

**MINUTES**  
**SPECIAL MEETING OF THE CAYUGA COUNTY LEGISLATURE**  
**THURSDAY, DECEMBER 17, 2009, 6:30 PM**  
**Chambers, 6<sup>th</sup> Floor, County Office Building**

**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:**

**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.

**Mr. Michael Falcone, re: as the property owner of the existing Cayuga Community College Campus, in Fulton, NY, I am here before you to ask you if you are going to approve the resolution to purchase another campus in Fulton for Cayuga Community College, attached to original resolution.**

**Motion by Petrus, 2<sup>nd</sup> by Cuddeback to go into Executive Session at 6:53PM, re: Acquisition of Real Property and Personnel Issue, all in favor.**

**Motion by Palermo, 2<sup>nd</sup> by Petrus to come out of Executive Session at 7:32PM, no action taken, all in favor.**

**PUBLIC HEARING: Opened at 7:34PM, To Adopt County Budget for 2010**

**COMMUNICATIONS AND ANNOUNCEMENTS:**

1. Received a letter from NYSAC Stephen Acquario, Executive Director, re: NYSAC Res. Calling for Medicaid Relief.
2. Receive a letter from Bill Balyszak, re: 2010 County Budget.

**RESOLUTIONS:**

**RESOLUTION NO. 724-09 12.17.09 coaccmtrrev5  
EXPRESSION OF COMMITMENT TO THE CAYUGA COMMUNITY COLLEGE'S REQUEST FOR  
CAPITAL FUNDING FOR A COLLEGE PERFORMANCE ARTS CENTER.**

By Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, Cayuga Community College has identified a need for a Performing Arts Center in the City of Auburn; and,

WHEREAS, the Performing Arts Center project is in support of College educational and community activities; and, WHEREAS, the costs associated with the project are eligible for 50% State funding from the State University of New York (SUNY); and,

WHEREAS, in order to request said funding authorization and be eligible for SUNY matching funds, a Cayuga County Capital Project must be established; and

WHEREAS, the Music Theatre Festival, Inc. ("MTF") represented to the Cayuga County Legislature that it will gift to the County of Cayuga (the "County") a matching sum of \$2,400,000.00 for the Performing Arts Center; and,

WHEREAS, the College Board of Trustees has recommended adoption of this resolution; now therefore, be it RESOLVED, that the Cayuga County Legislature hereby authorizes the County to accept Gifts and Donations from Music Theatre Festival, Inc. ("MTF") in the sum of \$2,400,000.00 in support of the local share of this Capital Project; and further

RESOLVED, That the project can not be progressed unless 100% of all funding from all sources is made available: the commitment of fifty (50%) percent State funding (\$2,400,000.00) from the State University of New York (SUNY) (the "SUNY Match") and receipt from the Music Theatre Festival, Inc. of its \$2,400,000.00 match (the "MTF Match"); and be it further,

RESOLVED, that the Cayuga County Legislature hereby authorizes the County to accept Gifts and Donations from (MTF) in the sum of \$2,400,000.00 in support of the local share of this project; and further

RESOLVED, that the project is subject to, all consents and approvals of any governmental or regulatory authority that are required to be obtained prior to undertaking the project are in fact obtained, including but not limited to compliance with the New York State Environmental Quality Review Act ("SEQRA"), ECL Section 8-0101, et seq., and implementing regulations, 6 NYCRR Part 617 (the "Regulations"), and further

RESOLVED, that the Cayuga County Department of Finance is authorized to make all necessary budgetary and accounting entries to effect the intent of this resolution; and further

RESOLVED, that certified copies of this resolution be sent by the Clerk of this Legislature to the County Director of Finance, Cayuga County Community College Vice President of Administration/Treasurer of Cayuga County Community College, who will forward an original to the State University Construction Fund (SUCF) along with a completed SUCF project initiation form.

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

**RESOLUTION NO. 725-09      12. 17.09      coaccprchkaletbldrev2**  
**AUTHORIZING AND DIRECTING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO**  
**NEGOTIATE A PURCHASE AND SALE AGREEMENT WITH THE CITY OF AUBURN FOR THE**  
**PURCHASE OF PROPERTY COMMONLY KNOWN AS TAX MAP NO. 115.60-2-47**

By Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, Cayuga Community College has identified a need for a Performing Arts Center in the City of Auburn;  
and,

WHEREAS, the Performing Arts Center project is in support of College educational and community activities; and,

WHEREAS, that this project is contingent upon the commitment of fifty (50%) percent State funding  
(\$2,400,000.00) from the State University of New York (SUNY) and receipt from the Music Theatre Festival of its  
\$2,400,000.00 match; and

WHEREAS, the project requires the purchase of property commonly known as Tax Map No. 115.60-2-47 in the  
City of Auburn, New York, 1 State Street (Kalet Building) from the City of Auburn; now therefore be it

**RESOLVED**, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to negotiate a  
Purchase and Sale Agreement for the purchase of property commonly known as Tax Map No. 115.60-2-47.

Discussion:

Fred Westphal, no dollar value.

Sincebaugh, something fails, back to the city?

Tortorici, will not take passion until completed.

Cuddeback, just because the funding is secured, doesn't mean we are going to go through.

Mills, hate to argue with you, but mine says sign agreement.

Fred Westphal, mine says negotiate agreement.

Mills, sorry I had the wrong one.

Fearon, knock on ever door, have to have every dollar.

Tortorici, Musical Theater Festival, I would like to thank everyone, this opens the door more. Secure more funding  
to see this project through.

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

**Motion by Mitchell to hold until later Resolutions: All in favor.**

12-17-WM-3                      To Adopt County Budget for 2010.

12-17-WM-4                      Authorizing the Director of Real Property Tax Services to Extend the Levy of Taxes and  
Establish rates for the Same.

**Motion by Mitchell, 2<sup>nd</sup> by Petrus to Pull Resolutions: All in favor.**

12-17-WM-5                      Hiring Restrictions

12-17-WM-6                      Austerity Spending Resolution

**Motion by Mitchell to hold until later Resolution: All in favor.**

12-17-WM-7                      Directing the Levy of Tax Against the City of Auburn for County Purposes for 2009.

**EXPRESSION OF COMMITMENT TO THE CAYUGA COMMUNITY COLLEGE'S REQUEST FOR CAPITAL FUNDING TO PROCEED WITH THE DEVELOPMENT AND EXPANSION OF THE FULTON CAMPUS**

By Francis Mitchell, Chairman, Ways & Means Committee

WHEREAS, the Board of Trustees of Cayuga Community College, in April 2007, adopted the 2007 Facilities Master Plan Update; and,

WHEREAS, the Cayuga County Legislature, in August 2007, approved the 2007 Facilities Master Plan Update; and,

WHEREAS, the State University of New York subsequently received and approved the 2007 Facilities Master Plan Update as the guide for Cayuga Community College in its capital funding requests for the following five years; and,

WHEREAS, the Fulton Campus has more than reached the operating capacity and utilization of its current facilities and site; and,

WHEREAS, Cayuga Community College desires property ownership as it becomes a permanent fixture in Oswego County, building upon its 15-year history of providing programs and services to students in that region; and,

WHEREAS, Cayuga Community College desires to address the need for student programs, services, and amenities in its Fulton Campus operation that provide a traditional campus environment similar to the Auburn campus; and,

WHEREAS, Cayuga Community College has identified a potentially excellent property at the River Glen site in Fulton that can provide the buildings, visibility, access, and acreage for its long-term needs; and

WHEREAS, the College Board of Trustees has recommended adoption of this resolution; now therefore, be it RESOLVED, that the the County of Cayuga joins with Board of Trustees of Cayuga Community College's Move Entire Operation of the 2007 Facilities Master Plan Update as its next steps with the development and expansion of the Fulton Campus; and,

RESOLVED, that the County joins with the Board of Trustees of Cayuga Community College in its authorization of the \$11.23 million project estimate for the appropriate next steps to acquire, purchase, design, build-out, and equip the River Glen site, and its accompanying acreage, with fifty percent of such project costs coming from local funds and the remaining fifty percent to be sought from New York State funds; and,

RESOLVED, that the project may not be progressed unless 100% of all funding from all sources is made available: the commitment of fifty (50%) percent State funding (\$5,615,000.00) from the State University of New York (SUNY) (the "SUNY Match") and local bonding ( \$5,615,000.00) is secured; and be it further,

RESOLVED, that the project is subject to being County, all consents and approvals of any governmental or regulatory authority that are required to be obtained prior to undertaking the project are in fact obtained, including but not limited to compliance with the New York State Environmental Quality Review Act ("SEQRA"), ECL

Section 8-0101, et seq., and implementing regulations, 6 NYCRR Part 617 (the "Regulations"), and further

RESOLVED, that the Cayuga County Treasurer is authorized to make all necessary budgetary and accounting entries to effect the intent of this resolution; and further

RESOLVED, that certified copies of this resolution be sent by the Clerk of this Legislature to the County Treasurer, Cayuga County Community College Vice President of Administration/Treasurer of Cayuga County Community College, who will forward an original to the State University Construction Fund (SUCF) along with a completed SUCF project initiation form.

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

**RESOLUTION NO. 727-09**

**December 17, 2009**

**ccfacilitiesmasterplanrev**

**Authorizing the College to complete the Auditorium Roof Replacement Project in Facilities Master Plan.**

By: Hon Michael, Chapman, Chairperson , Government Operations

By: Hon Francis Mitchell, Chairperson, Ways & Means

Whereas, by Resolution Nos. 390-97 and 198-98, the Cayuga County Legislature authorized Cayuga Community College to create a Facilities Master Plan for the Auburn campus and the Fulton Extension Center; and

Whereas, by Resolution 357-99, the Cayuga County Legislature accepted the above authorized Facilities Master Plan for capital construction/renovation projects at an estimated cost of \$16,000,000; and

Whereas, the Facilities Master Plan came in under budget by \$120,762 of which \$60,363 is the county share and \$60,363 is the state share and

Whereas, the College would like to access these funds to replace the Auditorium Roof and

Whereas, in order for the College to proceed, the approval of the County of Cayuga, as local sponsor for the

College, is required before the Plan amendment can be forwarded to the State University of New York

Administration in Albany; and

Whereas, in order to proceed and access these funds for the roof, SUNY requires a sponsor resolution approving the installation of a new roof over the Theatre at a cost not to exceed \$120,762; now, therefore, be it

Resolved, that the Cayuga County Legislature hereby approves the installation of a new roof over the Cayuga Community College Theatre at a cost not to exceed \$120,762; and be it further

Resolved, that the Cayuga County Legislature hereby amends Capital "H" Project #00-1-C to include the approval to proceed and access these funds for the Auditorium Roof and be it further

Resolved, that the Treasurer is hereby authorized and directed to make payments against said Project in the amount herein authorized.

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

**RESOLUTION NO. 728-09**

**12/17/09**

**HRCS-Reclassification10-rev2**

**AUTHORIZING THE ADOPTION THE CLASSIFICATION SURVEY ADOPTED BY THE CIVIL SERVICE COMMISSION FOR THE DEPARTMENT OF HUMAN RESOURCES / CIVIL SERVICE COMMISSION.**

Mr. Francis Mitchell, Chairman Ways and Means Committee

WHEREAS; the Cayuga County Civil Service Commission performed a classification survey on six staff positions and two administrative positions within the Human Resources and Civil Service Commission Office; and

WHEREAS, the Commission met with employees, and researched the duties performed in each of the six staff positions and made decisions based on the facts submitted and interviews; and

WHEREAS, the Commission also evaluated the administrative positions and job specifications and the transition of the office from a civil service office to a full human resources/civil service office; and

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

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

RESOLVED, that the attached reclassification plan be hereby adopted by the Legislature with the following changes to the department effective 1/1/10:

1. Create 1 Senior Human Resources Associate at a CSEA grade 15; Abolish 1 Senior Personnel Assistant (CSEA grade 15).

2. Create 1 Human Resources Associate at a CSEA grade 14; Abolish 1 FT Personnel Assistant (CSEA grade 12) upon the permanent appointment and successful completion of the probationary period of the incumbent.

3. Create 1 Human Resources Benefits Associate at a CSEA grade 14; Abolish 1 FT Senior Account Clerk Typist (CSEA grade 10) upon the permanent appointment and successful completion of the probationary period of the incumbent.

4. Create 1 Principal Typist at a CSEA grade 13; Abolish 1 FT Senior Typist (CSEA grade 8) upon the permanent appointment and successful completion of the probationary period of the incumbent; and be it further

RESOLVED, that the Civil Service Commission be hereby authorized to fill the aforesaid new positions effective January 1, 2010 for the newly created titles at the appropriate step of the CSEA compensation plan; and be it further

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

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

Motion by Chapman, 2<sup>nd</sup> by Schuster to put mileage rate at 0.45 cents per mile

Motion by Fearon, 2<sup>nd</sup> by Lockwood to amend amount to 0.50 cents per mile.

Motion by Mitchell to amend to whatever the current IRS rate is.

Motion by Lockwood to move the question.

Roll call vote on Fearon;s amendment of mileage to0.50 per mile. (DEFEATED) by roll call vote, Noes – Schuster, Chapman, Mills, Mitchell, Cuddeback, Mahunik, Sincebaugh, Aikman, Tortorici. Ayes – Palermo, Axton, Petrus, Lockwood, Fearon, Murphy. 526/356

Motion by Lockwood to table, 2<sup>nd</sup> by Cuddeback, roll call vote (DEFEATED). Noes Palermo, Schuster, Chapman, Axton, Petrus, Mills Fearon, Mitchell, Cuddeback, Mahunik, Sincebaugh, Aikman, Tortorici. Ayes – Lockwood, Cuddeback, Murphy. Vote – 704/178.

Motion by Mitchell, 2<sup>nd</sup> by Cuddeback to amend to IRS rate for mileage. (PASSED) 2/3 vote – Ayes – Axton, Petrus, Lockwood, Fearon, Mitchell, Cuddeback, Murphy, Aikman, Tortorici. Noes – Palermo, Schuster, Chapman, Mills, Mahunik, Sincebaugh. 520/362.

Resolution as amended passed by 2/3 vote. Ayes – Axton, Petrus, Lockwood, Fearon, Mitchell, Cuddeback, Murphy, Aikman, Tortorici. Noes – Palermo, Schuster, Chapman, Mills, Mahunik, Sincebaugh. 145/99.

**RESOLUITON NO. 729-0912/15/09**

coalegestmilerateRevCMPrev

SETTING THE MILEAGE REIMBURSEMENT RATE FOR NON-BARGAINING EMPLOYEES, APPOINTED AND ELECTED OFFICIALS TO **THE IRS MILEAGE RATE** EFFECTIVE JANUARY 1, 2010

BY: Hon. Michael Chapman, 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 has changed the allowed mileage reimbursement rate to fifty cents (\$0.50) per mile, effective January 1, 2010; and

WHEREAS, the Cayuga County Legislature has determined that the mileage reimbursement rate for Non-Bargaining Employees, appointed and Elected Officials is to be set by Resolution of the Cayuga County Legislature; now, therefore, be it

RESOLVED, mileage reimbursement rate for non-bargaining employees appointed and elected officials, including County Legislators, **shall be set at the IRS mileage rate**, effective January 1, 2010; 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, is set by resolution of the Cayuga County Legislature Cayuga. The mileage reimbursement rate set by the County **will be the same as the IRS mileage rate**. The current Cayuga County mileage reimbursement rate may be obtained by inquiry to the offices of the County Treasurer or the County Manager. 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.

**Motions and amendments on the 2010 County Budget adopted 12-17-09, Motion by Lockwood, 2<sup>nd</sup> by Murphy to adopt budget as amended. Approved by roll call vote. Ayes – Palermo, Chapman, Petrus, Lockwood, Mills, Cuddeback, Murphy. Noes – Schuster, Petrus, Fearon, Mitchell, Mahunik, Sincebaugh, Aikman, Tortorici. 449/433**

**RESOLUTION NO. 730-09                      12/17/09                      COL ADOPTBUDGET2010  
TO ADOPT THE COUNTY BUDGET FOR 2010**

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

WHEREAS, the Budget officer of the County of Cayuga in compliance with County Law, Section 354, has prepared and filed with the Clerk of the Cayuga County Legislature a tentative budget; and

WHEREAS, pursuant to County Law, Section 357, the Ways & Means Committee of this County Legislature, being the committee designated to review the tentative budget, has examined the budget and recommended changes; and

WHEREAS, the provisions of County Law, Section 358, have been complied with by the Cayuga County Legislature and pursuant to County Law, Section 359, a public hearing was held on December 17, 2009

after advertisement as required by law; now, therefore, be it

RESOLVED, that the tentative budget as heretofore amended be and hereby is adopted by this Legislature as the budget for the year 2010.

**Budget Amendments**

**Motion by Tortorici to take 1.2 million from the General Fund to reduce the tax levy 3.57 percent, 2<sup>nd</sup> by Axton.**

**Motion by Mills to amend amount taken out of Fund Balance to \$600,000.00, 2<sup>nd</sup> by Fearon. Passed by roll call vote. Ayes – Schuster, Chapman, Petrus, Mills, Fearon, Mitchell, Cuddeback, Murphy, Aikman. Noes – Palermo, Axton, Lockwood, Mahunik, Sincebaugh, Tortorici. 545/337.**

**Motion as amended passed by roll call vote. Ayes – Palermo, Chpman, Petrus, Lockwood, Mills, Cuddeback, Murphy, Mahunik. Noes – Schuster, Axton, Fearon, Mitchell, Sincebaugh, Aikman, Tortorici. 498/384.**

**Motion by Tortorici to take 1 million from the Fund Balance to reduce levy 4.18 percent, 2<sup>nd</sup> by Mahunik.**

**Motion by Tortorici to take \$400,000.00 from Fund Balance to reduce tax levy.**

**Motion by Schuster to amend to \$.00**

**Motions by Tortorici rescinded.**

Motion by Palermo, 2<sup>nd</sup> by Mahunik to reduce line A31500-42451 to \$1,617,690.00, Defeated by roll call vote.

Noes – Chapman, Petrus, Lockwood, Mills, Fearon, Mitchell, Cuddeback, Murphy, Sincebaugh, Aikman, Tortorici.

Ayes – Palermo, Schuster, Axton, Mahunik. 660/222

**Public Hearing Closed at 8:40PM.**

Motion by Mills, 2<sup>nd</sup> by Schuster to increase line A31500-42451 by \$25,000.00, passed by roll call vote. Ayes – Palermo, Schuster, Chapman, Axton, Petrus, Mills, Cuddeback, Murphy, Mahunik, Tortorici. Noes – Lockwood, Fearon, Mitchell, Sincebaugh, Aikman. 601/281.

Motion by Lockwood, 2<sup>nd</sup> by Schuster to decrease expense accounts in 911, all in favor. as follows:

Motion by Lockwood, 2<sup>nd</sup> Schuster to abolish Position# 005946 within the 911 Department and to transfer corresponding salary and fringe benefits;

Motion to create and fill the position of Computer Systems Technician within the Information Technology Department with an effective 1/13/10;

Motion to make the following amendments to the 2010 budget: All in favor.

<b>E-911</b>		<b>Decrease Expense Accounts</b>
<b><u>Line Number</u></b>		
A30201-51001	Salaries-FT, Position #5946	44887
A30201-58001	Social Security	3354
A30201-58002	NYS Retirement Tr 4 A15	4578
A30201-58003	Health Insurance	5829
A30201-58004	Dental Insurance	395
A30201-58005	Workers' Compensation	1367
<b>Sub Totals</b>		<b>60410</b>

<b>Information Technology</b>		<b>Increase Expense Accounts</b>
<b><u>Line Number</u></b>		
A16101-51001	Salaries-FT, Computer Systems Technician	44887
A16101-58001	Social Security	3354
A16101-58002	NYS Retirement Tr 4 A15	4578
A16101-58003	Health Insurance	5829
A16101-58004	Dental Insurance	395
A16101-58005	Workers' Compensation	1367
<b>Sub Totals</b>		<b>60410</b>

Motion Lockwood, 2<sup>nd</sup> by Cuddeback to allow displaced incumbent of position #5946 to have nine additional days of vacation to be paid through 12/31/09 with a lump sum payment of accruals earned to be paid 12/31/09; Motion to amend the 2009 budget by the following transfer within the E911 2009 budget: All in favor.

Transfer From:

A30204-54063	Radio Maintenance	\$4,917.00
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Transfer To:

A30201-51001	Sal-FT	\$4,567.00
A30201-58001	FICA	\$ 350.00

Motion by Mitchell for housekeeping changes from resolutions adopted November and December 2009. As follows:

HOUSE KEEPING CHANGES FROM RESOLUTIONS ADOPTED NOVEMBER AND DECEMBER 2009

	BUDGET SALARY	NEW SALARY	
COUNTY TREASURER			
A13251-51001	65,000.00	66,300.00	\$ 1,300.00 (1)
A13251-58001			100.00 (2)
A13251-58002			135.00 (3)
A13251-58005			40.00 (4)
			1,575.00

CHHA  
 A 40122-52001 - CARO. \$25,000  
 Budget Eging  
 New Eging  
 Decrease Tax Levy \$ 25,000

COUNTY ATTORNEY G-10 12/15			
A14201-51001	97,500.00	100,000.00	2,500.00 (1)
A14201-58001			200.00 (2)
A14201-58002			255.00 (3)
A14201-58005			80.00 (4)
			3,035.00

PUBLIC DEFENDER J P-1 12/15/09			
Lloyd Hoskins			
A11701-51002	12,539.00	12,903.00	364.00 (1)
A11701-58001			30.00 (2)
A11701-58002			40.00 (3)
A11701-58005			12.00 (4)
			446.00
Diane Paxhia			
A11701-51002	6,585.00	6,776.00	191.00 (1)
A11701-58001			15.00 (2)
A11701-58002			20.00 (3)
A11701-58005			10.00 (4)
			236.00

DISTRICT ATTORNEY J P-4 12/15/09			
A11651-51001			23,800.00 (1)
A11651-58001			1,825.00 (2)
A11651-58002			2,430.00 (3)
A11651-58005			820.00 (4)
			28,875.00

Personal Salaries	(1) \$ 28,155.00
Retirement	(2) 2,170.00
Health Insurance	(3) 2,880.00
Worker Comp	(4) 962.00
Total	\$ <u>34,167.00</u>
Increase Tax Levy	\$ <u>34,167.00</u>

Motion by Schuster to separate question, vote on District Attorney and Human Resources separate.  
Housekeeping excluding (DA & HR) Passed by roll call vote , all in favor.

Motion by Schuster to separate DA & HR and vote on separately, all in favor.

Vote on District Attorney's changes, passed by roll call vote. Ayes – Palermo, Chapman, Petrus, Lockwood, Mills, Cuddeback, Murphy. Noes – Schuster, Axton, Fearon, Mitchell, Mahunik, Sincebaugh, Aikman, Tortorici. 449/433.

**DISTRICT ATTORNEY**

A11651-51001	SAL - FT	640,749.00	656,930.00	16,181.00
A11651-58001	SOC SEC	48,919.00	50,159.00	1,240.00
A11651-58002	RETIREMENT	63,177.00	64,829.00	1,652.00
A11651-58003	HLTH INS	69,742.00	69,710.00	-32.00
A11651-58004	DENTL INS	9,676.00	9,673.00	-3.00
A11651-58005	WRK COMP	20,172.00	20,665.00	493.00
				19,531.00

**DA STOP DWI**

A11661-51001	SAL - FT	61,208.00	65,288.00	4,080.00
A11661-58001	SOC SEC	4,832.00	5,144.00	312.00
A11661-58002	RETIREMENT	6,525.00	6,941.00	416.00
A11661-58003	HLTH INS	5,261.00	5,293.00	32.00
A11661-58004	DENTL INS	356.00	359.00	3.00
A11661-58005	WRK COMP	1,949.00	2,073.00	124.00
				4,967.00

**DA - VAW**

A11681-51001	SAL - FT	53,005.00	56,538.00	3,533.00
A11681-58001	SOC SEC	4,238.00	4,508.00	270.00
A11681-58002	RETIREMENT	5,651.00	6,011.00	360.00
A11681-58005	WRK COMP	1,687.00	1,794.00	107.00
				4,270.00

Vote on Human Resources: Passed by roll call vote. All voting aye, except Schuster voting no. 835/47

*Human Resources*

Decrease line numbers by the following amounts:		Decrease By	Tentative 2010	New Total
A14301-51001	Salaries FT, Position # 6037	\$3,331	62000	\$58,669
A14301-51001	Salaries FT, Position #6038	\$6,347	49821	\$43,474
A14301-51001	Total Sal FT decrease	\$9,678	312122	\$302,444
<b>Fringe Benefits:</b>				
A14301-58001	FICA	\$740	24981	\$24,241
A14301-58002	Retirement	\$1,070	38186	\$37,116
A14301-58005	Workers Comp	\$295	10592	\$10,297
		\$2,105		
<b>Total Decrease in A14301</b>		<b>\$11,783</b>		

*HR passed Roll call 10/2*

**RESOLUTION NO. 731-09 (12/17/09) RP extendlevy  
Authorizing the Director of Real Property Tax Services to extend the levy of taxes and establish rates for the same.**

By: Francis Mitchell, Chairman, Ways & Means Committee

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

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

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

b. To set the rates for town purposes, including special districts, and for County tax purposes, said amounts being based on **Resolution No. 730-09** adopting the County budget for 2010, passed by the Cayuga County Legislature on **December 17, 2009**, and resolutions passed by the other 32 political subdivisions of the County, adopting their respective budgets for 2010.

and be it further

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

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

**Motion by Mitchell, 2<sup>nd</sup> by Cuddeback to change year to 2010, all in favor. As amended, all in favor.**

**RESOLUTION NO. 732-09 12/17/09 COL ctytax2010rev**  
**DIRECTING THE LEVY OF TAX AGAINST THE CITY OF AUBURN FOR COUNTY PURPOSES FOR 2010.**

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

WHEREAS, the total amount of taxes levied against the County of Cayuga for the year 2009, in accord with Section 360 of the County Law, and pursuant to the duly adopted County Budget for 2010 in which the City of Auburn participates are based on Resolution No.730-09 ; and

WHEREAS, apportionments of this amount to all municipalities have been made and determined by applying the equalization table as adopted by Resolution No. 546 on October 27, 2009,

RESOLVED, that the City of Auburn's share of County Taxes is to be computed for 2010, and is directed to be levied against city properties, and will be furnished to the City of Auburn upon adoption of the 2010 County Budget ; and be it further

RESOLVED, effective January 1, 2010, there is due and payable to the Cayuga County Treasurer by the City of Auburn residents for County Tax Purposes for 2010, the following amount A430 charges covering expenses related to the preparation and mailing of tax bills to city residents for county taxes, a total of \$4,299.58 to be spread on the County tax bills going to city property owners; and be it further

RESOLVED, that the proportionate share for the City of Auburn for the Community College charges per Resolution No. 658-09, duly adopted on December 15, 2009 is \$134,462.17, due and payable to the County Treasurer to be itemized on the county tax bills going to city property owners; and be it further

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

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

**Motion by Lockwood, 2<sup>nd</sup> by Cuddeback to adjourn at 9:25PM, all in favor.**

**12-17-09 Minutes approved on 2-23-10 Motion by Lattimore, 2<sup>nd</sup> by Pinckney, all in favor.**