

**MINUTES
CAYUGA COUNTY LEGISLATURE
MAY 22nd, 2007, 1:00 PM (EMERSON PARK)
SENIOR CITIZEN DAY**

Called to order by Hon. George Fearon, 1:00pm, all Legislators present, except Netti excused.

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

WELCOME: George Fearon, Chairman of the Cayuga County Legislature

PROCLAMATIONS: May 2007 – Cayuga County Senior Citizen Month, Chairman George Fearon, presenting to Nancy Siefka, Director, Cayuga County Office for the Aging, **Read by Lee Brew, Clerk of the Legislature, presented by Chairman George Fearon to Nancy Siefka, Director of Office for the Aging.**

Elder Abuse Awareness Day in Cayuga County, Thursday, June 15th, 2007, Chairman George Fearon, presenting to Nancy Siefka, Director, Cayuga County Office for the Aging and David Gould, Cayuga County Sheriff. **Read by Lee Brew, Clerk of the Legislature, presented by Chairman George Fearon to Nancy Siefka, Director of Office for the Aging, and Sheriff, Dave Gould.**

Commendation for Outstanding Actions, Chairman George Fearon presenting to Deputy David Harkness and Deputy Timothy Axton, and Matthew Willis, **Read by Lee Brew, Clerk of the Legislature, presented by Chairman George Fearon to Deputy David Harkness and Timothy Axton. Sheriff David Gould, they were at the right place and time, Heros for Cayuga County on that day.**

Hunger Awareness Day in Cayuga County, Tuesday, June 5th, 2007, will be presented by Legislator Linda Murphy on June 5, 2007, to Sue Norton, Saint Alphonse Food Pantry, **Read by Lee Brew, Clerk of the Legislature, and will be presented by Legislator Linda Murphy, on 6-5-07 to Sue Norton, at Saint Alphonse Food Pantry.**

AWARDS: Senior Citizens of the Year 2007

Roy D. Compton, 2305 Atwood Rd., Moravia, NY

Certificate presented by Legislator Steven Cuddeback, District #9, **Roy Compton was awarded certificate of excellence for his many contributions. Transports Veterans throughout Cayuga County to the hospital and doctor's appointment, makes a big difference to all the Veterans.**

Frank Lozier, 428 Main St., Sterling, NY

Certificate presented by Legislator Christopher Palermo, District #5, **Frank Lozier was awarded certificate of excellence for his long history of volunteerism, he takes people to the doctor, visits with them, takes them shopping, and brings them flowers. He brings cheer and comfort to others, sets a good example to all.**

20 Minute break following the presentation – Refreshments were served immediately following the ceremony.

DEATHS: Ralph Rohm, former Mayor of Moravia, and prominent local civic leader.

Ruth Goldman prominent local clothing merchant, (The Liberty Store), along with her husband Charles Goldman, and prominent local civic leaders.

Kryiakos "Ricky" Chronis, prominent Auburn restaurant owner.

MINUTES: For Reading

For Approval 2-12-07, 2-27-07, 4-4-07, 4-23-07, **approved by voice vote, all present voting aye.**

CCC REPORT: Doctor Phillip Gover, Commencement 2007, had 739 graduates from CCC, one of the speakers was former CCC President Dennis Golladay.

COMMITTEE REPORT: None.

MANAGER'S REPORT: Medicaid intercept report is completed, any questions please call Manager Wayne Allen. Three bids have been received for Financial Software. Asbestos abatement has been started, will impact all County Offices.

CHAIRMAN'S REPORT: Next Legislature meeting will be held at Emerson Park, 6-26-07. Chairman Fearon discussed the new Drug discount program. The Chamber of Commerce will work with the Legislature on distribution of Sales tax, we can not be held hostage by the City. The reduction in the local sales tax is not helping the consumers.

EMERGENCY AUTHORIZATION FOR AUSTERITY SPENDING AND HIRING:

Community Mental Health, Staff Social Worker (CMH)

Community Mental Health, Mental Health Therapy Aide PT

Buildings and Grounds, Part-Time Cleaner

Approved and signed at committee meetings, 5-10-07

APPOINTMENTS AND RE-APPOINTMENTS:

Cayuga County Fire Advisory Board:

David James, PO Box 749, Weedsport, NY 13166, Chairman, term 4-30-07 to 4-30-08

David Dixon, 85 Rochester St., Port Byron, NY 13140, Vice Chairman, term 4-30-07 to 4-30-08

Marilyn Bergerstock, 5437 Bluefield Rd., Auburn, NY 13021, Secretary, term 4-30-07 to 4-30-08

Patsy DiNonno, Four Frances St., Auburn, NY 13021, Assistant Secretary, term 4-30-07 to 4-30-08

Brian P. Dahl, 26 Liberty St., Auburn, NY, term 4-30-07 to 4-30-08

Larry Dygert, 10484 Jordan Rd., PO Box 279, Jordan, NY 13080, term 4-30-07 to 4-30-08

Tom Begley, 11296 South St., Cato, NY 13033, term 4-30-07 to 4-30-08

William Pelc, Cayuga St., Auburn, NY 13021, term 4-30-07 to 4-30-08

David James, PO Box 749, Weedsport, NY 13166, term 4-30-07 to 4-30-08

Jim Perkins, 2762 Center Rd., Scipio, NY 13147, term 4-30-07 to 4-30-08

Ray Dyer III, PO Box #83, Locke, NY 13092, term 4-30-07 to 4-30-08

Denise Stayton, 181 Seymour St., Auburn, NY 13021, term 4-30-07 to 4-30-08

Lt. Mike Wellauer, 51 Mattie St., Auburn, NY 13021, term 4-30-07 to 4-30-08

Dr. Mary DiRubbo, PO Box 775, Skaneateles, NY 13152, term 4-30-07 to 4-30-08

John Komarisky, 3503 Miller Rd., Auburn, NY 13021, term 4-30-07 to 4-30-08

George McIntyre, 14536 Lake St., Fair Haven, NY 13156, term 4-30-07 to 4-30-08

Craig Foster, 5759 Benham Rd., Cayuga, NY 13034, term 4-30-07 to 4-30-08

Patrick Merical, 1642 Rte 38A, Auburn, NY 13021, term 4-30-07 to 4-30-08

Cayuga County Services Board, Sub Committee Mental Health

Beth Dishaw, Long Term Access, Boyle Center, 149 Genesee St., Auburn, NY 13021, term 1-1-07 to 12-31-10

Cayuga Cortland Workforce Investment Board

Max Haines, 616 Fraher Rd., Port Byron, NY 13140, term 7-1-07 to 6-30-10

Mark Carr, 21 Henry Dr., Auburn, NY 13021, term 7-1-07 to 6-30-10

Gregory M. Buckley, 23 Tex Pultz Pkwy, Port Byron, NY 13140, term 7-1-07 to 6-30-10

Edward F.(Ted) Herrling, 6529 Beech Tree Rd, Auburn, NY 13021, term 7-1-07 to 6-30-10

Ronald Hill, Box 600, 29 S. Skaneateles St., Jordan, NY 13080, term 7-1-07 to 6-30-10

Theresa A. Walsh, 4 Alden Ave., Auburn, NY 13021, term 7-1-07 to 6-30-10

Donald Watson, 2001 Old Stone Lane, Camillus, NY 13031, term 7-1-07 to 6-30-10

Betty H. Youmans, 4 Bayberry Lane, Whitesboro, NY 13492, term 7-1-07 to 6-30-10

RESOLUTION NO. 295-07 6/26/07 PURCHSVCSMAY
AUTHORIZING THE CAYUGA COUNTY TREASURER TO CHARGE DEPARTMENTS FOR CENTRAL SERVICES AND PURCHASES FOR THE MONTH OF MAY 2007

BY: Hon. Paul Dudley, Chairman, Ways & Means Committee.

WHEREAS, the Ways & Means Committee approved the payment of all Central Services, RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to credit the revenue account and charge the following departments' .40 Accounts (Contractual Expenditures) in accordance with attached schedules:

DEPARTMENT	CREDIT	AMOUNT
Central Purchasing	A1275	\$12,402.72
	TOTAL	\$12,402.72

Approved by voice vote, all present voting aye.

Signed by Dudley, Cuddeback, Lockwood, Mitchell, Murphy, Petrus, Schuster.

RESOLUTION NO. 296-07 5-22-07
AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE ADMINISTRATOR OF THE CAYUGA COUNTY NURSING HOME

By: Ann Petrus, Chairman Health & Human Services Committee
David A. Pappert, Chairman Ways & Means Committee

WHEREAS, this legislature did by Resolution Number 70, duly adopted on the 20th day of March 1984, authorize the Nursing Home Committee of the County Legislature to audit all claims against the Cayuga County Nursing Home, and

WHEREAS, said Committee has audited and authorized payment in the amount of \$1237,689.17 for the month of April 2007, now therefore be it

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

Signed by Petrus, Pappert, Sedor, Cuddeback, Tortorici, Dudley, Murphy, Lockwood, Mitchell, Schuster.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 297-07 seniornutrition
REPORT AND APPROVAL OF BILLS PAID BY THE COUNTY TREASURER FOR OPERATION OF THE SENIOR NUTRITION PROGRAM IN THE OFFICE FOR THE AGING.

BY: Ann Petrus, Chair, Health & Human Service Committee

Paul Dudley, Chair, Ways & 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 \$ covering the period through 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, Cuddeback, Dudley, Pappert, Sedor, Tortorici, Lockwood, Mitchell, Murphy, Schuster.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 298-07 5/22/07 thrures
AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF THRUWAY TOLLS.

BY: Hon. Paul Dudley, 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:

April- 2007 - \$ 163.23

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

Approved by voice vote, all present voting aye.

Signed by Dudley, Cuddeback, Lockwood, Mitchell, Murphy, Petrus, Schuster.

RESOLUTION NO. 299-07

5/22/07

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

BY: Hon. Paul Dudley, 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:

April- 2007 - \$ 3,244.08

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

Approved by voice vote, all present voting aye.

Signed by Dudley, Cuddeback, Lockwood, Mitchell, Murphy, Petrus, Schuster.

RESOLUTION NO. 300-07

5/22/07

AUTHORIZING PAYMENT OF LEGAL NOTICE FEES PRIOR TO THE LEGISLATIVE AUDIT.

BY: Hon. Paul Dudley, Chairman, Ways & Means Committee.

WHEREAS, several county agencies are required by law to advertise legal notices in area media from time to time, and
WHEREAS, several of the officially designated newspapers offer a discount for prompt payment of legal Advertising invoices, and

WHEREAS, it would be in the best interest of the County to take advantage of the prompt payment discounts by paying these invoices prior to the legislative audit of claims, therefore be it

RESOLVED, that the Clerk of the Legislature is hereby authorized to process legal Advertising invoices for payment by the Cayuga County Treasurer prior to the monthly legislative audit, and be it further

RESOLVED, that a monthly report of said payments shall be provided to each legislator on a monthly basis.

TOTAL – \$3,329.67

Approved by voice vote, all present voting aye, except Palermo abstained.

Signed by Dudley, Cuddeback, Lockwood, Mitchell, Murphy, Petrus, Schuster.

**RESOLUTION NO. 301-07 (5/22/07) COA-CAPH5PAY(Rev)
 AUTHORIZING THE COUNTY TREASURER TO PAY CLAIMS AGAINST VARIOUS CAPITAL "H"
 PROJECTS.**

BY: MR. DUDLEY, WAYS & MEANS COMMITTEE.

WHEREAS, claims have been received in regard to various Capital "H" Projects previously established by the County; and

WHEREAS, said claims have been reviewed and approved by the interested oversight committees; now, therefore, be it

RESOLVED, that the County Treasurer be and he is hereby authorized and directed to pay the following claims and charge the same to the appropriate Capital "H" Projects:

1. **Project #00-1-C Project #00-01-C (Implementation of Master Facilities Plan for CCC Auburn, Campus):**
 CDW GOVERNMENT, INC.:
 Inv. No. DXM5297.....\$ 529.22
 Inv. No. DXV8206.....\$ 2,733.59
 Inv. No. DZQ0576.....\$ 487.72
 JOY, McCOOLA AND ZILCH:
 Inv. No. 07-0504-22.....\$ 4,140.53
 LeCHASE CONSTRUCTION SERVICES, LLC:
 Inv. No. 034500.....\$ 163.88
 Inv. No. 034501.....\$ 2,500.00
2. **Project #03-7 (Phase 4/ Integration of Services (IOS):**
 HEWLETT PACKARD COMPANY:
 Inv. No. 41833025.....\$ 476.00
 CDW-G GOVERNMENT, INC.:
 Inv. No. FCB9580.....\$ 779.00
3. **Project #06-5 (Modification to the Cayuga County Office Bldg. Heating System):**
 SIRACUSA MECHANICAL, INC.:
 Application & Certificate for Payment #1 dated 4/10/07.....\$ 9,500.00
 C&S ENGINEERS, INC.:
 Inv. #014128.....\$ 13,707.00
4. **Project #06-6 (MGR Scene Shop):**
 FINGERLAKES CONSTRUCTION CO., INC.:
 Application & Certificate for Payment No. 001 dated 5/10/07.....\$ 12,627.00

And be it further

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

Approved by voice vote, all present voting aye.

Signed by Dudley, Cuddeback, Lockwood, Mitchell, Murphy, Petrus, Schuster.

**RESOLUTION NO. 302-07 5/22/07
 AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE
 FOR PAYMENT OF EQUIPMENT LEASE PAYMENTS.**

BY: Hon. Paul Dudley, Chairman, 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:

Copier Leases and Maintenance:	\$ 6,378.47
Postage Leases:	\$ 1,021.00
Misc. Leases:	<u>\$ 6,416.55</u>
Total	\$ 12,805.23

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

Approved by voice vote, all present voting aye.

Signed by Dudley, Cuddeback, Lockwood, Mitchell, Murphy, Petrus, Schuster.

RESOLUTION NO. 303-07

5/22/07

AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF PARCEL SERVICE PAYMENTS.

BY: Hon. Paul Dudley, Chairman, Ways & Means Committee.

WHEREAS, this Legislature did by Resolution No. 03-03, adopted January 3, 2003, authorize the Ways & Means Committee of the County Legislature to audit and pay all claims against Cayuga County for Parcel Service Payments, and

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

April – 2007 \$ 234.28

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

Approved by voice vote, all present voting aye.

Signed by Dudley, Cuddeback, Lockwood, Mitchell, Murphy, Petrus, Schuster.

RESOLUTION NO. 304-07 (5/22/07)

COA-LLTAXEXEMPTIONSOVER65-FIX

FIXING DAY AND NOTICE OF A PUBLIC HEARING ON A PROPOSED LOCAL LAW AMENDING CERTAIN LOCAL LAWS TO ADJUST THE INCOME RANGE FOR PARTIAL COUNTY REAL PROPERTY TAX EXEMPTIONS UNDER SECTIONS 467 AND 459-c OF THE REAL PROPERTY TAX LAW.

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

WHEREAS, there has been duly presented and introduced at a meeting of this County Legislature held on May 22, 2007, a proposed Local Law entitled:

"A LOCAL LAW AMENDING CERTAIN LOCAL LAWS TO ADJUST THE INCOME RANGE FOR PARTIAL COUNTY REAL PROPERTY TAX EXEMPTIONS UNDER SECTIONS 467 AND 459-c OF THE REAL PROPERTY TAX LAW. "

Now, therefore, be it

RESOLVED, that a public hearing shall be held concerning said Local Law before the Cayuga County Legislature on June 26, 2007 at 6:30 P.M., at the Chambers of the Cayuga County Legislature, County Office Building, 160 Genesee Street, Auburn, New York, and the Clerk of the Cayuga County Legislature is hereby directed to give due legal notice of said public hearing as provided by statute.

Approved by voice vote, all present voting aye.

Signed by Dudley, Cuddeback, Lockwood, Mitchell, Murphy, Petrus, Schuster.

RESOLUTION NO. 305-07 (5/22/07)

HR-Workshops2007

AUTHORIZING THE CHAIRMAN OF THE COUNTY LEGISLATURE TO SIGN CONTRACTS FOR EMPLOYEE TRAINING WORKSHOPS.

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

WHEREAS, the County of Cayuga has determined that it would be advantageous to provide training for county employees on various topics throughout the year; and

WHEREAS, various vendors have been contacted for estimates to provide professional services to accomplish aforesaid training modules; and

WHEREAS, there are sufficient monies in Account # A1430.400.059 for this purpose; now, therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to sign contracts with vendors that provide professional training services as stated above at a cost not to exceed the amount budgeted in A1430.400.059 (\$6,000); and be it further

RESOLVED, that the cost of the workshops be charged against Account # A1430.400.059 for Professional Services; and be it further

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

Approved by voice vote, all present voting aye.

Signed by Dudley, Cuddeback, Lockwood, Mitchell, Murphy, Petrus, Schuster.

RESOLUTION NO. 306-07 (5/22/07) COMSignMunAgree
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO SIGN A MUNICIPAL COOPERATION AGREEMENT WITH CAYUGA COUNTY SOIL AND WATER CONSERVATION DISTRICT AND THE CAYUGA COUNTY COMMUNITY COLLEGE

BY: Hon. Paul Dudley, Chairman Ways and Means Committee
WHEREAS, the Cayuga County Legislature authorized the creation of a County Health Consortium; and
WHEREAS, the purpose of the County Health Consortium is to provide health benefits to those enrollees that each member of the Consortium elects to include in the Cayuga County Health Insurance Consortium Medical Plans; and
WHEREAS, membership in the Consortium has been offered to the County and any municipal corporations within the geographical and political boundaries of the County and the municipal corporation must provide proof of its financial responsibility; and
WHEREAS, Cayuga County wishes to enter into a Municipal Cooperation Agreement with Cayuga County Community College and the Cayuga County Soil and Water Conservation District; now, therefore be it
RESOLVED, that the Cayuga County Legislature has agreed by a duly authorized Resolution 81-256 to permit the Cayuga County Soil and Water Conservation District and the Cayuga County Community College to participate in the Cayuga County Health Insurance Program.
Signed by Dudley, Lockwood, Cuddeback, Petrus.
Approved by voice vote, all present voting aye.

TABLED. #307-07 (6/26/07) COMBldgsNeedsrev
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO SIGN A CONTRACT FOR THE COMPLETION OF A BUILDING NEEDS ASSESSMENT FOR COUNTY BUILDINGS AND TRANSFERRING FUNDS FROM CONTINGENT ACCOUNT. (2/3 vote)

BY: Hon. Paul Dudley, Chairman of Ways and Means Committee
WHEREAS, the Cayuga County Legislature has entertained Requests for Proposals for the purpose of completing a Building Needs Assessment for its County Buildings; and
WHEREAS, the Building Needs Assessment shall serve as a benchmark for the County's infrastructure and quantifying the condition of these County buildings; and
WHEREAS, the Building Needs Assessment report will serve as a road map for planning opportunities as to where County departments shall be located, useful life of County buildings, and where the most cost effective place to put County capital dollars; and
WHEREAS, four bids were received as follows:

Contractor	Total Buildings	Cost
LaBella Associates	10	\$ 49,400.00
LaBerge	10	\$ 57,728.00
Beardsley Design	3	\$ 86,000.00
C&S Engineering	10	\$113,600.00

;and
WHEREAS the Public Works Committee interviewed the two lowest bidders; now therefore be it
RESOLVED, that the County Legislature hereby selects _____ at a cost not to exceed \$ _____ to complete a Building Needs Assessment; and be it further
RESOLVED, that \$ _____ be transferred from Contingent Account (A1990.000) to Buildings Account Contractual – Professional Services (A1620.400.059); and be it further
RESOLVED, that the Chairman of the Legislature is authorized to sign said contract with _____ for said services; and be it further
RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to make the journal and accounting entries necessary to accomplish the foregoing.

Not signed not approved
Motion by Legislator Dudley to table, approved by voice vote, all present voting aye.

RESOLUTION NO. 308-07 (May 22, 2007) rptscorrtxrollMay07

BY: Paul Dudley, Chairperson, Ways & Means Committee.

Authorizing Correction of Tax Errors in Several Towns:

WHEREAS, petitions for corrections have been received by the Director of Real Property Tax, from the Town Assessors to correct clerical errors or an error in essential fact as specified below, as existed on the 2007 Tax Roll, and: WHEREAS, The petitions for correction were received too late to make the necessary adjustments before the extension of taxes, and;

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

RESOLVED, the Director of Real Property Tax Services under Real Property Tax Law 553-554 and 556A be authorized to make the change set forth hereafter; and be it further

RESOLVED, that the County Treasurer is authorized and directed to correct the 2007 County and Town Tax Roll; and be it further

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

RESOLVED, that the 2006/2007 School Tax Roll shall also be corrected as follows:

Town of Summerhill: TM# 223.20-1-23.2. Assessed to Allen Tuttle. Error in essential fact. This parcel had a trailer removed from it before taxable status, however assessment was not adjusted to reflect the removal of the trailer. The 2006 Final Assessment Roll should be adjusted to show the correct assessment of 16,000 land and 101,000 total. The 2006/2007 Homer School District bill should be corrected to reflect these changes. Since the property owner already paid the 2006/2007 school taxes, a refund is being requested. The 2007 county/town tax roll should be adjusted to reflect these corrections and if the 2007 county/town taxes have already been paid a refund should be issued as applicable.

Town of Summerhill: TM# 223.20-1-23.111. Assessed to Allen Tuttle. Error in essential fact. This parcel had a trailer removed from it before taxable status, however assessment was not adjusted to reflect the removal of the trailer. The 2006 Final Assessment Roll should be adjusted to show the correct assessment of 17,000 land and 17,000 total. The 2006/2007 Homer School District bill should be corrected to reflect these changes. Since the property owner already paid the 2006/2007 school taxes, a refund is being requested. The 2007 county/town tax roll should be adjusted to reflect these corrections and if the 2007 county/town taxes have already been paid a refund should be issued as applicable.

Town of Genoa: TM# 237.00-1-42.12. Assessed to Craig & Jessica Wellman. This parcel had applied and qualified for the Limited Income Disability exemption (code 41932) in the amount of 14,900 for county tax purposes. The 2005 Final Assessment roll should be corrected to include the limited income disability exemption. The 2006 County/Town Tax roll should be corrected to include the limited income disability exemption. If the 2006 county/town taxes have already been paid a refund should be issued as applicable.

Approved by voice vote, all present voting aye.

Signed by Dudley, Lockwood, Mitchell, Murphy, Petrus, Schuster.

RESOLUTION NO. 309-07 (5/22/07) COA-AuthHomeRuleReqSuppLeg A05680/S 1818

AUTHORIZING HOME RULE REQUEST IN SUPPORT OF LEGISLATION A-05680/S 1818

AN ACT TO AMEND THE TAX LAW IN RELATION TO EXTENDING THE EXPIRATION OF THE AUTHORITY GRANTED TO THE COUNTY OF CAYUGA TO IMPOSE AN ADDITIONAL ONE PERCENT OF SALES AND COMPENSATING USE TAXES.

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

WHEREAS, Assembly Bill A05680 and Senate Bill S 1818 have been introduced into the New York State Assembly and Senate, respectively, to amend the tax law in relation to extending the expiration of the authority granted to the County of Cayuga to impose and additional one percent of sales and compensating use taxes; and

WHEREAS, Pursuant to Article IX of the Constitution of the State of New York, it is necessary for this Legislature to enact a Home Rule Request for passage of this legislation; now, therefore be it

RESOLVED, that the Cayuga County Legislature does hereby approve the adoption and passage of said Assembly bill A05680 and Senate Bill S 1818 entitled: **“AN ACT TO AMEND THE TAX LAW IN RELATION TO EXTENDING THE EXPIRATION OF THE AUTHORITY GRANTED TO THE COUNTY OF CAYUGA TO IMPOSE AN ADDITIONAL ONE PERCENT OF SALES AND COMPENSATING USE TAXES”.**

Approved by voice vote, all present voting aye.

Signed by Dudley, Lockwood, Mitchell, Murphy, Petrus, Schuster.

RESOLUTION NO. 310-07 (5/22/07) COA-AuthHomeRuleReqSuppLeg A08435/S 5851
AUTHORIZING HOME RULE REQUEST IN SUPPORT OF LEGISLATION A-08435/S 5851
AN ACT TO AMEND THE TAX LAW IN RELATION TO AUTHORIZING A RAISE OF
HOTEL AND MOTEL TAX IN THE COUNTY OF CAYUGA AND AUTHORIZING USE OF
SOME MONEY BY A NOT-FOR-PROFIT CORPORATION TO PROMOTE TOURISM AND
CONVENTION DEVELOPMENT.

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

WHEREAS, Assembly Bill A08435 and Senate Bill S 5851 have been introduced into the New York State Assembly and Senate, respectively, to amend the tax law in relation to authorizing a raise of hotel and motel tax in the County of Cayuga and authorizing the use of some money by a not-for-profit corporation to promote tourism and convention development.

WHEREAS, Pursuant to Article IX of the Constitution of the State of New York, it is necessary for this Legislature to enact a Home Rule Request for passage of this legislation; now, therefore be it

RESOLVED, that the Cayuga County Legislature does hereby approve the adoption and passage of said Assembly bill A08435 and Senate Bill S 5851 entitled: **“AN ACT TO AMEND THE TAX LAW IN RELATION TO AUTHORIZING A RAISE OF HOTEL AND MOTEL TAX IN THE COUNTY OF CAYUGA AND AUTHORIZING USE OF SOME MONEY BY A NOT-FOR-PROFIT CORPORATION TO PROMOTE TOURISM AND CONVENTION DEVELOPMENT”**.

Approved by voice vote, all present voting aye.

Signed by Dudley, Lockwood, Mitchell, Murphy, Petrus, Schuster.

RESOLUTION NO. 311-07 (5/22/07) COA-AuthHomeRuleReqSuppLeg A08073/S 5748
AUTHORIZING HOME RULE REQUEST IN SUPPORT OF LEGISLATION A-08073/S 5748
AN ACT TO AUTHORIZE THE COUNTY OF CAYUGA TO OFFER AN OPTIONAL
TWENTY YEAR RETIREMENT PLAN TO DEPUTY SHERIFFS BRIAN T. BLOWERS,
GLEN E. DUDLEY, DAVID H. HARKNESS AND NICOLE M. STEWART.

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

WHEREAS, Assembly Bill A08073 and Senate Bill S 5748 have been introduced into the New York State Assembly and Senate, respectively, to authorize the County of Cayuga to offer an optional twenty year retirement plan to Deputy Sheriffs Brian T. Blowers, Glen E. Dudley, David H. Harkness and Nicole M. Stewart.

WHEREAS, Pursuant to Article IX of the Constitution of the State of New York, it is necessary for this Legislature to enact a Home Rule Request for passage of this legislation; now, therefore be it

RESOLVED, that the Cayuga County Legislature does hereby approve the adoption and passage of said Assembly bill A08073 and Senate Bill S 5748 entitled: **“AN ACT TO AUTHORIZE THE COUNTY OF CAYUGA TO OFFER AN OPTIONAL TWENTY YEAR RETIREMENT PLAN TO DEPUTY SHERIFFS BRIAN T. BLOWERS, GLEN E. DUDLEY, DAVID H. HARKNESS AND NICOLE M. STEWART”**.

Approved by voice vote, all present voting aye.

Signed by Cuddeback, Lockwood, Mitchell, Murphy, Petrus, Schuster.

RESOLUTION NO. 312-07 (05/22/2007)

rpsmortgagetaxpymtapr

Authorize the County Treasurer to Pay Mortgage Tax

By: Paul Dudley, Chairman, Ways & Means Committee

WHEREAS it appears from the final report of Sue Dwyer, as County Clerk of Cayuga County, that there has been paid to the County Treasurer the sum of \$652,292.65, the same being the net amount collected from the taxation of mortgages for the period October 1, 2006, to March 31, 2007; and

WHEREAS there is in the County Treasurer's Account No. T-58, the amount of \$652,292.65 which should be distributed among the City of Auburn and the Towns and Villages of the County; therefore be it

RESOLVED that the County Treasurer be directed and required to pay the sum of \$652,292.65 to the City of Auburn and the several Towns and Villages of the County of Cayuga in the following amounts:

City of Auburn	\$186,374.06		
Town of Aurelius	53,924.81	Village of Cayuga	4,645.95
Town of Brutus	21,895.23	Village of Weedsport	11,524.19
Town of Cato	21,071.17	Village of Cato in Cato	895.63
Town of Conquest	10,271.32	Village of Meridian	936.86
Town of Fleming	27,737.52		
Town of Genoa	8,982.08		
Town of Ira	16,597.97	Village of Cato in Ira	946.71
Town of Ledyard	15,845.72	Village of Aurora	3,623.95
Town of Locke	8,848.90		
Town of Mentz	5,346.58	Village of Port Byron	3,299.14
Town of Montezuma	7,319.51		
Town of Moravia	10,821.89	Village of Moravia	5,832.92
Town of Niles	16,464.36		
Town of Owasco	40,430.56		
Town of Scipio	13,274.78		
Town of Sempronius	6,888.95		
Town of Sennett	47,491.93		
Town of Springport	13,734.63	Village of Union Springs	5,126.44
Town of Sterling	16,284.25	Village of Fair Haven	10,641.59
Town of Summerhill	12,204.59		
Town of Throop	17,185.61		
Town of Venice	10,164.44		
Town of Victory	15,658.42		
Total	\$652,292.65		

Signed by Dudley, Cuddeback, Schuster, Mitchell, Lockwood, Murphy, Petrus.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 313-07 (5/22/07)

COMdrugdisconprogram

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO SIGN AN AGREEMENT WITH PRO ACT, INC. FOR SERVICES

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

Hon. Paul Dudley, Chairman Ways and Means Committee

WHEREAS, the Cayuga County Legislature recognizes many families and individuals do not have health insurance coverage or are underinsured; and

WHEREAS, the County Legislature has found a vehicle that will permit every resident of Cayuga County to participate in a County-wide Discount Card Prescription Drug Program; and

WHEREAS, the County Discount Prescription Drug Program can save those families and individuals 10-20% on brand and 20-40% on generic prescription drugs and where applicable for those families and individuals who have prescription drug coverage, it will enhance their plan when the prescribed drugs are not covered under their present plan; and

WHEREAS, this County-wide Discount Card Prescription Program will not cost the County or the County resident any monies to participate in the program; and

WHEREAS, the County is desirous to expand this County Card Program to include the Auburn Memorial Hospital and if feasible all County physicians; now, therefore be it

RESOLVED, that the Cayuga County Legislature does hereby enter into an agreement with PRO ACT, Inc. for the purpose of establishing a County-wide Discount Program for services.

Signed by Dudley, Lockwood, Cuddeback, Mitchell, Murphy, Petrus, Schuster, Petrus, Pappert, Sedor, Tortorici.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 314-07**HS Non-Residential DV Funding****Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Accept \$25,000 Funding from NYS OTDA and Extend Its Contract with Cayuga/Seneca**

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

Paul Dudley, Chairman of the Ways & Means Committee

WHEREAS, NYS Office of Temporary and Disability Assistance (OTDA) has advised Cayuga County Human Services that their SFY 2007-08 Non-Residual Domestic Violence allocation is \$25,000; and

WHEREAS, this funding will be utilized to provide legal services for domestic violence victims; and

WHEREAS, we have successfully contracted in the past with Cayuga/Seneca Community Action Agency to implement this program; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of the Health & Human Services Department be authorized to accept \$25,000 in additional funding from NYS OTDA and to extend the original contract with Cayuga/Seneca Community Action Agency to implement this program from July 1, 2007 through June 30, 2008; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the necessary journal and accounting entries to the Human Services 2007 Budget as follows:

Increase Revenue Account #4660_____ \$25,000

Increase Expenditure Account #6060.4_____ \$25,000

Signed by Petrus, Cuddeback, Dudley, Pappert, Sedor, Tortorici, Lockwood, Mitchell, Murphy, Schuster.

Approved by voice vote, all present aye.

RESOLUTION NO. 315-07 Date of Meeting: 5/22/07 NHSILLARSREV**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ENTER INTO AN AGREEMENT WITH LINDA SILLARS,RNP TO PROVIDE PSYCHIATRIC EVALUATIONS FOR CAYUGA COUNTY NURSING HOME RESIDENTS.**

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

WHEREAS, Linda Sillars, RNP has the required experience and wishes to provide psychiatric services to Cayuga County Nursing Home; and

WHEREAS, Cayuga County Nursing Home residents have need for on site psychiatric evaluations; and

WHEREAS, Linda Sillars, RNP will receive reimbursement that is billed by the Cayuga County Nursing Home for her services to Cayuga County Nursing Home residents as payment in full; 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 with Linda Sillars, RNP to provide psychiatric services at Cayuga County Nursing Home effective June 1, 2007 for one year.

Signed by Petrus, Cuddeback, Dudley, Pappert, Sedor, Tortorici, Lockwood, Murphy, Schuster.

Approved by voice vote, all present aye.

RESOLUTION NO. 316-07 (May 22, 2007) HD Connections Contract**Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter Into a Contract With Connections to Provide Occupational and Speech Therapy Services for CHHA**

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

Paul Dudley, Chairman of the Ways & Means Committee

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

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

RESOLVED, that the Chairman of the Legislature and the Director of Health and Human Services enter into a contract with Connections for the period May 23, 2007 through May 31, 2008 with Connections at the rate of \$71 per visit and \$25 for orientation and inservices; and be it further

RESOLVED, that the costs of the above services be paid out of account #4012.400, line item #.220 (occupational therapy) and #.221 speech therapy.

Signed by Petrus, Cuddeback, Dudley, Pappert, Sedor, Tortorici, Lockwood, Mitchell, Murphy, Schuster.

Approved by voice vote, all present aye.

**RESOLUTION NO. 317-07 (May 22, 2007) 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
Paul Dudley, 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 \$12,300 for the period of April 1, 2007 through March 31, 2008; 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 2007 Budget in the following manner:

Increase Appropriation Account #4010.417.....\$12,300
Increase Revenue Account #3413.....\$12,300

Signed by Petrus, Cuddeback, Dudley, Pappert, Sedor, Tortorici, Lockwood, Mitchell, Murphy, Schuster.

Approved by voice vote, all present aye.

**RESOLUTION NO. 318-07 (May 22, 2007) HD Drinking Water Enhancement
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into an Agreement with the State to Participate in the 100% State Funded Drinking Water Program Enhancement Grant and to Authorize the Cayuga County Treasurer to Amend the 2007 Health Department Budget to Accept Funding**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Paul Dudley, Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Health Department has received approval for a 100% funded Drinking Water Program Enhancement Grant in the amount of \$113,000 for the period April 1, 2007 to March 31, 2008; and

WHEREAS, to accomplish this purpose we must enhance our investigations, enforcement, and emergency response; assure compliance with Subpart 5 of the State Sanitary Code; utilize the State's database; provide technical advice and guidance to system operators and homeowners; and implement the Safe Drinking Water Act programs and regulations; 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 participate in the 100% State-funded Drinking Water Program Enhancement Grant and to authorize them to sign all subcontracts relative to meeting obligations incurred by this grant; and be it further

RESOLVED, that the County Treasurer be authorized and directed to amend the Health Department's 2007 Budget and make the necessary journal and accounting entries as follows:

Increase Appropriation Account #4010.440..... \$113,000
Increase Revenue Account #3404..... \$113,000

Signed by Petrus, Cuddeback, Dudley, Pappert, Sedor, Tortorici, Lockwood, Mitchell, Murphy, Schuster.

Approved by voice vote, all present aye.

RESOLUTION NO. 319-07 (May 22, 2007)

HD Childhood Lead Grant

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
Paul Dudley, Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Health Department has received a 100% reimbursable grant in the amount of \$40,000 from the NYS Department of Health called the "Childhood Lead Poisoning Prevention Program" grant for the period April 1, 2007 through March 31, 2008; and

WHEREAS, in order to carry out the terms of this grant, the 2007 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, 2007 through March 31, 2008; 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 2007 Health Department Budget:

Increase Appropriation Account #4010.450.059.....	\$40,000
Increase Revenue Account #3410.....	\$40,000

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, Cuddeback, Dudley, Pappert, Sedor, Tortorici, Lockwood, Mitchell, Murphy, Schuster.

Approved by voice vote, all present aye.

RESOLUTION NO. 320-07 (May 22, 2007)

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 and to Amend the 2007 Human Services Budget to Accommodate This

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Paul Dudley, 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 6/1/07 to 5/31/08 to conduct Eligibility Reviews relating to self-employed individuals applying for Medicaid healthcare benefits at \$150/hr., which is 100% reimbursed by State and Federal funds; and be it further

RESOLVED, that, since this contract was not budgeted in the 2007 Human Services budget, the County Treasurer be directed to amend the 2007 Human Services Budget in the following manner:

Increase Expenditure Account #6010.400.059.....	\$50,000
Increase Revenue Account #3610.....	\$25,000
Increase Revenue Account #4610.....	\$25,000

and be it also

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

Signed by Petrus, Cuddeback, Dudley, Pappert, Sedor, Tortorici, Lockwood, Mitchell, Murphy, Schuster.

Approved by voice vote, all present aye.

RESOLUTION NO. 321-07 Date of Meeting: 5/22/07nhgavrascontract07 REV
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO RENEW AN AGREEMENT WITH E. JOHN GAVRAS CENTER TO PROVIDE SPEECH/LANGUAGE THERAPY SERVICES TO CAYUGA COUNTY NURSING HOME RESIDENTS.

BY: Paul Dudley, Chairman, Ways and Means Committee

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

WHEREAS, E. John Gavras Center has the required experienced staff and wishes to provide speech/language therapy services to Cayuga County Nursing Home; and

WHEREAS, Cayuga County Nursing Home is required by New York State Health Department regulation to provide speech/language therapy services; and

WHEREAS, E. John Gavras Center will be paid for her services to Cayuga County Nursing Home residents through a negotiated fee schedule; 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 with E. John Gavras Center to provide speech/language therapy services at Cayuga County Nursing Home effective June 1, 2007 for one year.

Signed by Petrus, Cuddeback, Dudley, Pappert, Sedor, Tortorici, Lockwood, Mitchell, Murphy, Schuster.

Approved by voice vote, all present aye.

RESOLUTION NO. 322-07 (May 22, 2007) HS Med-Rev
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Renew a Contract with Med Rev Recoveries, Inc. for the Provision of Debt Recovery Services

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

Paul Dudley, Chairman of the Ways & Means Committee

WHEREAS, recipients of public assistance on occasion become ineligible for benefits with an identifiable amount due to the County of Cayuga; and

WHEREAS, the Human Services Division of Health & Human Services is required to provide debt recovery services in order to re-coup monies owed to the County; and

WHEREAS, the Human Services Division has successfully contracted with Med Rev Recoveries, Inc. in the past to provide these services; and

WHEREAS, Med Rev Recoveries, Inc. would receive a contingent fee of 23% of amounts recovered; 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 Med Rev Recoveries, Inc. for the contract period May 1, 2007 through April 30, 2008; and be it further

RESOLVED, that the charges for these services be paid out of account #6010.400; line item #.059 of the 2007 Human Services Budget.

Signed by Petrus, Cuddeback, Dudley, Pappert, Sedor, Tortorici, Lockwood, Mitchell, Murphy, Schuster.

Approved by voice vote, all present aye.

RESOLUTION NO. 323-07 (May 22, 2007) HD Migrant Grant
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Renew the 100% Funded Migrant Health Services Grant and to Authorize the Cayuga County Treasurer to Amend the Health Department 2007 Budget in Order to Accommodate the Grant

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Paul Dudley, Chairman of the Ways & Means Committee

WHEREAS, the NYS Department of Health has approved a 100% funded grant for the continued implementation of health services in Cayuga County for migrant workers for the period January 1, 2007 through December 31, 2007 in the amount of \$39,500; and,

WHEREAS, the Cayuga County Department of Health desires to continue participating in this grant; NOW, THEREFORE, BE IT,

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into a contract with the State of New York for the 100% State-funded Migrant Health Services Grant and authorize them to sign all subcontracts relative to meeting obligations incurred by this grant; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the Health Department's 2007 Budget in the following manner:

Increase Appropriation Account A4010.414.059.....\$39,500
Increase Revenue Account A3417.....\$39,500

and be it also

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

Signed by Petrus, Cuddeback, Dudley, Pappert, Sedor, Tortorici, Lockwood, Mitchell, Murphy, Schuster.

Approved by voice vote, all present aye.

RESOLUTION NO. 324-07 (05/22/07) MHinc caycounsel07
AUTHORIZING THE AMENDMENT OF THE YEAR 2007 CAYUGA COUNTY COMMUNITY MENTAL HEALTH CENTER BUDGET TO REFLECT INCREASE IN STATE AID MONIES FOR CAYUGA COUNSELING SERVICES, INC.

BY: Ms. Ann R. Petrus, Chair, Health and Human Services Subcommittee, and
Mr. Paul Dudley, Chair, Ways and Means Subcommittee.

WHEREAS, the New York State Office of Mental Health has approved an increase in State Aid monies to Cayuga Counseling Services, Inc.; and

WHEREAS, the Cayuga County Budget was prepared in advance of the approved State Aid monies; and

WHEREAS, the Cayuga County Treasurer's Office will need to amend the year 2007 Cayuga Counseling Services, Inc. Budget to reflect this increase in funding; now, therefore, be it

RESOLVED, that the Cayuga County Treasurer's Office be authorized to amend the year 2007 Cayuga County Community Mental Health Center Budget for Cayuga Counseling Services, Inc. in the following manner:

- Increase the following Expenditure Accounts:
4310.430.401-A Cayuga Counseling/Child and Family Clinic Plus by \$79,722 to \$106,462
- Increase Revenue Account 3495.000.000-A State Aid – Cayuga Counseling Services, Inc. by \$79,722 to \$244,587; and be it further

RESOLVED, that the Cayuga County Treasurer's Office is authorized and directed to make the necessary journal and accounting entries to accomplish the forgoing.

Signed by Petrus, Cuddeback, Dudley, Pappert, Sedor, Tortorici, Lockwood, Mitchell, Murphy, Schuster.

Approved by voice vote, all present aye, except Murphy abstained.

RESOLUTION NO. 325-07 (May 22, 2007) HD Fill Typist CHS
Authorizing the Director of Health & Human Services to Fill a Typist Vacancy at Community Health Services Due to Retirement of Incumbent

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Paul Dudley, Chairman of the Ways & Means Committee

WHEREAS, there will be a typist vacancy at Community Health Services due to the retirement of the incumbent effective May 29, 2007; and

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

WHEREAS, this position is funded in the 2007 Health Department Budget; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized to fill the Typist vacancy at Community Health Services in a manner consistent with the rules and regulations of the County of Cayuga and the Cayuga County Civil Service Commission.

Signed by Petrus, Cuddeback, Dudley, Pappert, Sedor, Tortorici, Lockwood, Mitchell, Murphy, Schuster.

Approved by voice vote, all present aye.

**RESOLUTION NO. 326-07 (May 22, 2007) HD CSHCN 2006-07 COLA Funds
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Accept
Additional Funding (COLA) for the Children with Special Health Care Needs Program and to Amend the 2007
Health Department Budget to Accomplish the Same**

BY: Ann Petrus, Chairman of the Health & Human Service Committee
Paul Dudley, Chairman of the Ways & Means Committee

WHEREAS, due to recent legislation for the New York State fiscal year 2006-2007, appropriations have been established in the state budget to allow for an annual Cost of Living Adjustment (COLA); and

WHEREAS, we have been notified by the State that the Children With Special Health Care Needs (CSHCN) Program receives a COLA of \$277; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to accept the COLA funds for the CSHCN Program in the amount of \$277; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the Health Department's 2007 Budget in the following manner:

Increase Appropriation Account #4010.480.059.....\$277

Increase Revenue Account #3408.....\$277

and, be it also

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

Signed by Petrus, Cuddeback, Dudley, Pappert, Sedor, Tortorici, Lockwood, Mitchell, Murphy, Schuster.

Approved by voice vote, all present aye.

PROPOSED AMENDMENT By Legislator Tortorici, to the attached local law Defeated by majority vote, Noes Murphy(51), Palermo(58), Dudley(81), Smith(68), Petrus(53), Lockwood(63), Mitchell(57), Cuddeback(64), Lepak(48), Fearon(63). Ayes Sedor(79), Tortorici(51), Pappert(49), Schuster(47). Excused Netti(50) 606/226/50

**RESOLUTION NO. 327-07 (5/22/07) LLAmdgLLNo.7of1995toChgTrmLmtCoLegsFIX
FIXING DAY AND NOTICE OF PUBLIC HEARING ON A LOCAL LAW AMENDING
LOCAL LAW NO. 7 FOR THE YEAR 1995 TO IMPOSE A TERM LIMIT SUCH THAT
NO PERSON SHALL BE ELECTED TO MORE THAN THREE LEGISLATIVE TERMS ON THE
CAYUGA COUNTY LEGISLATURE AND AN APPOINTMENT, TOGETHER WITH AN ELECTION,
CONSTITUTES A FULL TERM.**

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

WHEREAS, there has been duly presented and introduced at a meeting of this County Legislature held on May 22, 2007, a proposed local law entitled:

**"A LOCAL LAW AMENDING LOCAL LAW NO.7 FOR THE YEAR 1995 TO
IMPOSE A TERM LIMIT SUCH THAT NO PERSON SHALL BE ELECTED
TO MORE THAN THREE LEGISLATIVE TERMS ON THE CAYUGA
COUNTY LEGISLATURE AND AN APPOINTMENT, TOGETHER WITH
AN ELECTION CONSTITUTES A FULL TERM".**

Now, therefore, be it

RESOLVED, that a public hearing shall be held concerning the proposed local law before the Cayuga County Legislature on **June 26, 2007, at 6:30 P.M.**, at the Chambers of the Cayuga County Legislature, County Office Building, 160 Genesee Street, Auburn, New York, and the Clerk of the Cayuga County Legislature is hereby directed to give due legal notice of said public hearing as provided by statute. This Local Law is subject to a mandatory referendum.

Signed by Mitchell, Dudley, Lepak, Petrus.

Approved by majority vote, all vote aye, except Lockwood(63) and Tortoric(51)i voting no and Netti(50) excused – vote 768/114/50

Motion to Separate, By Legislator Lockwood, to remove the last resolve, *RESOLVED, that the County Legislature does further amend the County Manager's job duties to include the direct supervision of the Purchasing Officer, IT and Data Processing Departments*, approved by voice vote. Motion to vote on resolution as amended, Majority vote – Ayes Murphy(51), Sedor(79), Dudley(81, Smith(68), Petrus(53), Lockwood(63), Mitchell(57), Cuddeback(64), Tortorici(51), Lepak(48), Fearon(63), Noes – Palermo(58), Pappert(49), Schuster(47). Excused Nett(50)
678/154/50

RESOLUTION NO. 328-07 (5/22/07) COMamenddutiesrev1

AMENDING JOB DUTIES FOR COUNTY MANAGER

BY: Hon. Francis Mitchell, Chairman Government Operations Committee

WHEREAS, there is a need to improve the internal controls for accounting and attesting the proper and most cost effective use of County tax dollars; and

WHEREAS, the County Legislature has adopted new policies and procedures to audit all County claims; and

WHEREAS, these new auditing procedures will significantly change the way the County pays its bills; and

WHEREAS, the County Legislature does recognize the importance of a change that will make County government more accountable and responsible safe guarding County taxpayers monies; and

WHEREAS, Local Law No. 1 for the year 2006 established the position of County Manager and reserved to the Cayuga County Legislature the authority to confer or impose by resolution upon the County Manager such other powers and duties as the Legislature may choose; now, therefore be it

RESOLVED, that the Cayuga County Legislature does hereby assign to the County Manager the powers and duties to perform auditing functions.

Signed by Mitchell, Petrus, Dudley, Lepak, Schuster, Sedor.

Approved by voce vote, all present voting aye.

Motion by Legislator Pappert to add resolve: RESOLVED, that all contracts be kept in the Clerk of the Legislature Office, approved by voice vote, all present voting aye.

RESOLUTION NO. 329-07 (5/22/07) COMsigncontract

AUTHORIZING THE CHAIRPERSON OF THE CAYUGA COUNTY LEGISLATURE TO SIGN ALL CONTRACTS ON BEHALF OF THE COUNTY

BY: Hon. Francis Mitchell, Chairman of Government Operations Committee

Hon. Paul Dudley, Chairman of Ways and Means Committee

WHEREAS, pursuant to County Law Section 450, the Legislative Chairperson shall execute and deliver contracts authorized by the Board; and

WHEREAS, the County of Cayuga enters into contracts for a multitude of services; and

WHEREAS, no County employee is permitted to enter into any contract without the approval and authorization of the Cayuga County Legislature; and

WHEREAS, it has been and continues to be a condition of approval that the Chairperson of the Cayuga County Legislature shall sign all contracts on behalf of the County of Cayuga; now, therefore be it

RESOLVED, that a copy of all contracts be kept in the Clerk of the Legislature Office.

RESOLVED, that the Cayuga County Legislature does hereby formalize this requirement and condition before any contract with the County can be executed.

Signed by Dudley, Lockwood, Cuddeback, Murphy, Petrus, Mitchell, Schuster.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 330-07 (5/22/07) COMfinpolicy
AUTHORIZING THE COUNTY MANAGER TO DEVELOP POLICIES AND PROCEDURES TO SAFEGUARD PUBLIC RESOURCES AND COUNTY TAX DOLLARS

BY: Hon. Francis Mitchell, Chairman Government Operations Committee

Hon. Paul Dudley, Chairman Ways and Means Committee

WHEREAS, County Officials and employees are entrusted with public resources and tax dollars for complying with laws, effectively and officially administrating mandated local, state and federal programs and services; and

WHEREAS, internal controls are important to the effective operating of County government; and

WHEREAS, these safeguards can reduce the likelihood of errors that could occur and go undetected; and

WHEREAS, the County Manager has identified a number of areas which require new policies and procedures or the strengthening of existing County practices; now, therefore be it

RESOLVED, that the County Legislature does authorize the County Manager to develop policies and procedures that will safeguard public resources and county tax dollars; and be it

RESOLVED, that the development of new policies and procedures shall include procurement, accounts payable, audit of claims and fixed assets.

Signed by Dudley, Lockwood, Cuddeback, Mitchell, Petrus, Schuster, Lepak, Sedor.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 331-07 (5/22/07) COMcellpolicy
AMENDING COUNTY CELLULAR TELEPHONE POLICY

BY: Hon. Francis Mitchell, Chairman Government Operations Committee

WHEREAS, Resolution No. 331-06 "Establishing a Cell Phone Policy for Cayuga County Employees Who Utilize County Owned or Rented Cell Phones" was adopted on June 27, 2006; and

WHEREAS, the County supplies cellular phones to County employees for County business; and

WHEREAS, some County employees have requested authorization to use their personnel cellular phone rather than carry an extra County cellular telephone for County business; and

WHEREAS, this will save taxpayer monies from purchasing cellular telephones in the future; now, therefore be it

RESOLVED, that the Cayuga County Legislature does hereby authorize to pay, authorized County employees using their own cellular telephone for County business in lieu of a County cellular telephone will be reimbursed \$15.00 per month for the cost of the usage of the employees cellular telephone; and be it further

RESOLVED, that the employee shall be paid quarterly for such expense through the audit process; and be it further

RESOLVED, that this amendment be added to the County Cellular Telephone Policy and County Owned Property Use Policies.

Signed by Mitchell, Petrus, Dudley, Lepak, Schuster, Sedor.

Approved by voice vote all present voting aye.

RESOLUTION NO. 332-07 (5/22/07) COMemergclosing
ADOPTING A POLICY ON EMERGENCY CLOSING OF COUNTY OFFICES

BY: Hon. Francis Mitchell, Chairman of Government Operations Committee

WHEREAS, it has come to the attention of the County Manager, the Legislative Chairman and the County Legislature that a policy on the emergency closing of County Offices needs to be adopted; and

WHEREAS, an emergency shall mean any situation endangering the personal safety of County employees or of recipients of County Services; and

WHEREAS, the Legislative Chairperson with the coordination of authorized safety and public works officials shall have the sole authority to formally close some or all County Offices and operations; now, therefore be it

RESOLVED, that the Cayuga County Legislature adopt the attached Emergency Closing of County Offices Policy to ensure the personal safety of County employees and the public.

Signed by Mitchell, Petrus, Dudley, Lepak, Schuster, Sedor.

Approved by voice vote all present voting aye.

**RESOLUTION NO. 333-07 (5/22/07) COA-LLAmdLLNo.1For1979PriorNoticeDefectsFIX
FIXING DAY AND NOTICE OF PUBLIC HEARING ON A LOCAL LAW
AMENDING LOCAL LAW NO. 1 FOR 1979 REQUIRING PRIOR
WRITTEN NOTICE OF DEFECTS IN CONNECTION WITH CLAIMS
FOR DAMAGES OR INJURIES SUSTAINED BY REASON THEREOF.**

BY: MR. CUDDEBACK, Chairman, Public Works Committee.

WHEREAS, there has been duly presented and introduced at a meeting of this County Legislature held on May 22, 2007, a proposed local law entitled:

**“A LOCAL LAW AMENDING LOCAL LAW NO. 1 FOR 1979
REQUIRING PRIOR WRITTEN NOTICE OF DEFECTS IN
CONNECTION WITH CLAIMS FOR DAMAGES OR INJUR-
IES SUSTAINED BY REASON THEREOF.**

Now, therefore, be it

RESOLVED, that a public hearing shall be held concerning the proposed local law before the Cayuga County Legislature on **June 26, 2007, at 6:30 P.M.**, at the Chambers of the Cayuga County Legislature, County Office Building, 160 Genesee Street, Auburn, New York, and the Clerk of the Cayuga County Legislature is hereby directed to give due legal notice of said public hearing as provided by statute.

Signed by Mitchell, Petrus, Dudley, Lepak, Schuster, Sedor.

Approved by voice vote all present voting aye.

**RESOLUTION NO. 334-07 (5/22/07) COA-LLAdm&EnfNYSUnifmFirePrev&BldgCodeFIX
FIXING DAY AND NOTICE OF PUBLIC HEARING ON A LOCAL LAW
PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF
THE NEW YORK STATE UNIFORM FIRE PREVENTION CODE.**

BY: MR. CUDDEBACK, Chairman, Public Works Committee

WHEREAS, there has been duly presented and introduced at a meeting of this County Legislature held on May 22, 2007, a proposed local law entitled:

**“A LOCAL LAW PROVIDING FOR THE ADMINISTRATION
AND ENFORCEMENT OF THE NEW YORK STATE UNIFORM
FIRE PREVENTION AND BUILDING CODE.”**

Now, therefore, be it

RESOLVED, that a public hearing shall be held concerning the proposed local law before the Cayuga County Legislature on **June 26, 2007, at 6:30 P.M.**, at the Chambers of the Cayuga County Legislature, County Office Building, 160 Genesee Street, Auburn, New York, and the Clerk of the Cayuga County Legislature is hereby directed to give due legal notice of said public hearing as provided by statute.

Signed by Mitchell, Petrus, Dudley, Lepak, Schuster, Sedor.

Approved by voice vote all present voting aye.

RESOLUTION NO. 335-07

05/22/07BLD PSB HVACrev3

Authorizing the Chairman of the Cayuga County Legislature to enter into an agreement to reprogram and repair the HVAC System at the Public Safety Building

BY: Hon. Steven E. Cuddeback, Chairman, Public Works Committee

Hon. Paul Dudley, Chair, Chairman, Ways & Means Committee

WHEREAS, the Computerized Johnson Controls Metasys HVAC system is a critical part of environmental controls for the health and safety of the inmates and personnel at the Public Safety building; and

WHEREAS, the Public Safety Building HVAC System intakes diesel fumes when the emergency generator runs; and

WHEREAS, the Public Safety Building HVAC System is in need of reprogramming and controls to shut air handlers down when the generator runs; and

WHEREAS, the HVAC System is in need of refurbishment and repair; and

WHEREAS, the Buildings and Grounds Department does not have the expertise in the computerized controls of this system; and

WHEREAS, the Buildings and Grounds Department has received two (2) quotes for the re-commissioning the HVAC system one from Johnson Controls Inc. for a total of \$31,662.00 and one from Upstate Temperature Control Inc. for a total of 18,242.00, and

WHEREAS, both companies state that the Carrier Dataport module on the Chiller system (AC system) needs to be replaced for the system to interface with the Metasys HVAC system. This module is quoted at \$2,356.00 from Carrier and must be procured by the County; now therefore be it

RESOLVED, that the Chairman of Cayuga County is hereby authorized and directed to enter into a Agreement with Upstate Temperature Control Inc. for a total of \$18,242.00 to re-commission the Metasys system at Public Safety Building, and be it further

RESOLVED, that the Sheriff is hereby authorized to procure the Carrier Dataport module for \$2,356.00, and be it further

RESOLVED, that at this time Account No. 3150.400.012-A, has sufficient funds for this unforeseen repair, and be it further

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

Signed by Cuddeback, Lockwood, Palermo, Smith Pappert, Tortorici, Dudley, Mitchell, Murphy, Petrus, Schuster.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 336-07 (5/22/07)

P&TsignOWLA

AUTHORIZING THE ERECTION OF A SIGN ON COUNTY PROPERTY

BY: Hon. Steve Cuddeback, Chairman of Public Works

WHEREAS, the Owasco Watershed/Lake Association, Inc. has utilized County property and facilities for a number of years; and

WHEREAS, Owasco Watershed/Lake Association has actively pursued the safeguarding of one of the County's most important natural resources; and

WHEREAS, the Cayuga County Park and Trails Commission's mission is to enhance the quality of life for the citizens of Cayuga County by providing leisure, cultural, and educational services while preserving, conserving, and promoting our natural and physical resources; and

WHEREAS, the County's Water Quality Management Agency (WQMA) recognizes water quality organizations such as the Owasco Watershed/Lake Association (OWLA); and

WHEREAS Owasco Watershed/Lake Association does not have nor received written authorization to erect a sign on County property at Emerson Park nor received written permission to use County office space to meet at Emerson Park; now, therefore be it

RESOLVED, that the Cayuga County Legislature hereby authorizes the Owasco Watershed/Lake Association, Inc. to erect an informational sign on County property at Emerson Park; and, be it further

RESOLVED, that the County Legislature shall permit the Owasco Watershed/Lake Association, Inc. to meet at Emerson Park and if a conflict of scheduling occurs with the use of office space and any County function, the County shall have precedent over a meeting held by the Owasco Watershed/Lake Association, Inc.

Signed by Cuddeback, Smith, Lepak, Palermo, Pappert, Tortorici.

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 337-07 (May 22, 2007) Chair PW Terminate Lease
Authorizing the Chairman of the Legislature to Terminate the Lease at the Hardenburgh Building, Located at
95 Genesee St., Auburn, NY, with Center for Dispute Settlement**

BY: Steven Cuddeback, Chairman of the Public Works Committee
Paul Dudley, Chairman of the Ways & Means Committee

WHEREAS, the Cayuga County Health Department's Division of Community Health Services, located in the Hardenburgh Building at 95 Genesee Street, Auburn, NY, has office space in the basement of this building and is in need of more appropriate space to provide privacy for staff and patients within the Communicable Disease, and Maternal and Child Health Programs; and

WHEREAS, Cayuga County owns the Hardenburgh Building; and

WHEREAS, the Center for Dispute Settlement currently occupies space (\$500/month rent) on the second floor of this building which would be appropriate to meet the needs of these Community Health Services' programs and would be readily accessible to the Health Department offices located in the basement of this building; and

WHEREAS, based on the Cayuga County Cost Allocation Plan, the Health Department can claim the costs allocated through the "Maintenance in Lieu of Rent Schedule" at 36% State Aid; NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature be authorized to terminate the lease with the Center for Dispute Settlement effective July 1, 2007, and authorize the Community Health Services' Communicable Disease Program staff and the Maternal and Child Health Program staff to move into this space once it has been vacated.

Signed by Cuddeback, Lepak, Lockwood, Palermo, Pappert, Smith, Tortorici, Dudley, Mitchell, Petrus, Schuster.

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 338-07 5-22-07 boedsgnproprev
Authorizing the Chairman of the Cayuga County Legislature to request designs proposals for a Handicap
Accessible Entrances for the board of Elections and Records Retention Building.**

By: Hon. Steven E. Cuddeback, Chair, Public Works Committee
Hon. David Pappert, Chair, Ways & Means Committee

WHEREAS, The Federal Help America Vote Act (HAVA) Mandates that all polling places are handicap accessible pursuant to the mandates of the Americans with Disabilities Act (ADA); and

WHEREAS, THE board of Elections office at 10 Court Street is a polling site for absentee, affidavit, and ballots voted on the Populex voting machine for handicapped individuals, and the building entrances do not currently meet the ADA requirements; and

WHEREAS, HAVA provides grant funding for this purpose administered through the NYS Board of Elections, and requires a %5 local match; now therefore, be it.

RESOLVED, that the Cayuga County Chairman is hereby authorized and directed to request designs proposals for a Handicap Accessible Entrance for the board of Elections and Records Retention Building.

Signed by Cuddeback, Lepak, Lockwood, Pappert, Tortorici, Dudley, Mitchell, Petrus, Schuster.

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 339-07 Date: May 22, 2007 HWYamendbdgtrev
AUTHORIZING THE AMENDMENT OF THE 2007 HIGHWAY BUDGET DUE TO AN INCREASE IN
REVENUE FROM INSURANCE RECOVERY**

By: Steven Cuddeback, Chairman Public Works Committee
Paul Dudley, Chairman Ways and Means Committee

WHEREAS, no money was budgeted in Revenue Account D2680 for Insurance Recovery for 2007; and

WHEREAS, guide rail was damaged on Long Hill Road in the town of Venice resulting in \$2,973.25 worth of damage; and

WHEREAS, \$2,973.25 was received from the insurance company of the individual that caused the damage and deposited into revenue account D2680.00; now therefore be it

RESOLVED, that Revenue Account D2680 be amended and increased from \$0 to \$2,973.25; and be it further

RESOLVED, that the appropriation account be correspondingly increased to reflect the increase in revenue of the following amount to allow and authorize the Highway Superintendent to fully utilize these funds; and be it further

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

Signed by Cuddeback, Lockwood, Pappert, Tortorici, Lepak, Dudley, Murphy, Mitchell, Schuster, Petrus.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 340-07 Date: May 22,2007 HWY07CHIPSINCREsrev
AUTHORIZING THE AMENDMENT OF THE 2007 HIGHWAY BUDGET DUE TO AN INCREASE IN
CHIPS REVENUE FROM THE STATE OF NEW YORK

By: Steven Cuddeback, Chairman Public Works Committee

Paul Dudley, Chairman Ways and Means Committee

WHEREAS, \$2,080,000.00 was budgeted in Revenue Account D3501 for the Consolidated Highway Improvement Program (CHIPs) for 2007; and

WHEREAS, upon passage of the State 2007 budget the County was allotted \$2,313,929.00 in CHIPs funding, an increase of \$233,929.00; and

WHEREAS, the CHIPs program is a reimbursement program that requires the funds first be spent on projects with a 10 year or greater life expectancy such as paving, bridge rehabilitation or replacement before application for reimbursement can be made; and

WHEREAS, Appropriation Account D 5113 is the appropriations account that is used for the expenditure of the CHIPs funds; now therefore be it

RESOLVED, that Revenue Account D3501 be amended and increased from \$2,080,000 to \$2,313,929, an increase of \$233,929.00 to account for the increase in CHIPs funding; and be it further

RESOLVED, that the appropriations accounts be correspondingly increased to reflect the increase in revenues by the following amounts to allow and authorize the Highway Superintendent to fully utilize the CHIPs funds:

<u>Account</u>	<u>Old Amount</u>	<u>New Amount</u>	<u>Increase</u>
D5113.400.099	\$1,400,000	\$1,417,500	\$ 17,500
D5113.400.107	\$ 525,000	\$ 741,429	\$ 216,429

and be it further

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

Signed by Cuddeback, Lockwood, Pappert, Tortorici, Lepak, Dudley, Murphy, Mitchell, Schuster, Petrus.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 341-07 May 22, 2007

P&T capthamend catobrutus grant 5 07rev5

AMENDING RESOLUTION # 337-06 AUTHORIZING THE PREPARATION, SUBMITTAL AND ACCEPTANCE OF A TRANSPORTATION ENHANCEMENTS PROGRAM GRANT AND AUTHORIZING ESTABLISHMENT OF CAPITAL "H" PROJECT NO. ____, (CATO-BRUTUS TRAIL BRIDGES), AND THE TRANSFER OF MONIES

By: Steven Cuddeback, Chairman Public Works Committee

Paul Dudley, Chairman Ways and Means Committee

WHEREAS, the County of Cayuga was selected to receive the funding requested in Resolution 337-06 under the Transportation Enhancements Program (TEP), a federal reimbursement program under the *Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)*, which is administered by the NYS Department of Transportation (DOT); and

WHEREAS, when Resolution 337-06 was approved the specific financial impacts of the grant were not known; and

WHEREAS, this information is now available as follows:

Project Total \$260,040

TEP Funding \$180,290

Match \$79,750, and

WHEREAS, the Cayuga County match includes the following

Material (currently available) \$29,200

In-kind labor \$40,550

Cash \$10,000

Total \$79,750, and

WHEREAS, the \$10,000 would be coming from a Cayuga County Parks and Trails Department T81 trust account that can only be used for trail enhancements and currently has a balance of \$31,360; and

WHEREAS, the sum of \$90,000.00 should be transferred from the general fund into the Capital "H" Account No.____to ensure the start of the project; and

WHEREAS, the County of Cayuga accepts the grant award and approves the furnishing of in kind services and materials and the contribution of monies; and

WHEREAS, this is an excellent opportunity to leverage this money to complete this section of the County trail; now, therefore, be it

RESOLVED, that the Public works Committee, as oversight committee, with the Cayuga County Parks and Trails Commission assisting it, are hereby authorized and directed to oversee the implementation and construction of this project; and be it further

RESOLVED, that in order to properly account for the same, the Cayuga County Treasurer is hereby authorized and directed to establish Capital "H" Project No. ____ (Cato Brutus trail bridges) in an amount not to exceed \$260,040.00, source of funding to be \$180,290.00 from Transportation Enhancements Program (TEP), a federal reimbursement program under the *Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)*, which is administered by the NYS Department of Transportation (DOT) and the balance, \$79,750, to be: \$10,000 from Cayuga County Parks and Trails Department T81 Trust Account; material (currently available) \$29,200, and in-kind labor, \$40,550; and be it further

RESOLVED, that to accommodate the immediate financial needs of the project pending reimbursement of monies expended from Transportation Enhancements Program (TEP), a federal reimbursement program under the *Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)*, which is administered by the NYS Department of Transportation (DOT), the Cayuga County Treasurer resort to funding by in-house borrowing.

RESOLVED, that the Cayuga County Treasurer is hereby authorized to fund this Capital "H" Account with a transfer of \$90,000.00 from the general fund into the Capital "H" Account No.____; and be it further

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

Signed by Cuddeback, Palermo, Lockwood, Pappert, Tortorici, Dudley, Schuster.

Approved by 2/3 vote, all present voting aye, except Netti excused. 230/14

RESOLUTION NO. 342-07 Action Date: 05/22/07 Bldg&Grounds.scrap
AUTHORIZATION TO SCRAP METAL PARTITIONS

By: Hon. Steven Cuddeback, Chairman, Public Works Committee
Hon. Paul Dudley, Chairman, Ways and Means Committee

WHEREAS, There are numerous metal partitions stored in the fan rooms in the County Office Building, and
WHEREAS, These partitions can not be used to make rooms or offices in the county office building due to the asbestos above the ceilings and present in the floor tile, and

WHEREAS, The partitions will need to be moved for the asbestos abatement of the fan rooms
and there for let it be

RESOLVED, that the Superintendent of Buildings and Grounds be hereby authorized to scrap the metal partitions to accomplish the abatement of asbestos in the County Office Building; and be it further

RESOLVED, that the moneys collected from this sale be placed in revenue account A1268 (Buildings, Sale of Scrap Metal) and a like amount be placed in 1620.400.012A Building Maintenance, and be it further

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

Signed by Cuddeback, Lockwood, Palermo, Pappert, Smith, Tortorici, Dudley, Schuster.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 343-07 Date: 5/22/07 hwyfillforepersonpositionrev
Authorizing the Highway Superintendent to fill a Working Foreperson Position within the Highway Department and to back fill position created by promotion.

BY: Hon. Steven Cuddeback, Chairman, Public Works Committee
Hon. Paul Dudley, Chairman, Ways & Means Committee

WHEREAS, a current Working Foreperson is retiring from their position on May 26, 2007 and the position will be vacant at that time; and

WHEREAS, this Working Foreperson position is critical to the operation of the highway department; and

WHEREAS, this position has been budgeted for the entire year; now therefore be it

RESOLVED, the Highway Superintendent is authorized to fill this open position by promotion from within the department and also backfill any positions created by upward promotion from within the department; 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 Cuddeback, Lockwood, Pappert, Tortorici, Dudley, Murphy, Mitchell, Schuster, Petrus.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 344-07 Date: 5/22/07 hwyfillmmeopositionrev
Authorization Superintendent of Highway to fill a Medium Motor Equipment Operator Position within the Highway Department and to back fill position created by promotion

BY: Hon. Steven Cuddeback, Chairman, Public Works Committee
Hon. Paul Dudley, Chairman, Ways & Means Committee

WHEREAS, a current Medium M.E.O. is retiring from their position on May 30, 2007 and the position will be vacant at that time; and

WHEREAS, this Medium M.E.O. position is critical to the operation of the highway department; and

WHEREAS, this position has been budgeted for the entire year; now therefore be it

RESOLVED, to authorize the Highway Superintendent to fill this open position by promotion from within the department and also backfill any positions created by upward promotion from within the department; 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 Cuddeback, Lockwood, Pappert, Tortorici, Lepak, Dudley, Murphy, Mitchell, Schuster, Petrus.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 345-07 (5/22/07) P&TOil&ChipIslandRoad 5 07rev
Authorizing the Parks and Trails Department to pay Cayuga County Highway to oil and chip the road across the island at Emerson Park

By: Mr. Steve Cuddeback, Chairman, Public Works
Mr. Paul Dudley, Chairman, Ways & Means Committee

Whereas, the island is the location of four summer events including two car shows, The Great Race and the Float Plane Fly-In; and

Whereas, the island road provides access to these events as well as other activities on the island such as shelter rentals, boat slip rentals and a location for the safe setup for the July 3rd fireworks; and

Whereas, these activities generated \$34,998 in revenue for Emerson park last yea; and

Whereas, the persons responsible for the car show approached some legislators last year about improving the road to minimize dust generation during their events; and

Whereas, the Parks Department put up to \$4,500 in Emerson Park Budget Account No. 7110.400.147-A (Park Improvements) to accomplish this task; now therefore, be it

Resolved, that the Parks Department is hereby authorized and directed to work with the highway department to get the road oiled and chipped; and be it further

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

Signed by Cuddeback, Lepak, Lockwood, Pappert, Tortorici, Dudley, Murphy, Mitchell, Schuster, Petrus.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 346-07 Date: 5/22/07 p&tflowers 5 07rev
AUTHORIZING THE PURCHASE OF FLOWERS FOR THE VARIOUS FLOWERBEDS AT EMERSON PARK

By: Steven Cuddeback, Chairman Public Works Committee
Paul Dudley, Chairman Ways and Means Committee

Whereas, the Clerk of the Cayuga County Legislature was previously authorized to advertise and receive bids for flowers for Emerson Park in 2004, and

Whereas, the sole bidder was Dickman Farms, LLC, and

Whereas, Dickman Farms LLC has proven to be a good vendor over the years providing technical support at no charge to the park, and

Whereas, Emerson Park has \$3,000 in budget account 7110.400.109-A for General Landscaping and \$500 in budget account 7110.400.147-A Park Improvements for a total not to exceed \$3,500 to purchase flowers, now therefore be it

Resolved, that the County Legislature hereby authorizes the Parks and Trails Department to purchase the flowers for Emerson Park at a price not to exceed \$3,500 and be it further

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

Signed by Cuddeback, Lepak, Pappert, Tortorici, Dudley, Murphy, Mitchell, Schuster, Petrus.

Approved by voice vote, all present voting aye.

RESOLUTION NO. 347-07 (5/22/07) DA.budgetamendleggtREV
AUTHORIZING THE AMENDMENT OF THE DISTRICT ATTORNEY'S 2007 BUDGET TO PROVIDE FOR THE UNEXPENDED BALANCE OF THE 2006 STATE AID LEGISLATIVE GRANT

BY: Raymond Lockwood, Chairman, Judicial and Public Safety Committee
Paul Dudley, Chairman, Ways & Means Committee

WHEREAS, the District Attorney's Office has an unexpended amount of \$3,623.21 from a 2006 Legislative Grant; and

WHEREAS, the New York State Division of Criminal Justice Services has granted the District Attorney's Office an extension of the Legislative Grant period ending 6/30/07 to utilize the unexpended funds; and

WHEREAS, the District Attorney's 2007 Budget must be amended so as to provide the appropriations and revenues necessary to support the services associated with the grant; now, therefore, be it

RESOLVED, that the 2007 County Budget for the District Attorney in the following manner:

INCREASE:

Revenue Account 3026.000.000-A State Aid – Legislative Grant....\$3,624.00

INCREASE:

A.1165.200.000-A Equipment\$3,624.00

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 Lockwood, Lepak, Mitchell, Murphy, Palermo, Pappert, Smith, Dudley, Cuddeback, Petrus, Schuster.

Approved by voice vote, all present voting aye.

Motion by Legislator Pappert to add 2 (two) resolves to say how we are paying RESOLVED, there is money in the Capital H project 04-4, specifically for E-911 enhancement purchases in the amount of \$28,337.00, and wireless reimbursement monies in the amount of \$48,991.00 to allocate for this purchase, received from New York State to fund this project; and

RESOLVED, the E-911 budget will be modified by increase in the revenue line 3300.000.008, State Aid- E-911 System Upgrade; and increase the expense line 3020.400.018, computer software, by 48,991.00; and therefore be it, approved by voice, all present voting aye

Resolution No. 348-07 5/22/07 PSAppurchPictometryrev3

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO ENTER INTO A CONTRACT WITH PICTOMETRY FOR THE PURCHASE AND INSTALLATION OF PICTOMETRY SERVICES.

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

WHEREAS, Pictometry would benefit the E-911 Center, all Law Enforcement Officers in Cayuga County, as well as many other businesses in Cayuga County, in various means.

WHEREAS, a Pictometry representative has presented an overview of the software as well as all of the possibilities that the program has to offer and is a proprietary company to this product; and

WHEREAS, the pricing for a two-year license-agreement, available to all towns and businesses in Cayuga County, is \$69,595.00; and

WHEREAS, there is money in the Capital H project 04-4, specifically for E-911 enhancement purchases in the amount of \$28,337.00, and wireless reimbursement monies in the amount of \$48,991.00 that we would like to allocate for this purchase, received from New York State to fund this project; and

WHEREAS, the E-911 center requests to increase the budget in the revenue line 3300.000.008, State Aid- E-911 System Upgrade; and increase the expense line 3020.400.018, computer software, by 48,991.00; and therefore be it RESOLVED, that the E-911 Center and the Chairman of the Cayuga County Legislature are hereby authorized and directed to enter into a two (2) year contract with Pictometry, for the provision, installation, and monitoring of their products; and be it further

RESOLVED, there is money in the Capital H project 04-4, specifically for E-911 enhancement purchases in the amount of \$28,337.00, and wireless reimbursement monies in the amount of \$48,991.00 to allocate for this purchase, received from New York State to fund this project; and

RESOLVED, the E-911 budget will be modified by increase in the revenue line 3300.000.008, State Aid- E-911 System Upgrade; and increase the expense line 3020.400.018, computer software, by 48,991.00; and therefore be it RESOLVED, that the Chairman of the Legislature is hereby authorized to allow for the purchase of Pictometry and sign contracts for such; and be it further

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

Signed by Lockwood, Mitchell, Murphy, Palermo, Pappert, Smith, Schuster.

Approved by 2/3 vote, all present voting aye, Netti Excused 230/14

RESOLUTION NO. 349-07 (5/24/07) E911policy.HyperReach

ADOPTING POLICY AND PROCEDURE FOR USE OF HYPER-REACH NOTIFICATION SYSTEM

BY: Hon. Raymond E. Lockwood, Chairman Judicial and Public Safety

WHEREAS, Cayuga County has purchased a reverse E-911 System known as Hyper-Reach; and

WHEREAS, the E-911 Administrator has prepared and submitted a policy and procedures to be utilized when there is a need to use Hyper-Reach; and

WHEREAS, the Public Works Committee has reviewed and approved the draft policy with one minor change; now therefore be it

RESOLVED, that the Cayuga County Legislature does hereby adopt the policy and procedures for Hyper-Reach which are attached to this resolution.

Signed by Lockwood, Murphy, Mitchell, Palermo, Pappert, Smith.

Approved by voice, all present voting aye.

RESOLUTION NO. 350-07 for action 5/22/07 SHRfundfillFiscalOff-rev2
Authorizing the transfer of funds to fund and fill the position of Fiscal Officer within the Sheriff's Department.

BY: Raymond Lockwood, Chairman, Judicial & Public Safety Committee

BY: Paul Dudley, Chairman, Ways & Means Committee

WHEREAS, the Sheriff and Judicial and Public Safety Committee find it necessary to provide professional accounting procedures for the receipts and expenditures of the various departments under the jurisdiction of the Sheriff; and

WHEREAS, the position is also needed for the day to day financial operation of the Jail and Sheriff's Departments that fall under the jurisdiction of the Sheriff to eliminate Corrections Officers and Sergeants from performing financial and clerical work associated with the financial operation of the facility so that the officers can perform their professional corrections work; and

WHEREAS, the Sheriff reviewed and submitted a reorganization plan for the staffing patterns allowed within the jail by the NYS Commission of Correction and the plan has been approved thereby causing a substantial savings to the county over the next two years and the foreseeable future; and

WHEREAS, the position was classified and created in 2003 but never filled by the former administration and the funding for said position could be accomplished by using funds already allocated within the Sheriff's 2007

departmental budgets; now, therefore be it

RESOLVED, that the Sheriff be hereby authorized and directed to fill the position of Fiscal Officer effective 6/18/07 in a manner consistent with the rules and regulations of the Cayuga County Civil Service Commission and the policies of the County of Cayuga; and be it further

RESOLVED, that the annual salary for the position be set at the rate of \$51,661 pursuant to the 2007 Cayuga County Compensation Plan, Part IV for Department Heads and other Administrative Positions; and be it further

RESOLVED, that the County Treasurer be hereby authorized to transfer funds from within the Sheriff's Department Accounts and make any journal entries to accomplish the following:

From: Jail Account A3150.100 in the amount of \$27909 (from position #00046)

From: Jail Account A3150.800 the amount of \$5,421 (.001 \$2,136; .003 \$3,054; .004 \$231)

To: Sheriff's Account A3110.100 position#05644 the amount of \$27,909

To: Sheriff's Account A3110.800 the above fringe benefits to the same sub accounts.

Signed by Lockwood, Lepak, Mitchell, Murphy, Palermo, Smith, Dudley, Cuddeback, Petrus, Schuster.

Approved by voice, all present voting aye.

RESOLUTION NO. 351-07 for action 5/22/07 SHRcreateConf-Secy-rev1
Authorizing the creation, funding and filling of a new position titled Confidential Secretary to the Sheriff within the Sheriff's Department.

BY: Raymond Lockwood, Chairman, Judicial & Public Safety Committee

BY: Paul Dudley, Chairman, Ways & Means Committee

WHEREAS, the Sheriff and Under-Sheriff have evaluated the staffing pattern in the various departments under their jurisdiction; and

WHEREAS, it has become evident that an agency that employs 175 plus employees needs adequate administrative and clerical support to properly carry out the functionality of the department; and

WHEREAS, one additional support staff would enable the professional law enforcement and corrections personnel to carry out law enforcement and corrections duties rather than clerical support duties; and

WHEREAS, the funding for said position is allocated within the Sheriff's Office A3110, 2007 departmental budget, due to vacancies in various positions for both the salary and fringe amounts for 2007; and

WHEREAS, the Sheriff reviewed and submitted a reorganization plan for the staffing patterns allowed within the jail by the NYS Commission of Correction and the plan has been approved thereby causing a substantial savings to the county over the next two years and the foreseeable future that would more than cover the additional slot; now, therefore be it

RESOLVED, that the position of Confidential Secretary to the Sheriff be hereby created and placed in the Cayuga County Compensation Plan, Part II for Non-Bargaining Employees under the Sheriff's Department at a Grade 16 pursuant to that plan and placed on the appropriate step:

Probation Rate	Step One	Step Two	Step Three	Step Four
\$34,193	\$34,543	\$35,776	\$37,075	\$38,377; and be it further

RESOLVED, that the County Treasurer be hereby authorized to transfer funds and make any journal entries to move \$18,662 to the new position in A3110.100 by using funds from Deputy Sheriff position #3305 in the amount of \$10,300 and from Detective position #1909 in the amount of \$8,362; and be it further

RESOLVED, that the Sheriff be hereby authorized and directed to fill the position of Confidential Secretary to the Sheriff effective 6/18/07 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 Lockwood, Mitchell, Murphy, Palermo, Smith, Dudley, Cuddeback, Petrus, Schuster.

Approved by voice, all present voting aye.

RESOLUTION NO. 352-07 5-22-07 SHERIFF-RESTRAINTS

Authorizing the Sheriff of Cayuga County to Purchase Restraints

By: MR RAYMOND LOCKWOOD, Chair, Judicial & Public Safety Committee
MR. PAUL DUDLEY, Chair, Ways & Means Committee

WHEREAS, the Sheriff's Custody Division is in need for Personal Restraints and Safety Equipment (Handcuff's & Shackles) for the transport of inmates.

WHEREAS, monies for these Restraints were budgeted in the Sheriffs Custody Budget for 2007 in the amount of \$3000.00 (Three Thousand Dollars) in account number (3150.200.000) therefore be it

RESOLVED, that the Sheriff is authorized to purchase the Restraints and Safety Equipment and the cost will not exceed the \$3000.00 (Three Thousand Dollars) budgeted the in the Sheriff's 2007 Budget and further be it

RESOLVED that the purchase well be in accordance with policies established by the Cayuga County.

Signed by Lockwood, Mitchell, Murphy, Palermo, Smith, Dudley, Cuddeback, Petrus, Schuster.

Approved by 2/3 vote, all present voting aye, Netti Excused 230/14

Resolution No. 353-07 5/22/07 PSAPBasestationrev

AUTHORIZING THE CHAIRPERSON OF THE LEGISLATURE TO AUTHORIZE THE PURCHASE AND INSTALLATION OF A BASE STATION AT SEMPRONIUS FIRE DEPARTMENT.

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

WHEREAS, through the Cayuga County E-911 Center, Base Stations for all Fire and EMS Departments are purchased, installed, and maintained within our County; and

WHEREAS, the Sempronius Fire Station is in need of an updated Base Station to ensure that all transmissions are received; and it is critical that the Base Station is functioning 24/7 for all emergency responders; and

WHEREAS, Base Stations are purchased and installed by Fingerlakes Communications at a cost of \$1,391.75 and then placed on Cayuga County's monthly support and maintenance agreement that includes all other base station radios, at no additional cost at this time; and

WHEREAS, there is money in the 9-1-1 Communications System Budget Account number 3020.200.000-A, specifically for this purpose; now therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized and directed to enter into a contract with Fingerlakes Communication for the purchase of the base station radio in the amount not to exceed \$1,391.75; and be it further

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

Signed by Lockwood, Lepak, Mitchell, Murphy, Palermo, Pappert, Smith, Dudley, Cuddeback, Petrus, Schuster.

Approved by 2/3 vote, all present voting aye, Netti Excused 230/14

Motion by Legislator Pappert to remove editorial comments on 5th whereas 1. (chair disliked by dispatchers) a. (same style as above) 2. (chair disliked by dispatchers) 3. (liked by majority), approved by voice vote, all present voting aye.

Resolution No. 354-07 5/22/07 PSAPpurchdispatchchairsrev2

AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO PURCHASE FIVE (5) 24/7 DISPATCH CHAIRS.

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

WHEREAS, the Cayuga County E-911 has not purchased Dispatch Chairs in over four (4) years; and
WHEREAS, Chairs for this type of setting, should be replaced, at maximum, every three (3) years; and
WHEREAS, it is imperative that dispatchers have competent chairs to sit in as they are forced to sit in them for approximately 95% of their workday; and

WHEREAS, the 911 Administrator has introduced various types and styles of chairs in the E-911 Center, with the majority vote being that of chairs of the same style that are currently utilized in the E-911 Center.

WHEREAS, the E-911 Center has received numerous quotes for chairs:

1. Dulux Technology LLC – \$849.00 each chair
 - a. Superior Chairs – \$1120.00 *approximately* ea.
2. Superior Chairs – 795.00 each chair
3. Era Products – 795.00 each chair

WHEREAS, the best chair, at the lowest cost, is \$795.00 per chair plus shipping and handling charges; and
WHEREAS, Era products has submitted the most favorable proposal, including shipping and handling, at a total cost of \$4,348.00 for the purchase of five (5) Chief Dispatch Chairs and

WHEREAS, there is money in the E 911 Communications System Budget Account Number 3020.200.000-A, specifically for this purpose; now, therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to allow for the purchase of new dispatch chairs from Era at a cost not to exceed \$4,348.00; and be it further

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

Signed by Lockwood, Lepak, Mitchell, Murphy, Palermo, Pappert, Smith, Dudley, Cuddeback, Petrus, Schuster.

Approved by 2/3 vote, all present voting aye, Netti Excused 230/14

RESOLUTION NO. 355-07 (May 22, 2007)

Chair Collateral Source

Resolution in Support of Collateral Source Legislation, S.4164/A.2989 (Formerly S.1544/A.4354 of 2005-2006) and Asking Local State Legislators to Serve as Co-Sponsors

BY: George C. Fearon, Chairman of the Cayuga County Legislature

WHEREAS, Cayuga County and its towns have previously expressed their support for the above-captioned legislation, which would amend the Civil Practice Law and Rule to allow municipalities to offset awards for future lost earnings made to employees by disability pensions and other collateral sources of compensation; and

WHEREAS, under current law, negligence damages recovered against a municipality by its employees are not reduced by the amount of the employee's disability pension: and

WHEREAS, that is notwithstanding the fact that, in the case of uniformed workers, approximately 75% of the cost of that pension is paid for by the municipality that results in a municipal employee being compensated twice by the municipality for future lost earnings; and

WHEREAS, private employers are permitted to reduce future lost earnings by the amount of a pension, however public employers are not; and

WHEREAS, this legislation, which last year was on the Senate Calendar, and missed by one vote being reported out of the Assembly Judiciary Committee, would save municipalities millions of dollars annually by giving the same benefit to public employers that private defendants now enjoy, a matter of fundamental fairness and sound public policy, and

WHEREAS, the bill's supporters include Governor Spitzer, the Advisory Committee on Civil Practice established by the Chief Administrative Judge, the New York State Bar Association, the largest Bar Association in the State which is composed of over 70,000 lawyers, the Association of the Bar of the City of New York, the Citizens Union, all of the State's 62 cities, 54 of its 57 counties, 730 towns and 428 villages: now, therefore be it

RESOLVED, that the Cayuga County Legislature does hereby request that our State Legislators, Senator Michael Nozzolio, Senator David Valesky, Assemblyman Gary Finch, Assemblyman Robert Oaks, and Assemblyman Brian Kolb, if they have not already done so, to sign on as co-sponsors of this bill.

Signed by Chairman George Fearon.

Approved by voice vote, all present voting aye.

Motion by Legislator Linda Murphy to go into executive session 3:05PM, re:

1. Matters regarding Pending Litigation.
2. Matters regarding proposed acquisition of real property.
3. Matters leading to the appointment of a particular corporation.
4. Matters regarding the Financial and Employment history of a particular corporation

Approved by voice vote, all present voting aye.

Motion by Legislator Linda Murphy to come out of executive session 4:25pm. Approved by voice vote, all present voting aye.

Motion by Legislator Murphy to adjourn at 4:30PM, Approved by voice vote, all present voting aye.

Minutes approved by voice vote, all present voting aye 9-25-07.