebaugh, Mitchell, Axton, Chapman, Lockwood, Mahunik, all in favor.

**RESOLUTION NO. 617-09                      11/24/09      NHagreeIndustforDisabled**  
**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ENTER INTO AN AGREEMENT WITH NEW YORK STATE INDUSTRIES FOR THE DISABLED (BATES TROY LAUNDRY) TO PROVIDE CONTRACT LINEN SERVICE TO THE NURSING HOME.**

BY: Ann Petrus, Chairman, Health & Human Services Committee  
BY: Francis Mitchell, Chairman, Ways & Means Committee  
WHEREAS, the Nursing Home has had linen service provided by New York State Industries for the Disabled for the past 4 years; and,  
WHEREAS, those services have been provided in a satisfactory manner; and  
WHEREAS, the agreement allows for an extension of 1 year, Now therefore be it  
RESOLVED that the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home be authorized to sign an agreement for an extension of one year with New York State Industries (Bates Troy Laundry) for said services at an estimated cost of \$79,000.00 (Seventy-Nine Thousand dollars), depending on actual usage.  
Signed by Petrus, Aikman, Cuddeback, Mills, Murphy, Schuster, Sincebaugh, Mitchell, Axton, Chapman, Lockwood, Mahunik, all in favor.

**RESOLUTION NO. 618-09                      11/24/09NHagreeHenderson**  
**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ENTER INTO AN AGREEMENT WITH JASON HENDERSON DMD FOR DENTAL SERVICES OF CAYUGA COUNTY NURSING HOME.**

BY: Francis Mitchell, Chairman, Ways and Means Committee  
BY: Ann Petrus, Chairman, Health and Human Services Committee  
WHEREAS, Cayuga County Nursing Home is required to provide the residents of the facility with dental services; and  
WHEREAS, It is necessary to contract with a dentist from outside the facility to provide this service; and  
WHEREAS, Cayuga County Nursing Home has been able to identify a dentist willing to provide the service as set forth in the attached agreement for provision of services; and  
WHEREAS, the compensation for the services of Jason Henderson DMD shall be at a rate of \$ 500.00 (Five Hundred Dollars) on a monthly basis after submission of a voucher for services; now therefore be it  
RESOLVED that the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home be authorized to enter into an agreement with Jason Henderson DMD for a period of 3 years, from January 1, 2010 to December 31, 2012.  
Signed by Petrus, Aikman, Cuddeback, Mills, Murphy, Schuster, Sincebaugh, Mitchell, Axton, Chapman, Lockwood, Mahunik, all in favor.

**RESOLUTION NO. 619-09                      11/24/09                      NHagreeGiacona**  
**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ENTER INTO AN AGREEMENT WITH MARY GIACONA FOR COSMOTOLOGY SERVICES AT THE CAYUGA COUNTY NURSING HOME.**

BY: Francis Mitchell, Chairman, Ways and Means Committee  
BY: Ann Petrus, Chairman, Health and Human Services Committee  
WHEREAS, Cayuga County Nursing Home makes available cosmetology services to the residents of the facility; and  
WHEREAS, It is necessary to contract with a licensed person to provide this service; and  
WHEREAS, Cayuga County Nursing Home has been able to identify a beautician willing to provide the service as set forth in the attached agreement for provision of services; and  
WHEREAS, the residents pay for their own services and the facility staff assists the residents through their personal account system; now therefore be it  
RESOLVED that the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home be authorized to enter into an agreement with Mary Giacona, licensed beautician.

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

**RESOLUTION NO. 620-09 November 24, 2009** **ITVPN-firewall2009A.doc**  
**AUTHORIZING THE INFORMATION TECHNOLOGY DEPARTMENT TO REPLACE OUTDATED VPN/FIREWALL EQUIPMENT**

By: Michael Chapman, Chairman, Government Operations Committee  
Frances Mitchell, Chairman Ways and Means Committee

WHEREAS, there are various employees, vendors, local Governments, and agencies that need to access the County networks remotely, and

WHEREAS, the equipment to accomplish this needs to be updated, and

WHEREAS, funds to accomplish the upgrade are included in the 2009 Information Technology budget; therefore be it RESOLVED, that the Information Technology Department is authorized to purchase the equipment and related software on New York State contract in the amount not to exceed \$8,500.00 from Account No. A16102 52007; 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 Chapman, Fearon, Mahunik, Mitchell, Schuster, Sincebaugh, Axton, Lockwood, all in favor.

**RESOLUTION NO. 621-09 November 24, 2009** **ITHardDriveDegausser2009.doc**  
**AUTHORIZING THE INFORMATION TECHNOLOGY DEPARTMENT TO PURCHASE HARD DRIVE/TAPE DEGAUSSER**

By: Michael Chapman, Chairman, Government Operations Committee  
Frances Mitchell, Chairman Ways and Means Committee

WHEREAS, The County needs to protect client data, and

WHEREAS, before recycling and disposing of all outdated computers, back-up tapes, and disks that may contain client or other County data, the County needs to ensure that any data on these hard drives, back-up tapes, or disks has been removed and is un-recoverable; therefore be it

RESOLVED, that the Information Technology Department is authorized to purchase a HIPAA compliant Hard Drive and Tape Degausser system in the amount of \$3,489.00 from Account No. A16102 52003; 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 Chapman, Fearon, Mahunik, Mitchell, Palermo, Schuster, Sincebaugh, Axton, Lockwood, all in favor.

**RESOLUTION NO. 622-09 11-24-09** **COMemployhandbook**  
**AMENDING CAYUGA COUNTIES POLICY STATEMENT**

BY: Hon. Michael Chapman, Chairman Government Operations Committee

WHEREAS, on April 22, 2008 the Cayuga County Legislature adopted resolution number 281-08 which amended certain County policies including the County Policy Statement in relation to violence in the workplace; and

WHEREAS, after a review of the policy statement an error has been identified and needs to be amended; now therefore be it

RESOLVED, that the Cayuga County Policy Statement be amended to state that all local, State and Federal law enforcement officers, Security Officers, Judges, District Attorney or his/he staff and Peace Officer or Correction Officer while on duty had the authority to carry guns and or other work related weapons onto Cayuga County properties in accordance with Local Law No. 2 of the year 1995; and it is further

RESOLVED, the County Legislature shall reserve the right to amend or modify the terms of said policy statement at any time.

Signed by Chapman, Palermo, Fearon, Mitchell, Schuster, Sincebaugh, all in favor.

**RESOLUTION NO. 623-09**

**11/24/09**

**CoAtty-Reclassification09**

**AUTHORIZING CLASSIFICATION SURVEY ADOPTED BY THE CIVIL SERVICE COMMISSION FOR THE COUNTY ATTORNEY'S OFFICE.**

Hon. Michael Chapman, Chairperson, Government Operations Committee

Hon. Francis Mitchell, Chairperson, Ways and Means Committee

WHEREAS; the Cayuga County Civil Service Commission performed a classification survey on all staff attorney positions within the County Attorney's Office; and

WHEREAS, the Commission reviewed the classification questionnaires submitted by the Assistant County Attorney and the Social Services Attorneys to compare duties; and

WHEREAS, the Commission also evaluated the job specifications for both titles and concluded that all attorneys in the County Attorney's Office were performing a combination of the two titles; and

WHEREAS, the proposed allocation of positions was discussed and employees were notified of any proposed changes with the classification of positions; and

WHEREAS, an appeal process was given to the employees in compliance with Civil Service Law and Regulations; now, therefore be it

RESOLVED, that the attached reclassification plan be hereby adopted by the Legislature with the following changes to the department effective immediately as there will be no change in compensation:

1. Create two Assistant County Attorney positions and abolish one Social Services Attorney and one Social Services Attorney, part-time effective immediately
2. Move all positions under the County Attorney's jurisdiction (County Attorney and County Attorney-DSS) to the County Attorney's Office under A14200 effective immediately; and be it further

RESOLVED, that the Part IV of the Cayuga County Compensation Plan for Administrative and Department Heads be hereby amended to the following schedule effective immediately:

Under County Attorney:

Assistant County Attorney (Pos No 0037)	\$70,874	and move to A14200
Assistant County Attorney (Pos No. 2284)	\$63,156	and abolish from Comp Plan under Social Services
Assistant County Attorney (Pos. No. 2283)	\$46,369	and abolish from Comp Plan under Social Services
Assistant County Attorney (Pos. No. 6919)	\$75.00 per hour	

And be it further

RESOLVED, that the county attorney be hereby authorized and directed to fill the two new Assistant County Attorney positions for a total of four Assistant County Attorney positions, two full time and two part-time; and be it further

RESOLVED, that all four positions under law could act for and in place of the County Attorney in his/her absence or direction with the order of authority to be filed with the Cayuga County Clerk's office; and be it further

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

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

**RESOLUTION NO. 624-09 (11/24/09) COA-ProtectingCo'sOwnershipIntInOTB Revised 10/28/09  
A RESOLUTION REFLECTING THE SENSE OF THIS BODY THAT CAYUGA COUNTY'S OWNERSHIP  
INTEREST IN THE WESTERN REGIONAL OFF-TRACK BETTING CORPORATION MUST BE  
PROTECTED.**

BY: MR. CHAPMAN, Chairman, Government Operations Committee, and  
MR. MITCHELL, Chairman, Ways & Means Committee.

WHEREAS, the six regional Off-Track Betting Corporations (OTBs) are public benefit corporations created by a statute that deals in pari-mutuel wagering and disburses monies to each of its participating members; and

WHEREAS, New York State and its municipalities are facing financial and budget issues due to the most significant national economic downturn since the Great Depression; and

WHEREAS, over the past 30 years, 43 counties and municipalities have received more than \$3 billion in revenue from the six New York OTBs that have been used to offset local real property taxes; and

WHEREAS, any negative impact on the financial and operational relationship that counties have with regional OTBs would negatively affect counties and their ability to offset real property taxes with these revenues; and

WHEREAS, it must be taken into account that these monies have been negatively impacted by State policy changes that have impacted the statutory distribution formula and operational expenses of OTB's; and

WHEREAS, under the current regulation and statutory distribution systems, running an OTB successfully seems to be impossible, as shown by the recent State Comptroller audit report of the state-run New York OTB which cited dated distribution formulas as a contributing factor to the OTB's financial decline; and

WHEREAS, out-of-state wagering through advanced deposit wagering accounts (ADWs) are estimated to take away more than \$250 million in wagers from OTB's and deny revenue to State and local governments by avoiding the State regulatory fees that aid in education and government programs, there making in-state versus out-of-state wagering an unlevel playing field; now, therefore be it

RESOLVED, that Cayuga County Legislature calls on the Governor and State Legislature to preserve the county stake in the future of Off Track Betting Corporations; and be it further

RESOLVED, that Cayuga County Legislature supports the modernization of OTB operations through legislation that addresses the lost revenues of the New York State racing and wagering industry due to out-of-state wagering accounts that are not included to pay the same taxes and impose the same regulations as in-state wagering accounts; and be it further

RESOLVED, that Cayuga County supports Off-Track Betting Corporations and their continued efforts to increase revenue for its participating members; and be it further

RESOLVED, that future State legislation and policy decisions regarding the racing industry consider the impact that they will have on counties and local property taxpayers they serve; and be it further

RESOLVED, that a certified copy of this resolution be delivered to Governor David A. Paterson, the New York State Legislature and all others deemed necessary and proper.

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

**RESOLUTION NO 625-09 November 24, 2009 IT Hard Drive Encryption System12009A.doc  
AUTHORIZING THE INFORMATION TECHNOLOGY DEPARTMENT TO PURCHASE HARD DRIVE  
ENCRYPTION SYSTEM**

By: Michael Chapman, Chairman, Government Operations Committee  
Frances Mitchell, Chairman Ways and Means Committee

WHEREAS, The County needs to protect client data, and  
WHEREAS, the County needs to ensure that any client data on its portable laptops and notebooks is encrypted in case of loss or theft there by preventing use of the data by unauthorized persons; therefore be it  
RESOLVED, that the Information Technology Department is authorized to purchase encryption software in the amount of \$8,951.28 from Account No. A16102 52003 and directing the Information Technology Department to install encryption software on all existing County owned laptops and notebooks to ensure County data on these devices hard drives is encrypted; and be it further  
RESOLVED, that from this day forward any new County owned laptops and notebooks are to be encrypted before deployment unless the intended use prevents the use of encryption software; 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 Chapman, Fearon, Mahunik, Mitchell, Palermo, Schuster, Sincebaugh, Axton, Chapman, Lockwood, Mahunik, all in favor.

**DEFEATED**

**DEFEATED**

**DEFEATED**

RESOLUTION NO. 626-09 (11.24.09) COA-HomeRuleReqTochg1/4%mtgtxrev3  
REQUESTING STATE HOME RULE LEGISLATION TO PERMIT THE COUNTY OF CAYUGA, ACTING THROUGH ITS LOCAL LEGISLATIVE BODY, BE AUTHORIZED AND EMPOWERED TO ADOPT AND AMEND LOCAL LAWS IMPOSING A TAX OF TWENTY-FIVE CENTS FOR EACH ONE HUNDRED DOLLARS AND EACH REMAINING MAJOR FRACTION THEREOF OF PRINCIPAL DEBT OF OBLIGATION WHICH IS SECURED BY A MORTGAGE ON REAL PROPERTY SITUATED IN THE COUNTY OF CAYUGA.

BY: Mr. Michael Chapman, Chair, Government Operations

MR. Francis Mitchell, Chair, Ways & Means Committee.

WHEREAS, the Cayuga County is making capital improvements to the Mental Health building located at 146 North Street; and

WHEREAS, the County is contemplating other capital projects; and

WHEREAS, the Cayuga County is in favor of requesting Home Rule Statute empowering the County to adopt and amend local laws imposing a tax of twenty-five cents for each one hundred dollars and each remaining major fraction thereof of principal debt of obligation which is secured by a mortgage on real property situated in the County of Cayuga; 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 empowering the County to adopt and amend local laws imposing a tax of twenty-five cents for each one hundred dollars and each remaining major fraction thereof of principal debt of obligation which is secured by a mortgage on real property situated in the County of Cayuga; and be it further

RESOLVED, that the County requests that the new provision to sunset to be tied to the period of probable usefulness of the project which is twenty-five (25) years.

**Defeated by Roll Call Vote** – Noes- Palermo, Axton, Petrus, Lockwood, Cuddeback, Mahunik, Aikman.

Ayes- Schuster, Chapman, Fearon, Mitchell, Murphy, Sincebaugh, Tortorici. Excused Mills. Vote – 405/398/79.

**RESOLUTION NO. 627-09 Date: November 24, 2009 vetstransferfurniture**

**AUTHORIZATION FOR THE VETERAN'S DEPARTMENT TO TRANSFER FUNDS FOR THE PURPOSE OF PURCHASING OFFICE FURNITURE**

By: Michael Chapman, Chairman Government Operations Committee

Francis Mitchell, Chairman Ways and Means Committee

WHEREAS, the current office furniture in the Veterans's Department is in need of immediate replacing; and

WHEREAS, funds are needed in the 2009 Veterans equipment account to purchase office furniture; and

WHEREAS, there is an excess of monies budgeted in the 2009 Veteran's postage and Office Supplies line item; now therefore be it

RESOLVED, to allow the Veterans Department to transfer \$1000.00 from A65104 54055 (Postage) and \$577.00 from A65104 54049 (office supplies) to A65102 52000 (Equipment); 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 Chapman, Fearon, Mitchell, Mahunik, Axton, Lockwood, Murphy, Petrus, all in favor.

**RESOLUTION NO. 628-09 (11/24/09) (P&T) RFP Ag Museum Addition 11 09**  
**AUTHORIZING THE CLERK OF THE CAYUGA COUNTY LEGISLATURE TO ADVERTISE AND RECEIVE REQUEST FOR PROPOSALS FOR THE DESIGN AND CONSTRUCTION OF A CLIMATE CONTROLLED CONFERENCE ROOM AND LIBRARY AT THE WARD W. O'HARA AGRICULTURAL MUSEUM**

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

Whereas, the Ag Museum Board of Commissioners have been raising money (so far \$14,000) for a climate controlled conference room and library to the Ward W. O'Hara Agricultural Museum; and

Whereas, the Parks and Trails Department, The Parks Commission and the legislature have supported this effort by budgeting \$15,000 toward this project in 2009 and currently plan to budget another \$15,000 for 2010;and

Whereas, the parks department has been approached by two potential donors for the project, one being the Dr. Joseph F. Karpinski Sr. Foundation and the other being the O'Hara family; and

Whereas, the Parks Department would like to get a firm cost for the design and construction of the building; now, therefore be it

Resolved, that the Clerk of the Legislature is hereby authorized and directed to advertise for interested parties to submit proposals for the design and construction of the code compliant climate controlled conference room and library, and be it further

Resolved, such proposals will then be considered by, The Park Maintenance Supervisor, the Ag Museum Director, the Ag Museum Board of Commissioners, the County Attorney, and the Parks Commission, and be it further

Resolved, that proposals deemed to have merit will be submitted for approval to the Public Works Committee, the New York State Office of Parks Recreation and Historic Preservation and ultimately the Cayuga County Legislature.

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

**RESOLUTION NO. 629-09 Date: 11/24/09 P&T Budget Transfer 11 09**  
**AUTHORIZING TRANSFER OF 2009 BUDGETARY FUNDS FROM GAS SERVICE TO WATER AND SEWER**

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

Whereas, the 2009 Emerson Park Budget included \$9,775 in Munis # A71104.54068 for water and sewer; and

Whereas, the Towns of Fleming and Owasco have increased their fees for water and sewer; and

Whereas, the increases took place after the adoption of the 2009 budget; and

Whereas, the remaining funds in A71104.54068 will neither pay the current bill from the Town of Owasco, nor remaining bills from both towns, now therefore be

Resolved, that the Cayuga County Treasurer be directed to transfer within the 2009 Emerson Park budget as follows: \$3,200 from Munis # A71104.54024 Gas Service and \$3,200 from Munis #A71104.54023 for a total of \$6,400 into Munis # A71104. 54068, Water and Sewer.

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

**RESOLUTION NO. 630-09      November 24, 2009      Hwybudtranssalaries09**

**Authorization to Amend the 2009 Cayuga County Highway Budget**

BY: David Axton Chairman, Public Works Committee

Francis Mitchell Chairman, Ways and Means Committee

WHEREAS, after the submission of the 2009 Cayuga County Highway Budget, it appears that the allocation of Highway salaries has been different than originally predicted; and

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

WHEREAS, it is necessary to amend the 2009 Highway Budget to more accurately reflect the salary allocation; 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>
D50101 51001 (FT Regular)	\$0	\$20,000
D51101 51001 (FT Regular)	\$0	\$40,000
DM51301 51001 (FT Reg)	\$60,000	\$0
D51101 51003 (FT Overtime)	\$ 0	\$210,000
D51131 51003 (FT Overtime)	\$ 9,000	\$0
D51421 51003 (FT Overtime)	\$125,000	\$0
D51441 51003 (FT Overtime)	\$ 75,000	\$0
D51481 51003 (FT Overtime)	\$ 1,000	\$0

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, Mitchell, Palermo, Petrus, all in favor.

**RESOLUTION NO. 631-09      Date: November 24, 2009      HWYcrossabandonrd**

**AUTHORIZING THE ABANDONMENT AND/OR DISCONTINUANCE OF "CROSS" RD**

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

Hon. Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, "Cross" Road, is a usable highway located in the Town of Fleming running from Route 38 to Sand Beach Road; and

WHEREAS, clear ownership of the road was hard to establish in the past; and

WHEREAS, this road was a state highway that was believed to be turned over for maintenance responsibility to the Town of Fleming; and

WHEREAS, the county highway department has been providing snow and ice removal on this section of road; and

WHEREAS, the Town of Fleming and Cayuga county have been approached by the adjacent landowner on Cross road which is common ownership; 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 to the Town of Fleming; now therefore be it

RESOLVED, that Cross Road, be discontinued as a county highway; and be it further

RESOLVED, that any interest Cayuga County has in the section of road is to be conveyed to the Town of Fleming.

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



**RESOLUTION NO. 634-09 11/24/09 Bldgs Awrdng lmbngBhvraHelth Prjctrjctprorbd rev4  
Awarding the Plumbing Contractor bid for the Behavioral Health Project and rescinding Resolution No. 589-09.**

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

HON. 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, bids have been received for the Plumbing Contractor portion of the building project (see attached); and

WHEREAS, the lowest bidder is Unified Mechanical Construction and Green Plumbing, Inc. is the second lowest bidder; and

WHEREAS, that the City of Auburn asserts that the provisions of Article 4 of the General City Law regulates the trade or business of plumbing in the City of Auburn, New York and that these provisions require that plumbers engaged in the business of plumbing be certified by the City of Auburn's examining board of plumbers; and

WHEREAS, Resolution No. 589-09 awarded the plumbing bid to United Mechanical Construction upon the condition that it take and pass the board of plumbers examining process; and

WHEREAS, United Mechanical Construction by notice dated November 17, 2009 indicates that it is unable to take the plumbing examination due to prior commitments (see attached) and

WHEREAS, Green Plumbing Inc is a licensed plumber in the city of Auburn and is the second bidder; now therefore let be it

RESOLVED, that Resolution No. 589-09, awarding the plumbing bid to United Mechanical Construction is hereby rescinded; and be it further

RESOLVED, that the Cayuga County Legislature award the Plumbing Contractor bid to Green Plumbing, Inc. at a cost not to exceed \$277,200.00; and be it further

RESOLVED, that if Unified Mechanical Construction does not pass City of Auburn Plumbing test and obtain a plumbing license, that the agreement with United Mechanical Construction shall be terminated ; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature sign all contracts, to implement the intent of this resolution, and be it be 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, Lockwood, Mitchell, Palermo, Sincebaugh, Chapman, Murphy, Mahunik, Petrus, all in favor.

**(PULLED) Motion by Petrus to pull HH-14, all in favor**

**AUTHORIZING THE PURCHASING AGENT OF THE CAYUGA COUNTY LEGISLATURE AND THE ADMINISTRATOR OF THE NURSING HOME TO ADVERTISE AND RECEIVE BIDS FOR THE REPLACEMENT OF THE PICK UP TRUCK AT THE CAYUGA COUNTY NURSING HOME**

BY: Ann Petrus, Health and Human Services

Whereas, the Cayuga County Nursing Home requires replacement of the pick up truck at the Cayuga County Nursing Home; and

Whereas, the replacement is included in the budget for 2010; 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 replacement of the pick up truck.

**RESOLUTION NO. 635-09 (11/24/09) ACPtransfer09  
Authorizing The Cayuga County Treasurer To Make Necessary Transfer For Payment To The Assigned Counsel Program**

By: Raymond Lockwood, Chairman, Judicial and Public Safety Committee

Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, pursuant to Section 722-b of the County Law, all counsel assigned according to a plan of a bar association which meets the requirements of Section 722, Subdivision 3, of the County Law, shall, at the conclusion of representation, be compensated for their services at the rates set forth in Section 722-b of the County Law, and

WHEREAS there are insufficient funds to pay for legal services for the assigned counsel program, be it

RESOLVED, that the Cayuga County Treasurer be and he is hereby authorized and directed to make the following transfer

<u>Amount</u>	<u>From</u>	<u>To</u>
\$95,000.00	Acct. #A10164-54000 (Cont. Fund)	Acct. #A11704-54003 (Assigned Counsel Payments)

And be it further,

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

Signed by Lockwood, Aikman, Axton, Chapman, Fearon, Mitchell, Murphy, Mahunik, all in favor, except Cuddeback voting no.

**RESOLUTION NO. 636-09 11/24/09 PSAPptESDfillNov09**

**AUTHORIZATION TO FILL A VACANT PART – TIME EMERGENCY SERVICES DISPATCHER POSITION**

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

Mr. Francis Mitchell, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County 911 Center currently has a vacant Part-Time Emergency Services Dispatcher position; and

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

RESOLVED, that the 911 Administrator be hereby authorized to fill the vacant Emergency Services Dispatcher PT position #4908; and be it further

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

Signed by Lockwood, Aikman, Axton, Chapman, Fearon, Palermo, Mitchell, Lockwod, Murphy, Mahunik, all in favor.

**RESOLUTION NO. 637-09 11/24/09**

**SHR-Transfer Monies (Food Svc) – Amend Reso J-P-4**

**AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO TRANSFER MONIES FROM THE SHERIFF'S 2009 CUSTODY CONSTRUCTION/RENOVATION BUDGET LINE (A31504 54178) TO THE SHERIFF'S 2009 CUSTODY FOOD SERVICE BUDGET LINE (A31504 54028)**

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

Mr. Francis Mitchell, Chair, Ways & Means Committee

WHEREAS, there is an insufficient amount of money in the Sheriff's 2009 Custody Food Service Budget Line (A31504 54028) to cover the cost of meals provided to the inmates housed at the Cayuga County Jail; and

WHEREAS, there is enough money in the Sheriff's 2009 Custody Construction/Renovation Budget Line (A31504 54178) to compensate the shortfall in the Sheriff's 2009 Custody Food Service Budget Line; now therefore be it

RESOLVED, that the Cayuga County Treasurer be authorized to transfer \$10,000.00 from the Sheriff's 2009 Custody Construction/Renovation Budget Line (A31504 54178) to the Sheriff's 2009 Custody Food Service Budget Line (A31504 54028); 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 Fearon, Cuddeback, Chapman, Axton, Mitchell, Petrus, Axton, all in favor.

**RESOLUTION NO. 638-09 (11/24/09)**

**EMO SHSP GRANT**

**AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND THE DIRECTOR OF EMERGENCY SERVICES TO ACCEPT A NEW YORK STATE HOMELAND SECURITY PROGRAM (SHSP) GRANT TO ENHANCE THE ALL HAZARDS PREPAREDNESS AND RESPONSE CAPABILITIES OF CAYUGA COUNTY, AND TO AUTHORIZE THE CAYUGA COUNTY TREASURER TO AMEND THE EMERGENCY MANAGEMENT 2010 BUDGET (A 3640) BY CREATING A REVENUE AND A CONTRACTUAL LINE IN ORDER TO ACCEPT AND EXECUTE THE PURPOSES OF THE GRANT.**

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

WHEREAS, the Director of Emergency Services applied for and the County was granted a \$139,946.00 State Homeland Security Grant to enhance all hazards preparedness and response capabilities of Cayuga County by strengthening the County's ability to plan for, train for, respond to, and recover from all hazards emergencies and disasters.

WHEREAS, the funds from this Grant will be utilized to strengthen and enhance the County's capabilities through a comprehensive all hazards planning, training, response, mitigation and recovery approach, which will include advanced planning, backfill of first responders while on training activities, and purchasing equipment to strengthen the all hazards response.

WHEREAS, the Cayuga County Legislature Chairman and the Director of Emergency Services are authorized to accept this grant of \$139,946.00; now therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature and the Director of Emergency Services are hereby authorized to accept this grant and to sign any and all documents necessary for acceptance and execution of the Grant; and be it further

RESOLVED, that the Chairman of the Legislature and the Director of Emergency Services are authorized to advertise for bids for equipment not listed on NYS OGS Contract; and be it further

RESOLVED, upon bid completion of any bidding process the Director of Emergency Services be authorized to enter into all contracts necessary for the purchase of Equipment, and be it further

RESOLVED, that the Director of Emergency Services be authorized to enter into contracts with vendors in order to accomplish the goals and objectives set forth in the grant contract without further Legislative Action; and be it also

RESOLVED, the Cayuga County Treasurer's Office is hereby authorized and directed to create and amend the 2009 and 2010 Emergency Management A3640 Budget in the following manner:

Create Revenue Account A36470 44303.....	HM SEC09 .....	\$139,946.00
Create Contractual Account A36474 54510.....	HM SEC09 .....	\$139,946.00

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

**RESOLUTION NO. 639-09 (11/24/09) EMO REGIONAL TRGP GRANT  
AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND THE DIRECTOR  
OF EMERGENCY SERVICES TO ACCEPT A NEW YORK STATE HOMELAND SECURITY REGIONAL  
TECHNICAL RESCUE GRANT TO ENHANCE THE TECHNICAL RESCUE RESPONSE CAPABILITIES  
OF THE CAYUGA COUNTY REGION, AND TO AUTHORIZE THE CAYUGA COUNTY TREASURER TO  
AMEND THE EMERGENCY MANAGEMENT 2010 BUDGET (A 3640) BY CREATING A REVENUE AND  
A CONTRACTUAL LINE IN ORDER TO ACCEPT AND EXECUTE THE PURPOSES OF THE GRANT.**

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

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

WHEREAS, the Director of Emergency Services applied for and the County and regional partners were granted a \$66,195.00 State Homeland Security Regional Technical Rescue Grant to enhance the technical rescue preparedness and response capabilities of the Cayuga County region with the acquisition of equipment identified for swift water, confined space, collapse, high angle and trench rescue incidents; and

WHEREAS, the funds from this Grant will be utilized to strengthen and enhance regional technical rescue capabilities through planning and development of a regional technical rescue resource, and for purchasing the identified technical rescue equipment for that resource; and

WHEREAS, the acceptance of this regional technical rescue grant requires the Director of Emergency Services to enter into a Memorandum of Agreement (MOA) with the non-submitting partners, Seneca and Wayne Counties; and

WHEREAS, the Cayuga County Legislature Chairman and the Director of Emergency Services are authorized to accept this grant of \$66,195.00; now therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature and the Director of Emergency Services are hereby authorized to accept this grant and to sign any and all documents necessary for acceptance and execution of the Grant; and be it further

RESOLVED, that the Chairman of the Legislature and the Director of Emergency Services are authorized to advertise for bids for equipment not listed on NYS OGS Contract; and be it further

RESOLVED, upon bid completion of any bidding process the Director of Emergency Services be authorized to enter into all contracts necessary for the purchase of equipment; and be it further

RESOLVED, that the Director of Emergency Services is authorized to enter into contracts with vendors in order to accomplish the goals and objectives set forth in the grant contract without further Legislative Action; and be it further

RESOLVED, that the Director of Emergency Services be authorized to enter into the Memorandum of Agreement with the non-submitting partners, Seneca and Wayne Counties for the regional technical rescue grant; and be it also

RESOLVED, that the Cayuga County Treasurer's Office is hereby authorized and directed to create and amend the 2009 and 2010 Emergency Management A3640 Budget in the following manner:

Create Revenue Account A36470 44311... Homeland Security Technical Rescue ..... \$66,195.00

Create Contractual Account A36474 54515... Homeland Security Technical Rescue ...\$66,195.00

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

**RESOLUTION NO. 640-09 Action Date 11/24/09 EMOFILLFIREINVEST09rev1  
AUTHORIZATION TO FILL ONE POSITION OF FIRE INVESTIGATOR, PT, DUE TO VACANCY.**

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

Mr. Francis Mitchell, Chairperson, Ways & Means Committee  
WHEREAS, the Cayuga County Emergency Management Office has oversight of the Fire Investigation Team members; and  
WHEREAS, the Director of Emergency Services was authorized to create and fill six part-time positions of Fire Investigator in accordance to the Cayuga County Civil Service Rules and Regulations and the Policies of the County of Cayuga on September 23, 2008; and  
WHEREAS, this position is critical to the operation of the Fire Services Program within the Emergency Management Office; and  
WHEREAS, this position is necessary to investigate and determine cause and origin of fires throughout Cayuga County, and  
WHEREAS, the funding for this position is allocated in the 2009 Emergency Management Budget (A36401); and  
WHEREAS, one of the six part time positions has been vacated; now, therefore, be it  
RESOLVED, the Cayuga County Compensation Plan, Part II, for non-bargaining employees for title of Fire Investigator PT under Fire Control at the following rates of pay:

Certification as Fire Investigator I:	\$765.00 per year
Certification as Fire Investigator II:	\$1,275.00 per year
International Certification as a Fire Investigator:	\$1,275.00 per year;

And be it further

RESOLVED, that the Director of Emergency Services be hereby authorized to fill the vacant part-time position of Fire Investigator in accordance to the 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, Axton, Murphy, Mahunik, all in favor.

**RESOLUTION NO. 641-09 (November 24, 2009) E&Tworkforceyouth  
To Authorize the Chairman of the Cayuga County Legislature and the Director of the Cayuga County Employment & Training Department to enter into an agreement with the Cayuga Cortland Workforce Investment Board and other agencies as are necessary to operate a Year Round Youth Program**

BY: Linda Murphy, Chairperson, Planning and Economic Development Committee

Francis Mitchell, Chairperson, Ways and Means Committee

WHEREAS, The Workforce Investment Act and the Cayuga Cortland Workforce Investment Board have made funds available to operate year round youth programs, AND

WHEREAS, \$45,000 of funding was made available for youth programs and services in Cayuga County, AND

WHEREAS, The Cayuga County Employment & Training Department was selected, by the Cayuga Cortland Workforce Investment Board to operate and oversee the operation of youth programs in Cayuga County, NOW

THEREFORE BE IT

RESOLVED, That the Chairman of the Cayuga County Legislature and the Director of the Cayuga County Employment & Training Department, upon review of the County Attorney, be and hereby are authorized to enter into agreement with the Cayuga Cortland Workforce Investment Board and other agencies as necessary to operate a year round youth program, AND BE IT FURTHER

RESOLVED, THE cost of said program will be paid from the Workforce Investment Act, which is 100% Federally Funded

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

**RESOLUTION NO. 642-09 November 24, 2009 PB\_AuthCtrct\_ED Services First Stop\_v6  
Resolution authorizing the Chairman of the Cayuga County Legislature to execute a Contract for the Delivery of Coordinated County-wide Economic Development Services between the Cayuga County Legislature and the Cayuga Economic Development Agency, Inc. (CEDA), a Private Sector Economic Development Local Development Corporation**

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

Mr. Fran Mitchell, Chair, Ways and Means Committee

WHEREAS, a Community Visioning Forum on Economic Development was held on July 29, 2009 with over 100 Cayuga County residents representing the business, education and development community to solicit their ideas and concerns regarding approaches to County-wide economic development and to consider the pros and cons of various economic development models; and

WHEREAS, the consistent themes that emerged from the community forum were a directive for a single point of entry to the economic development system, for improved communication and coordination between our current economic development teams, a mandate for significant private sector involvement in a County wide economic development program and a strong call to action to address economic development needs now; and

WHEREAS, a group of local community leaders from business, economic development, education, the City of Auburn and Cayuga County and other sectors have committed to developing a strategy for streamlining and coordinating economic development activities and entities through a "First Stop" model operated through a private-sector Local Development Corporation (LDC) focused solely on the delivery of economic development services throughout Cayuga County that responds to the call for action from the Community Visioning Forum; and

WHEREAS, these community leaders have established and incorporated an economic development entity as a Not-for-Profit Local Development Corporation ("LDC") of the State of New York (the "State") on 17th Day of November, 2009, pursuant to Section 1411 of the Not-for-Profit Corporation Law ("N-PCL") of the State (the "LDC Act") under name "Cayuga Economic Development Agency, Inc." or "CEDA", for the express and sole purpose of providing "First Stop" economic development services to Cayuga County, and has established a fifteen member Board of Directors which will oversee the conduct and operations of the CEDA; and

WHEREAS, the CEDA, in cooperation with the Cayuga County Attorney, have prepared a three-year Contract from January 1, 2010 to December 31, 2012, between the Cayuga County Legislature and the Cayuga Economic Development Agency, Inc., providing for the delivery of comprehensive and coordinated economic development services throughout the County by the CEDA on behalf of Cayuga County (the "Contract"), attached herein and made a part of this Resolution hereof; and

WHEREAS, the Cayuga County Fiscal Year Budget for 2009 includes \$225,000.00 in Account No. A10104-54229 created specifically to promote an expanded economic development program for Cayuga County; and

WHEREAS, the Cayuga County Industrial Development Agency ("CCIDA") has authorized the donation of \$50,000.00 per year in CCIDA funds, for three (3) years, to Cayuga County to support the hiring of a full time professional economic developer and establishment of a First Stop economic development agency serving all of Cayuga County, thereby significantly reducing the cost to the County for the expanded economic development program; and

WHEREAS, the Cayuga County Legislature recognizes the necessity and benefits of providing for and promoting a full time economic development retention, expansion, promotion and attraction program in a coordinated and comprehensive manner through the First Stop Model; and

WHEREAS, Sections 224 and 225 of the County Law authorizes Cayuga County to promote and publicize the economic advantages of the County and the region, and enter into contracts to accomplish such purposes; now,

THEREFORE, BE IT RESOLVED, by the Cayuga County Legislature as follows:

1. The Cayuga County Legislature hereby authorizes and directs the Chairman of the Legislature to execute the Contract with the CEDA for the delivery of economic development services as outlined in the Contract;
2. The Treasurer is hereby authorized to make the appropriate journal and accounting entries necessary for the payment of funds from Account No.A10104-54229 to the CEDA under the terms and conditions incorporated in the Contract; and be it further

RESOLVED, that the authorizations and intent of this Resolution be effective immediately.

Signed by Murphy, Fearon, Mahunik, Mills, Petrus, Schuster, Axton, Chapman, Lockwood, all in favor, except Aikman and Palermo voting no.

CHAIRMAN'S REPORT: I would like to thank the Legislator's for your commitment to economic development. We need to work together focus our collective efforts by bringing collaboration, communication and coordination to the table. The CEDA will represent a single point of entry for economic development services and provide a full time dedicated focus on economic development. I would thank the CEDA Board Members for their commitment to community leadership and public service.

**Motion by Palermo, 2<sup>nd</sup> by Cuddeback to adjourn at 8:15PM, all in favor.**

**Motion to approve minutes of 11-24-09, by Axton, 2<sup>nd</sup> by Pinckney, on 1-26-2010, all in favor.**