

**MINUTES
CAYUGA COUNTY LEGISLATURE
DECEMBER 15, 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 6:30PM.

ROLL CALL: Mary Jones, Clerk of the Legislature, all Legislator's present.

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

RESOLUTION NO. 648-09 December 15, 2009 coasllchhacrtfctrev3

Authorizing The Chairperson of the Cayuga County Legislature to Execute Any and All Documents Required to Effectuate the Sale of Cayuga County's Certified Home Health Agency and the Long Term Home Health Care Program Certificates of Need Between the County of Cayuga and Lifetime Care, DBA Genesee Region Home Care Association, Inc.

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

WHEREAS, pursuant to Resolution No. 70-09 the Cayuga County Legislative Clerk/ Purchasing Agent did issue a Request for Proposals for the sale of Cayuga County's Certified Home Health Agency and Long Term Home Health Care Program Operating Certificates with responses due in March 20, 2009; and

WHEREAS, the Cayuga County Legislature did review proposals and heard presentations from both parties interested in purchasing the County Certificate of Need; and

WHEREAS, Lifetime Care dba Genesee Region Home Care Associates, Inc., provided the most favorable proposal to purchase said Certificates of Need and to provide said Certified Home Health Agency and Long Term Home Health Care Program services within Cayuga County; and

WHEREAS, the proposed (Lifetime Care) prefers to operate the Business from the current Auburn location subject to negotiation of lease terms acceptable to both parties; and

WHEREAS, Lifetime Care, as part of their RFP response, has committed to consider for hire any employee who would lose his or her job with the County; and

WHEREAS, Lifetime Care has been through other agency acquisitions and anticipates a seamless transition for the consumers of the Certified Home Health Agency and Long Term Home Health Care Programs; **NOW, THEREFORE, BE IT**

RESOLVED, that the Chair of the Cayuga County Legislature is authorized and directed to execute any and all documents to effectuate the sale of the Cayuga County's Certificates of Need for Certified Home Health Agency and Long Term Home Health Care Program services to Lifetime Care dba Genesee Region Home Care Associates, Inc., 3111 Winton Road South, Rochester, New York 14623-2988 at a sale price of not less than \$1,000,000 (One Million Dollars) which shall be subject to review and approval by the New York State Department of Health.

Read in its entirety by Legislator Ann Petrus. Signed by Petrus, Cuddeback, Mills, Murphy, Mitchell, Axton, Chapman, Lockwood.

Motion by Aikman, to table, 2nd by Sincebaugh, Defeated by roll call vote. Noes – Axton, Petrus, Lockwood, Mills, Fearon, Mitchell, Cuddeback, Tortorici. Ayes – Palermo, Schuster, Chapman, Murphy, Sincebaugh, Aikman. 498/384.

Axton called the question, Approved by Roll Call vote – Ayes – Axton, Petrus, Lockwood, Mills, Fearon, Mitchell, Cuddeback, Tortorici. Noes – Palermo, Schuster, Chapman, Murphy, Mahunik, Sincebaugh, Aikman. Vote – 498/384.

Speakers on CHHA sale

Marty MacKay, President Board of Health

Alice Sears, PHN at CHHA

Bob Foresti, President CSEA Unit 6250

Herb Marshall, former Legislator and Chair of Cayuga County

Bill Catto, former Legislator and Director of Health & Human Services

Jason Lesch, concerned citizen

Speeches attached to original minutes.

Chairman Tortorici, thanked everyone for coming.

Nick Mazza, Interim Cayuga County Manager, Presentation of Cayuga County CHHA Operating Projection, hand out attached to original minutes.

Discussion by Legislators:

Chapman, agency provides great service, my family as used this service. Affords people the independence and dignity to stay in their homes, I will continue to vote no.

Mahunik, why would Life Time Care gives us 1 million dollars?

Nick Mazza, you would have to ask them.

Mahunik, I won't support this, we haven't looked at the impact to the community.

Sincebaugh, we have new Legislators coming on, table until next month.

Murphy, I don't support, people spoke very clearly, employees and county residents are at risk, they want quality care.

Tortorici, thanked everyone for coming.

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.

Mike Chapman for Mr. Paul Cady American Legion Chairman, I would personally like to thank the Cayuga County Legislature on behalf of the Cayuga County Veterans, for the Veterans Memorial Highway and for the new full time Veterans Director, we never had one before and people didn't know where to go.

Motion by Palermo, 2nd by Cuddeback for a ten minute recess, at 6:43PM, all in favor. Back in session at 6:55PM.

DEATHS: John Thomas Casamassima, Devoted husband to Patricia Casamassima, an employee of the Humans Services Department.

MINUTES: For Approval: 10-27-09 and 11-11-09, **Motion by Palermo, 2nd by Schuster, all in favor.**
For Reading: 11-24-09 and 12-2-09

CHANGE ORDER AUTHORIZATION:

Reason: GMS CO# PA-01 Change Order Total \$14,000.00

There is Asbestos Containing Material (ACM) in the ceiling tile located in the corridors of the East Wing of the existing building. It appears that when new ceiling tiles were installed in the East Wing corridors sometime in the past, some off the Asbestos ceiling tiles were simply lifted up and left in place, this amounts to approximately 440 sq ft ACCM ceiling tile that needs to be abated that was not in the original scope of work. This condition was discovered during the removal of the PCB containing light fixtures and was verified by AECC the independent asbestos monitoring firm who is currently monitoring the abatement activities.

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

CCC REPORT: Diane Hutchinson, Vice President: Spring Enrollment Preview, we are looking ahead to a strong enrollment for Spring 2010. New York State Budget, no impact on Tuition Assistance Program funding, but reduction of 5% per FTE and 12.5% cut in undisbursed rental aid. December Recognition Event, was held last Friday for those students who complete their degree requirements midyear. Admissions Open Houses, about 100 prospective attended. Partnership with SUNY Morrisville, we have signed an agreement with SUNY, Morrisville to partner in offering an upper-level program in technology management. Telcom Students Celebrate Studio Releases, we held a kickoff party at Auburn Public Theater to celebrate several commercial releases by two students. Razing the Roof, we have applied for residual funding to replace the roof. Holiday Craft Fair, the 36th annual Craft Fair was held on December 5th and 6th with hundreds of visitors attending. Spirit of Giving, project include, food bank donations, assistance to families in need, gifts of pet supplies, and bell ringing for Salvation Army.

COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS:

Lockwood, we had a good meeting last night for the radio system. Nothing is set in stone, we will move forward with this.

MANAGER'S REPORT: Nick Mazza, continuing to meet with the Legislature, Department Heads, re: the Local Law concerning the duties of the County Manager and will move forward with this process.

CHAIRMAN'S REPORT: Peter Tortorici, none

APPOINTMENTS AND RE-APPOINTMENTS:

Cayuga County Water Quality Management Agency (WQMA)

All appointments are one year (January 1, 2010 through December 31, 2010)

Environmental Advisors:

Stephen Lynch, Director of Planning and Economic Development

Eileen O'Connor, Director of Cayuga County Environmental Health

Gary Duckett, Director of Cayuga County Parks and Trails

Ron Podolak, Director of Cayuga County Soil and Water Conservation District

Bruce Natale, Cayuga County Solid Waste Management Program Advisor

Doug Ververs, Cayuga County Cooperative Extension Director

Non-County, Local Officials:

Bruce Ross, City of Auburn, Memorial City Hall, 24 South St., Auburn, NY

Harry Hinman, Cayuga County Assoc. of Villages, PO Box 13, Weedsport, NY 13166

Ed Wagner, Town of Owasco, 57 Willowbrook Drive, Auburn, NY 13021

Keith Batman, 3649 Keesee Rd., Moravia, NY 13118

Waterbody Associations:

Dale Powell, Duke lake Association, 192 East Lake Rd., Port Byron, NY 13140

John Corcoran, Owasco Watershed Lake Assoc., 11790 State Route 90, Locke, NY 1309

Jim Young, 4549 State Rte. 34B, Union Springs, NY 13160

Motion by Cuddeback, 2nd by Palermo, all in favor on Water Quality Management.

Cayuga County Water & Sewer Authority:

All appointments are two years (January 1, 2010 to December 31, 2011)

Christopher Palermo, Leg. Appt., PO Box 199, Red Creek, NY 13143

William McVea, 14948 West Bay Rd., Sterling, NY 13156

Robert Reohr, 1513 Great Gully Rd., Union Springs, NY 13160

Motion by Cuddeback, 2nd by Lockwood, all in favor, except Palermo abstained, on Water & Sewer.

Cayuga County Industrial Development Agency (CCIDA):

Gina Speno, PO Box 445, Weedsport, NY 13166, term - January 1, 2010 to December 31, 2011

Herb Marshall, 8016 Powers Rd., Port Byron, NY 13140, term – January 1, 2010, to December 31, 2011

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

Cayuga County College Board of Trustees:

Jeff Edwards, 1986 Rte. 43, Genoa, NY 13071, un-expired term of Gina Speno – 8-25-09 to 6-30-2010

Motion by Palermo, 2nd by Lockwood, on College Board of Trustees.

Discussion:

Fearon, why didn't he sign the book the first time?

Tortorici, he forgot to.

all in favor.

Cayuga County Parks Commission:

Paul Kelly, 15303 Green Rd., Sterling, NY 13156 term – 1-1-2010 to 12-31-2012

David Hollier, 838 Victory Rd., Red Creek, NY 13143 term – 1-1-2010 to 12-31-2012

Keith Batman, 3649 Keesee Rd., Moravia, NY 13118 term – 1-1-2010 to 12-31-2012

Motion by Palermo, 2nd by Mills, all in favor, on CC Parks Commission.

COMMUNICATIONS AND ANNOUNCEMENTS:

1. Received a letter from Michael Nozzolio, Senator, re: thanking the County for sending him resolution #573-09 on Motor Vehicle Fee Increase.
2. Received a thank you letter from the Susan G. Komen for the Cure, for the County's employees donation of \$990.00.
3. Received a letter from Brian Kolb, Assembly Minority Leader, re; an act to amend the Public Authorities Law, in relation to the fixing and collecting of rates and charges by the Cayuga county Water and Sewer Authority.
4. Received a letter from Deborah Geer MD, FACS, re: opposing the sale of CHHA.
5. Received a letter from The Professional Advisory Board, re: opposing the sale of CHHA.

**RESOLUTION NO. 653-09 12/15/09 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 \$9,902.55 covering the period through 11/27/09 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, Mills, Murphy, Schuster, Sincebaugh, Mitchell, Axton, all in favor.

**RESOLUTION NO. 654-09 12.15.09
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:

November 2009	
First Niagara	\$ 17.28
AmExpress	\$ 1,282.70
Sunoco	\$ 65.02
Walmart	\$ 309.00
<u>Exxon</u>	<u>\$ 26.42</u>
Total:	\$ 1,782.74

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

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

**RESOLUTION NO. 655-09 12.15.09
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:

November 2009	
Copier Leases and Maintenance:	\$ 4,843.91
<u>Postage Leases:</u>	<u>\$ 478.00</u>
Total:	\$ 5,321.91

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

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

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

GRAY MANAGEMENT SYSTEMS :

GMS: Bill No. 4.....\$ 4,438.75

THE CITIZEN:

Ad No. 407075.....\$ 24.02

WAYUGA COMMUNITY NEWSPAPERS, INC. :

No. 02-31189-IN.....\$ 21.34

COMMUNITY NEWSPAPERS:

Issue No.45.....\$ 22.80

2. Project No. 08-2 (Emerson Park Pavilion Renovations):

LOWE'S HOME CENTERS, INC.:

Inv. No. 22220.....\$ 134.58

And be it further

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

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

RESOLUTION NO. 657-09

12/15/09

TREupdateinvestpolicy10

ADOPTING RESOLUTION FOR ANNUAL UPDATE TO CAYUGA COUNTY INVESTMENT POLICY

By: Mr. Francis Mitchell, Ways and Means Committee

WHEREAS, pursuant to Section 212 of County Law and Section 10 of the General Municipal Law; the County needs to update its investment policy annually; and

WHEREAS, the list of banks and the amount held on deposit, found in section VII, Designation of Depositories, requires amendment; now, therefore, be it

RESOLVED, that the attached CAYUGA COUNTY INVESTMENT POLICY, which includes the designation of banks, be updated and approved, effective January 1st, 2010.

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

RESOLUTION NO. 658-09 12/15/09

RPS cccapportioncosts

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

By: Francis Mitchell, Chairman, Ways & Means Committee

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

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

City of Auburn	134,462.17	Town of Moravia	53,831.70
Town of Aurelius	13,788.87	Town of Niles	16,670.85
Town of Brutus	27,343.58	Town of Owasco	41,722.39
Town of Cato	32,407.16	Town of Scipio	17,232.59
		Town of	
Town of Conquest	12,719.90	Sempronius	25,517.50
Town of Fleming	22,150.26	Town of Sennett	23,305.37
Town of Genoa	42,008.16	Town of Springport	22,970.00
Town of Ira	18,733.93	Town of Sterling	24,479.17
Town of Ledyard	20,706.64	Town of Summerhill	47,525.56
Town of Locke	48,363.64	Town of Throop	18,764.56
Town of Mentz	7,857.67	Town of Venice	9,812.68
Town of			
Montezuma	6,113.40	Town of Victory	12,156.04

Total 700,643.79

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

Authorize the County Treasurer to Pay Mortgage Tax

By: Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS it appears from the final report of Sue Dwyer, as County Clerk of Cayuga County, that there has been paid to the County Treasurer the sum of **\$621,721.91**, the same being the net amount collected from the taxation of mortgages for the period April 1, 2009, to September 30, 2009; and

WHEREAS there is in the County Treasurer's Account No. T-58, the amount of **\$621,721.91** which should be distributed among the City of Auburn and the Towns and Villages of the County; therefore be it

RESOLVED that the County Treasurer be directed and required to pay the sum of **\$621,721.91** to the City of Auburn and the several Towns and Villages of the County of Cayuga in the following amounts:

City of			
Auburn	151,230.20	Montezuma	4,055.96
Aurelius	21,817.36	Moravia	22,001.45
Vlg Cayuga	1,745.38	Vlg Moravia	10,639.55
Brutus	27,090.46	Niles	22,817.43
Vlg			
Weedsport	13,897.94	Owasco	59,501.31
Cato	18,984.46	Scipio	10,582.43
Vlg Cato	766.90	Sempronius	2,217.23
Vlg Meridian	837.27	Sennett	42,167.12
Conquest	11,023.05	Springport	19,988.89
		Vlg Union	
Fleming	29,154.41	Springs	6,967.34
Genoa	15,010.23	Sterling	13,061.16
Ira	14,561.44	Vlg Fair Haven	9,279.28
Vlg Cato	803.96	Summerhill	7,579.62
Ledyard	16,554.46	Throop	18,297.66
Vlg Aurora	3,567.73	Venice	5,312.88
Locke	17,429.74	Victory	12,108.79
Mentz	6,411.32		
Vlg Port			
Byron	4,257.50		
		Grand Total	621,721.91

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

RESOLUTION NO. 660-09

12/15/09 COL signtaxrolls09

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

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

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

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

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

RESOLUTION NO. 661-09

12/15/09 COL annex09

DESIGNATING DECEMBER 15, 2009, AS THE DATE TO ANNEX THE TAX WARRANT.

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

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

RESOLVED, that December 15th, 2009 is the date when, pursuant to Section 904 of the Real Property Tax Law of the State of New York, this Legislature hereby orders that there shall be annexed to the Tax Rolls of the constituent towns and city of this County, the warrant described in Section 904 of the Real Property Tax Law, under the Seal of this Legislature signed by the Chairman of the Legislature and the Clerk of the Legislature, authorizing and directing the collecting officers of the city and towns to collect from the several persons, corporations and other entities named in said Tax Roll, the amounts listed opposite their respective names, together with any interest or penalties thereon prescribed by law, ON or BEFORE the first day of February, 2010.

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

RESOLUTION NO. 662-09 12/16/09 COL UNDTAKCO.OFF10
ANNUAL RESOLUTION APPROVING AND FIXING UNDERTAKING FOR COUNTY OFFICIALS
PURSUANT TO STATUTE.

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

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

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

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

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

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

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

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

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

RESOLUTION NO. 663-09 12/15/09 COL yearend.W&M09
AUTHORIZING ACCOUNTS PAYABLE YEAR END ADJUSTMENTS –
2009 OPERATING BUDGET

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

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

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

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

RESOLVED, that the Cayuga County Legislature hereby authorizes and directs the County Treasurer to make adjusting entries to provide sufficient appropriations to avoid individual line item deficits upon the accrual of year-end accounts payable, provided that said entries do not result in an increase in total appropriations approved by the County Legislature, for 2009; and, be it further

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

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

RESOLUTION NO. 664-09 12/15/09 RPS 2500orLess

Authorizing the Cayuga County Treasurer to Make Refunds or Corrections of Real Property Taxes in the Amount of \$2,500 or less

BY: Francis Mitchell, Chairman, Ways & Means Committee

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

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

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

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

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

RESOLVED that this Resolution shall take effect immediately and is effective during the calendar year 2010.

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

RESOLUTION NO. 665-09 12/15/09 RPS Omittedtaxes0

Authorizing the Levy of Omitted Taxes

By: Francis Mitchell, Chairman, Ways & Means Committee

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

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

RESOLVED, the following omitted taxes in the amount of **\$21,035.13** shall be levied against the property owners in their respective Towns who are liable for said tax; and be it further

<u>Town</u>	<u>Amount</u>	<u>Town</u>	<u>Amount</u>	
Cato	\$ 512.46	Fleming	\$1,911.15	Locke
\$2,685.83		Mentz	\$2,752.04	
Montezuma	\$4,936.02	Niles	\$ 535.38	
Sennett	\$6,815.61	Venice	\$ 886.64	
	Total		\$21,035.13	

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

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

RESOLUTION NO. 666-09 (12/15/09) RP relevyvilagetax
Levy Returned Village Tax & Authorize County Treasurer to Pay Same

By: Francis Mitchell, Chairman, Ways & Means Committee

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

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

Treasurer's Office by the various Village Tax Collectors and Treasurers in the County of Cayuga, and be it further RESOLVED that the County Treasurer be authorized and directed to pay the various Villages the amounts returned by each.

VILLAGE	RETURNED 2009 VILLAGE TAX
Aurora	\$ 1,953.86
Cato in Cato	4,868.73
Cato in Ira	3,198.88
Cayuga	7,464.96
Fair Haven	10,943.77
Meridian	1,529.77
Moravia	22,467.37
Port Byron	27,060.41
Union Springs	18,319.30
Weedsport	<u>13,069.16</u>
	\$110,876.21

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

RESOLUTION NO. 667-09 12-15-09 RPS Water&Sewer
Levy Unpaid Water and Sewer Bills -- Several Towns

By: Francis Mitchell, Chairman, Ways & Means Committee

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

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

<u>Delinquent Water</u>		<u>Delinquent Sewer</u>	
Aurelius	4,328.01	Aurelius	2,604.99
Fleming	21,397.23	Fleming	16,016.76
Genoa	6,419.10	Locke	0.00
Locke	11,168.40	Owasco	24,689.66
Montezuma	267.77	Springport	4,843.44
Owasco	37,489.18	Sennett	<u>503.85</u>
Springport	6,313.03		
Sennett	<u>3,920.69</u>		
<i>Total</i>	91,303.41		48,658.70

GRAND TOTAL \$ 139,962.11

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

AUTHORIZING THE CLERK OF THE LEGISLATURE TO RECEIVE REQUEST FOR PROPOSALS FOR PROFESSIONAL AUDITING SERVICES FOR ALL CAYUGA COUNTY DEPARTMENTS

By: Mr. Francis Mitchell, Ways and Means Committee

WHEREAS, Cayuga County and various County Departments are required by New York State and Federal regulations to have annual financial audits and cost report audits performed by an outstanding auditing firm who reports their findings to the Cayuga County Legislature; and

WHEREAS, the following departments would require this service; Cayuga County Treasurer and also including; Nursing Home, Mental Health and the Health Department's certified Home Health Agency; now therefore, be

RESOLVED, that the Clerk of the Cayuga County Legislature is hereby authorized to advertise a Request for Proposals (RFP) to audit financial records and various cost reports for all County Departments beginning with the year ending December 31, 2009.

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

RESOLUTION NO. 669-09

(12/15/09)

RP CayCoWaterDisticts

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

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

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

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

RESOLVED, that the following amounts in the respective towns, representing the capital cost outlay and operation and maintenance for the County Water/Sewer Authority WaterDistricts 1, 2, and 3, and Sewer District #2 be collected for the 2010 tax roll, are hereby approved:

COUNTY WATER DISTRICT # 1 & #2

COUNTY WATER DISTRICT #3

Town of Brutus	\$1,112.43
Town of Mentz	\$4,007.57
Town of Sennett	\$13,249.00
Town of Throop	<u>\$11,749.00</u>

Town of Aurelius	\$14,272.15
Town of Fleming	\$ 478.85

Total \$30,118.00

Total \$14,751.00

COUNTY SEWER DISTRICT # 2

Town of Sterling	\$108,623.35
------------------	--------------

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

RESOLUTION NO. 670-09

12-15-09

COLtransfercontCENTRO

Authorization for the County Treasurer to Transfer Funds from the Contingency Fund to the Centro Account (A56304) Due to Lack of Funds.

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

WHEREAS, funds were budgeted in the 2009 county budget for payments to the Public Transportation Bureau for CENTRO; and

WHEREAS, a quarterly payment was inadvertently missed when making payments in 2008 and was taken out of the 2009 budget, which caused the 2009 CENTRO account to be overdrawn; and

WHEREAS, the Centro Budget for 2009 has a balance of \$15,496.10 which has a current deficit of \$25,102.85 to pay for the fourth quarter in Account A5630-54000(CENTRO), now therefore be it

RESOLVED, that the Cayuga County Treasurer be authorized and directed to transfer funds from the Contingency Fund A10164 54000 to the CENTRO account as follows

Increase account A56304 54000 (CENTRO)	\$25,102.85
Decrease account A10164 54000 (contingency account)	\$25,102.85

Signed by Mitchell, Axton, Chapman, Mahunik, Murphy, Petrus, all in favor, except Lockwood abstained and Cuddeback voting no.

ESTABLISHING A RESERVE ACCOUNT FOR PROVISION FOR SALARY ADJUSTMENT

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

WHEREAS, during the 2009 County Budget deliberations, funding was removed from the Provision for Salary Adjustment Account; and

WHEREAS, this account is used to replenish salary accounts when union contracts are finalized and when salaries for non-bargaining employees are given during the fiscal year; and

WHEREAS, during the 2009 County's fiscal year, departments were requested each month to report savings occurred through employee vacancies; and

WHEREAS, these savings were removed from each reporting department and placed in the account Provision for Salary Adjustment (A10174-54000); and

WHEREAS, the County's CSEA union and the New York State Nurse's Association are currently in contract negotiations and will not be settled before the end of the County's fiscal year; now, therefore be it

RESOLVED, that the County Treasurer establish a Reserve Account to be used for the purpose of salary adjustment using the funds accumulated:

Decrease A10174-54000 (Provision for Salary Adjustment) by \$385,000.00

Establish Reserve Account in the following amounts:

A Fund - \$290,000.00

D Fund - \$80,000.00

DM Fund - \$15,000.00

And; be it further

RESOLVED, that the County Treasurer is hereby authorized to make the accounting entries to accomplish the same.

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

RESOLUTION NO. 672-09 12/15/09RP AnnualTownBudgetscorr.

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

By: Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, there has been provided a duly certified copy of the annual budgets of each of the several Towns of the County of Cayuga for the fiscal year beginning January 1, 2010; Now therefore be it

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

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

Annual Town Budgets for the 2010 Tax Year

(amount to be raised by taxes as listed in town budgets)

12/10/2009

Town	Highway Outside	General Outside	Total Outside	Highway Townwide	General Fund Townwide	Total Townwide	Grand Total to Raise
Aurelius	0	0	0	0	234,895	234,895	234,895
Brutus	0	0	0	195,500	115,710	311,210	311,210
Cato	0	0	0	133,329	300,026	433,355	433,355
Conquest			0	89,800	99,172	188,972	188,972
Fleming			0	0	0	0	0
Genoa			0	114,900	34,793	149,693	149,693
Ira			0	176,288	222,665	398,953	398,953
Ledyard	0	0	0		118,863	118,863	118,863
Locke			0	281,620	118,987	400,607	400,607
Mentz	0	15,000	15,000	0	214,000	214,000	229,000
Montezuma			0	123,349	7,348	130,697	130,697
Moravia	0	0	0	141,257	187,216	328,473	328,473
Niles			0	100,481	0	100,481	100,481
Owasco			0	10,000	10,000	20,000	20,000
Scipio			0	232,000	0	232,000	232,000
Sempronius			0	189,310	38,480	227,790	227,790
Sennett			0	295,995	0	295,995	295,995
Springport	0	0	0	0	110,000	110,000	110,000
Sterling	0	0	0	167,011	292,036	459,047	459,047
Summerhill			0	373,941	5,677	379,618	379,618

Throop	0	185,800	0	185,800	185,800
Venice	0	308,650	106,350	415,000	415,000
Victory	<u>0</u>	<u>375,997</u>	<u>15,211</u>	<u>391,208</u>	<u>391,208</u>
Totals	<u>0</u>	<u>15,000</u>	<u>15,000</u>	<u>3,495,228</u>	<u>2,231,429</u>
				<u>5,726,657</u>	<u>5,741,657</u>

<u>Code</u>	<u>Town</u>	<u>District</u>	<u>Total Taxable Value</u>	<u>Amount to Raise</u>
FD201	Aurelius	Fire District	191,068,699	172,650.00
LD201		Elmhurst Light	10,289,000	3,500.00
LD202		Mullen Drive Light	2,783,700	900.00
SD201	(units)	Elmhurst Sewer	88.00	0.00
SD202	(units)	Elmhurst Sewer District ext	0	0.00
SD203	(units)	Sewer District 2	200	1,333.00
SD204	(units)	Sewer District 2 Clark St.	135	18,667.00
WD201		Water 1	16,504,894	44,779.00
WD202		Water 2	55,973,378	45,918.00
WD203		Water 3	9,740,360	25,114.00
WD206	(with Fleming)	Co Water District 3 Phase 1A	10,452,592	14,272.15
CC201	units	Elmhurst Pump St Upg	88.00	24,359.00
CC203	units	Ellis Dr. Pump St Up	190.50	43,400.00
CC204	units	Ellis Dr. Pump Fut Be	136.50	0.00
FP221	Brutus	Fire Protection	107,802,479	0
LD221		Shadybrook Light	1,600,000	3738
WD221	(units)	Eastern Brutus Water Dist 2	701	174000
WD222	(with Mentz)	Cay Co Water District 1	157,200	1112.43
WD223	(units)	Water District 3	16	7,639
WD 224	units	Water District # 4	6	3,519.00
WD225	units	Water District # 5	18	1,460.00
DD221	units	Drainage Dist. # 1O&M	18	1,824.00
FD241	Cato	Fire Protection, Meridian	65,237,789	83,756.00
FD242		Fire Protection, Cato	16,296,433	21,963.00
FD243		Fire Protection, Weedsport	24,858,073	22,056.00
AM241	town & two vlgs	Ambulance Service	101,290,552	27,874.00
FP261	Conquest	Fire Protection	71,682,338	78,600.00
LD261		Conquest Light	1,992,251	1,500.00
LD262		Spring Lake Light	1,700,680	1,550.00
FP281	Fleming	Fire Protection	88,116,530.00	181,700.00
LD281		Lakeview Light	1,010,430.00	860.00
LD282		Lake Avenue Light	749,182.00	565.00
LD283	(units)	Owasco Terrace Light	20.00	600.00
SD281	(units)	General Sewer (special)	674.50	94,287.00
SD282	(units)	Sewer O&M	673.50	135,000.00
WD281	(units)	Water #1 (special)	961.50	107,800.00
WD282	(with Aurelius)	Co Water District 3 Phase 1A	147,640.00	478.85
WD283	(units)	Water O&M	960.50	105,000.00
WD286	units	Water District # 6	56.40	37,111.00
DD281	units	Forest Hill Drainage	14.00	350.00
FD301	Genoa	Fire District, King Ferry	100,472,982.00	51,188.79

FD302		Fire District, Genoa	69,439,141.00	95,720.45
LD301		King Ferry Light	7,677,594.00	3,800.00
LD302		Genoa Light	11,955,517.00	7,000.00
WD301		Genoa/King Ferry Water	26,372,569.00	27,650.00
FP321	Ira	Fire Protection, Ira	60,967,267.00	83,857.00
FP322		Fire Protection, Cato	29,044,132.00	39,957.00
LD321		Light	1,174,202.00	1,550.00
FD341	Ledyard	Fire District, King Ferry	20,941,818.00	10,669.40
FD342		Fire District, SLV	41,002,691.00	39,104.87
FD343	(town)	Fire District Aurora/Ledyard	80,565,319.00	84,741.98
FD344	(village)	Fire District Aurora/Ledyard	47,884,263.00	50,366.67
AM341	(town)	Southern Cay. Ambulance	75,340,203	5,600.00
FD361	Locke	Fire District	63,044,105.00	119,086.00
LD361		Light	9,164,151.00	7,490.00
WD361		Water	9,395,451.00	0.00
FP381	Mentz	Fire Protection	34,499,936.00	68,335.00
WD381	(with Brutus)	Cay Co Water District 1	429,030.00	4,007.57
FD401	Montezuma	Fire District	54,655,778.00	99,000.00
HD401		Hydrant Charge	13,285,057.00	0.00
WD401	(units)	Water Service #1	178.00	0.00
WD403	(units)	Water Service #2	30.00	0.00
FD422	Moravia	Fire District, Joint (town)	53,670,878.00	84,147.71
FD423		Fire District, Joint (village)	36,637,698.00	57,442.29
FD441	Niles	Fire District, Three Town	174,201,301.00	219,951.53
GR441	(units)	Garbage & Refuse	786.00	136,675.00
FD461	Owasco	Fire District	311,691,706.00	465,150.00
SD461		Sewer general	144,434,448.00	430,000.00
SD462		Sewer special	4,549,684.00	0.00
SD463	precalculated	Sewer ext Oakridge/Melrose	pre calc	6,803.99
SD465	precalculated	Sewer ext no service	pre calc	1,317.60
SD466	(units)	Sewer Dist #2 Cap Costs	238.00	59,328.56
SD467		Sewer Dist #2 O & M	54,362,535.00	15,300.00
SL461		Seymour Library	311,888,135.00	146,852.29
WD461		Water 1	272,337,757.00	303,000.00
WD462	(units)	FL7 Water Dist cap costs	10.00	4,009.20
WD463	(units)	FL9 Water Dist cap costs	24.00	7,739.28
SD468	(units)	Sewer #1 Rehab Cap Costs	1,231.50	70,282.46
SD469	precalculated	Sewer #2 Grinder pumps	pre calc	5,425.50
SD470	precalculated	Sewer#2 Gravity Lines	pre calc	900.00
SD471	(units)	Sewer#2O&Mgrinder Pumps	95.00	12,488.70
FD481	Scipio	Fire District, SLV	111,454,385.00	119,259.15
LD481		Light District, Sherwood	1,921,700.00	0.00
FD501	Sempronius	Fire District, Three Town	20,116,035.00	65,451.47
FD521	Sennett	Fire District	315,545,957.00	324,654.00

LD521		Light District, Sennett	16,058,163.00	2,900.00
LD522		Light District, Butera Drive	7,110,700.00	1,100.00
SD521	(units)	Sewer Construction	247.00	0.00
SD522	(units)	Sewer O & M	314.50	209,070.00
SD524	(units)	Sewer Trunk Line	247.00	0.00
SD525		Sewer Capital Project	33,590,397.00	21,500.00
SD526		Sewer O & M	33,590,397.00	0.00
SL521		Seymour Library	104,918,822.00	39,520.76
WD521		Water 1	37,925,668.00	17,653.00
WD522		Water 2	60,719,808.00	45,226.00
WD523		Water 3 service	29,022,758.00	43,720.00
WD524		Water 3 no service	8,301,358.00	0.00
WD525	(units)	Water 5	3.50	486.00
WD526		Water 6	4,492,380.00	6,000.00
WD527	(units)	Water 5 ext	1.50	0.00
WD528		Water 6 ext	4,960,226.00	4,000.00
WD529		Water 1 Capital Project	41,569,892.00	24,135.00
WD530		Water 3 Capital Project	29,593,303.00	17,522.00
WD531	(with Throop)	Cay Co Water District 2	2,245,100.00	9,999.00
WD532	(units)	Water Debt Extension	18.00	9,851.00
WD533		Water 6 Ext curr user Cap Cost	8,488,100.00	2,894.00
WD534		Water 6 ext non user Cap Cost	19,552,110.00	53,474.00
WD535		Water 6 ext non user O & M	21,028,310.00	19,000.00
WD536		Water 2 ext curr user Cap Cost	62,037,081.00	38,013.00
WD537		Cay Co WD 2 Zone 1	666,560	3,250.00
WD538		Water 6 Ext 2007 Cap Cost	3,472,700	16,123.00
FD541	Springport	Fire District, town	112,527,362.00	132,355.78
FD542		Fire District, village	54,921,511.00	64,599.22
SD541	(units)	Sewer District 1	370.00	102,861.80
SD542	(units)	Sewer District 1 ext 1	42.00	11,676.20
SD543	(units)	Sewer District 1 ext 2	0.00	0.00
WD541	(units)	Water District 1	370.00	95,030.73
WD542	(units)	Water District 1 ext 1	42.00	10,787.27
WD543	(units)	Water District 1 ext 2	15.00	9,610.00
WD544	(units)	Water District # 2	302.00	193,447.00
WD545	(units)	Water District # 2 vacant	0.00	0
WD546	(units)	WD 2 Vac. Agricult	81.00	21305
WD547	(units)	WD 2 Vac. Residential	3.00	789
SD544	(units)	SD1 Ext 2 Vac. Residential	0.00	0
FP561	Sterling	Fire Protection, Fair Haven #1	66,323,177.00	56,289.00
FP562		Fire Protection, Fair Haven #2	27,990,804.00	25,487.00
FP563		Fire Protection, Red Creek	15,010,830.00	13,982.00
LD561		Light District, Sterling	3,569,508.00	1,200.00
LD562		Light District, Martville	4,274,970.00	1,500.00
WC561		Weed District, town	1,928,500.00	0.00
WC562		Weed District, village	56,985,100.00	0.00
SD561vlg		County Sewer Phase 1A	68.70	13,740.00
SD561tov		County Sewer Phase 1A	1.00	200.00
SD562vlg		County Sewer Phase 1B	263.10	52,620.00
SD563vlg		County Sewer Phase 2	166.10	5,149.10
SD563tov		County Sewer Phase 2	77.85	2,413.35
SD564		County Sewer Phase 3	144.00	28,800.00
SD565vlg		County Sewer Phase 4	172.40	5,344.40
SD565		County Sewer Phase 4	11.50	356.50

tov

SD566vlg	County Sewer O&M	343.30	0.00
SD566tov	County Sewer O&M	12.50	0.00

FP581	Summerhill	Fire Protection	67,419,428.00	22,220.00
FD601	Throop	Fire District	110,233,132.00	156,700.00
WD601		Water District	35,384,492.00	127,800.00
WD602	(with Sennett)	Cay Co Water District 2	3,489,380.00	11,749.00
FD621	Venice	Fire District, SLV	66,486,324.00	63,408.98
FD622		Fire District, Genoa	16,737,682.00	23,072.55
FD623		Fire District, King Ferry	5,411,051.00	2,756.81
LD621		Light District, Poplar Ridge	6,675,400.00	180.00
FP641	Victory	Fire Protection, Victory	50,281,909.00	60,350.00
FP642		Fire Protection, Cato	4,112,938.00	4,935.00
FP643		Fire Protection, Red Creek	13,120,299.00	15,744.00
LD641	(units)	Light District, Victory	53.00	3,200.00
LD642	(units)	Light District, Westbury	34.00	1,400.00

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

RESOLUTION NO: 673-09 12/15/09 rpsrelevyschool

Levy Returned School Tax and Authorize County Treasurer to Pay Same

BY: Francis Mitchell, Chairman, Ways and Means Committee

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

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

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

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

**RESOLUTION NO. 674-09 (December 15, 2009) HD ARRA Immunization 2009 REV
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 Immunization 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 (ARRA Section 317 Immunization Program Grant Funds) to support our local immunization activities for the period October 1, 2009 through March 31, 2011 in the amount of \$20,000; 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 in the amount of \$20,000 for the period October 1, 2009 through March 31, 2011; 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 #A40154 54000.....\$20,000
- Increase Revenue Account #A40150 44089.....\$20,000

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, Mills, Murphy, Schuster, Sincebaugh, Mitchell, Axton, Chapman, Lockwood, Mahunik, all in favor.

RESOLUTION NO. 675-09 (December 15, 2009) HD Bike/Pedestrian Safety 2009
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter Into a Contract with the State for Bicycle Helmet Distribution, Safety and Pedestrian Injury Reduction Program

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

WHEREAS, the State has offered the Cayuga County Health Department a Grant of \$15,000 for the period October 1, 2009 through September 30, 2010 for the "Bicycle Helmet Distribution, Safety and Pedestrian Injury Reduction Program," and

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

WHEREAS, it is our desire to participate in this project; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with New York State and accept funding in the amount of \$15,000 for the "Bicycle Helmet Distribution, Safety and Pedestrian Injury Reduction Program;" and be it further

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

RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the Health Department's 2009 Budget in the following manner:

Increase Revenue Account #A40270 43427.....\$15,000

Increase Appropriation Account #A40274 54000.....\$15,000

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

RESOLUTION NO. 676-09 (December 15, 2009) HD WIC Rent
Authorizing the Director of Health & Human Services to Renew the Lease Agreement With Cayuga County for Space at the Historic Post Office Building to House the WIC Office/Clinic From October 1, 2009 through September 30, 2014

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

WHEREAS, NYS Department of Health has contracted with the County Health Department to continue to operate the WIC Program for five more years (October 1, 2009 – September 30, 2014); and

WHEREAS, the Health Department's WIC Program (office and clinic) has leased space in the Historic Post Office Building located at 157 Genesee Street, Auburn, NY from the County for many years, and currently occupies 2,404 sq. feet of space in the building at a rate of \$13.00 per square foot at an annual rate of \$31,252 which includes utilities; and WHEREAS, the Health Department wishes to continue leasing this space for our WIC Program; NOW, THEREFORE, BE IT

RESOLVED, the Director of Health and Human Services be authorized to renew our lease with the County of Cayuga for space at the Historic Post Office Building, 157 Genesee St., Auburn, NY for the period October 1, 2009 – September 30, 2014 at an annual rate of \$31,252, unless changed or amended; and be it further

RESOLVED, that the lease payment be made from Account #40824 54065 of the Health Department Budget.

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

**RESOLUTION NO. 677-09 (December 15, 2009) HD Amend Health Budget Dec '09
 Authorizing the County Treasurer to Amend the 2009 Cayuga County Health Department Budget/Transfer Funds.**

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 Health Department Budget, it has been determined that additional funding is needed for unanticipated expenses in Accounts A40124, A40824 and A40444; and

WHEREAS, an unanticipated increase in contracted patient services occurred in the Certified Home Health Care Agency/LTHHCP, more than were previously budgeted for; and

WHEREAS, expenses related to the Early Intervention Program have been greater than budgeted for in 2009; and

WHEREAS, funds are available in the Educational Physically Handicapped Children's budget for transfer; and

WHEREAS, additional State Aid funding in the amount of \$1,700 has been made available to the Department relative to operations at WIC; and

WHEREAS, in order for these funds to be spent they must be accepted into the 2009 budget; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Cayuga County Legislature and the Director of Health and Human be authorized to accept \$1,700 in State Aid funding for the WIC Program; and be it further

RESOLVED, that the County Treasurer in order to balance the 2009 Health Department Budget be authorized and directed to transfer funds in the following manner:

<u>Expenses</u>		<u>Increase</u>	<u>Decrease</u>
A40824	54052 Medical Supplies	\$ 500	
A40824	54065 Rent	\$ 1,200	
A40124	54128 Nurse - Contract	\$ 7,000	
A40124	54175 LTHHCP	\$ 2,000	
A40124	54218 Speech Therapy - Contract		\$ 9,000
A40444	54307 Related Services (EI)	\$ 30,000	
A40454	54305 Tuition	\$ 40,000	
A40454	54307 Related Services (PHC)		\$ 70,000
		<hr/>	<hr/>
Expenses		\$ 80,700	\$ 79,000
<u>Revenue</u>			
A40820	43411 State Aid WIC	\$ 1,700	
		<hr/>	<hr/>
Revenue		\$ 1,700	

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, Mills, Murphy, Schuster, Sincebaugh, Mitchell, Axton, Chapman, Lockwood, Mahunik, all in favor.

**RESOLUTION NO. 678-09 (December 15, 2009) HD Amend Cayuga Health Association Contract
 Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Amend the Contract with Cayuga Health Association to Include Services Relative to H1N1 Public Health Clinics**

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

WHEREAS, the Health Department has contracts in place with Cayuga Health Association to provide services for the CHHA; and

WHEREAS, the Public Health Division of the Health Department is conducting Public Health Clinics for seasonal flu and for H1N1 (Swine Flu) and anticipate the need for additional nursing personnel to accommodate the increase number of vaccinations to be administered due to H1N1; and

WHEREAS, the Department desires to amend the contract with Cayuga Health Association to expand the contract to include services relative to H1N1 Public Health Clinics; and

WHEREAS, with H1N1 having been declared a "Public Health Threat" both statewide and nationally, we have received additional funding through the Public Health Preparedness Grant to cover costs related to H1N1; NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to amend the contract with Cayuga Health Association as noted above at a rate of \$41.00/hr.; and be it further

RESOLVED, that these services be paid from Account #A40254 54000 of the 2009 Health Department Budget.

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

RESOLUTION NO. 679-09 (December 15, 2009) HS Fill Typist FSMA
Authorizing the Director of Health & Human Services to Fill a Typist Vacancy in the FSMA Unit of Human Services

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

WHEREAS, there will be a typist vacancy in the Food Stamps/Medicaid (FSMA) Unit of Human Services effective December 28, 2009 due to retirement of the incumbent; and

WHEREAS, the filling of this position is necessary for maintaining the smooth and effective functioning of the FSMA Unit in Human Services; and

WHEREAS, this position is currently funded in the 2009/2010 Human Services budget and is reimbursable at 78%;
NOW, THEREFORE, BE IT

RESOLVED, that the Director of the Health & Human Services be authorized and directed to fill the typist position in the FSMA Unit of Human Services, and any fill behinds that may occur, in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga.

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

RESOLUTION NO. 680-09 (December 15, 2009) HS Sr. Social Welfare Examiner FSMA
Authorizing the Director of Health and Human Services to Fill a Sr. Social Welfare Examiner in the Food Stamp/Medicaid Unit of Human Services

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

WHEREAS, there is an anticipated Sr. Social Welfare Examiner vacancy in the Food Stamp/ Medicaid (FSMA) Unit of Human Services due to retirement of the incumbent effective December 28, 2009; and

WHEREAS, the filling of this position is necessary for the effective and efficient operation of the FS/MA Unit; and

WHEREAS, this position is reimbursed at 100%; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the Sr. Social Welfare Examiner position in the FSMA Unit of Human Services and any fill behind in a manner consistent with the rules and regulations of the Cayuga County Civil Service Commission and the policies of the County of Cayuga.

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

RESOLUTION NO. 681-09 (December 15, 2009) HS Facilitated Enrollment 2010
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Renew its Contract with the State to Accept Funding for the Facilitated Enrollment Grant

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

WHEREAS, Cayuga County Department of Health & Human Services wishes to renew its contract with the NYS Department of Health by accepting a third year of funding for the purpose of managing the 100% funded Facilitated Enrollment Program for the period January 1, 2010 through December 31, 2010; 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 NYS Department of Health in order to continue participation in the 100% funded Facilitated Enrollment Program and to authorize them to enter into any subcontracts necessary to implement this grant; and be it further

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

Increase Account # A60104 54265.....\$149,800

Increase Account # A60100 43651.....\$149,800

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

RESOLUTION NO. 682-09**Action: 12.15.09 MHagencycontracts12.09****AUTHORIZING THE DIRECTOR OF COMMUNITY MENTAL HEALTH SERVICES AND THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN CONTRACTS WITH VARIOUS HUMAN SERVICE AGENCIES FOR SERVICES TO INDIVIDUALS WITH DISABILITIES.**

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

Francis Mitchell, Chairperson, Ways and Means Committee.

WHEREAS, the Cayuga County Community Mental Health Center receives 100 percent Federal and State Aid funding for programs to serve adults, children, and families with disabilities who reside in Cayuga County; and

WHEREAS, appropriations were included in the Cayuga County Community Mental Health Center budget for the year 2010 for various programs; and now, therefore, be it

RESOLVED, that the Director of Community Mental Health Services and the Chairman of the Cayuga County Legislature be authorized to sign, on behalf of the Local Governmental Unit, various contracts for services to individuals with disabilities with the following agencies:

AGENCY	DISABILITY	PROGRAM	AMOUNT	LINE ITEM
Seneca Cayuga ARC	MRDD	All Services	\$355,662	43514.54340
EJ Gavras Center	MRDD	All Services	\$67,642	43524.54341
Cayuga Counseling	MH	Children's Respite	\$39,782	43434.54302
	MH	Parent Partners	\$15,767	43434.54312
	MH	CCSI	\$35,410	43434.54314
	MH	Child & Family Clinic Plus	\$102,988	43434.54401
Contact	MH	All Services	\$31,966	43484.54000
CHAD	OASAS	All Services	\$339,508	43504.54315
Unity House	OASAS	Halfway House	\$268,359	43504.54316
	MH	Supp Employment	\$187,352	43464.54317
	MH	Supp Housing	\$23,280	43464.54321
	MH	Supportive Housing Workforce	\$23,276	43464.54320
	MH	Respite	\$23,939	43464.54322
	MH	CSS	\$40,976	43464-54313

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

RESOLUTION NO. 683-09**Date of Meeting: 12/15/09****NHTempStaff****AUTHORIZING CHAIRMAN OF THE LEGISLATURE AND ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ENTER INTO AGREEMENTS WITH SIBLEY NURSING PERSONNEL, NURSEFINDERS AND NURSECOR TO PROVIDE TEMPORARY NURSING STAFFING FOR JANUARY 1, 2010 UNTIL DECEMBER 31, 2010.**

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

BY: Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, New York State Department of Health regulation requires Cayuga County Nursing Home utilize staffing to provide nursing services, and,

WHEREAS, Cayuga County Nursing Home occasionally needs to utilize temporary nursing staff; and,

WHEREAS, Sibley Nursing Services, Nurse Finders and Nursecor provide temporary nursing staff to skilled nursing facilities throughout New York State, including Cayuga County Nursing Home, to allow compliance with New York State Department of Health regulations; and,

WHEREAS, Sibley Nursing Services, Nurse Finders and Nursecor will be paid for services to Cayuga County Nursing Home through individual corporate fee schedule. Now therefore be it:

RESOLVED that Chairman of the Legislature and Administrator of Cayuga County Nursing Home be authorized to sign agreements with Sibley Nursing Services, Nurse Finders and Nursecor to provide temporary nursing staffing at Cayuga County Nursing Home for the period January 1, 2010 through December 31, 2010.

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

RESOLUTION NO. 684-09 Action 12.15.09 MHtimewarnercable12.09

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE DIRECTOR OF COMMUNITY MENTAL HEALTH SERVICES TO RENEW AN AGREEMENT WITH TIME WARNER CABLE BUSINESS CLASS FOR CABLE SERVICE AT 146 NORTH STREET, AUBURN, NY 13021.

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

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

WHEREAS, there has been a long-standing contract between the cable company and the Cayuga County Community Mental Health Center (CCCMHC) for Basic Standard Cable at 146 North Street, Auburn, NY 13021; and

WHEREAS, the expense is paid out of account A43114-54202 Patient Rehabilitation; and

WHEREAS, the service is used for educational purposes for the clients; now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Director of Community Mental Health Services enter into an agreement with Time Warner Cable business Class to sign a one-year agreement beginning January 1, 2010 to December 31, 2010.

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

RESOLUTION NO. 685-09 Action 12/15/09 MHprofcontracts12.09

AUTHORIZE THE DIRECTOR OF COMMUNITY MENTAL HEALTH SERVICES AND THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN CONTRACTS WITH VARIOUS CONTRACTUAL PROFESSIONALS AT THE CAYUGA COUNTY COMMUNITY MENTAL HEALTH CENTER TO SERVE INDIVIDUALS WITH DISABILITIES.

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

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

WHEREAS, the Cayuga County Community Mental Health Center employs psychiatrists, psychologists, social workers, and nurses, on a contractual basis to service individuals; and

WHEREAS, each professional worker will be paid monthly as per their hourly contractual rate; and

WHEREAS, the hourly rates for each specific title are:

Psychiatrist	\$150/hour
Supervising Psychologist	\$ 90/hour
Psychiatric Nurse Practitioner	\$ 75/hour
Psychologist	\$ 50/hour
Social Worker	\$ 40/hour; now, therefore, be it

RESOLVED, that the Director of Community Mental Health Services and the Chairman of the Cayuga County Legislature be authorized to sign the various contracts with the professionals to serve Cayuga County Mental Health clients with disabilities.

Signed by Petrus, Aikman, Mills, Murphy, Schuster, Sincebaugh, Mitchell, Axton, Chapman, Lockwood, Mahunik, all in favor, except Schuster voting no.

RESOLUTION NO. 686-09 Action 12/15/09 MHNonHrlyProfContracts12.09

AUTHORIZE THE DIRECTOR OF COMMUNITY MENTAL HEALTH SERVICES AND THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN CONTRACTS WITH VARIOUS NON-HOURLY CONTRACTUAL PROFESSIONALS AT THE CAYUGA COUNTY COMMUNITY MENTAL HEALTH CENTER TO SERVE INDIVIDUALS WITH DISABILITIES.

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

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

WHEREAS, the Cayuga County Community Mental Health Center employs psychiatrists, psychologists, social workers, and nurses, on a contractual basis to provide services to individuals; and

WHEREAS, each professional worker will be paid monthly as per their contractual service rates; and

WHEREAS, the service rates are:

\$40 each individual mental health therapy session of 30 or more minutes
\$17 each individual mental health therapy session of 15-29 minutes
\$12 each family mental health therapy session of 60 or more minutes
\$23 each collateral mental health therapy session of 30 or more minutes
\$12 each group mental health therapy session of 60 or more minutes
\$40 per hour for coverage in the Continuing Day Treatment Program
85% of revenue received for Medicare or private pay mental health therapy; now, therefore, be it

RESOLVED, that the Director of Community Mental Health Services and the Chairman of the Cayuga County Legislature be authorized to sign the various contracts with the professionals to serve Cayuga County Mental Health clients with disabilities.

Signed by Petrus, Aikman, Mills, Murphy, Schuster, Sincebaugh, Mitchell, Axton, Chapman, Lockwood, Mahunik, all in favor, except Schuster voting no.

**RESOLUTION NO. 687-09 (12/15/09) EMS EMTinstructorhourlywage
AUTHORIZING THE DIRECTOR OF EMERGENCY SERVICES TO INCREASE THE INSTRUCTOR
CONTRACT HOURLY REIMBURSEMENT RATES FOR THE EMERGENCY MEDICAL TECHNICIAN
COURSE SPONSORSHIP.**

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

WHEREAS: The Cayuga County Emergency Medical Services Program is a New York State Department of Health approved Emergency Medical Services Course Sponsorship; and

WHEREAS: The New York State Department of Health mandates that approved Course Sponsorships conduct State Certified training and certification programs utilizing New York State Certified Instructors and Adjunct Instruction Staff who follow the New York State mandated curriculum; and

WHEREAS: In order to comply with this mandate, the Cayuga County Emergency Medical Services Course Sponsorship must enter into Independent Contractor Agreements with each of the Certified Emergency Medical Services Instructors and Adjunct Instruction Staff for reimbursement of services; and

WHEREAS: Resolution #104-08 authorizes the Chairman of the Legislature and the Director of Emergency Services to enter into these contracts from time-to-time, without returning to the Cayuga County Legislature for further action, unless there is a change to the hourly rate; and

WHEREAS: The Cayuga County Emergency Medical Services Budget (A4072) contractual lines .54154, .54155, .54156, .54158, .54203 and .54204, which encompass the contractual wages, are offset by New York State Course revenue reimbursement for instruction, resulting in certification; and the hourly increase as indicated herein will not result in any change to the A4072 contractual lines or the offsetting revenue line, thus budget adjustment is otherwise not required; and

WHEREAS: The Contracted Instructional Staff have not received an hourly wage increase in over six years. In order to remain competitive with other regional New York State Emergency Medical Service Course Sponsorships' Instructor reimbursement rates, the Director of Emergency Services and the Cayuga County Emergency Medical Services Course Sponsorship propose a \$2.00 per hour increase in the various levels of instruction as follows:

New York State Certified Instructor Coordinator (CIC) level, rate increase to \$23.50 per hour

New York State Certified Lab Instructor (CLI) level, rate increase to \$14.50 per hour

Practical Work Instructor (PWI) level, rate increase to \$11.00 per hour

Practical Exam Coordinator, rate increase to \$17.00 per hour

Clinical Coordinator, rate increase to \$17.00 per hour

Emergency Medical Technician Course Worker, rate increase to \$12.00 per hour

Now therefore be it,

RESOLVED: That the Director of Emergency Services be authorized to implement the \$2.00 per hour increase for reimbursement rate of the Instructional Staff, as indicated above, effective January 1st, 2010, as renewed contracts with Instructional Staff are obtained.

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

**RESOLUTION NO. 688-09 Date of Meeting: 12/15/09 NHtransfervehicle
AUTHORIZING THE DIRECTOR OF THE EMERGENCY MANAGEMENT OFFICE TO TRANSFER A VEHICLE
TO THE CAYUGA COUNTY NURSING HOME .**

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

BY: Ray Lockwood, Chairman, Judicial & Public Safety

BY: Francis Mitchell, Chairman, Ways and Means Committee

WHEREAS, the Cayuga County Nursing Home has the need for a replacement vehicle to assist in operations of the facility; and

WHEREAS the Emergency Management Office has a vehicle that has been replaced in good working order; now therefore be it

RESOLVED that the Nursing Home will receive a 2001 Chevrolet Tahoe (VIN# 1GNEK13V91J270487) from the Cayuga County Emergency Management Office.

Discussion: Aikman, confused about transfer, next resolution is for plow.

Tortorici, truck transfer not plow.

Mahunik, I thought we were going to use County to plow?

Deb English, we have been using truck at Nursing Home, Tahoe will be used for rotation staff.

Palermo, will a vehicle be leaving the fleet?

Gary Duckett, one truck will go.

Axton, we need to look at a tractor with a push blade for next year, I will talk with George Wethey.

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

RESOLUTION NO. 689-09 December 15,2009 NHagreesnowplowing
AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND THE
ADMINISTRATOR OF THE NURSING HOME TO ENTER INTO AN AGREEMENT FOR PLOWING OF
THE SNOW AT THE CAYUGA COUNTY NURSING HOME.

BY: Ann Petrus , Health and Human Service
David Axton, Public Works
Francis Mitchell , Ways and Means

Whereas, the Cayuga County Nursing Home requires snow plowing and salting of the driveways and parking lots at the Nursing Home, and

Whereas, proposals have been received from Morrison Landscaping (\$900 per month), Upstate Paving (\$1780 per month), and J & M Landscaping (\$900 per month);and

Whereas, Morrison Landscaping's proposal met all of the specifications and represented the lowest proposal at those specifications; now therefore be it

Resolved, that the Chairman of the Cayuga County Legislature and Administrator of the Cayuga County Nursing Home are authorized to enter into an agreement with Morrison Landscaping \$900 per month (Nine hundred dollars per month).

Discussion: Mahunik, the truck you have now can't plow?

Deb English, no, it has a lot of mechanical problems.

Fearon, if you bring people into plow, you will have to pay overtime.

Mahunik, employee that was plowing, what will he do now?

Deb English, he will do his regular work.

Mahunik, should reduce overtime.

Deb English, yes.

Mahunik, so I could make motion to reduce overtime on Thursday.

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

RESOLUTION NO. 690-09 12/15/09 NH agreeBuffington
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA
COUNTY NURSING HOME TO EXTEND AN AGREEMENT WITH BUFFINGTON AND HOATLAND CPA'S
AUDITING AT THE NURSING HOME FOR 2010.

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

BY: Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, the Nursing Home has had auditing services provided by Buffington and Hoatland CPA's 3 years; and, WHEREAS, those services have been provided in a satisfactory manner; and

WHEREAS, there has been an agreement to extend for an additional 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 Buffington and Hoatland CPA's for \$13,000.00 (Thirteen thousand dollars)

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

RESOLUTION NO. 691-09 December 15, 2009 VET-infomanagsystem.doc
AUTHORIZATION FOR THE VETERAN'S DEPARTMENT TO PURCHASE VETERANS INFORMATION
MANAGEMENT SYSTEM (VIMS)

By: Michael Chapman, Chairman, Government Operations Committee

Frances Mitchell, Chairman Ways and Means Committee

WHEREAS, a Veterans Information Management System (VIMS) will enable the County Veteran's office to computerize pensions, service connected claims, and veterans personnel files and accept VIMS Veteran's data from many other Veteran's Service Agencies, and

WHEREAS, there are sufficient monies in the 2009 Veteran's office supply line item to purchase the VIMS system; now therefore be it

RESOLVED, that the Veterans Department is authorized to purchase the VIMS system for \$2,700.00 from account A65104 54049 (Office Supplies); 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, Palermo, Schuster, Sincebaugh, Axton, Lockwood, Murphy, Mahunik, Petrus, all in favor.

RESOLUTION NO. 692-09 (12-15-09)

CC Acct Clerk PT

AUTHORIZES CAYUGA COUNTY CLERK TO FILL PART TIME ACCOUNT CLERK.

BY: MR. MICHAEL CHAPMAN, Chairperson, Government Operations Committee
MR. FRANCIS MITCHELL, Chairperson, Ways and Means Committee

WHEREAS, there will be a Part Time Account Clerk position vacancy on January 1, 2010 in the County Clerks Office and this part time position provides essential services to the county; and

WHEREAS, it is essential that the position be filled on a permanent basis; and

WHEREAS, the funding for the Part Time Account Clerk Position #4814 has been appropriated in the 2010 County Clerk (A14101.51002) salary account in the amount of \$17,019 (\$15.87 - \$16.02 hourly); now therefore be it

RESOLVED, that Cayuga County Clerk Susan Dwyer be authorized to fill the position of Account Clerk, with a part time position with no fringe benefits according to the Cayuga County Compensation Plan, Part II-Non-Bargaining, in the title Account Clerk; and be it further

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

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

RESOLUTION NO. 693-09 December 15, 2009

IT-ot-transfer1209rev

Authorization to Amend the 2009 Cayuga County Information Technology Budget

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

WHEREAS, after the submission of the 2009 Cayuga County Information Technology Budget, the allocation of IT overtime salaries has been different than originally budgeted for; and

WHEREAS, the funds to pay for these over time expenditures that were originally budgeted for are now depleted; and

WHEREAS, it is necessary to amend the 2009 Information Technology budget to provide for overtime for the remainder of the year; 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:

Appropriation Accounts	Increase	Decrease	
A16102 52003 (Computers)			\$1,200.00
A16101 51003 (Salaries Overtime)	\$1,200.00		

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, Palermo, Schuster, Axton, Lockwood, Murphy, Mahunik, Petrus, all in favor.

RESOLUTION NO. 694-09

11/24/09

COL dogquarantine10

DECLARING A 24 HOUR DOG QUARANTINE DURING THE WINTER SEASON.

BY: Hon. Michael Chapman, Chairman, Government Operations.

WHEREAS, the deer population in Cayuga County is suffering depredation due to dogs pursuing and killing deer, therefore be it

RESOLVED, that this Cayuga County Legislature hereby orders that all dogs in the County of Cayuga be securely confined for a period of twenty four hours per day, effective immediately and until April 30, 2010, pursuant to Article 7, Section 122 and 123 of the New York Agriculture Markets Law, and be it further,

RESOLVED, that the Clerk of the Legislature shall file a certified copy of this resolution with the New York State Commissioner of Agriculture and Markets and with the City Clerk of the City of Auburn and with the twenty three town clerks in Cayuga County. The Clerk of the Legislature shall also publish a copy of this resolution once in the officially designated newspapers in the county.

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

RESOLUTION NO. 695-09 11/24/09 COL NightQuarantineDogs09
AUTHORIZING THE CONTINUATION OF THE NIGHT QUARANTINE ON DOGS IN CAYUGA COUNTY.

BY: Hon. Michael Chapman, Chair, Government Operations Committee.

WHEREAS, the present night quarantine on dogs will soon expire, and

WHEREAS, it is the desire of this committee and the Cayuga County Legislature to have the night quarantine on dogs continued; therefore be it

RESOLVED, that this Legislature hereby orders that the night quarantine on dogs be continued until December 31, 2010 in accordance with Section 123 of the New York State Agriculture and Markets Law which defines "night" as between sunset and one hour after sunrise; and be it further

RESOLVED, that a certified copy of this resolution be forwarded to the New York State Commissioner of Agriculture and Markets, the Town Clerks of the twenty three Towns of the county and the City Clerk of the City of Auburn; and be it further,

RESOLVED, that the Clerk of the Legislature shall publish a copy of this resolution in our officially designated newspapers.

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

RESOLUTION NO. 696-09 12/15/09 COL DesignatingNewspapers10
DESIGNATING NEWSPAPERS TO PUBLISH COUNTY MATTERS.

BY: Hon. Michael Chapman, Government Operations Committee.

WHEREAS, Section 214, Subdivision 2, of the County Law directs that the Cayuga County Legislature shall annually designate at least two (2) newspapers for publication of all local laws, notices and other matters required by law to be published during fiscal year 2010.

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

REPUBLICAN REGISTER, Moravia, New York

The POST-HERALD, Fair Haven, New York

The CITIZEN, Auburn, New York

Motion by Lockwood, 2nd by Sincebaugh to separate the question and do each newspaper separate, all in favor.

Republican Register, approved by voice vote, all in favor, except Schuster voting no.

Post-Herald, approved by voice vote, all in favor.

The Citizen, approved by roll call vote, Ayes – Schuster, Chapman, Axton, Mills, Fearon, Murphy, Mahunik, Aikman, Tortorici. Noes – Petrus, Lockwood, Mitchell, Cuddeback, Sincebaugh. Abstained – Palermo. 539/285/58.

RESOLUTION NO. 697-09 12/15/09 COLjournaladv.
Authorizing the Clerk of the Legislature to advertise and receive sealed bids for the printing of the Journal of Proceedings books

BY: Mike Chapman, Chairman of Government Operation

Whereas, the journal of proceedings of the Legislature needs to be completed from 2003 to the present; and

Whereas, it would be most advantageous to the county to receive sealed bids from various printers to complete these journals; be it

Resolved, that the Clerk of the Legislature be authorized to advertise and receive sealed bids for the printing of the Journal of Proceedings books.

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

RESOLUTION NO. 698-09 12/15/09 COL organizeleg2010
TO FIX DATE, TIME AND PLACE OF THE MEETING TO ORGANIZE THE CAYUGA COUNTY LEGISLATURE FOR 2010.

BY: Hon Michael Chapman, Government Operations Committee.

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

RESOLVED, that the Cayuga County Legislature shall meet for the purpose of organizing the Legislature and choosing a Chairman on the 4th day of January 2010 at 6:30 P.M., in the Legislative Chambers on the Sixth Floor of the Cayuga County Office Building, 160 Genesee Street in the City of Auburn, New York.

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

RESOLUTION NO. 699-09

(12/15/09)

CO.transcont

AUTHORIZING THE TRANSFER TO FUNDS FROM THE CONTINGENT ACCOUNT TO THE COUNTY MANAGER DEPARTMENT

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

WHEREAS, Resolution No. 535-09 was adopted on October 13, 2009 "Authorizing the Hiring of an Acting County Manager, Setting Salary and providing Funding and Authorizing the Transfer of Monies"; and

WHEREAS, the foresaid resolution authorized the signing of an employment agreement with the Acting County Manager; and

WHEREAS, in the employment agreement certain expenses are to be reimbursed; now, therefore be it

RESOLVED, that \$3,000.00 be transferred from Contingency Account No. A10164-54000 to A12304-54112 (County Manager Contractual, Mileage) to cover mileage reimbursement and other expenses for the period of October 13, 2009 through December 31, 2009; 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, Palermo, Fearon, Mitchell, Schuster, Sincebaugh, Petrus, Axton, Lockwood, Murphy, Mahunik, all in favor.

RESOLUTION NO. 700-09 12/15/09

COA-CountyAttorneySalary2010-2013

ESTABLISHING THE SALARY FOR THE CAYUGA COUNTY ATTORNEY.

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

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 Attorney, commencing January 1, 2010; now, therefore be it

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

January 1, 2010–December 31, 2010 - \$100,000

January 1, 2011–December 31, 2011 - \$102,500

January 1, 2012–December 31, 2012 - \$105,000

January 1, 2013–December 31, 2013 - \$107,500

And be it further

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

Motion by Mahunik, 2nd by Sincebaugh, to amend salary increase to 2% based on salary now, **Defeated** by roll call vote. Noes – Palermo, Chapman, Axton, Petrus, Lockwood, Fearon, Mitchell, Cuddeback, Murphy, Tortorici. Ayes – Schuster, Mills, Mahunik, Sincebaugh, Aikman. 609/273.

Cuddeback, call the question.

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

RESOLUTION NO. 701-09

(December 15, 2009)

COL vacation payoff.09

TO AUTHORIZE THE TRANSFER OF FUNDS WITHIN THE CLERK OF THE LEGISLATURE'S BUDGET

By: Michael Chapman, Chairman, Government Operations

Francis Mitchell, Chairman, Ways and Means

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

WHEREAS, One (1) employee of the Clerk of the Legislature Office currently has vacation credit which cannot be used in 2009; and

WHEREAS, sufficient funds exist in Account A10404 54060 Legal Notices; now therefore, be it

RESOLVED, that the line item "Vacation Payout" be created in the Clerk of the Legislature budget under Account A10401 51008; and be it further

RESOLVED, that the amount of \$1,624.44 be transferred from Account A10404 54060 Legal Notices to A10401 51008 (Vacation Payout); and be it further

RESOLVED, that these funds be immediately expended from the Clerk of the Legislature Account A10401 Salaries/Vacation Payout; and be it further

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

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

TABLED

RESOLUTON NO. 702-09 12/17/09

TABLED

TABLED

coalegestmileraterev

ESTABLISHING A POLICY REQUIRING THE MILEAGE REIMBURSEMENT RATE FOR NON-BARGAINING EMPLOYEES, APPOINTED AND ELECTED OFFICALS BE SET BY RESOLUTION OF THE CAYUGA COUNTY LEGISLATURE AND ESTABLISHING THE MILEAGE REIMBURSEMENT RATE FOR NON-BARGAINING EMPLOYEES, APPOINTED AND ELECTED OFFICALS.

BY: Hon. Christopher Palermo, Chairman Government Operations Committee

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

WHEREAS, New York State County Law, Article 5, §203 authorizes the payment of a reasonable mileage allowance; and

WHEREAS, the Internal Revenue Service sets a maximum reimbursement rate beyond which payments constitute taxable compensation; and

WHEREAS, unless otherwise set by contract with the bargaining units, the County has previously allowed the mileage reimbursement rate to automatically change to the IRS maximum rate without legislative consideration; and

WHEREAS, mileage rate for non-bargaining employees and appointed and elected officials is set by the legislature and may or may not be the same as the IRS standard rate; and

WHEREAS, the current rate may be obtained by inquiry in the Manager or Treasurer's Office; and

WHEREAS, the mileage shall be set by resolution of the Cayuga County Legislature; and

WHEREAS, resolution 542-08 amended the Non-Bargaining Employee Handbook and established a mileage reimbursement rate for non-bargaining employees, appointed and elected officials, including County Legislators; now therefore be it

RESOLVED, that the mileage reimbursement rate for non-bargaining employees, appointed and elected officials, including County Legislators, shall be set by resolution of the Cayuga County Legislature Cayuga; and be it further

RESOLVED, mileage reimbursement rate for non-bargaining employees appointed and elected officials, including County Legislators, shall be .45cents (\$.45) per mile; and be it further

RESOLVED, that in order to obtain reimbursement for mileage, requests for reimbursement must be made within one hundred and eighty (180) days after the end of a fiscal quarter; and be it further

RESOLVED, that Section 17 of the Cayuga County Employee Handbook for Non-Bargaining Employees shall be amended to read:

17. Mileage Allowance

A. The mileage reimbursement rate for non-bargaining employees, appointed and elected officials, including County Legislators, shall be set by resolution of the Cayuga County Legislature Cayuga. Resolution No. _____, adopted on August 26, 2008 set the mileage reimbursement rate for non-bargaining employees, appointed and elected officials, including County Legislators, shall at _____ cents (\$.____) per mile. In order to obtain reimbursement for mileage, requests for reimbursement must be made within one hundred and eighty (180) days after the end of a fiscal quarter.

And be it further

RESOLVED, that Resolution 542-08 is hereby repealed.

Motion by Cuddeback to table, 2nd by Lockwood, all in favor, except voting no, Aikman, Mills, Schuster, Mahunik, and Chapman. **TABLED.**

RESOLUTION NO. 703-09

12.15.09

S&W appropriation09

Authorizing the amendment of the 2009 County Budget by increasing the appropriation to the Cayuga County Soil and Water Conservation District by \$78,000.00 and repealing Resolution No. 674-09

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

Mr. Francis Mitchell, Chair, Ways and Means Committee

Whereas, the Soil and Water Conservation District is experiencing a short fall of \$78,000.00 in the digester project budget and has made a request to the Cayuga County Legislature for said funds; and

Whereas, Resolution No. 674-09 authorized a loan of \$78,000.00 to the Soil and Water Conservation District; and

Whereas, after due consideration the Legislature desires to amend its 2009 appropriation to the Soil and Water Conservation District by increasing its appropriation by \$78,000.00; now therefore be it

Resolved, that the 2009 budget be amended by increase Account No. A 87304 54000 by \$78,000.00 with the source of funds to be a transfer from Account No. A16104 54000, Contingency; and be it further

Resolved, that Resolution No. 647-09 is hereby repealed; and be it further

Resolved, that the Cayuga County Treasurer make the journal and accounting entries required to implement the intent of this resolution; and be it further

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

RESOLUTION NO. 704-09 12.15.09 s&wcapthdgstrrev4
BOND RESOLUTION OF CAYUGA COUNTY, NEW YORK, ADOPTED ON DECEMBER 15, 2009
AND ADDITIONAL RESOLUTIONS ESTABLISHING CAPITAL "H" PROJECT NO. 09-3 (SOIL
AND WATER COMMUNITY METHANE DIGESTER PROJECT) AND AUTHORIZING
CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO ENTER INTO AN
INTERMUNICIPAL AGREEMENT. (2/3)

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

WHEREAS, Resolution No. 513-05 authorized the County Legislature to grant permission to the Cayuga County Soil and Water Conservation District ("District") and the Cayuga County Public Utility Service Agency to conduct planning and studies to build a community methane digester on County owned property; and

WHEREAS, Resolution No. 512-06 declared certain County owned property surplus and gifted same to the Cayuga County Soil and Water Conservation District so that the District could develop and construct a community methane digester (the "Project"); and

WHEREAS, the County of Cayuga (the "County"), as a local agency pursuant to the New York State Environmental Quality Review Act ("SEQRA"), ECL Section 8-0101, *et seq.*, and implementing regulations, 6 NYCRR Part 617 (the "Regulations") has previously determined by resolution that the Project constitutes an "unlisted action" and will NOT result in any significant adverse impacts to the environment and issued a Negative Declaration with respect to the Project; and

WHEREAS, Cayuga County Soil and Water Conservation District received an award letter dated October 1, 2009 from the New York State Environmental Facilities Corporation (NYSEFC) indicating that the District's methane digester project is eligible to receive *up to* \$3,200,000.00 in funding (the "Stimulus Grant") under the American Recovery and Reinvestment Act of 2009 (ARRA); and

WHEREAS, the District has informed the County that pursuant to the terms of the Stimulus Grant, proceeds of the Stimulus Grant may be used to reimburse the District for expenditures on the Project; and

WHEREAS, the District has requested the County to finance up to \$1,500,000.00 of the total cost of development and construction of the Project in 2010; and

WHEREAS, Article 5-G of the New York State General Municipal Law (§§119-m - 119-oo) contains broad authority for municipal corporations and districts, in addition to any other general or special powers, to enter into agreements for the performance among themselves, or one for the other, of their respective functions, powers and duties on a cooperative or contract basis, or for the provision of a joint service; and

WHEREAS, the District and the County intend to enter into an agreement pursuant to which the District will construct, operate and maintain the community methane digester and reimburse the County with proceeds of the Stimulus Grant for all costs and expenses associated with the financing, including interest and legal fees incurred by the County;

WHEREAS, the County is advancing the monies to the District to facilitate the development and construction of the Project in anticipation of reimbursement from the Stimulus Grant; and the County will not be obligated beyond the amount of \$1,500,000 to fund the Project; and

NOW, THEREFORE BE IT RESOLVED ON DECEMBER 15, 2009 BY THE COUNTY LEGISLATORS OF CAYUGA COUNTY, NEW YORK (by favorable vote of not less than two thirds of said Board), AS FOLLOWS:

Section 1. The County Treasurer be and he is hereby authorized and directed to create Capital "H" Project No. 09-3 (Soil and Water Community Methane Digester Project) in an amount not to exceed \$1,500,000.00 with source of funding to be by the issuance of serial bonds or bond anticipation notes in anticipation of the issuance and sale of the bonds of said County and the levy of a tax to pay interest on said obligations;

Section 2. The County is hereby authorized to pay the District \$1,500,000 and said amount is hereby appropriated therefore. The estimated total cost of the County's allocable share of the Project, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,500,000 and the plan of financing includes the issuance of serial bonds in the aggregate principal amount not to exceed \$1,500,000 to finance such amount, and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and the interest thereon as the same shall become due and payable, subject to applicable amounts of state assistance available or to any revenues available for such purpose from any other source. It is hereby determined that the requirements of SEQRA have been met.

Section 3. Bonds and bond anticipation notes (and renewals thereof) of the County are hereby authorized to be issued pursuant to the provisions of the Local Finance Law of the State of New York (the "Local Finance Law"), in a principal amount not to exceed \$1,500,000 to finance said payment to the District.

Section 4. The full faith and credit of the County is hereby irrevocably pledged for the payment of the principal of and interest on the Bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such years and such debt service payments may be made in substantially level or declining amounts as may be authorized by law.

Section 5. Pursuant to Sections 30.00, 50.00 and 56.00 to 60.00, inclusive, of the Local Finance Law, the power to authorize the issuance of and to sell the serial bonds and any bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such bonds or notes shall be of such form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. The County Treasurer is hereby further authorized, at his sole discretion, to execute all agreements and instruments in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of said County.

Section 7. The intent of this resolution is to give the County Treasurer sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and/or notes without resorting to further action of this County Legislators.

Section 8. The following additional matters are hereby determined and declared:

- (a) Pursuant to subdivision 6 of paragraph a of Section 11.00 of the Local Finance Law, the period of probable usefulness of the Project is twenty-five years (25) years; and
- (b) Current funds are not required by the Local Finance Law to be provided prior to the issuance of the bonds and any notes issued in anticipation thereof authorized by this resolution; and
- (c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.
- (d) The County reasonably expects to reimburse itself for expenditures made out of the County's General Fund for the Project from the proceeds of the bonds or notes herein authorized.
- (e) This resolution is a declaration of official intent to reimburse for purposes of Treasury Regulation Section 1.150-2.
- (f) The bonds authorized herein are not being issued for an assessable improvement

Section 9. Such bonds shall be in fully registered form and shall be signed in the name of Cayuga County, New York, by the manual or facsimile signature of the County Treasurer and a facsimile of its corporate seal shall be imprinted or impressed thereon and maybe attested to by the manual or facsimile signature of the County Clerk.

Section 10. The County hereby covenants and agrees with the holders from time to time of the Bonds and any bond anticipation notes issued in anticipation of the sale of the Bonds, that the County will faithfully observe and comply with all provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and any proposed or final regulations issued pursuant thereto unless, in the opinion of bond counsel, such compliance is not required by the Code and regulations to maintain the exclusion from gross income of interest on said obligations for federal income tax purposes.

Section 11. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds with a schedule of substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of its County Treasurer, providing for the manual countersignature of a fiscal agent or of a designated Official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the County Treasurer. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the County Treasurer shall determine.

Section 12. The validity of such bonds and bond anticipation notes may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- (2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication, or
- (3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 13. The Chairman of the Cayuga County Legislature is hereby authorized and directed to execute an agreement with the District embodying the terms of this resolution, subject to the review and approval of the County Attorney.

Section 14. The County Treasurer is hereby directed to make the journal and accounting entries necessary to accomplish the foregoing.

Section 15. This Resolution shall become effective immediately. The County Clerk is hereby directed to cause the publishing and posting of a notice in substantially the form provided in Section 81.00 of the Local Finance Law together with a summary of this Bond Resolution.

Signed by Murphy, Fearon, Mahunik, Mills, Petrus, Schuster, Mitchell, Axton, Chapman, all in favor roll call vote.

RESOLUTION NO. 705-09 Date: 12/15/09 P&T MGR Lot Cap Reserve 1209 rev
AUTHORIZING THE ESTABLISHMENT OF CAPITAL RESERVE FUND FOR THE PARKS
DEPARTMENT REPAIR AND RESURFACING OF THE MERRY GO ROUND PARKING LOT AT
EMERSON PARK

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

Whereas, Resolution 178-09 authorized the repair and resurfacing of approximately half of the Merry Go Round (MGR) parking lot at Emerson Park; and

Whereas, the current estimate to do the entire lot is \$59,640; now therefore be it

Resolved, the Cayuga County Treasurer is hereby authorized and directed to establish a Capital Reserve Fund for the Parks Department repair and resurfacing of the Merry Go Round Parking Lot at Emerson Park; and be it further

Resolved, that the Cayuga County Treasurer is hereby directed to transfer the sum of \$30,000 from the Emerson Park Equipment Budget Account A71102-52000 into the Capital Reserve Fund; and be it further

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

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

RESOLUTION NO. 706-09 Date: 12/15/09 P&T Sterling Nature Cent Cap Reserve 12 09
AUTHORIZING THE ESTABLISHMENT OF A CAPITAL RESERVE FUND FOR THE PARKS
DEPARTMENT BUILDING IMPROVMENTS AT THE STERLING NATURE CENTER

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

Whereas, Resolution 727-08 authorized the Cayuga County Treasurer to encumber \$20,6660 from the 2008 budget of The Sterling Nature Center (SNC) for exterior building repairs; and

Whereas, the Public Works Committee advised the Parks Department that due to the estimated cost of \$72,219 to make the current building exterior maintenance free it may be better to construct a new building; and

Whereas, the 2009 budget for SNC Account A71132-52000 contains an additional \$20,000 for building upgrades; and

Whereas, the 2009 budget for the SNC Contractual Accounts A71134 have a fund balance of \$7,500; now therefore be it

Resolved, the Cayuga County Treasurer is hereby authorized and directed to establish a Capital Reserve Fund for building improvements at the Sterling Nature Center; and be it further

Resolved, that the Cayuga County Treasurer is hereby directed to transfer:

\$20,660 from the 2009 Emerson Park Equipment Budget Account A71102-52000

\$20,000 from the 2009 Sterling Nature Center Budget Account A71132-52000 and

\$7,500 remaining in the 2009 Contractual Accounts A71134 for the SNC

For a total of \$48,160 into the Capital Reserve Fund; and be it further

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

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

RESOLUTION NO. 707-09 (12/15/09) P&T Sterling Friend's Agree 12-09
APPROVING 2010 AGREEMENT WITH FRIENDS OF THE STERLING NATURE CENTER, INC.

BY: Mr. David Axton, Chairman, Public Works

Mr. Francis Mitchell, Chairman, Ways & Means Committee

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

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

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

RESOLVED, that the Chairperson of the County Legislature is hereby authorized to sign the 2010 agreement with the Friends of the Sterling Nature Center Inc., and be it further,

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

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

RESOLUTION NO. 708-09

12/15/09

Bldgs COB AC 2010

Authorization to enter into an Assured Maintenance Agreement for Chiller in the County Office Building AC system

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

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

WHEREAS, the Centrifugal Chiller is a intricate piece of equipment for the Office Building AC System, and
WHEREAS, the County does not have an employee that is trained or certified to work on the Chiller part of the system,
and

WHEREAS, it would not be cost effective for the county to train an employee to perform this service, THERE FOR
LET IT BE

RESOLVED, that the County enter into a Maintenance Agreement with McQuay Factory Service for service on the
chiller part of the AC system, at the cost of \$4,588.40 and be it further

RESOLVED, that McQuay will offer this price yearly until January 1, 2013, and be it further

RESOLVED, that the Buildings and Grounds Department Budget account A16204 54001 has sufficient funds for this
agreement, and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is authorized and directed to enter into a 3 year
contract with McQuay Factory Service, and be it further

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

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

RESOLUTION NO. 709-09 12/15/09 Bldgs accept Christmas light grant

Authorizing the Chairmen of the Cayuga County legislature to accept a \$1,500.00 grant from The Municipal Electric and Gas Alliance energy efficient LED Christmas lights

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

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

WHEREAS, the Buildings and Grounds Department applied for a \$1,500.00 grant for LED Christmas lights from The
Municipal Electric and Gas Alliance; and

WHEREAS, the County has received notice that it will be awarded this grant; now therefore let be it

RESOLVED, that the Cayuga County Legislature accept this grant; and be it further

RESOLVED, that the Cayuga County Chairman is authorized to sign any contracts to carry out the intent of this
resolution.

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

Motion by Chapman to correct name of grant to NYSERDA not NYSEDA, all in favor.

RESOLUTION NO. 710-09 12/15/09 Bldgs accept NYSERDA grant rev 2

Authorizing the Chairmen of the Cayuga County legislature to accept a \$30,000.00 grant from NYSERDA for an energy study

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

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

WHEREAS, the Buildings and Grounds Department applied for a \$30,000.00 grant in conjunction with C&S
Companies through NYSERDA for a energy conservation study; and

WHEREAS, the County has received notice that it will be awarded this grant; now therefore let be it

RESOLVED, that a revenue account A16200 44090 be set up to accept this grant, and be it further

RESOLVED, that the Cayuga County Legislature accept this grant; and be it further

RESOLVED, that the expenses for this grant will be recorded though account A16204 54059, and be it further

RESOLVED, that the Cayuga County Chairman is authorized to sign any and all contracts and agreements to carry
out the intent of this resolution, and be it further

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

Signed by Axton, Cuddeback, Lockwood, Mills, Mitchell, Sincebaugh, Chapman, Murphy, Mahunik, Petrus, all in
favor, except Palermo voting no.

RESOLUTION NO. 711-09 1215/09 Bldgs contract cleaning
Authorizing the Superintendent of Buildings and Grounds to obtain pricing from New York State Industries for the Disabled for the cleaning of County owned buildings in Auburn, NY

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

WHEREAS, the County Legislature wants to investigate the feasibility of contracting the cleaning of County Owned buildings; and

WHEREAS, New York State Industries for the Disabled is the preferred provider for contract building cleaning thru the Office of General Services New York, now therefore let be it

RESOLVED, that the Superintendent of Buildings and Grounds is directed to obtain pricing from New York State Industries for the Disabled for the cleaning of County owned buildings and is directed to bring this to committee for review; to implement the intent of this resolution.

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

RESOLUTION NO. 712-09 December 15, 2009 Hwybudtranseqiprent09-#2
Authorization to Amend the 2009 Cayuga County Highway Budget for Internal Equipment Rentals

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 usage of Highway equipment has been different than originally predicted; and

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

WHEREAS, it is necessary to amend the 2009 Highway Budget to more accurately reflect the usage of equipment; now, therefore, be it

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

<u>Appropriation Accounts</u>	<u>Increase</u>	<u>Decrease</u>
D51104 54093 Maintenance of Roads and Bridges	\$0	\$ 7,000
D51424 54093 County Snow	\$0	\$10,000
D51484 54093 Other Agencies	\$0	\$ 5,000
D51134 54093 Capital Improvements	\$22,000	\$ 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, Mills, Mitchell, Palermo, Sincebaugh, Chapman, Murphy, Mahunik, Petrus, all in favor.

RESOLUTION NO. 713-09 Date: December 15, 2009 HWYtransbldmaint
BUDGET TRANSFER OF THE 2009 CAYUGA COUNTY HIGHWAY BUDGET FOR BUILDING MAINTENANCE

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

Hon. Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, in the 2009 Highway budget, a total was budgeted for Building Maintenance

WHEREAS, it is necessary to amend the 2009 highway budget to allow for one (1) replacement overhead door and two (2) 5,000 gallon capacity holding tanks for the Ira and Venice barn locations; now therefore be it

RESOLVED, 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>
DM51304 54012 (Building Maint)	\$16,200	
DM51304 54031 (Fuel Oil)		\$16,200

; and be it further

RESOLVED, 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, Murphy, Mahunik, Petrus, all in favor.

RESOLUTION NO. 714-09

Date: December 15, 2009

HWYpurbridge

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE HIGHWAY SUPERINTENDENT TO ACCEPT BIDS FOR A REPLACEMENT OF THE DRESSERVILLE RD BRIDGE(BIN 3363550)

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

Hon. Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, Resolution No. 30-09 authorized the advertisement to receive bids for materials for the Cayuga County Highway; and

WHEREAS, the bridge on Dresserville Rd, BIN 3363550 has been flagged by NYSDOT, and needs a new superstructure as it has a reduced load posting of 10 tons; and

WHEREAS, the Highway Superintendent sent out specification packages to vendors; and

WHEREAS, quotations will be received on 12-10-09 for a replacement superstructure; now therefore be it

RESOLVED, that the Chairman and Highway Superintendent are hereby authorized to accept the bid from the lowest responsible bidder not to exceed \$50,000 from account D51134 54105 - Bridges

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

**RESOLUTION NO. 715-09 12/15/09 Bldgs Awarding Lab Testing Behavioral Health Projectrev
Awarding the Lab Testing bid for the Behavioral Health Project.**

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 Special Inspection and Construction Materials Engineering and testing services for the Behavioral Health Services Building of the building project; and

WHEREAS, two bids were received, one from Atlantic Testing and one from PW Laboratories, Inc. for various testing that may be needed to accomplish this project; now therefore let it be

RESOLVED, that the Cayuga County Legislature to award the Lab Testing bid to Atlantic Testing at costs not to exceed the specified amounts on their bid for each test that may be utilized to accomplish this project; and let it be further

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

**RESOLUTION NO. 716-09 12/15/09 Blds Transfer of funds for repair parts Chiller
Authorizing the Treasure to transfer funds in the Buildings and Grounds accounts for Chiller parts**

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

MR. MITCHELL, Chairman, Ways & Means Committee.

WHEREAS, the County Office Building Chiller is in need of an overhaul; and

WHEREAS, this over haul was authorized by resolution 579-09, and

WHEREAS, after inspection of the Chiller other parts that were not covered in the over haul were found in need of replacement in the amount of \$12,829.00, and

WHEREAS, there are sufficient funds in the Buildings and Grounds budgets to purchase these parts; therefore let it be RESOLVED, that \$6,829.00 be transferred from account number A16214 54012 (Courthouse Maintenance) and \$6,000.00 from account number A16234 54012 (HPO Maintenance) to be transferred to Buildings and Grounds account A16204 54001 (Office Building AC) for a total being transferred of \$12,829.00 for buying the repair parts; let it be further

RESOLVED, that the Superintendent of Buildings and Grounds be authorized to submit the proper forms for payment to Mc Quay who has the contract for the maintenance of the chiller after the work is complete, to implement the intent of this resolution; let it be further

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

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

**RESOLUTION NO. 717-09 12/15/09 ACP reappointAdmin2010
APPOINTING ADMINISTRATOR INDIGENT DEFENDANTS, PART TIME, AND SETTING SALARIES
FOR ADMINISTRATOR INDIGENT DEFENDANTS, PART TIME, AND DEPUTY ADMINISTRATOR
INDIGENT DEFENDANTS, PART TIME**

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

MR. FRANCIS MITCHELL, Chairman, Ways & Means Committee

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

WHEREAS, Lloyd E. Hoskins has held the position as Administrator since January 1, 1994; and

WHEREAS, this Legislature has determined that Lloyd E. Hoskins is best qualified to fill this position; and

WHEREAS, the position of Deputy Administrator Indigent Defendants, Part Time is a one (1) year fixed term appointment; now, therefore, be it

RESOLVED, that Lloyd E. Hoskins is hereby appointed as Director Indigent Defendants, Part Time, to serve for one (1) year term commencing January 1, 2010 and ending December 31, 2010, and be it further

RESOLVED, that the salary for Director Indigent Defendants, Part Time, the 2010 calendar year thereafter shall be \$12,903.00; and be it further

RESOLVED, that the salary for Deputy Administrator Indigent Defendants, Part Time for the 2010 calendar year thereafter shall be \$6,776.00; and be it further

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

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

**RESOLUTION NO. 718-09 12/15/09 SHR-Sealed Bids (Storage Bldg)Rev
AUTHORIZING THE CLERK OF THE LEGISLATURE TO ADVERTISE AND RECEIVE SEALED BIDS
FOR THE CONSTRUCTION OF A POST FRAME BUILDING TO BE UTILIZED BY THE CAYUGA
COUNTY SHERIFF'S OFFICE FOR STORAGE OF EQUIPMENT AND EVIDENCE, AS WELL AS FOR
USAGE AS A TRAINING AREA.**

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 is in need of a structure to store Marine Patrol Boats, Inmate Work Crew Equipment, a S.W.A.T. Vehicle, a Patrol Snowmobile, other assorted equipment and evidence utilized by the Sheriff's Office to protect them from inclement weather, ensure their security and prolong their lifespan, as well as for usage as a training area; and

WHEREAS, this request has been in the Cayuga County Sheriff's Office projects for three years; and

WHEREAS, it would be most advantageous to the County to receive sealed bids from various construction companies who are capable to build such a structure; now therefore be it

RESOLVED, that the Clerk of the Legislature be authorized to advertise and receive sealed bids for the construction of a Post Frame Building to be erected adjacent to the Cayuga County Public Safety Building and to be utilized for storage of equipment and evidence by the Sheriff's Office, as well as for usage as a training area.

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

RESOLUTION NO. 719-09 (December 15, 2009) DA.vacation payoff.09

TO AUTHORIZE THE TRANSFER OF FUNDS WITHIN THE DISTRICT ATTORNEY'S BUDGET

By: Raymond E. Lockwood, Chairman, Judicial & Public Safety, and

Francis Mitchell, Chairman, Ways and Means

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

WHEREAS, three (3) employees of the District Attorney's Office currently have vacation credit which cannot be used in 2009; and

WHEREAS, sufficient funds exist in Account A11651 51003 Salaries Overtime for this purpose; now therefore, be it

RESOLVED, that the line item "Vacation Payout" be created in the District Attorney's budget under Account A11651 Salaries; and be it further

RESOLVED, that the amount of \$3,612 be transferred from Account A11651 51003 Salaries Overtime to (Salaries/Vacation Payout); and be it further

RESOLVED, that these funds be immediately expended from the District Attorney's Account A11651 Salaries/Vacation Payout; and be it further

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

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

**RESOLUTION NO. 720-09 (December 15, 2009) ADASalaryAdjustments.10
INCREASING THE NUMBER OF HOURS ASSISTANT DISTRICT ATTORNEYS ARE REQUIRED TO
WORK FROM 37.5 TO 40 HOURS PER WEEK TO ADDRESS THE INCREASE IN CRIME IN A COST
EFFECTIVE MANNER**

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

WHEREAS, currently the Assistant District Attorney's within the Office of the District Attorney are paid based on a 37.5 hour work week; and

WHEREAS, the District Attorney has demonstrated that an increase in arrests, particularly for violent felony crimes, has increased the caseload, assignments, scheduled court appearances, and responsibilities for the prosecutors and has caused a need for more assistance to continue to protect this County; and

WHEREAS, the District Attorney has demonstrated that the actual number of hours required to be worked by the Prosecutors in the Office of the District Attorney far exceeds the 37.5 hours per week for which they are currently paid; and

WHEREAS, increasing the number of hours per week from 37.5 to 40 hours per week worked by the Assistant District Attorney's will address the increased need for prosecutorial resources and increased workload; and

WHEREAS, the Legislature is desirous of seeking the most cost effective method of addressing the increase in crime and the cost of increasing the number of hours per week that the Assistant District Attorney's are required to work from 37.5 hours per week to 40 hours per week is far less than the cost to Cayuga County to hire an additional prosecutor; and

WHEREAS, the District Attorney has proposed the following changes to Part IV of the County of Cayuga Compensation Plan for non-bargaining employees for the year 2010; now therefore, be it

RESOLVED, that the salary for the Chief Assistant District Attorney and Assistant District Attorney positions be increased from 37.5 hours per week to 40 hours per week; and

RESOLVED, that the following corresponding calendar year 2010 salaries for each respective position be hereinafter amended to reflect the increase in hours to:

Position #001785-SYS (Chief Assistant District Attorney):	\$86,181
Position #001797-SYS (STOP DWI ADA):	\$65,288
Position #003095-SYS (Assistant District Attorney):	\$59,573
Position #001795-SYS (Assistant District Attorney):	\$59,573
Position #001784-SYS (STOPVAW ADA):	\$56,538
Position #005202-SYS (Assistant District Attorney):	\$53,589

RESOLVED, that this resolution affecting the Assistant District Attorney positions within the District Attorney's Office be instituted effective January 1, 2010; and

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

RESOLVED, that the foregoing be accomplished in accordance with Cayuga County Civil Service Rules and Regulations and the policies of the County of Cayuga, and that part IV of the 2010 Cayuga County Compensation Plan be amended to reflect the adjustments herein.

Signed by Lockwood, Aikman, Axton, Cuddeback, Fearon, Palermo, Chapman, Murphy, Mahunik, Petrus, all in favor, except Fearon, Sincebaugh, Schuster, and Mahunik.

RESOLUTION NO. 723-09 (December 15, 2009) DA.EFPP Grant.2010
AUTHORIZING THE CONTINUATION OF THE DISTRICT ATTORNEY’S ENHANCED FELONY PROSECUTION PROJECT AND THE RECEIPT AND DISTRIBUTION OF AID TO PROSECUTION TO FUND SAME

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

WHEREAS, Cayuga County has been awarded \$35,300 Aid to Prosecution for the continuation of the District Attorney’s Enhanced Felony Prosecution Project; and

WHEREAS, due to the current fiscal crisis the State is experiencing, the grant award has been reduced by \$4,203 from the 2009 grant award amount of \$39,503, and

WHEREAS, the grant contract has been fully executed between the NYS Division of Criminal Justice Services and the County of Cayuga; and

WHEREAS, the District Attorney’s Office has a 2010 Budget Revenue Account A11650 43029 State Aid – Aid to Prosecution; and

WHEREAS, the ADA “Job 2” On-Call 2010 salaries need to be reduced, and

WHEREAS, the Cayuga County Legislature supports enhanced prosecution initiatives; now therefore, be it

RESOLVED, that pursuant to the Award Contract Budget of the District Attorney’s Enhanced Felony Prosecution Project, the following reduced “on-call supplement” will be added to the 2010 base salary of:

A11651 51004 SALARY – ON-CALL (EFPP)

Position #004891-SYS (Chief Assistant District Attorney).....	\$6,212
Position #004896-SYS (Assistant District Attorney).....	\$4,750
Position #004895-SYS (Assistant District Attorney).....	\$4,750
Position #004892-SYS (STOP DWI Assistant District Attorney).....	\$6,615
Position #004894-SYS (STOP VAW Assistant District Attorney).....	\$4,115
Position #005252-SYS (Assistant District Attorney).....	\$3,872

and it is further

RESOLVED, that the foregoing salary adjustments will be effective on January 1, 2010; and it is further

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

RESOLVED, that upon discontinuance of the Aid to Prosecution monies set forth in the Grant Award Agreement between the NYS Division of Criminal Justice Services and Cayuga County for the continuation of the District Attorney’s Enhanced Felony Prosecution Project, the foregoing “on-call supplement” added to the base salaries herein, shall be eliminated.

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

Motion by Palermo, 2nd by Cuddeback to adjourn at 8:20PM, all in favor.

12-15-09 Minutes approved on 2-23-10 Motion by Lattimore, 2nd by Pinckney, all in favor.