

**MINUTES
CAYUGA COUNTY LEGISLATURE
APRIL 27, 2010, 6:30PM**

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:

PUBLIC HEARING: opened at 6:30PM – To Adopt Local Law No. 2 for the Year 2010 “ A Local Law Creating the Cayuga County Traffic Safety Board.

PROCLAMATION'S: Federation of New York Insurance Professional Week – 4-19-10 to 4-25-10, title read by Mary Jones, Clerk of the Legislature.

National Travel and Tourism Week – 5-8-10 to 5-16-10, read by Mary Jones, Clerk of the Legislature, presented to Meg Vanek, Director of Tourism by Chairman Peter Tortorici.

Crime Victim's Rights Week, 4-18-09 to 4-24-10, read by Mary Jones, Clerk of the Legislature, presented to David Gould, Sheriff by Chairman Peter Tortorici.

Caitlyn Dillard Day – Tuesday, 4-27-10, read by Mary Jones, Clerk of the Legislature, presented to Caitlyn Dillard by Chairman Peter Tortorici.

PRESENTATION: Andrew Fish, Director Chamber of Commerce, re: Cayuga County Development Agency, handout attached to original minutes.

Phillip Spellane, Harris Beach, re: Indian Affairs, cigarette sales argued in Syracuse court on 3/25/10. Our case is in State Court, decision by late summer. Land into Trust, 130 acres Seneca and Cayuga's, a Public Hearing was held, BIA hasn't made decision yet .

MINUTES: For Approval: 2-23-10, 3-4-10, 3-16-10 and 3-22-10 (Committee of the whole), **Motion by Lattimore, 2nd by Pinckney, all in favor.**
For Reading: 3-23-10

CCC REPORT: Dr. Daniel Larson, Enrollment update – full-time enrollment year-to-date is 3,154 or 109%, spring up nearly 16%, summer, 1,162 have registered, Fall, still in process. SUNY Strategic Plan, a five year plan to challenge the 64 campus SUNY system to revitalize the New York economy and quality of life through higher education. New York State Budget, Governor reduced the cut of \$285 per FTE in base aid. New University Center Partner, the college partnered with Cazenovia College for two new baccalaureate degrees in human Services and Health Care Management now available at the Auburn campus. Cultural Events and Earth Day, violinist Tracy Silverman and Joanne Shenandoah, singer songwriter. For Earth day we held a green car rally. Student Civic Projects, the tutor club had a dress recycling event, the Criminal Justice Club visited the new Child Advocacy Center, the Fulton Criminal Justice Society held its fourth annual chili cook-off, and both campuses coordinated bloodmobiles. Athletics Highlights, sophomore Caitlyn Dillard was named to the 2010 All-America First Team in NJCAA Division III women's basketball and Terry Harrison led the team in scoring for 2 years in men's basketball was named to the 2010 All-Conference First Team and the All-Region Third Team.

COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS:

Mills, reminder, Public Forum, Thursday 4-29-10 at 7:00PM, Bisgrove Community Theater at Cayuga County Community College, Re: Marcellus Shale Gas.

Fearon, Motor Vehicle Department had an organ donor month and 260 people signed up.

COUNTY ADMINISTRATOR'S REPORT: Tom Squires, I'm meeting with Department heads, seeing what I can do to help. I have been sitting in on the MUNIS meetings. Attended meeting at Inter-County Western Association on sales tax. Looking at resolutions for May, Department Head comp-time, Building Assessment Policy, Radio System, and I will have a resolution for the reorganization of my office. Auditor position, need to put the funding in place, advertise in June, bring candidates in for interview with full Legislature hopefully start date of August. The Purchasing policy is a draft working on that. Review of 1st quarter budget report, I will post on line and send link to you. We have received the deposit from Life Time Care for CHHA, \$100,000.00. Sales tax was up through end of March down a couple of percents for April. Provision for Salary adjustment numbers are in there. Contingency account used \$123,000 from \$550,000. George Wethey, Highway Superintendent has put a plan in order regarding CHIP funding in case money doesn't come in.

Mills, property tax.

Jim Orman, Treasurer, a little behind last year, will know more after 2nd installment.

CHAIRMAN'S REPORT: Peter Tortorici, will bring up new business at the end of the meeting.

Public Hearing closed at 7:40PM.

**RESOLUTION NO. 171-10 (4/27/10) COA-LLRplgLL#2safetybrdADP
TO ADOPT LOCAL LAW NO. 2 FOR THE YEAR 2010 A LOCAL LAW CREATING THE CAYUGA
COUNTY TRAFFIC SAFETY BOARD**

BY: HON. STEVEN E. CUDDEBACK, Chairman, Judicial & Public Safety Committee

WHEREAS, Local Law No. 2 for the year 2010 was presented to the Cayuga County Legislature on the 23rd day of March, 2010; and

WHEREAS, pursuant to law and after proper notice having been given, the County Legislature held a public hearing on said Local Law No. 2 for 2010 on April 27, 2010 at 6:30 P.M.; now, therefore, be it

ENACTED, that the Cayuga County Legislature does hereby adopt Local Law No. 2 for 2010, entitled:

"A LOCAL LAW CREATING THE CAYUGA COUNTY TRAFFIC SAFETY BOARD"

and be it further

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

Signed by Cuddeback, Aikman, Chapman, Mitchell, Petrus, Pinckney, and Sincebaugh, all in favor.

**STATE OF NEW YORK
COUNTY OF CAYUGA**

LOCAL LAW NO. 2 FOR THE YEAR 2010

A LOCAL LAW CREATING THE CAYUGA COUNTY TRAFFIC SAFETY BOARD

BE IT ENACTED by the County Legislature of the County of Cayuga, New York, as follows:

SECTION 1. Pursuant to the provisions of Section 1672 of the Vehicle & Traffic Law of the State of New York, there is hereby created in and for the County of Cayuga, the Cayuga County Traffic Safety Board, whose powers and duties shall be those as prescribed by virtue of Section 1673, 1674, 1675, 1676 and 1677 of the Vehicle & Traffic Law of the State of New York.

SECTION 2. This Local Law shall take effect immediately.

APPOINTMENTS AND RE-APPOINTMENTS:

Traffic Safety Board:

Michael Wellauer, PO Box 272, 51 Mattie St., Auburn, NY 13021 (Chair) term – 1-1-10 to 12-31-2012

Lloyd Hoskins, 123 South St., Auburn, NY 13021, term – 4-27-10 to 12-31-2012

David S. Gould, 7445 County House Rd, Auburn, NY 13021, term - 4-27-10 to 12-31-2011

Richard Wheeling, 11 Columbus St., Auburn, NY 13021, term - 4-27-10 to 12-31-2011

Patrick Steger, 5921 New Hope Rd., Moravia, NY 13118, term - 4-27-10 to 12-31-2011

George Wethey, 6994 State St. Rd., Auburn, NY 13021, term - 4-27-10 to 12-31-2011

James W. O'Brien, 1551 Clark St. Rd, Auburn, NY 13021, term - 4-27-10 to 12-31-2010

Gregory D. Gilfus, 46 North St., Auburn, NY 13021, term - 4-27-10 to 12-31-2010

Judy Clarke, 5230 Silver St. Rd., Auburn, NY 13021, term – 4-27-10 to 12-31-2010

Michael Chapman, 11290 Myers Rd., Cato, NY 13033 to serve his Legislative term

Motion by Lattimore, 2nd by Pinckney, all in favor.

Cayuga County Planning Board

Members serve until the locality they represent submits a new nomination

Bill Carmen, 3812 Carver Rd. Moravia, NY 13118 (replaces Barbara Eberhardt) – Town of Niles

Kelly Norris, PO Box 1116, Moravia, NY 13118 (replaces Sara Crossgrove) – Village of Moravia

Sidney Wolff, PO Box 506, Union Springs, NY 13160 (replaces Thomas Parsnick) – Village of Union Springs

Motion by Lattimore, 2nd by Mills, all in favor.

Civil Service Commission:

Peter Stephenson, 3590 Blumer Rd., Jordan, NY 13080, term – 6-1-10 to 5-31-2016

Motion by Lattimore, 2nd by Fearon, all in favor.

COMMUNICATIONS AND ANNOUNCEMENTS:

1. Received an acknowledgement from Brian Kolb, State Assembly Minority Leader, for receipt of Resolution No. 158-10, support the State’s Farmland Protection Program, Resolution No. 94-10 Opposition to the trial of terrorists anywhere in New York State, and Resolution No. 118-10, Authorizing a request for assistance from State elected officials to provide Cayuga County with representation in the defense of the civil action by the Cayuga Indian Nation.
2. Received acknowledgement from David Patterson, governor, in receipt of Resolution 118-10, Authorizing a request for assistance from State elected officials to provide Cayuga County with representation in the defense of the civil action by the Cayuga Indian Nation.

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

RESOLUTIONS:

**RESOLUTION NO. 172-10 04-27-10 AuditApril 2010.doc
AUTHORIZING THE COUNTY TREASURER TO PAY March 2010 AUDIT OF CLAIMS**

BY: Hon. Christopher Palermo, Chairman, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on April 27, 2010 audit claims against the County of Cayuga in the aggregate sum of \$1,725,306.70, therefore be it

RESOLVED, that the Clerk of this Legislature file a certified list of claims so audited with the County Treasurer, and be it further

RESOLVED, that the County Treasurer be and he hereby is authorized and directed to pay the several claims so audited and charge the amounts to the several appropriations made therefore in the County Budget finalized on December 17, 2009.

Signed by Palermo, Cuddeback, Fearon, Mills, and Petrus, all in favor.

**RESOLUTION NO. 173-10 04.27.10
AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE
FOR PAYMENT OF UTILITY BILLS.**

By: Hon. Christopher Palermo, Chairman, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 50, adopted April 11, 1978, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Electric and Gas service, and Water and Sewer service, and

WHEREAS, this Legislature did by Resolution No. 184, adopted August 14, 1984, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for telephone service, and Landfill Service, and

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

March 2010

| | |
|------------|---------------|
| Electric | \$ 107,712.95 |
| Telephone: | \$ 16,053.41 |
| Total: | \$ 123,766.36 |

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

Signed by Palermo, Cuddeback, Fearon, Mills, and Petrus, all in favor.

**RESOLUTION NO. 174-10 04.27.10
AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE
FOR PAYMENT OF THRUWAY TOLLS**

BY: Hon. Christopher Palermo, Chairman, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 24-97, adopted January 21, 1997, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Thruway Tolls, and,

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

March 2010

\$231.56

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

Signed by Palermo, Cuddeback, Fearon, Mills, and Petrus, all in favor.

RESOLUTION NO. 175-10

4-27-10

OFAseniornutrition

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. Christopher Palermo, Chair of Ways and Means Committee.

WHEREAS, The Director of the Office for the Aging presented bills for service providers in regard to operation of the Senior Nutrition Program, to the County Treasurer for payment pursuant to Resolution No. 297, duly adopted on June 21, 1994, which claims total \$11,615.88 covering the period through 3/31/10 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, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 176-10

04.27.10

AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF CREDIT CARD CHARGES

BY: Hon. Christopher Palermo, 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:

March 2010

| | |
|---------------|-----------------|
| First Niagara | \$ 62.99 |
| AmExpress | \$ 7,457.15 |
| Sunoco | \$ 127.14 |
| Walmart | \$ 300.00 |
| <u>Exxon</u> | <u>\$ 13.28</u> |
| Total: | \$ 7,960.56 |

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

Signed by Palermo, Cuddeback, Fearon, Mills, and Petrus, all in favor.

RESOLUTION NO. 177-10

04.27.10

AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF EQUIPMENT LEASE PAYMENTS.

BY: Hon. Christopher Palermo, 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:

March 2010

| | |
|--------------------------------|------------------|
| Copier Leases and Maintenance: | \$ 11,359.00 |
| <u>Postage Leases:</u> | <u>\$ 478.00</u> |
| Total: | \$ 11,837.00 |

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

Signed by Palermo, Cuddeback, Fearon, Mills, and Petrus, all in favor.

**RESOLUTION NO. 178-10 (4/27/10) COA-CAPH4PAYREV
 AUTHORIZING THE COUNTY TREASURER TO PAY CLAIMS AGAINST VARIOUS CAPITAL "H" PROJECTS.**

BY: MR. CHRISTOPHER PALERMO, 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:

| Project #07-5 (Tyler Software): | AMOUNT |
|---|-------------------|
| Tyler Technologies Inc.-Inv. No. 24227 | 2,810.40 |
| Inn at the Fingerlakes -Inv. No. 4358 | 280.00 |
| Tyler Technologies Inc. -Inv. No. 24685 | 2,813.45 |
| Subtotal | 5,903.85 |
| Project #08-1 (Behavioral Health Service Project): | |
| Green Plumbing Inc. Application # 3 | 3,303.00 |
| Fah's Construction Group - Application # 4 | 298,462.69 |
| Gray Management System - Bill # 8 | 11,111.25 |
| Atlantic Testing Laboratories – Inv. 60724 | 2,063.38 |
| Atlantic Testing Laboratories – Inv. 59794 | 1,523.00 |
| Subtotal | 316,463.32 |
| Project #09-2 (Historic Post Office Renovations) | |
| Larson Design Group – Inv. 44548 | 9,490.97 |
| Subtotal | 9,490.97 |
| GRAND TOTAL | 331,858.14 |

And be it further

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

Signed by Palermo, Cuddeback, Fearon, Mills, and Petrus, all in favor.

**RESOLUTION NO. 179-10 (04/22/10) TREASrftax
 AUTHORIZING THE CLERK OF THE CAYUGA COUNTY LEGISLATURE TO SOLICIT REQUESTS FOR PROPOSALS FOR THE PURPOSE OF ACQUIRING TAX COLLECTION AND ENFORCEMENT SOFTWARE**

By: Mr. Christopher Palermo, Ways and Means Committee

WHEREAS, the current software used by the County Treasurer's Office for the collection and enforcement of taxes is over fifteen years old and no longer meets the current needs, making it necessary to use several stand-alone programs, and

WHEREAS, it was the intent to use the Munis Software Tax Module, which, upon further investigation, does not meet the needs of the Treasurer's Office, and

WHEREAS, upon discussion with the previous County Manager, Interim County Manager, Legislative Chairman, County Attorney, County Treasurer and pertinent staff members, it was agreed that it was in the best interest of the County to solicit new Requests for Proposals now, therefore be it

RESOLVED, that the Cayuga County Legislature does authorize the Clerk of the Cayuga County Legislature to hereby solicit Requests for Proposals for the acquisition of tax collection and enforcement software.

Signed by Palermo, Cuddeback, Fearon, Mills, and Petrus, all in favor.

RESOLUTION NO. 180-10 1/26/10 TRE increasesalary
AUTHORIZATION TO INCREASE THE SALARY OF 100% REIMBURSED POSITION OF
SECRETARY/TREASURER TO THE CCIDA

BY: Mr. Christopher Palermo, Chairman Ways and Means

WHEREAS, the Cayuga County Industrial Development Agency has increased the salary for the Secretary/Treasurer of the Agency and

WHEREAS, the salary is paid through the County Treasurer's Account A13251-51001 and is 100% reimbursed by the CCIDA, therefore, be it

RESOLVED that the County Treasurer is hereby authorized to increase the Salary for the position of Confidential Secretary to the IDA, Part-Time to \$10,000 retroactive from January 1st, 2009 and shall be adapted to any further increase in funding from the CCIDA.

Signed by Palermo, Cuddeback, Fearon, Mills, and Petrus, all in favor.

RESOLUTION NO. 181-10 (April 27, 2010) HS Bonadio Group Contract
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter Into a
Contract with the Bonadio Group to Conduct Eligibility Reviews for Medicaid Health Benefits

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

Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Human Services Department desires to conduct Eligibility Reviews relating to self-employed individuals applying for Medicaid healthcare benefits; and

WHEREAS, the Bonadio Group is an accounting and business consulting firm with experience in the auditing of public benefit programs, and is duly licensed to practice in the State of New York; and

WHEREAS, it is economically and organizationally feasible for the Department to contract with the Bonadio Group for the performance of their audit and accounting services; and

WHEREAS, the Bonadio Group has successfully worked with other counties in New York State, and the program has proven to promote deterrence in fraudulent applications; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services enter into a contract with the Bonadio Group for the period 5/1/10 to 4/30/11 to conduct Eligibility Reviews relating to self-employed individuals applying for Medicaid healthcare benefits at \$150/hr., in an amount not to exceed \$50,000 which is 100% reimbursed by State and Federal funds; and be it further

RESOLVED, that payment for these services comes out of account #A60104 54059.

Signed by Petrus, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback, Fearon, all in favor.

RESOLUTION NO. 182-10 (April 27, 2010) HS Fill Principle Social Welfare Examiner
Authorizing the Director of Health and Human Services to Fill a Principle Social Welfare Examiner Position in
the TANF Unit of Human Services

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

Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, there is a vacant Principle Social Welfare Examiner position in the TANF unit of the Human Services Department due to a retirement effective April 30, 2010; and

WHEREAS, this position is responsible to supervise a group of examiners and sr. examiners responsible for determining financial eligibility for public assistance, safety-net assistance and food stamps, and day care related to the case; and

WHEREAS, this position is 75% federally funded; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the Principle Social Welfare Examiner position in the Temporary Assistance unit of Human Services and any fill behinds that may occur 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, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 183-10 (April 27, 2010)

HD Childhood Lead Grant 2010

Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into a Contract with the NYS Department of Health to Participate in the 100% Funded "Childhood Lead Poisoning Prevention Program"

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Health Department has received a 100% reimbursable grant in the amount of \$18,985 from the NYS Department of Health called the "Childhood Lead Poisoning Prevention Program" grant for the period April 1, 2010 through September 30, 2010; and

WHEREAS, in order to carry out the terms of this grant, the 2010 Health Department Budget must be amended so as to provide the appropriations and revenues necessary to support the services connected with the grant; NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to enter into a contract with the NYS Department of Health to implement the "Childhood Lead Poisoning Prevention Program" grant for the period April 1, 2010 through September 30, 2010; and that the Health Department be allowed to contract for services necessary to implement this grant without further action from the Legislature; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the following amendments to the 2010 Health Department Budget:

Increase Appropriation Account #A40284 54000.....\$18,985
Increase Revenue Account #A40280 43428.....\$18,985

and be it also

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

Signed by Petrus, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 184-10 (April 27, 2010)

HD Dental Grant 2010-2011

Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into an Agreement with the State to Accept the 100% Reimbursable Preventive Dentistry Grant and Any Additional COLA Adjustments Relative to This Grant

BY: Ann Petrus, Chairman of the Health & Human Services Committee
Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Department of Health has been awarded a grant from the NYS Department of Health called the "Preventive Dentistry for High Risk and Underserved Children" in the amount of \$50,000 for the period July 1, 2010 through June 30, 2011 and any additional COLA adjustments relative to this grant; and

WHEREAS, in order to carry out the terms of this grant, the 2010 Health Department Budget must be amended so as to provide the appropriations and revenues necessary to implement the grant; NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into an agreement with the State to accept the 100% reimbursable Preventive Dentistry Grant and any additional COLA adjustments relative to 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 and to amend the Health Department's 2010 budget in the following manner:

Increase Appropriation Account A40294 54000.....\$50,000
Increase Revenue Account A40290 43429.....\$50,000

Signed by Petrus, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback, and Fearon, all in favor.

**RESOLUTION NO. 185-10 (April 27, 2010) HD HMWP Provider Contracts
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Contract with Multiple Service Agencies and Individuals (Listed) for the Provision of Services for the Healthy Men and Women's Partnership Program**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Health Services Division of Health & Human Services entered into a contract with the NYS Department of Health to participate in the Healthy Men & Women's Partnership Program, and in addition to funding staff in the program, the Department also receives funds (Federal and State) that pays providers for their services; and WHEREAS, the rate schedule is established and set by NYS Department of Health:

WHEREAS, the Health Department has successfully contracted with the listed agencies and individuals to provide these services in the past on an annual basis; and

WHEREAS, it has been determined that it would be more efficient and less time-consuming to enter into a 3-year contract with each of the service providers for the remaining 3-years of the 5-year contract; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into 3-year contracts with the following service providers and any new providers that may come forward for the remaining three-year period of April 1, 2010 – March 31, 2013:

| | |
|--|--|
| Dr. Bock | Midwifery & Women's Services |
| Auburn OB/GYN (AMMS, PC) | Women's Health Specialists |
| Community Medical Center | Dr. Eppolito |
| Auburn Family Care | Soderberg, Kroeger & Wike |
| Finger Lakes Migrant Health Project | Family Health Network of CNY |
| Internal Medicine Associates Of Auburn | Dr. Geer |
| Dr. Locastro | Dr. Ryan |
| Harrison Outpatient Surgery | CNY Gastroenterology |
| East Hill Family Medical | Elizabeth Wende Breast Care Center |
| Auburn Memorial Hospital | Cortland Regional Medical Center |
| Auburn Memorial Hospital Lab | Cytology Outreach, LLC |
| Quest Diagnostics | Comprehensive Gynecology |
| Auburn Medical PC | Auburn Radiology |
| Medical Imaging Center | Centrex Labs. |
| Laboratory Alliance of CNY | Dr. Gregory Ripich |
| Digestive Disease Center of NY | Gastroenterology and Hepatology of CNY |

and be it also

RESOLVED, that payment for these services is charged to account #A40164 54000 of the Health Department's Budget. If funding for the program ceases, the contracts will cease.

Signed by Petrus, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback, and Fearon, all in favor.

**RESOLUTION NO. 186-10 (April 27, 2010) HD Optimum Partners CHA 2010
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter Into a Contract with Optimum Partners to Update the Community Health Assessment**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Christopher Palermo, Chairman of the Ways & Means Committee

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services enter into a contract with Optimum Partners for the period of May 1, 2010 to December 31, 2010 to update our current assessment in an amount not to exceed \$7,000; and be it further

RESOLVED, that the charges for these services be paid out of account A40104 54059 of the 2010 Health Department Budget.

Signed by Petrus, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback, and Fearon, all in favor.

**RESOLUTION NO. 187-10 (April 27, 2010) HD Accept 2009-10 COLA Funds
Authorizing the Director of Health & Human Services to Amend Contracts with NYS Department of Health to
Accept Additional Funding (COLA)**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, Chapter 57, Laws of 2006 provide for the Commissioner of Health to establish an annual cost of living adjustment (COLA) programs outlined in the statute. This COLA is based on a Congressional budget Office calculation for state fiscal year 2009-2010, and has been established at 8.53% less a reduction of 6% pursuant to Chapter 496 of the Laws of 2008; and

WHEREAS, payment of the COLA amount associated with these contracts will be made separately from authorized contract payments; NOW, THEREFORE, BE IT

RESOLVED, that as the Health Department receives notification of the cost of living adjustments to 100% State funded grant programs that fall in this category, the Director of Health & Human Services be authorized to sign the required certifications to accept the COLAs attached to these programs; and be it also

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the appropriate adjustments to the Health Department's budget to accomplish this.

Signed by Petrus, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback, and Fearon, all in favor.

**RESOLUTION NO. 188-10 (April 27, 2010) HD Susan G. Komen Contract
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter Into a
Contract with the CNY Affiliate of the Susan G. Komen Breast Cancer Foundation, Inc. and Accept Funding**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, the Community Health Services division of the Health Department has a program in which they provide services to qualified participants, which include mammograms, ultrasounds, surgical consults, and assistance with biopsy costs; and

WHEREAS, the Central New York Affiliate of the Susan G. Komen Breast Cancer Foundation, Inc. wishes to contract with the Health Department to assist qualified participants in obtaining these services, with a grant in the amount of \$18,440 for the period of April 1, 2010 through March 31, 2011; 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 Central New York Affiliate of the Susan G. Komen Breast Cancer Foundation, Inc. as noted above, and to authorize the Chairman of the Legislature and the Director of Health & Human Services to sign all subcontracts necessary to implement this grant; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the Health Department's 2010 Budget in the following manner:

Increase Appropriation Account #A40184 54000.....\$18,440
Increase Revenue Account #40180 43418.....\$18,440

Signed by Petrus, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback, and Fearon, all in favor.

**RESOLUTION NO. 189-10 (April 27, 2010) HD Amend 2010 Health Dept Budget
Authorizing the County Treasurer to Amend the 2010 Cayuga County Health Department Budget**

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

Christopher Palermo, Chairman of the Ways and Means Committee

WHEREAS, after the submission of the 2010 Health Department Budget, the County decided to sell its Home Health Care Agency's Certificate of Need (CON) to Genesee Region Homecare (GHRC) d/b/a Lifetime Care; and

WHEREAS, part of the agreement to sell the CON has resulted in the County entering into a management agreement and a purchase of services agreement for clinical services with GRHC; and

WHEREAS, funds for these agreements were not budgeted in the contractual accounts in the 2010 Health Department budget; and

WHEREAS, County employees working in the Home Care Agency providing billing and clinical services will be transitioned to employment at Lifetime Care, transferred to another County department, or laid off; and

WHEREAS, the vacating of these positions will result in unspent funds in the salary and fringe benefit accounts within the 2010 Health Department budget; and

WHEREAS, funds will need to be transferred between these accounts in order to pay Lifetime Care for management and clinical services provided to the Home Care Agency before the CON is transferred; NOW, THEREFORE BE IT

RESOLVED, that the County Treasurer be authorized and directed to transfer funds between the following accounts, within the 2010 Health Department Budget, on a monthly basis, as required to pay Lifetime Care for the services provided to the County:

Appropriation Accounts:

Increase #A10174 54000 Provision for Salary Adjustment

Increase #A40124 54059 Professional Services

Decrease #A40121 51001 Salaries – Full Time

Decrease #A40121 51002 Salaries – Part Time

Decrease #A40121 51003 Salaries – Overtime

Decrease #A40121 51004 Salaries – On-call

Decrease #A40121 58001 Social Security

Decrease #A40121 58002 State Retirement

Decrease #A40121 58003 Health Insurance

Decrease #A40121 58004 Dental Insurance

Decrease #A40121 58005 Workers Compensation

Decrease #A40121 58007 Unemployment Insurance

and be it further

RESOLVED, that the Health Department's administrative staff will report to the County Legislature on a monthly basis, to report the services provided by Lifetime Care and the payments made for these services; 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 monthly transfers requested by the Health Department.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback, and Fearon, all in favor.

**RESOLUTION NO. 190-10 Date of Meeting: 4/27/10 nhbdgttrnsfrREV1
AUTHORIZING THE TREASURER OF CAYUGA COUNTY TO TRANSFER FUNDS AUTHORIZED IN THE
BUDGET TO THE CAYUGA COUNTY NURSING HOME ACCOUNT.**

BY: Christopher Palermo, Chairman, Ways and Means Committee

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

WHEREAS, the Cayuga County Nursing Home has engaged Select Rehabilitation to provide all rehabilitation services for the nursing home beginning April 1, 2010; and,

WHEREAS the contracts with independent providers have been terminated; and,

WHEREAS the payments in the budget need to be transferred to accurately reflect the contract for rehabilitation services; Now therefore be it

RESOLVED that the Treasurer of Cayuga County be authorized to transfer funds as follows:

Physical Therapists E45044 54127 \$65,000.00

Occupational Therapists E45054 54217 \$50,000.

Speech Therapy E45064 54218 \$10,180.00 to

Rehab Service Contractual E45184 54000 \$125,180.00 and be it further;

RESOLVED that the Treasurer of Cayuga County be authorized to transfer funds as follows:

Physical Therapy Supplies E45044 54365 \$2,071.80

Occupational Therapy Supplies E45054 54365 \$1,537.55 to

Rehab Services –Other Supplies E45184 54365 \$3,609.35

Signed by Petrus, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 191-10 Date of Meeting: 4/27/10 nhcontrthskpng
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ENTER INTO AN AGREEMENT WITH NEW YORK STATE INDUSTRIES FOR THE DISABLED (ROCHESTER REHABILITATION) TO PROVIDE CONTRACT HOUSEKEEPING SERVICE TO THE NURSING HOME.

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

BY: Christopher Palermo, Chairman, Ways & Means Committee

WHEREAS, the Nursing Home has had housekeeping service provided by New York State Industries for the Disabled for the past 4 years; and,

WHEREAS, those services have been provided in a satisfactory manner; and

WHEREAS, the agreement allows for an extension of 1 year; Now therefore be it

RESOLVED that the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home be authorized to sign an agreement for an extension of one year with New York State Industries (Rochester Rehabilitation) for said services at an estimated cost of \$262,050.00 (Two hundred sixty-two thousand Fifty dollars), depending on consumer price index changes.

Signed by Petrus, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 192-10 Date of Meeting: 4/27/10 nhwtrhtr
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ACCEPT A PROPOSAL FOR REPLACEMENT OF A HOT WATER TANK AT THE NURSING HOME.

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

BY: Christopher Palermo, Chairman, Ways & Means Committee

WHEREAS, a hot water tank at the Nursing Home needs replacement, and

WHEREAS, quotes have been received from several firms as follows:

Northrup Supply for \$4,383.44;

Johnson Supply for \$5,554.00;

Grainger for \$ 6469.00; and

WHEREAS, the proposals were for tanks with the same specifications; and

WHEREAS, the quote submitted by Northrup Supply is the lowest cost for the same tank; now therefore be it,

RESOLVED, that Northrup Supply provide the hot water tank for \$4,383.44 (Four thousand three hundred eighty-three dollars and forty-four cents).

Signed by Petrus, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 193-10 4/27/10 MHContractors2Payroll4.10

AUTHORIZING THE CREATING AND FILLING OF POSITIONS FOR MENTAL HEALTH AND THE CONVERSION OF THOSE POSITIONS FROM INDEPENDENT CONTRACTORS TO EMPLOYEES

By: Ann R. Petrus, Chair, Health and Human Services Committee, and
Christopher M. Palermo Chair, Ways and Means Committee

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

WHEREAS, review of contracted services identified several positions that should be appropriately identified as salaried positions according to Internal Revenue Service regulations; and

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

RESOLVED, that one Psychiatric Nurse Practitioner position be created and placed within the Cayuga County Compensation Plan, Part IV, and compensated at the current rate of \$75 per hour; and be it further

RESOLVED, that the existing full-time position code, 0012, Staff Psychologist, be filled at the annual rate, grade 40, as stipulated by the contract between the County of Cayuga and CSEA, not to exceed twenty hours per week; and be it further

RESOLVED, that the two (2) contracted positions of Psychiatric Nurse Practitioner and Psychologist, be abolished; and be it further

RESOLVED, that the four (4) part-time vacant positions of Social Work Assistant (code 4180), Community Mental Health Nurse (code 06720), and two Associate Psychologists (codes 7038 and 7039) be abolished in order that those budgeted funds be re-directed to the two converted positions; and be it further

RESOLVED, that the Director of Community Mental Health Services be authorized and directed to fill the position of Staff Psychologist and the position of Psychiatric Nurse Practitioner in accordance with the Cayuga County Civil Service Rules and Regulations and the policies of Cayuga County, and be it further

RESOLVED, that the Cayuga County Treasurer be directed and authorized to make the necessary accounting entries transferring budgeted funds in the 2010 Cayuga County Budget as follows:

| | |
|--|----------|
| Increase A43101-51001 Salaries – FT | \$93,361 |
| Increase A43101-58001 FICA | 3,170 |
| Increase A43101-58004 Dental Insurance | 264 |
| Increase A43101-58005 Workers Comp | 1,262 |
| Decrease A43101-51002 Salaries – PT | 51,912 |
| Decrease A43101-58002 Retirement | 3,642 |
| Decrease A43104-54330 Medicaid Elig | 42,503 |

Signed by Petrus, Barski, Mahunik, Mills, Palermo, Sincebaugh, Palermo, Cuddeback, and Fearon, all in favor.

RESOLUTION NO. 194-10 4.27.10 coamoancsea

Authorizing the Cayuga County Administrator, the Chairman of the Cayuga County Legislature and the Director of Health & Human Services to Sign a “Memorandum of Agreement” with CSEA

BY: Hon. Ann Petrus, Chairperson of the Health & Human Service Committee
Hon. Christopher Palermo, Chairman of the Ways & Means Committee

WHEREAS, a “Memorandum of Agreement” has been drawn up in the matter of the transfer of the Certificate of Need for the Cayuga County Home Health Agency and Long Term Home Care Program which directly impacts upon employment relationship between the County of Cayuga, the Cayuga County Department of Health and Human Services and the Civil Services Employees Association, Inc., Cayuga Local 806 (hereinafter referred to as “CSEA”); NOW, THEREFORE, BE IT

RESOLVED, that the Legislature of the County of Cayuga hereby approves the “Memorandum of Agreement” presented by CSEA, and authorizes and directs the County Administrator, the Chairman of the Cayuga County Legislature and the Director of Health and Human Services to sign the aforementioned “Memorandum of Agreement Retention Incentive Bonus and Severance Package” between Cayuga County CSEA.

Signed by Petrus, Axton, Barski, Mahunik, Mills, Palermo, Palermo, Cuddeback, and Fearon, all in favor, except Cuddeback voting no and Sincebaugh abstained.

RESOLUTION NO. 198-10**4.27.10****coa bldfrfees**

Establishing and Adopting a Building Code Inspection and Fire Inspection Fee Schedule for building code inspections and fire inspections performed by the Cayuga County Code Enforcement Officer.

By: Hon. George Fearon, Chari Government Operations Committee

Hon. Christopher Palermo, Chair Ways and Means Committee

Whereas, the County of Cayuga wishes to establish a fee schedule for building code inspections and fire inspections performed by the Cayuga County Code Enforcement Officer; and

Whereas, the Government Operations Committee and the Ways and Means Committee reviewed the attached Building Code inspection and Fire Inspection Fee Schedule and recommends adoption of such fee Schedule by the Cayuga County Legislature; now therefore be it

Resolved, that the attached Building Code Inspection and Fire Inspection Fee Schedule is hereby adopted; and be it further

Resolved, that the Fee Schedule is effective immediately.

Signed by Fearon, Aikman, Barski, Chapman, Lattimore, Mitchell, Palermo, Cuddeback, Mills, and Petrus.

RESOLUTION NO. 199-10 (427.10)**coasftyprctply****Adopting General Safety Rules and Safe Work Practices Policy**

BY: Hon. George Fearon, Chairman Government Operations

WHEREAS, the County Legislature has adopted numerous policies and procedures for conducting County business and others which are mandated by Federal and State governments; and

WHEREAS, the Risk Management Committee drafted a General Safety Rules and Safe Work Practice Policy which Policy has been forwarded for review and comment to Department Heads and Union Presidents; and

WHEREAS, the County Legislature wishes to adopt a General Safety Rules and Safe Work Practice Policy; now, therefore be it

RESOLVED, the County Legislature does hereby adopt the attached General Safety Rules and Safe Work Practice Policy; and, be, it further

RESOLVED, that this resolution will take effect immediately upon adoption.

Signed by Fearon, Aikman, Barski, Chapman, Lattimore, Mitchell, and Palermo.

RESOLUTION NO. 200-10**(4/27/10)****coaadptrvdmpllyhndbknnbrgng****ADOPTING A REVISED CAYUGA COUNTY EMPLOYEE HANDBOOK FOR NON-REPRESENTED EMPLOYEES.**

BY: Hon. George Fearon, Chairman Government Operations Committee

WHEREAS, on June 24, 2008, Resolution No. 402-08 "Adopting the Cayuga County Employee Handbook for Non-Represented Employees" was adopted by the Legislature; and

WHEREAS, Resolution No. 402-08 states that "the County Legislature shall reserve the right to amend or modify the Rules, Regulations and Policies at any time"; and

WHEREAS, the Government Operations tasked the Human Resources Department with updating and reviewing the Cayuga County Employee Handbook for Non-Represented Employees(copy attached); now, therefore be it

RESOLVED, that the attached the Cayuga County Employee Handbook for Non-Represented Employees is hereby adopted in full; and, be it further

RESOLVED, that the attached Cayuga County Employee Handbook for Non-Represented Employees shall supersede any and all previously adopted Cayuga County Employee Handbook and amendments thereto; and be it further

RESOLVED, the Human Resources Department be permitted to change minor text for the purpose correcting typographical errors that may occur from time to time but do not change the intent of the section without requiring a resolution; and be it further

RESOLVED, the Cayuga County Legislature shall reserve the right to amend or modify the Cayuga County Employee Handbook for Non-Represented Employees.

Signed by Fearon, Aikman, Barski, Chapman, Lattimore, Mitchell, and Palermo.

RESOLUTION NO. 201-10 4-27-10

LEG-ReviseEmpHandbk

Authorization to amend the Cayuga County Employee Handbook pursuant to negotiation to end CSEA Improper Labor Practice Charge U-28297

BY: George Fearon, Chairperson, Government Operations Committee

BY: Christopher Palermo, Chairperson, Ways & Means Committee

WHEREAS, the Local CSEA Bargaining Unit, Local 1000, AFSCME, AFL-CIO did file an improper labor practice regarding the adoption of the Cayuga county Employee Handbook and its content; and

WHEREAS, Labor Relations Specialists for both the CSEA and County have agreed to the attached revised document and format; and

WHEREAS, Language that is subject to mandatory negotiations has been removed from the document and other updated language has been added; NOW THEREFORE, BE IT

RESOLVED, that the Cayuga County Employee Handbook as amended be hereby approved; and be it further

RESOLVED, that the handbook revision be copied for future orientations and place on the Cayuga County Website for access by the county employees; and be it further

RESOLVED, that the Human Resources and Civil Service Department be hereby given the authority to update and statute changes that may occur in the future to keep the document up-to-date and in accordance to current statute.

Signed by Fearon, Aikman, Barski, Chapman, Lattimore, Mitchell, Palermo, Cuddeback, Mills, and Petrus, all in favor.

RESOLUTION NO. 202-10

4/27/10

Vetpost10rev

AUTHORIZING THE COUNTY TREASURER TO PAY VETERANS POSTS

BY: Honorable George Fearon, Chair, Government Operations Committee

Honorable Christopher Palermo, Ways & Means Committee

WHEREAS, the budget for the fiscal year 2010 contains funds for payment to Veterans Posts in a Special Act of the Legislature applying to Cayuga County; and

WHEREAS, applicants and bonds were required to be made by each Post on a form prepared by the County Attorney; and

WHEREAS, five Post have not submitted the necessary applications for payment leaving the amount of \$750.00 in account A65104-54065; and

WHEREAS, the additional funds available be transferred into Trust Account T-17004 to be used as emergency funds for operation of the Veteran's Van; now therefore, be it

RESOLVED, that the Cayuga County Treasurer be and is hereby authorized and directed to make payments of \$150.00 to each of the eligible Veteran Posts who have made proper applications as follows:

City of Auburn - W. Mynderse Rice American Legion Post #97

City of Auburn - Swietoniowski – Kopeczek American Legion Post # 1324

City of Auburn – Carnicelli – Indelicato American Legion Post #1776

City of Auburn – Auburn City Veterans Council

City of Auburn – Korean War Veterans Association, Cayuga County Chapter # 296

City of Auburn – St. Nicholas Veterans Post # 1

City of Auburn – Vietnam Veterans of America Inc., Chapter # 704

City of Auburn – La Societe Cayuga county 40 & 8, Voiture 1064

City of Auburn – Cayuga Memorial Detachment, Marine Corps League

City of Auburn – Joseph E. Rice Memorial Chapter # 103, Disabled American Veterans

Town of Montezuma – Robert F. Stryker Memorial American Veterans Post # 513

Town of Montezuma-Thurston-Schramm-Reynolds Veterans of Foreign Wars Post # 8137

Town of Owasco – Owasco Memorial Veterans of Foreign Post # 6575

Village of Cato – Town of Cato – LaBuff - Cole American Legion Post #911

Village of Cayuga, Town of Aurelius – Donald R. Ward American Legion Post #1259

Village of Fair Haven, Town of Sterling – George E. Ingersoll American Legion Post # 658

Village of King Ferry, Town of Genoa – Frontenac Veterans of Foreign Wars Post # 7274

Village of Moravia, Town of Moravia – Rowe – Churchill American Legion Post #710

Village of Port Byron, Town of Mentz – John Cool American Legion Post # 257

Village of Weedsport, Town of Brutus – Clerk – Heck American Legion Post # 568

and be it further

RESOLVED that the Cayuga County Treasurer is hereby directed to transfer the amount of \$750.00 from account A65104-54065 into Trust account T-17004 and make any necessary journal and accounting entries to accomplish the same.

Signed by Fearon, Aikman, Barski, Chapman, Lattimore, Mitchell, Axton, Cuddeback, Mills, and Petrus, all in favor, except Palermo voting no.

**RESOLUTION NO. 203-10 (04-27-10) CC- Online DMV Retention Fees Rev
SUPPORT ASSEMBLY BILL A-9919 and S7338 WHICH WILL GIVE THE LOCAL DEPARTMENT OF
MOTOR VEHICLES IN EACH COUNTY RETENTION FEES FOR ONLINE TRANSACTIONS**

BY: MR. GEORGE FEARON, Chairperson, Government Operations Committee
MR. CHRISTOPHER PALERMO, Chairperson, Ways and Means Committee

WHEREAS, the New York State Vehicle and Traffic Law places the responsibility of operating Department of Motor Vehicle Offices to 51 Counties across New York State through their respective County Clerk; and

WHEREAS, acting as an "agent" of the New York State Department of Motor Vehicles, our county taxpayers bear the cost of running local Department of Motor Vehicles operations; and

WHEREAS, our current share of certain transaction fees is 12.7%, available only if a customer appears in person or if customers direct their mail renewals specifically to the Auburn office; and

WHEREAS, there are numerous transactions we are required to perform that are time consuming, labor intensive for which New York State does not allow the County any fee and we are often competing with the NYS Department of Motor Vehicles for limited business in order to sustain our operations; and

WHEREAS, the Commissioner of Motor Vehicles has advised the New York State Association of County Clerks that 35 online transactions are currently available for customers via the NYS DMV website and more online transactions can be expected, leaving the County with even fewer revenue sharing opportunities; now therefore be it

RESOLVED, the Cayuga County Legislature support Assembly Bill A-9919, and Senate Bill S-7338 allowing County Clerks who operate DMV offices to retain a share of fees collected from County residents for motor vehicle transactions completed through the NYS DMV website; and be it further

RESOLVED, that the Clerk of this Legislative body be hereby directed to transmit copies of this resolution to Governor David A. Paterson, State Senators Michael Nozzolio and David Valesky, Assemblymen Gary Finch, Brian Kolb and Robert Oaks to ask for their support of this legislation.

Signed by Fearon, Aikman, Chapman, Barski, Lattimore, Mitchell, Palermo, Axton, Cuddeback, Mahunik, Mills, and Petrus, all in favor.

RESOLUTION NO. 204-10 04/27/2010 Bldgs HPO HVAC 2010

Authorization to enter into a 3 year assured Maintenance Agreement for the Historic Post Office Temperature Control system

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

Hon. Christopher Palermo, Chairman, Ways & Means Committee

WHEREAS, the HVAC at the Historic Post Office system is a intricate piece of equipment; and

WHEREAS, the County does not have an employee that is trained or certified to work on this system; and

WHEREAS, it would not be cost effective for the county to train an employee to perform this service; now therefore be it,

RESOLVED, that the County enter into a three year Maintenance Agreement with Upstate Temperature Control, Inc for service on the controls portion of the HVAC system, at the cost of \$3,120.00 for 2010, \$3,244.00 for 2011 and \$3,374.00 for 2012; and be it further

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

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

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

Signed by Axton, Barski, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, Mills, and Petrus, all in favor.

RESOLUTION NO. 205-10 April 27, 2010 Hwybudtranseqiprent10Rev
Authorization to Amend the 2010 Cayuga County Highway Budget for Internal Equipment Rentals
 BY: David Axton Chairman, Public Works Committee

Christopher Palermo Chairman, Ways and Means Committee

WHEREAS, after the submission of the 2010 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 2010 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>Current</u> | <u>Increase/Decrease</u> | <u>Revised</u> |
|-------------------------------|--------------------------|-----------------|--------------------------|-----------------|
| D51104 | Maintenance of Roads and | \$ | \$ | \$ |
| 54093 | Bridges | 720,000.00 | (170,000.00) | 550,000.00 |
| D51134 | | \$ | \$ | \$ |
| 54093 | Capital Improvements | 480,000.00 | - | 480,000.00 |
| D51424 | | \$ | \$ | \$ |
| 54093 | County Snow | 270,000.00 | 90,000.00 | 360,000.00 |
| D51444 | | \$ | \$ | \$ |
| 54093 | State Snow | 100,000.00 | 80,000.00 | 180,000.00 |
| D51484 | | \$ | \$ | \$ |
| 54093 | Other Agencies | 30,000.00 | - | 30,000.00 |
| TOTALS | | | \$ | \$ |
| | | \$ 1,600,000.00 | - | \$ 1,600,000.00 |

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 Axton, Barski, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, Mahunik, Mills, and Petrus, all in favor.

RESOLUTION NO. 206-10 April 27, 2010 Hwybudtranssalaries2010rev

Authorization to Amend the 2010 Cayuga County Highway Budget

BY: David Axton Chairman, Public Works Committee

Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, the submission of the 2010 Cayuga County Highway Budget could not accommodate the reflection of salaries in the necessary budget accounts; and

WHEREAS, the funds to pay for these expenditures were originally budgeted in a single Highway account; and

WHEREAS, it is necessary to amend the 2010 Highway Budget to allow these various accounts to reflect estimated salaries; 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:

| ORG | OBJECT | 2010 CURRENT | INCREASE/(DECREASE) | 2010 REVISED |
|--------|-------------------------------|-----------------------|---------------------|-----------------------|
| D51101 | 51001 Full Time Salaries | \$2,066,826.00 | (\$600,326.00) | \$1,466,500.00 |
| D51101 | 51005 Seasonal Salaries | \$0.00 | \$80,000.00 | \$80,000.00 |
| D51131 | 51001 Full Time Salaries | \$0.00 | \$230,000.00 | \$230,000.00 |
| D51421 | 51001 Full Time Salaries | \$0.00 | \$159,232.00 | \$159,232.00 |
| D51421 | 51005 Seasonal Salaries | \$0.00 | \$9,000.00 | \$9,000.00 |
| D51441 | 51001 Full Time Salaries | \$0.00 | \$97,594.00 | \$97,594.00 |
| D51441 | 51004 Seasonal Salaries | \$0.00 | \$4,500.00 | \$4,500.00 |
| D51481 | 51001 Full Time Salaries | \$0.00 | \$20,000.00 | \$20,000.00 |
| | <i>Total</i> | <i>\$2,066,826.00</i> | <i>\$0.00</i> | <i>\$2,066,826.00</i> |
| D51101 | 51003 Overtime | \$212,200.00 | (\$208,200.00) | \$4,000.00 |
| D51131 | 51003 Overtime | | \$6,200.00 | \$6,200.00 |
| D51421 | 51003 Overtime | | \$125,000.00 | \$125,000.00 |
| D51441 | 51003 Overtime | | \$77,000.00 | \$77,000.00 |
| | <i>Total</i> | <i>\$212,200.00</i> | <i>\$0.00</i> | <i>\$212,200.00</i> |

Totals by Object:

| | | | | |
|--|-------------------------------|-----------------------|---------------|-----------------------|
| | 51001 Full Time Salaries | \$2,066,826.00 | \$(93,500.00) | \$1,973,326.00 |
| | 51005 Seasonal | \$0.00 | \$93,500.00 | \$93,500.00 |
| | 51003 Overtime | \$212,200.00 | \$0.00 | \$212,200.00 |
| | Total | \$2,279,026.00 | | \$2,279,026.00 |

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 Axton, Barski, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, and Mills, all in favor.

**RESOLUTION NO. 207-10 Date: April 27, 2010 HWYSUMHLP
RESOLUTION TO AUTHORIZE HIRE OF 10 SEASONAL LABORERS**

By: Hon. David Axton, Chairman Public Works Committee

Hon. Christopher Palermo, Chairman Ways and Means Committee

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

WHEREAS, funding was allocated in the 2010 highway budget for the hiring of seasonal laborers for an 18 week period in Account. D51101 51001 – FULL TIME SALARIES

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

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

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

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

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

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

Signed by Axton, Barski, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, Petrus, and Mills, all in favor.

**RESOLUTION NO. 208-10 Date: April 27, 2010 PW_TANKINSPECT
TO AUTHORIZE THE CREATION OF A UNIFORM FUEL TANK INSPECTION AND RECORD KEEPING
PROCESS FOR COUNTY FACILITIES.**

By: Hon. David Axton, Chairman Public Works Committee

Hon. Christopher Palermo, Chairman Ways and Means Committee

WHEREAS, Cayuga County has petroleum storage facilities at a number of sites operated by several different departments, and

WHEREAS, the petroleum storage sites include the Highway Department at York Street, County Highway Department at Ira, County Highway Department at Venice, County Office Building, Jail, Nursing Home, Soil and Water Conservation District and Emerson Park, and

WHEREAS, to ensure compliance with state and federal fuel storage regulations, it would be beneficial to develop a single tank inspection procedure and a single repository for routine inspections, and procedure to alert County Administration if there is an issue that needs to be addressed, and

WHEREAS, Asbestos & Environmental Consulting Corporation (AECC) was retained by Resolution #357-09 to provide environmental compliance services for Cayuga County, and their proposal included hourly rates to be used for unscheduled and/or unforeseen circumstances, and

WHEREAS, AECC has provided a proposal to complete the monthly inspections for one month, and then train a county worker at each site for the two or three months following their initial inspections at a cost of \$600 per month, and

WHEREAS, sufficient funds are available in the tank removal project line A16204 54251 to cover this expenditure.

NOW, THEREFORE BE IT

RESOLVED, that the County Chairman is authorized and directed to sign a change order with AECC to accomplish the intent of this resolution.

Signed by Axton, Barski, Chapman, Cuddeback, Lattimore, Mitchell, Pinckney, Palermo, Fearon, Petrus, and Mills, all in favor.

RESOLUTION NO. 212-10 4/27/10 PSAPftESDfill (2)rev

AUTHORIZATION TO FILL TWO VACANT EMERGENCY SERVICES DISPATCHER POSITIONS

BY: Mr. Steven Cuddeback, Chairperson, Judicial and Public Safety Committee

Mr. Christopher Palermo, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County 911 Center currently has two vacant Full-Time Emergency Services Dispatcher positions.

WHEREAS, it is necessary to select candidates and fill the Emergency Services Dispatcher position for continuity of services; now therefore be it

RESOLVED, that the positions (#01921 and #01912) be filled, and that the 911 Administrator be hereby authorized to fill the vacant Emergency Services Dispatcher positions from the existing Civil Service list; and be it further

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

Signed by Cuddeback, Aikman, Chapman, Mitchell, Petrus, Palermo, Axton, Fearon, and Mills, all in favor.

RESOLUTION NO. 213-10 4.27.10 911SoftwareNewWorldRev

AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO RENEW A THREE YEAR CONTRACT WITH NEW WORLD SYSTEMS TO PROVIDE CAD, MAPPING, RECORDS MANAGEMENT, AND AVL SERVICES.

BY: Mr. Steven Cuddeback, Chairperson, Judicial and Public Safety Committee

Mr. Christopher Palermo, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County 911 Center utilizes New World Systems for Computer Aided Dispatch, Records Management, Mapping, and Automatic Vehicle Locator (AVL) services, and

WHEREAS, New World Systems has submitted a renewal invoice for a three-year contract; and

WHEREAS, pricing of a three (3) year contract is \$83,746 for 2010, \$86,259 for 2011, and \$88,846 for 2012; and

WHEREAS, there is money in the 911 Communication System Budget Account Number A30204 54019 for this purpose; now therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to sign the contract renewal, with New World Systems for the amount of \$258,851 for the period of June 1, 2010 through May 31, 2013; and be it further

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

Signed by Cuddeback, Aikman, Chapman, Mitchell, Petrus, Palermo, Axton, Fearon, and Mills, all in favor.

RESOLUTION NO. 214-10 (April 27, 2010) DA.ByrneJAG Grant.10

AUTHORIZING THE DISTRICT ATTORNEY TO ACCEPT A GRANT FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO PURCHASE VIDEO RECORDING OF STATEMENTS EQUIPMENT FOR THE CAYUGA COUNTY DISTRICT ATTORNEY'S OFFICE AND THE CAYUGA COUNTY SHERIFF'S OFFICE; AND AMEND THE RESPECTIVE 2010 BUDGETS

By: Hon. Steven A. Cuddeback, Chairman, Judicial & Public Safety; and

Hon. Christopher M. Palermo, Chairman, Ways & Means

WHEREAS, Cayuga County has been awarded \$15,000 Byrne JAG Grant to purchase video recording equipment for defendant interviews and statements; 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 funds will lapse on September 30, 2010; and

WHEREAS, the Cayuga County Sheriff's Office award is \$10,000 and the Cayuga County District Attorney's award is \$5,000; and

WHEREAS, the District Attorney's Office is responsible for monitoring the grant, preparing the reports, and reporting expenditures for said grant; now therefore, be it

RESOLVED, that Cayuga County accepts the \$15,000 Byrne JAG Grant Award in order to implement, administer, and expend the grant funds according to the plan submitted by the District Attorney and approved by the State of New York Division of Criminal Justice Services; and be it further

RESOLVED, that the Cayuga County Sheriff's Office 2010 budget shall be amended to increase Revenue Account A31100 44325 FEDERAL AID-SHERIFF DCJS" in the amount of \$10,000; and be it further

RESOLVED, that the District Attorney's 2010 budget shall be amended to increase Revenue Account A11650 44326 FEDERAL AID-DA BYRNE GRANT" in the amount of \$5,000; and be it further

RESOLVED, that the Cayuga County Sheriff's Office 2010 budget shall be amended to increase Account A31104 54244 Grant Expenditures \$10,000; and be it further

RESOLVED, that the District Attorney's 2010 budget shall be amended to increase Account A11652 52000 Equipment \$5,000; and be it further

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

Signed by Cuddeback, Aikman, Chapman, Mitchell, Petrus, Pinckney, Sincebaugh, Palermo, Fearon, and Mills, all in favor.

RESOLUTION NO. 215-10

4/20/10

SHR-CPS Incentive Grant

AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO ACCEPT GRANT MONIES FROM THE NEW YORK STATE CHILD PASSENGER SAFETY (CPS) GRANT PROGRAM AND THE TREASURER'S DEPARTMENT TO AMEND THE 2010 LAW ENFORCEMENT BUDGET

BY: Mr. Steven Cuddeback, Chair, Judicial and Public Safety Committee, and
Mr. Christopher Palermo, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Office applied for and was awarded a \$6,500.00 Child Passenger Safety Grant from the National Highway Traffic Safety Administration through the New York State Governor's Traffic Safety Committee; and

WHEREAS, all expense has been approved through the Grant which is 100% funded: now therefore be it

RESOLVED, that the 2010 Cayuga County Sheriff's Law Enforcement Operating Budget be amended to allow the following changes: An increase in the Revenue Line A31100 A44390 Traffic Enforcement of \$6500.00 and an increase in the Expenditure Account A31100 A54244 Grant Expenditure: and be it

RESOLVED, that the Cayuga County Sheriff's Office be allowed to purchase child safety seats and necessary items to effect this Grant; and be it further

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

Signed by Cuddeback, Aikman, Chapman, Mitchell, Petrus, Pinckney, Sincebaugh, Palermo, Fearon, and Mills, all in favor.

RESOLUTION NO. 216-10

4/27/10

SHR-SETTLEMENT SEACC PERB

AUTHORIZING THE TREASURER'S DEPARTMENT TO TRANSFER MONIES FROM THE PROVISION FOR CONTINGENCY ADJUSTMENT ACCOUNT TO THE 2010 SHERIFF'S CUSTODY BUDGET DUE TO THE SETTLEMENT OF THE SHERIFF'S EMPLOYEES ASSOCIATION OF CAYUGA COUNTY, INC.(SEACC) IMPROPER PRACTICE CHARGE.

BY: Mr. Steven Cuddeback, Chair, Judicial and Public Safety Committee, and
Mr. Christopher Palermo, Chair, Ways & Means Committee

WHEREAS, the previous County Manager, discontinued allowing On Duty Custody Officers, formerly Corrections Officers, to eat free of charge at the County Custody facilities, effective February 2, 2009 and the Sheriff's Employees Association of Cayuga County, Inc. (SEACC) filed an Improper Practice Charge against the County of Cayuga and the Cayuga County Sheriff's Department for alleged violations of the Taylor Law with the Public Employment Relations Board (PERB); and

WHEREAS, a settlement has been negotiated to compensate each of these employees a sum of \$300.00 before taxes and to be prorated for the two members whose employment began after February 2, 2009, to compensate for meals lost during the pendency of the Improper Practice charge; now therefore, be it

RESOLVED, that Cayuga County transfer \$28,464.00 from the Contingency Adjustment Account A10164 54000 to the 2010 Sheriff's Custody Operating budget line A31500 54610; and further be it

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

Signed by Cuddeback, Aikman, Chapman, Mitchell, Petrus, Pinckney, Sincebaugh, Palermo, Fearon, and Mills, all in favor.

RESOLUTION NO. 217-10

4/27/09

SHR-Nav. Employment.rev

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

BY: Mr. Steven Cuddeback, Chair, Judicial and Public Safety Committee, and
Mr. Christopher Palermo, Chair, Ways & Means Committee

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

WHEREAS, it is now necessary to set the pay rate for the 2010 season so the Sheriff may hire qualified Peace Officers and Police Officers to supplement his Deputy Sheriffs working in the Marine Unit; and

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

WHEREAS, these positions are funded in the 2010 Sheriff's Navigation Unit Budget Line (Salaries – Part Time) A31111 51002 in the amount of \$55,000.00; now therefore be it

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

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

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

Signed by Cuddeback, Aikman, Chapman, Mitchell, Petrus, Pinckney, Sincebaugh, Palermo, Fearon, and Mills, all in favor, except Fearon abstained.

RESOLUTION NO. 218-10 4/27/10 ShrAwardStorageProjectrev
AWARDING THE GENERAL CONTRACTOR BID FOR THE CONSTRUCTION OF A POST FRAME BUILDING TO BE UTILIZED BY THE CAYUGA COUNTY SHERIFF'S OFFICE FOR STORAGE OF EQUIPMENT AND EVIDENCE AND TO BE USED FOR TRAINING, AUTHORIZING THE ESTABLISHMENT OF A CAPITAL H PROJECT No. 10-02 (CONSTRUCTION OF A POST FRAME BUILDING PROJECT) AND AUTHORIZING THE TRANSFER OF FUNDS

BY: HON. MR. Steven Cuddeback, Chairman, Public Safety Committee, and
HON. MR. Christopher Palermo, Chairman, Ways & Means Committee.

WHEREAS, Resolution No. 718-09 authorized the Clerk of the Legislature to advertise and receive bids for the purpose of the construction of a post frame building located at the Cayuga County Sheriff's Office, 7445 County House Road; and

WHEREAS, the following Bids have been received for the buildings project:

| Contractor Name | City/State | Bldg. Amount | Concrete Pad Amount |
|---------------------|-------------------|--------------|---------------------|
| RLS Construction | Cato, NY | \$ 89,412.00 | \$ 34,722.00 |
| Massa Construction, | Geneva, NY | \$312,000.00 | \$ 51,000.00 |
| Fingerlakes Const. | Clyde, NY | \$ 83,700.00 | \$ 31,500.00 |
| Secor Bldg, | Savannah, NY | \$120,781.00 | \$ NO BID |
| CB Structures, | North Holland, PA | \$104,988.00 | \$ 36,659.00; and |

WHEREAS, Fingerlakes Construction is the lowest responsible bidder with the amount of \$115,200.00; and

WHEREAS, the funds for this project will be paid from two separate inmate T Accounts as follows:

\$24,000 – T Account 92 - (SCAAP) State Criminal Alien Assistant Program
\$91,200 – T Account 77 - Inmate Phone Account

now therefore let it be

RESOLVED, that the Cayuga County Legislature award the Contractor bid to Fingerlakes Construction at a cost not to exceed \$115,200.00; and let it be further

RESOLVED, that in order to carry out the Project, the County Treasurer be and he is hereby authorized and directed to create Capital "H" Project No. 10-02 (CONSTRUCTION OF A POST FRAME BUILDING PROJECT) in an amount not to exceed \$115,200.00 source of funding to be the transfer of funds from the following accounts:

\$24,000 – T Account 92 - (SCAAP) State Criminal Alien Assistant Program
\$91,200 – T Account 77 - Inmate Phone Account

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 Cuddeback, Aikman, Chapman, Mitchell, Petrus, Pinckney, Sincebaugh, Palermo, Fearon, and Mills, all in favor.

RESOLUTION NO. 219-10 4/27/10 SHR-Prch. AWD Passenger Express Van
AUTHORIZING THE SHERIFF OF CAYUGA COUNTY TO PURCHASE A 2010 CHEVY EXPRESS PASSENGER VAN TO REPLACE AN EXISTING 2002 CHEVY PASSENGER VAN THAT IS IN NEED OF EXTENSIVE REPAIRS AND HAS ACCUMULATED HIGH MILEAGE.

BY: Mr. Steven E. Cuddeback, Chair, Judicial and Public Safety Committee, and
Mr. Christopher M. Palermo, Chair, Ways & Means Committee

WHEREAS, the Cayuga County Sheriff's Office, Custody Division, presently has a 2002 Chevy 2500 Passenger Van, Serial No. 1GAGG25U631137372, that is used to transport inmates for court appearances, medical appointments and other various engagements that may arise, that is in need of extensive repairs and has accumulated high mileage; and WHEREAS, Hoselton Chevrolet, Rochester, New York, pursuant to NYS Contract No. PC62820, can provide a new 2010 Chevy Express AWD Passenger Van for a cost not to exceed \$24,500; and

WHEREAS, there are sufficient funds in the Sheriff's 2010 Custody Equipment Budget Line A31502 52000 to purchase a new passenger van, have it properly equipped with necessary radio equipment and have it detailed; and WHEREAS, the existing 2002 Chevy 2500 Passenger Van, Serial No. 1GAGG25U631137372, will be turned into the Cayuga County Clerk of the Legislature Office and then to the Cayuga County Motor Pool upon the delivery of the new 2010 Chevy Express AWD Passenger Van; and now therefore be it

RESOLVED, that the Cayuga County Sheriff is authorized to purchase a 2010 Chevy Express AWD Passenger Van from Hoselton Chevrolet, Rochester, New York, for a cost not to exceed \$24,500, and have it properly equipped with necessary radio equipment and have it detailed; and it is further

RESOLVED, that upon the delivery of the new passenger van, the existing passenger van will be delivered to and accepted by the Clerk of the Cayuga County Legislature for disposal; and further be it

RESOLVED, that the purchase of this new passenger van will be made in accordance with the existing purchasing policies of Cayuga County.

Signed by Cuddeback, Aikman, Chapman, Mitchell, Petrus, Pinckney, Sincebaugh, and Palermo, all in favor.

RESOLUTION NO. 220-10 4.27.10 911APCOLICENSING
AUTHORIZING THE ADMINISTRATOR OF THE 911 CENTER TO PAY APCO INTERNATIONAL FOR FREQUENCY COORDINATION FEES, OF VHF FREQUENCIES, THAT COUNTY RESPONDERS ARE CURRENTLY OPERATING ON.

BY: Mr. Steven Cuddeback, Chairperson, Judicial and Public Safety Committee
 Mr. Christopher Palmero, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County 911 Center now handles all frequency licensing; and
WHEREAS, APCO and the FCC have submitted an invoice for frequency coordination and licensing service fees of VHF frequencies that County responders are currently operating on; and
WHEREAS, the cost is 12,130.00, with a 31% discount, for a total of \$9000.00; and
WHEREAS, the coordination fees will be paid from the 911 Communication System Budget Account Number A30204 54063 for this purpose; now therefore be it

RESOLVED, that the 911 Administrator be authorized to pay the necessary fees and continue to move forward with the licensing of the VHF frequencies; and be it further

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

Signed by Cuddeback, Aikman, Chapman, Mitchell, Petrus, Pinckney, Sincebaugh, Palermo, Fearon, and Mills, all in favor.

RESOLUTION NO. 221-10 4.27.10 911SoftwareESRI
AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO RENEW A ONE YEAR CONTRACT WITH ESRI INC. TO PROVIDE MAINTENANCE ON ARC EDITOR SOFTWARE.

BY: Mr. Steven Cuddeback, Chairperson, Judicial and Public Safety Committee
 Mr. Christopher Palermo, Chairperson, Ways & Means Committee

WHEREAS, the Cayuga County 911 Center utilizes ARC editor software to maintain our CAD mapping; and
WHEREAS, it is critical that the mapping is current; and
WHEREAS, the E-911 Center with help from the Cayuga County Planning department utilizes Arc Editor Software to provide the necessary services; and
WHEREAS, Arc Editor has submitted a renewal invoice for a one-year contract; and
WHEREAS, there is money in the 911 Communication System Budget Account Number A30204 54018 for this purpose; now therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to sign the contract renewal, with ESRI Inc. for the amount of \$1556.00 for the period of 10/1/09 – 9/30/10; and be it further

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

Signed by Cuddeback, Aikman, Chapman, Mitchell, Petrus, Pinckney, Sincebaugh, Palermo, Fearon, and Mills, all in favor.

RESOLUTION NO. 222-10 4-27-10 pro Leandra's Law
TO RECOMMEND AND REQUEST THAT THE STATE OF NEW YORK DELAY THE IMPLEMENTATION OF THE IGNITION INTERLOCK PROVISIONS OF LEANDRA'S LAW

BY: Steven Cuddeback, Chair, Judicial & Public Safety

WHEREAS, in late 2009 New York State enacted and passed into legislation "Leandra's Law" which (a) added the category of "Child In Vehicle" to DWI Offenses, that has already been implemented; and, (b) which added a section to the V&T Law requiring the installation and use of an Ignition Interlock Device as part of all DWI sentences in New York State, to be implemented effective August 15, 2010; and,

WHEREAS, the Legislation provided no direction or resources whereby the Ignition Interlock Section of this legislation could be implemented; and,

WHEREAS, in accord with the request of the Law, the NYS DPCA has prepared a Proposed Rule to direct the implementation of this law; and,

WHEREAS, the proposed Rule does not demonstrate how the Counties are to organize and/or support the implementation of this Program, and requires each County to demonstrate how the County will implement and fund this Program; and,

WHEREAS, the Cayuga County Department of Probation, STOP DWI, District Attorney, Cayuga County Sheriff, County Administrator and others have discussed this Program with the Judiciary and Public Safety Committee and no adequate solutions have been put forth; and,

WHEREAS, Cayuga County, in this time of severe fiscal crises, does not have the resources to assume responsibility for an unfunded mandate of this magnitude;

NOW, THEREFORE BE IT RESOLVED, that the Cayuga County Legislature join with NYSAC and other appropriate statewide organizations to recommend and request that the State of New York delay the implementation of the Ignition Interlock Program for two or more years until the appropriate resources can be identified and made available to the Counties for the implementation of this Program.

Signed by Cuddeback, Chapman, Mitchell, and Petrus, all in favor.

NEW BUSINESS:**Indian Affairs:**

Lattimore, concerned on Indian Affairs.

Tortorici, we are fighting against the Carcieri Fix, Senate wants it to be easier to put Land-into-Trust.

Fearon, Senate trying to go around Supreme Court.

Axton, another issue, does not allow counties to foreclose on property.

Tortorici, Land-into-Trust application have to have their taxes paid before Land-into-Trust.

Radio System:

Tortorici, Madison County awarded \$800,000, we secured \$300,000.

Tom Squires, County Administrator, I left a message with Paul Miller, I will let you know what I find out.

Tortorici, we will have a special Committee Meeting of the Whole on May 6, 2010 at 6:30PM, Motorola and C & S Company will be there. We have received all 7 pairs of UHF frequencies from the FCC. Move resolution to Ways & Means then to Legislature Meeting on the 25th of May.

CHHA Update:

Fred Westphal, County Attorney, we have 3 agreements, Management, approved last Monday, Skilled Services, finalized, and Asset Purchase agreement, down to one issue. The Certificate of need will take 6 to 8 months.

Lattimore, I would like a summary of long term employees in regards to CHHA cost.

Fred Westphal, we don't have all the information yet.

Cleaning:

Aikman, unemployment impact, need more information, specific, how cleaning needs to be done.

Tortorici, unemployment impact is being figured out by Faye Hatfield.

Fred Westphal, Mike Pawlenko included but will verify.

Axton, \$8,000 to \$14,00 per employee per year, depending on whether they have a family of individual.

Fearon, it's unpredictable, have to work a certain number of years before you qualify.

Tortorici, have to be here 20 years before you can collect benefits.

Motion by Aikman to adjourn at 8:32PM, 2nd by Pinckney, all in favor.

Motion by Lattimore to approve minutes of 4-27-10 on 6-22-10, 2nd by Pinckney, all in favor.