

**MINUTES**  
**CAYUGA COUNTY LEGISLATURE**  
**September 25, 2007, 6:30 PM**  
**CCOB 6<sup>TH</sup> FLOOR/CHAMBERS**

Called to order by the Hon. George Fearon, all Legislators present, except Netti and Dudley excused.

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**DEATHS:**

**Robert D. Rooker, Sr.**, former member, Cayuga County Board of Supervisors and Cayuga County Legislature, 1966 to 1973. Mr. Rooker also served as Cayuga County Commissioner of Jurors, was a prominent local furniture retailer, civic leader and Republican Party City Chairperson.

**Arthur R. Collier**, retired Professor of Biology for 33 years at Cayuga Community College.

**PROCLAMATION:** Sheriff's Week in Cayuga County, September 16 through 22nd, 2007, read by **Lee Brew**, Clerk of the Legislature and Presented to **David Gould**, Sheriff, by **Chairman George Fearon**.

**PRIVILEGE OF THE FLOOR:** Legislator Michele Sedor for Tom and Jean Lewis, Auburn, NY, co-chairs United Way Campaign, to speak on this year's United Way Campaign. **Mr. and Mrs. Lewis told their story on how their twins, Sean and Christian were born premature they received help from The United Way, and how they want to give back to the Community.**

**PRESENTATION:** Martin Basinait, President of the Western Off Track Betting, gave an update on the Western Regional off-Track Betting Corp. Operations, including WROTB revenue Summary, Cayuga Co. Participation Summary, Video Lottery, revenue and Expense, Debt Obligations, Distribution of Surcharge & Earnings from Operation, Handle Trend, and Handle Comparison.

**MINUTES:** For Reading 6-13-07, 6-26-07, 7-24-07 and 8-28-07  
For Approval 5-22-07, 7-9-07, 8-6-07, and 8-9-07, **Motion by Murphy to approve, approved by voice vote, all present voting aye.**

**CCC REPORT:** Daniel Larson, President, with me this evening are trustees Linda Murphy, County Legislator and Ryan Foley, student trustee. On Friday 10-25-07 we will have a Convocation for the staff and faculty to review the state of the College. Fall enrollment continues to be positive. The Legislature approve the Facilities Master plan and we anticipate that the SUNY Board will approve the Master Plan once the current logjam breaks. The College Alumni Association will hold their annual dance Saturday, 10-13-07 at the Holiday Inn in Auburn.

**COMMITTEE REPORT:** Legislator Ann Petrus, Health & Human Services Committee: Attended the open house for the new BOCES with Chairman George Fearon, everyone should go and see it, it was wonderful. Legislator David Pappert, I would like on the agenda for the next meeting, the 1.8 million to go for retirement, set aside to get out of the terrible hole we are in. Legislator Lockwood, re: NYSAC, the Native American Affairs failure of state to collect sales tax on gas and cigarettes, having a great effect on small business.

**MANAGER'S REPORT:** Wayne Allan, reported that he is working on the budget, making good progress so far, hoping to have tentative budget in 30 days, for Legislature review.

**CHAIRMAN'S REPORT:** George Fearon, I received an e-mail from Fred Lewis, Sr. Computer Systems Tech, thanking Val Powers, Sheriff's Dept. and David Gould Sheriff for their work on the fixed assets. Right now taxes are too high, Medicaid spending and how we handle it is very important. I received a copy of a resolution from Westchester County, White Plains NY, re: legislation at the federal level that would expressly prohibit states from passing along the costs of Medicaid to county government.

## **EMERGENCY AUTHORIZATION FOR AUSTERITY SPENDING AND HIRING:**

### **Buildings & Ground Dept.**

Abatement of material in boiler of Historic Post Office. This is a change order in an amount not to exceed \$5,000.00

**Signed by Legislator's Petrus, Sedor, Dudley Chairman, Fearon.**

## **APPOINTMENTS AND RE-APPOINTMENTS:**

### **Committee Appointments:**

Legislator Steve Cuddeback, for Judicial & Public Safety Committee

Legislator Francis Mitchell for Public Works Committee

**Legislator Ann Petrus for Planning Committee**

### **Cayuga County Community Services Board:**

Linda Albrecht, 67 Firelane 21, Cayuga, NY 13034, term – 9-25-07 to 12-31-08

### **Cayuga County Health Insurance Consortium:**

Hon. Francis Mitchell, 355 State Rte 34B, King Ferry, NY 13081, term -to serve at the pleasure of the Board.

Hon. Daniel Schuster, 123 E. Genesee St., Auburn, NY 13021, term - to serve at the pleasure of the Board.

### **Cayuga-Cortland Workforce Investment Board:**

Dr. Daniel P. Larson, 2802 White Birch Lane, Auburn, NY 13021, term – 8-1-07 to 6-30-08

**Motion by Legislator Murphy to approve all appointments, approved by voice vote, all present voting aye.**

## **COMMUNICATIONS AND ANNOUNCEMENTS:**

1. Received a proposal from the Oswego Valley ATV Club for acquiring legal ATV access to the Cayuga County Multi-Use Trail System.
2. Received a thank you card from Sharon Smith and family, thanking George Fearon and the County Legislature for the lovely flowers and for coming to the calling hours.
3. Received a letter from the NYSAC, they will be having one-hour informational Webinar on the NYS Middle Class STAR Rebate Program on September 27 at 11:00AM, you may register at [www.nysac.org](http://www.nysac.org).
4. Received a letter from the Federation of Conservation Clubs Cayuga County, listed some of the things they are involved, they act as a united voice for the nearly 8,000 license holding sportsmen and women of Cayuga County.
5. Received a letter from Mark R. Palesh, City Manager of Auburn, in regards to the City's interest in purchasing a strip of land along the Owasco River, that the County owns.
6. Received a letter from Norman J. Chirco, Attorney for the Town of Throop, re: Property Adjacent to Landfill in the Town of Throop.
7. Received a letter from the New York State Dept. of Environmental Conservation, Re: NOV related to deviations of daily visible emissions observations
8. Received a letter from Brian M. Kolb, Member of Assembly, re: acknowledge receipt of a certified copy res. #490-07 on Class III Casino in lieu of land in trust.
9. Received a letter from Brian M. Kolb, Member of Assembly, re: acknowledge receipt of a certified copy res. # 536-07 stating opposition to New York State Dept. of Environmental Conservation limits for phosphorus discharge from Groton Sewage Plant.
10. Received a letter from Daniel P. Larson, President CCC, thanking Chairman George Fearon, for his leadership work that led to the approval of the CCC 2007 Master Plan, and agreement between the College and AFSCME Local 932-C.
11. Received a letter from the New York State Office of Parks, Recreation and Historic Preservation, re: Auburn Button Works and Logan Silk Mills, 9-11 Logan St., Auburn, NY 13021.
12. Received a letter from Chemung County Legislature, thanking Lee Brew, Clerk, Cayuga County Legislature, for his assistance in the 2007 Salary Survey of Legislator's and Supervisor Positions.
13. Received list of Certified 2007 State Equalization rate from the State of New York, State board of Property Services.
14. Received notification of a open house at Consentino Florist, 141 Dunning Ave. Auburn, NY 13021, Wednesday November 28, 2007 from 6-10PM, cost is \$10.00.
15. Received a letter from Jack O'Neil, Supervisor, Town of Mentz, re: Haiti Road bridge Replacement Project.
16. Received a letter from Ann Pfau, Chief Administrator, State of New York, Unified Court System, re: reappointing George Fearon to the Board of Trustees for the Cayuga County Supreme Court Law Library, two year commencing 10-3-07.
17. Received two letters from Seneca Board of Supervisors, re: the collection of sales taxes on sales of motor fuel and cigarettes by Indian enterprises to non-Indians and opposing negotiation with the Cayuga Indian Nation for a Class III casino over the objection of Seneca and Cayuga Counties.
18. Received a letter from Kimberly Landry, Director, Financial Administration, Dept. of State, re: Local Enhanced Wireless 911 Program.
19. Received notification of receipt of Local Law #6, 2007 from Linda Lasch, State Record and Law Bureau.



**RESOLUTION NO. 559-07                      9/25/07                      PURCHSVCSAUGUST**  
**AUTHORIZING THE CAYUGA COUNTY TREASURER TO CHARGE DEPARTMENTS FOR CENTRAL SERVICES AND PURCHASES FOR THE MONTH OF AUGUST 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	\$12,678.40
	TOTAL	\$12,678.40

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 560-07                      Date of meeting: September 25, 2007**  
**AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE ADMINISTRATOR OF THE CAYUGA COUNTY NURSING HOME**

By: Ann Petrus, Chairman                      Health & Human Services Committee  
Paul Dudley, 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 \$162,773.79 for the month of August 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, Dudley, Sedor, Cuddeback, Tortorici, Lockwood, Mitchell, Schuster.

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 561-07                      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 \$13,234.25 covering the period through 8/31/07 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, Pappert, Dudley, Sedor, Cuddeback, Tortorici, Lockwood, Mitchell, Schuster.

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 562-07                      9/25/07                      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:

August - 2007 - \$ 124.56

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

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 563-07**

**9/25/07 Creditrev1.**

**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:

August - 2007 - \$ 4106.15

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

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 564-07**

**9/25/07**

**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 – \$4352.27

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

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

**RESOLUTION NO. 565-07 (9/25/07)**

**COA-CAPH9PAY**

**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 #00-01-C (Implementation of Master Facilities Plan for CCC Auburn, Campus):

CHRISTA CONSTRUCTION, LLC:

Application & Certificate for Payment No. 011 dated 8/03/07 (FINAL).....\$101,034.20

VISUAL TECHNOLOGIES, CORPORATION:

Inv. No. 2801129884..... \$ 6,980.50

CDW-G:

Inv. No. GKV9330 (CREDIT).....\$ (392.86)

Inv. No. GKM3504.....\$ 811.89

2. Project #00-4 ((NORTH STREET & GRANT AVENUE LINKAGE ROAD PROJECT) :

Inv. No. 3.....\$ 113,320.22

3. Project #03-7 (Phase 4/ Integration of Services (IOS):

CHARRETTE:

Inv. No. 2566343-00.....\$ 710.00

Inv. No. 2566343-01.....\$ 742.50

IGAT:

Inv. No. 070626A.....\$ 1,194.00

HEWLETT PACKARD COMPANY:

Inv. No. 42194182.....\$ 299.03

Inv. No. 42289458 (CREDIT).....\$ ( 20.00)

4. Project #06-5 (Modification to the Cayuga County Office Bldg. Heating System):

SIRACUSA MECHANICAL, INC.:

Application & Certificate for Payment #4 dated 8/29/07.....\$ 75,433.00

5. Project #06-6 (MGR Scene Shop):

TED KENDRICK PLUMBING:

Inv. No. 5319.....\$ 3,789.60

SIRACUSA MECHANICAL, INC

Inv. No. 515281.....\$ 13,720.00

And be it further

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

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 566-07**

**9/25/07**

**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:	\$ 9531.57
Postage Leases:	\$ 1195.00
Misc. Leases:	<u>\$17,115.55</u>
Total	\$27,842.12

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

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 567-07**

**9/25/07**

**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:

August – 2007 \$ 191.01

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

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 568-07 (9/25/07)**

**HR-WagnerContract2007**

**AUTHORIZING THE CHAIRMAN OF THE COUNTY LEGISLATURE TO SIGN A CONTRACT FOR THE PROFESSIONAL SERVICES PROVIDED TO ADMINISTER PHYSICAL FITNESS EXAMINATIONS.**

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

WHEREAS, Professor Edward Wagner has provided services to the county including the evaluation of the Public Safety Building and the development of appropriate physical fitness testing for Corrections Officers that work at the Public Safety Building; and

WHEREAS, Mr. Wagner has administered the physical fitness portion of Police Officer, Deputy Sheriff, and Corrections Officer examinations for the Civil Service Commission without proper compensation for the same; and

WHEREAS, the services provided are vital to the administration of physical fitness examinations required by law and the local Civil Service Commission; and

WHEREAS, there are sufficient funds in Account # A1430.400.118 to pay the contractual/professional expense for this purpose; now, therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature be hereby authorized and directed to sign the contract with Edward Wagner that would provide physical fitness examination assistance as stated above at a cost not to exceed the adjusted budgeted amounts; and be it further

RESOLVED, that the County Attorney develop a contract for Edward Wagner to provide the necessary services for the Civil Service Commission to administer physical fitness examinations at a rate of \$30.00 per hour for services rendered; and be it further

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

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 569-07 (9/25/07)**

**W&MvacPorOf2006InRemTaxForeclosure**

**AUTHORIZING THE COUNTY TO VACATE THAT PORTION OF THE 2006 IN REM TAX FORECLOSURE PROCEEDINGS WHEREBY THE COUNTY INCORRECTLY ACQUIRED TITLE TO ONE PARCEL OF PROPERTY AND AUTHORIZING THE RETURN OF SAID PARCEL TO THE PREVIOUS OWNER.**

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

WHEREAS, one parcel of property located in the Town of Summerhill, known as Tax Map No. 224.00-1-27.1, assessed in the name of JANICE L. MORGAN, also known as JANICE HAMMOND, was included in the 2006 In Rem Tax Foreclosure Proceedings; and

WHEREAS, JANICE L. (MORGAN) HAMMOND executed an Installment Tax Agreement on April 21, 2006; and

WHEREAS, the property was improperly included in the Judgment of Foreclosure even though an Installment Agreement had been signed on April 21, 2006; and

WHEREAS, the property was deeded to Cayuga County in error; and

WHEREAS, the County desires to return these properties to the proper owner; now, therefore, be it

RESOLVED, that the Cayuga County Treasurer is authorized and directed to take whatever steps are necessary to correct the error; and be it further

RESOLVED, that the Chairman of the Cayuga County Legislature is authorized to sign any and all documents necessary to return the parcels and reconvey the parcels to their proper last record owners.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 570-07 (Sep. 25, 2007revised)**

**RPS correctionerrorsSep07rev**

**Authorizing Correction of Tax Errors in Several Towns:**

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

WHEREAS, petitions for corrections have been received by the Director of Real Property Tax, from the Town Assessors to correct clerical errors or an error in essential fact as specified below, as existed on the 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 Sennett : TM#111.00-1-22. Assessed to Harvey M. Bell, Jr. Clerical Error. This parcel applied and qualified for the Veteran's Exemption for the 2006 and 2007 Final roll. The 2006 and 2007 Final roll should be corrected to reflect the Veteran's Exemption in the amount of 15%. The 2006 and 2007 Town and County bills should be corrected to reflect these changes. Since the property owner already paid the 2006 and 2007 town and county taxes, a refund is being requested.

Town of Niles: TM 165.00-1-38.2. Assessed to Phyllis Pai. Clerical Error. Property incorrectly received the Star B exemption when it qualified for the Enhanced Star. A new school tax bill should be issued for the Moravia School District so the correct tax can be paid.

Various Towns / Various owners – Agricultural Exemptions: see attached lists of properties affected. Pursuant to Real Property Tax Law signed June 4, 2007 (Chapter 68) changes in Agricultural Exemptions are limited to a change of 10% from agricultural exemptions of the previous year. Based on guidance from the Office of Real Property Services, a Correction of Errors may be issued with regard to those final 2007 assessment rolls which were filed in advance of the adoption of Chapter 68. Adoption of all agricultural exemption changes for each of the affected parcels is requested.

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

Approved by voice vote, all present voting aye.



**RESOLUTION NO. 573-07 (September 25, 2007) HD Cayuga Health Assoc CHHA  
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into a  
Contract with Cayuga Health Association to Provide Aide Services**

BY: Ann Petrus, Chairman Health & Human Services Committee  
Paul Dudley, Chairman Ways & Means Committee

WHEREAS, there exists in the Certified Home Health Agency (CHHA) of the County Health Department a need to provide home health aide service, personal care aides and homemaker/housekeeper services; and

WHEREAS, the CHHA does not have sufficient staff to meet the fluctuating needs of the agency and must rely on contracting with licensed home care agencies; 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 effective July 1, 2007 through June 30, 2008 with Cayuga Health Association to provide the following services at the following rates:

Home Health Aides (HHA).....\$17.88/hr.  
Personal Care Aides.....\$17.88/hr.  
Hard to Serve Rate.....\$19.00/hr.

and be it further

RESOLVED, that these expenses be paid out of account #4012, line item #.410 of the 2007 Health Department Budget.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 574-07 (September 28, 2007) HD EI/4410 Contracts  
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Contract with  
Multiple Service Agencies and Individuals for the Provision of Services for Children Eligible for EI and 3-5  
Services**

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

WHEREAS, the Health Services Division of Health & Human Services assumes administrative oversight and fiscal responsibility for the provision of services to eligible children (EI and 3-5); and

WHEREAS, the Health Services Division is required to insure that appropriate services are available for provision of services for those eligible children; and

WHEREAS, resolution #673.06 allowed the Department to contract with multiple service agencies and individuals for the provision of services for children eligible for EI and 3-5 services for a five-year period January 1, 2007 – December 31, 2011; and

WHEREAS, the Department has the occasion to contract with additional agencies and individuals who are approved by the State in addition to those listed in resolution #673.06, to provide the appropriate services for these children at State approved rates; NOW, THEREFORE BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into service contracts with additional agencies and individuals (other than those listed in resolution #673.06) at the approved State rates for the period ending December 31, 2011; and be it also

RESOLVED, that payment for these services be charged to account #4045.059 of the Health Department's Budget.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 575-07 Date of Meeting: 9/25/07 NHPHYSERVREV  
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA  
COUNTY NURSING HOME TO ENTER INTO AN AGREEMENT WITH JULES VEGA TO PROVIDE PHYSICAL  
THERAPY SERVICE TO CAYUGA COUNTY NURSING HOME RESIDENTS.**

BY: Paul Dudley, Chairman, Ways and Means Committee

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

WHEREAS, Jules Vega has the required experience and wishes to provide physical therapy service to Cayuga County Nursing Home; and

WHEREAS, Cayuga County Nursing Home has been unable to recruit other physical therapists and is required by New York State Health Department regulation to provide physical therapy service; and

WHEREAS, Jules Vega will be paid for his services to Cayuga County Nursing Home residents at a rate of \$49.50/hour; 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 Jules Vega to provide physical therapy service at Cayuga County Nursing Home effective October 1, 2007 for one year at a rate of \$49.50/hour.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 576-07**

**(09/25/07)**

**MHpaintingvan07**

**AUTHORIZE THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND THE DIRECTOR OF COMMUNITY SERVICES TO ENTER INTO AN AGREEMENT WITH TOM’S BODY SHOP AND AUTO SALES FOR THE REPAIR/PAINTING OF MENTAL HEALTH 2001 DODGE RAM.**

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

WHEREAS, Mental Health’s 2001 Dodge Ram, VIN 2B5WB25Y71K503693 is in need of painting and refinishing at an estimated cost of \$3,309; and

WHEREAS, the approved Cayuga County Community Mental Health Center budget has enough money in line item 4311.200.000A Equipment for this repair; and now, therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature and Director of the Community Mental Health Services enter into an agreement with Tom’s Body Shop and Auto Sales to repair and paint the Mental Health 2001 Dodge Ram; 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 transfer \$3,309 from A4311.20 Equipment to A4311.40 Contractual Expense Line Item .009 Auto Expense to cover the cost of this expense.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 577-07**

**(September 25, 2007) HD**

**EI/CSHCN 2007-08**

**Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into a Contract with the State to Continue the 100% Funded Early Intervention/Children with Special Health Care Needs Program and to Accept Funding.**

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

WHEREAS, the State of New York has made money available to county government for the purpose of meeting their administrative responsibilities in local oversight and implementation of the Early Intervention/Children with Special Health Care Needs Program (a state-mandated program) for the period October 1, 2007 through September 30, 2008 in the amount of \$80,830; 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 for the purpose of continuing in the 100% funded Early Intervention Administration Grant; and be it further

RESOLVED, that the County Treasurer be authorized and directed to make the necessary journal and accounting entries in the 2007 Health Department Budget as follows and to accept any additional COLA funds relative to this program:

Increase Appropriation Account A4010.480.049.....	\$ 6,957
A4010.480.059.....	\$73,373
A4010.480.084.....	\$ 500
Increase Revenue Account A3408.0.....	\$80,830

and be it also

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

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 578-07 (September 25, 2007)**

**HD**

**WIC Contract 2007**

**Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Renew WIC Contract with the NYS Department of Health**

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

WHEREAS, the NYS Department of Health administers the 100% federally funded WIC program for the State of New York; and

WHEREAS, funding has been made available for the Cayuga County Health Department in the amount of \$410,579 to continue to run the WIC program for the period October 1, 2007 through September 30, 2008; and

WHEREAS, this funding has already been budgeted in the Health Department’s 2007 budget in accounts #4011.1, #4011.8, and #4011.4; now, therefore be it

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to renew the contract with the NYS Department of Health in the amount of \$410,579 to continue the 100% federally funded WIC

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 579-07      Date of Meeting: 9/25/07      nhdentalservicesrev**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ENTER INTO AN AGREEMENT WITH TARYN JIROUSEK DMD FOR DENTAL SERVICES OF CAYUGA COUNTY NURSING HOME.**

BY: Paul Dudley, Chairman, Ways and Means Committee

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

WHEREAS, Cayuga County Nursing Home is required to provide the residents of the facility with dental services; and

WHEREAS, It is necessary to contract with a dentist from outside the facility to provide this service; and

WHEREAS, Cayuga County Nursing Home has been able to identify a dentist willing to provide the service as set forth in the attached agreement for provision of services; and

WHEREAS, the compensation for the services of Taryn Jirousek DMD shall be at a rate of \$ 500.00 (Five Hundred Dollars) on a monthly basis after submission of a voucher for services; now therefore be it

RESOLVED that the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home be authorized to enter into an agreement with Taryn Jirousek DMD for a period of 2 years, from October 1, 2007 to September 30, 2009.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 580-07      (09/25/07)      MHinc caycounselft07REV**

**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. AND AMEND BUDGET**

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./Family Based Treatment; and

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

WHEREAS, the expenditure account Family Based Treatment A4310.430.310-A was present in the 2004 budget but not in the 2005 or 2006 budgets; and

WHEREAS, the Cayuga County Treasurer's Office will need to amend the year 2007 Cayuga Counseling Services, Inc. Budget to reflect the inclusion of Family Based Treatment; now, therefore, be it

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

- Include the following Expenditure Account:  
4310.430.310-A Cayuga Counseling/Family Based Treatment for \$30,282
- Increase Revenue Account 3495.000.000-A State Aid – Cayuga Counseling Services, Inc. by \$30,282 to \$274,869; 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, Schuster.

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 581-07 (September 25, 2008)**

**HHS Amend 2007 H&HS Budgets**

**Authorizing the Director of Health & Human Services and the County Treasurer to Amend the 2007 Health Department and Human Services Budgets**

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

WHEREAS, after the submission of the 2007 Health Department Budget, expenditures related to speech therapy, physical therapy and office supplies have been greater than anticipated and expenditures for occupational therapy and home health aides have been less than anticipated; and

WHEREAS, expenditures related to employee education and rabies treatment have been greater than anticipated and expenditures for professional services have been less than anticipated; NOW, THEREFORE BE IT

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

Increase Acct. #4012.400.221 – Speech Therapy.....	\$10,000
Decrease Acct. #4012.400.220 – Occupational Therapy.....	\$10,000
Increase Acct. #4012.400.049 – Office Supplies.....	\$ 2,500
Increase Acct. #4012.400.127 – Physical Therapy.....	\$10,000
Decrease Acct. #4012.410.000 – Home Health Aides.....	\$12,500
Increase Acct. #4010.400.085 – Education.....	\$ 2,400
Increase Acct. #4010.400.123 – Rabies.....	\$ 7,000
Decrease Acct. #4010.400.059 – Prof. Services.....	\$ 9,400

and

WHEREAS, after submission of the 2007 Human Services Budget, expenditures related to medical transportation, day care services for preventive cases, and State charge-backs have been greater than anticipated and expenditures for contracts with other organizations have been less than anticipated; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to transfer funds in the 2007 Human Services Budget in the following manner:

Increase Acct. #6010.400.176 – Medical Transportation.....	\$ 5,000
Increase Acct. #6010.400.208 – State Charge-Backs.....	\$ 6,000
Increase Acct. #6070.400.074 – Day Care.....	\$10,000
Decrease Acct #6010.400.118 – Contracts with Other Orgs.....	\$11,000
Decrease Acct.#6070.400.184 – Preventive Services.....	\$10,000

and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make the necessary journal and accounting entries to accomplish the same in both the 2007 Health Department Budget and the 2007 Human Services Budget.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 582-07 (September 25, 2007) HD Fill PT RN at CHHA rev**

**Authorizing the Director of Health & Human Services to Fill One Part-Time RN Vacancy at the Home Care Agency**

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

WHEREAS, there is a Part-Time RN vacancy at the CHHA due to a resignation effective August 3, 2007.

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

WHEREAS, these positions are funded in the Health Department’s 2007 Budget; NOW, THEREFORE, BE IT

RESOLVED, that the Director of Health & Human Services be authorized to fill the Part-Time RN vacancy 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 voting aye.

**RESOLUTION NO. 583-07 (September 25, 2007) HS Fill Caseworker Child Welfare  
Authorizing the Director of Health & Human Services to Fill a Caseworker Vacancy in Child Welfare Unit**

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

WHEREAS, there is a caseworker vacancy in the Child Welfare Unit of Human Services due to a resignation effective August 31, 2007; and

WHEREAS, this work is mandated by the State and reimbursed at 75% state and federal; and

WHEREAS, sufficient funding exists in the Human Services Department's 2007 budget to support this position; NOW, THEREFORE BE IT

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill the vacated Caseworker position in the Child Welfare Unit, and any fill behind that may occur, in accordance with Civil Services Rules and Regulations and the policies of the County of Cayuga.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 584-07 (September 25, 2007) HD Create/Fill Home Care Asst  
Authorizing the Cayuga County Legislature to Create a Home Care Assistant Position, Abolish 1 Home Health Aide Position, and Authorize the Director of Health & Human Services to Fill the Newly Created Home Care Assistant Position**

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

WHEREAS, effective September 4, 2007, there is a Home Health Aide vacancy at the CHHA due to a retirement; and

WHEREAS, in an effort to have more flexibility with assignments of Home Health Aides and LPN's at the Health Department's Home Care Agency and to better meet the needs of the Agency, the Department requests to create one hybrid position which includes the combine duties of an LPN and a Home Health Aide and title it Home Care Assistant; and

WHEREAS, the Cayuga County Civil Service Commission has reviewed the New Position Duties Statement submitted for this position and has classified it as Home Care Assistant with the jurisdictional class allocation being Competitive; NOW, THEREFORE, BE IT

RESOLVED, that the Cayuga County Legislature create one Home Care Assistant position at the CHHA at grade 3; and be it further

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill this newly created position and any fill behinds that may occur in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga; and be it also

RESOLVED, that upon creation of the Home Care Assistant position, the Home Health Aide position, which was vacated due to retirement effective Sept. 4, 2007 at the CHHA, be abolished.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 585-07 (September 25, 2007) HS Abolish Caseworker Create/Fill RPN Abolishing a Caseworker Position in Human Services' Long Term Care Access Office (LTCAO); Authorizing the County Legislature to Create an RPN in LTCAO; and Authorizing the Director of Health & Human Services to Fill the Newly Created RPN Position**

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

Paul Dudley, Chairman of the Ways & Means Committee

WHEREAS, a Caseworker position is vacant in the Long Term Access Office of Human Services due to the retirement of the incumbent effective July 28, 2007; and

WHEREAS, the caseworker whose primary function is to provide social assessment and case authorization for those patients referred and served in the Medicaid funded PCA program; and

WHEREAS, the PCA program requires a social as well as a nursing assessment be completed for all clients and currently the RPN services are provided under contract by the Health Department; and

WHEREAS if this case worker position is converted to an RPN, the RPN can assume responsibility for the social assessment, nursing assessment and case authorization; and

WHEREAS, this RPN position in Human Services will be reimbursed at 100% the salary and fringe benefits; NOW, THEREFORE, BE IT

RESOLVED, that the Cayuga County Legislature create one RPN position, Grade 17, in the Long Term Access Office of Human Services, and abolish one Caseworker position, Grade 17, in that unit; and be it further

RESOLVED, that the NYSNA Compensation Plan be revised to include RPN with the Human Services Department; and be it further

RESOLVED, that the Director of the Health & Human Services be authorized and directed to fill the newly created RPN position and any fill behind in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 586-07 (September 25, 2007) HD Create/Fill Coordinator CWSHCN Authorizing the Cayuga County Legislature to Create a Coordinator of Services for Children with Special Health Care Needs, Abolish an SPHN Position, and Authorize the Director of Health & Human Services to Fill the Newly Created Position**

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

Paul Dudley, Chairman of the Ways & Means Committee

WHEREAS, the Health Department currently has an SPHN assuming the administrative oversight for the Early Intervention Program, Education of Physically Handicapped Children, and Children with Special Health Care needs; and

WHEREAS, in an effort to align the duties performed by this SPHN with a more appropriate title, a New Position Duties Statement was submitted to the Civil Service Commission; and

WHEREAS, the Cayuga County Civil Service Commission has reviewed the New Position Duties Statement and has classified this position as Coordinator of Services for Children with Special Health Care Needs; NOW, THEREFORE, BE IT

RESOLVED, that the Cayuga County Legislature be authorized to create a Coordinator of Services for Children with Special Health Care Needs, add to Part IV of the Cayuga County Compensation Plan for Department Heads and Certain Administrative Positions at a 2007 salary of \$49,086 and a 2008 salary of \$51,000; and be it further

RESOLVED, that the Director of Health & Human Services be authorized and directed to fill this newly created position in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga; and be it also

RESOLVED, that upon the permanent filling of this position, one SPHN position in Community Health Services be abolished.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 587-07**

**Date of Meeting: 9/25/07 nhreplnursingstationsrev**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO ARRANGE FOR THE REPLACEMENT AND INSTALLATION OF THE NURSES' STATIONS.**

BY: Paul Dudley, Chairman, Ways and Means Committee

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

WHEREAS, the Cayuga County Nursing Home has the need to have nurses stations to carry out the work of the facility; and,

WHEREAS the current nurses stations are in a state of disrepair; and,

WHEREAS the Administrator has sought proposals and received two responses: Eldercare Interiors (\$19,521.58) and Modular Furniture Group (\$23,200); and,

WHEREAS, Eldercare Interiors has proposed to furnish the nurses stations at the lowest price; now therefore be it RESOLVED that the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home be authorized to arrange for the replacement and installation of nurses' stations for a cost of \$19,521.58 (Nineteen Thousand Five Hundred Twenty-One Dollars and Fifty-Eight Cents).

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

Approved by 2/3 vote, all present voting aye, except Dudley and Netti Excused and District 4 Vacant 190/54

**RESOLUTION NO. 588-07**

**Date of Meeting: 9/25/07 nhpurchaseptliftrev2**

**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE AND THE ADMINISTRATOR OF CAYUGA COUNTY NURSING HOME TO PURCHASE A PATIENT LIFT FROM HILL-ROM.**

BY: Paul Dudley, Chairman, Ways and Means Committee

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

WHEREAS, the Cayuga County Nursing Home has the need to obtain a patient lift for the bariatric residents; and

WHEREAS the patient lift is available in a lease to own option; and

WHEREAS the Administrator has sought proposals from multiple firms; and

WHEREAS, Hill-Rom is the only provider of the type of lift that is most beneficial for the residents and staff; now therefore be it

RESOLVED that the Chairman of the Legislature and the Administrator of Cayuga County Nursing Home be authorized to purchase the patient lift at a price not to exceed \$10,772.34

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

Approved by 2/3 vote, all present voting aye, except Dudley and Netti Excused and District 3 Vacant 190/54

**RESOLUTION NO. 589-07 9-25-07**

**COLstuddentgovtsunset07**

**Authorizing the County Treasurer to Pay the Sunset Restaurant for Student Government Day Lunches.**

By: Francis Mitchell, Chairperson Government Operations

WHEREAS, The Cayuga County Legislature will hold the annual Student Government Day on Tuesday October 23, 2007.

WHEREAS, selected students attending Cayuga County High Schools will attend and observe the County Legislature and County Departments in operation.

WHEREAS, funds have been appropriated in the adopted 2007 County Budget to pay for the lunches of the students and the School Chaperones attending Student Government Day.

WHEREAS, the Sunset Restaurant requires payment at the conclusion of the luncheon on Student Government Day.

WHEREAS, the members of the Legislature, Department Heads and other members of the public attending the Student Government Day Luncheon will pay for their own luncheon and said funds collected will be deposited in the Cayuga County Treasurer's Office.

BE IT RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to pay the Sunset Restaurant for the Student Government Day Luncheon upon submission of an invoice certified by the Clerk of the Legislature and the Chairman of the Legislature out of account A1010.400.071.

BE IT FURTHER RESOLVED, THAT THE county Treasurer make all necessary journal and accounting entries to accomplish same.

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

Approved by voice vote, all present voting aye.



Motion by Legislator Tortorici, to table resolution, motion defeated by 2/3 vote, Noes – Murphy(14), Palermo(16), Petrus(15), Lockwood(17), Mitchell(16), Cuddeback(18), Schuster(13), Fearon(18). Ayes – Sedor(21), Tortorici(14), Pappert(14), Lepak(14). Excused - Dudley(21), Netti(14), and vacant (19) vote 127/63/54

**DEFEATED. RESOLUTION NO 593-07 DEFEATED** COAcreatefillPagalegal07

Authorization to create and fill a full-time Paralegal position in the County Attorney's Office and abolish a part-time Senior Typist position. (2/3)

BY: Hon. Francis Mitchell, Chairperson, Government Operations Committee

Hon. Paul Dudley, Chairperson, Ways and Means Committee

WHEREAS, the current part-time Senior Typist within the County Attorney's Office has resigned effective 10/2/07 to accept a full time position in DSS; and

WHEREAS, the workflow within the County Attorney's Office constitutes the need for full time Paralegal support to accomplish the mission of the department; and

WHEREAS, the funding is included in the proposed 2008 budget to support the full time position; and

WHEREAS, with minimal extra funding the position could be created and filled for the last quarter of 2007 to help minimize the overflow of work; now, be it therefore

RESOLVED, that one position of Paralegal be hereby created effective 10/22/07 within the County Attorney's Office; and be it further

RESOLVED, that the rate of pay be established as a non-bargaining grade 10 as in the District Attorney's Office and be placed as a line in the Cayuga County Compensation Plan, Part II under the County Attorney's Office

Grade	Inc	Prob	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>	
10	259	30165	30515	31389	32285	33207	

;and be it further

RESOLVED, that the County Attorney be hereby authorized and directed to fill the new position effective 10/22/07 in accordance to Civil Service Rules and Regulations and the Policies of the County of Cayuga; and be it further

RESOLVED, that upon the resignation of the current Sr. Typist PT, that position of Sr. Typist PT be abolished; and be it further

RESOLVED, that the following funding be transferred from A1990, Contingent Account to accommodate the additional expense for the last quarter of 2007:

From: A1990: \$ 3,701

To: A1420.1 \$ 2,566

A1420.8 \$1,135 see attached (FICA, Health, Dental); and be it further

RESOLVED, that the County Treasurer be hereby authorized and directed to make any journal and accounting entries to accomplish the intent of this resolution.

Legislator Pappert, before we consider this we need to see tentative budget first, I will not support.

Legislator Sedor, needs to go back to committee, because it's a new position.

Legislator Schuster, will this put office behind, do we need to hire part-time or full time.

Legislator Tortorici, is the position vacant now?

Fred Westphal, County Attorney, yes, the person resigned 5 days ago.

Legislator Pappert, I have no problem with replacing temp. Part-Time, I won't know anything else until I look at the budget.

George Fearon, Chairman, Fred Westphal's office needs a paralegal..

Fred Westphal, County Attorney, if we retain a person for 3 months temporally, and it does not go through, we would at least have to have Part-Time position.

Legislator Tortorici, I need to see a tentative budget, Count tax payers work hard for their money, I won't support this now, only part-time position.

Not signed

**DEFEATED BY 2/3 VOTE**, Ayes – Murphy(14), Plaermo(16), Petrus(15), Lockwood(17), Mitchell(16), Cuddeback(18), Schuster(13). Noes – Sedor(21), Tortorici(14), Pappert(14), Lepak(14), Fearon(18). Excused Dudley(21), Netti(14), Vacant District 3 (19) 109/81/54

**RESOLUTION NO. 594-07 Date: 9.25.07 BLD bid fire extinguisher**  
**AUTHORIZING THE CLERK OF THE CAYUGA COUNTY LEGISLATURE AND THE**  
**SUPERINTENDENT OF BUILDINGS AND GROUNDS TO ADVERTISE AND RECEIVE SEALED BIDS**  
**FOR FIRE EXTINGUISHER INSPECTONS**

By: Hon. Steve Cuddeback, Chairman Public Works Committee

Hon. Paul Dudley, Chairman Ways and Means Committee

Whereas, The County has been working correcting the life safety issues in Cayuga County; and

Whereas, The County has been consolidating like services to save money; and

Whereas, Annual inspection of fire extinguishers is required; and

Whereas, a fee schedule will ask of each bidder to include the following:

1. Annual Inspection of fire extinguishers
2. Recharge of 2.5lb, 5lb, 10lb and 20lb extinguishers
3. 6-year maintenance
4. Pressure test CO2 extinguishers and recharge

now therefore be it

Resolved, that the Clerk of the Cayuga County Legislature and the Superintendent of Buildings and Grounds are hereby authorized and directed to advertise and receive sealed bids for fire extinguishers inspection and maintenance.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 595-07 (9-25-07) P&T Discgolfttransfer 9 07**  
**APPROVING THE TRANSFER OF FUNDS FROM DISC GOLF REVENUE TO PARK IMPROVEMENTS**

By: Mr. Steve Cuddeback, Chairman, Public Works

Mr. Paul Dudley, Chairman, Ways & Means Committee

Whereas, in 2006 the Cayuga County Legislature authorized the construction of a Disc Golf Course at Emerson Park; and

Whereas, Emerson Park has been purchasing and selling disc golf discs so as to make them available locally to persons interested in trying this new park activity; and

Whereas, the park has been purchasing the discs from Budget Account No. 7110.400.147-A, Park Improvements; and

Whereas, the park has been depositing the revenue from the sale of the discs into Emerson Park Revenue Account No. 2454.000.000-A, Golf Donations; and

Whereas, the parks department would like to use the money from the sales of the discs to purchase more discs and to continue to improve the disc golf course; now, therefore be it

Resolved, that the Cayuga County Treasurer is hereby authorized and directed to transfer the funds from Emerson Park Revenue Account 2454.000.000-A Golf donations to Emerson Park Account 7110.400.147-A, Park Improvements; and be it further

Resolved, that the Cayuga County Treasurer is hereby authorized and directed to make second transfer on November 30, 2007 with the total of both transfers not to exceed \$2,500.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 596-07 Date: 9/25/07 p&t Bridge Decking 9 07**  
**AUTHORIZING THE PURCHASE OF NEW DECKING FOR THE WEST SHORE TRAIL BRIDGE**  
**NUMBER 11 (2/3)**

By: Steven Cuddeback, Chairman Public Works Committee

Paul Dudley, Chairman Ways and Means Committee

Whereas, there are sixteen bridges in the county trail system; and

Whereas, Bridge Number 11 is located on the West Shore Trail East of East Brutus Street; and

Whereas, the decking of this bridge has deteriorated resulting in the bridge being closed; and

Whereas, the Parks Department needs to replace the decking to insure the safety of trail users; and

Whereas, the Parks Department can purchase the materials to replace the decking for a price not to exceed \$3,000, and

Whereas, this money can be expended from the Trails and Parks Budget Account Number 7112.410.147-A, Park Improvements/Trails; now therefore, be it

Resolved, that the Parks Department is hereby authorized and directed to purchase the materials and repair the decking; and be it further

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

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

Approved by 2/3 vote, all present voting aye, except Dudley and Netti excused and District 3 vacant. 190/54

**Budget Transfer of the 2007 Cayuga County Highway Budget.**

BY: Steve Cuddeback Chairman, Public Works Committee

Paul Dudley Chairman, Ways and Means Committee

WHEREAS, in the 2007 Highway Budget, a total of \$275,000 was budgeted for the use of salt, of this, \$160,000 was budgeted in Account 5142.400.103D and \$ 107,155.72 has been expended to date; and,

---

WHEREAS, \$115,000 was budgeted in account 5144.400.103D and \$131,302.00 has been charged to this account and; whereas Mileage Reimbursement Account 5130.400.112DM expenses have been higher than expected, and; whereas funds to pay for increased expenditures can come from Building Maintenance Account 5130.400.012DM; and

WHEREAS, it is necessary to amend the 2007 Highway Budget to more accurately reflect the usage of Salt and Mileage Reimbursement; now, therefore, be it

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

<u>Appropriation Accounts</u>	<u>Increase</u>	<u>Decrease</u>
D 5144.400.103 State Salt	\$16,302.08	
D 5142.400.103 County Salt		\$16,302.08
DM 5130.400.112 Mileage Reimbursement	\$1,800.00	
DM 5130.400.012 Building Maintenance		\$1,800.00

AND BE IT FURTHER

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

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 598-07 Date: 9/25/07 hwy 07-08TownRateIncForSnowRemrev**  
**APPROVING PER MILE RATES FOR SNOW REMOVAL**

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

Whereas, the contract states that representatives from the Town Highway Superintendents and County will meet to negotiate a rate increase; and

Whereas, a meeting was held and a rate increase of 3.25% was agreed to with the Town representatives and that increase was felt justified by the Public Works Committee; Now therefore be it

Resolved, that a rate increase of 3.25% over the current rate per mile paid to the Towns for plowing and sanding county roads, is hereby approved for the upcoming 07-08 winter season as follows:

TOWN	OLD/MILE AMOUNT	MILES PLOWED	Old Contract AMOUNT	3.25% Raise to 05-06 Rate	New Per Mile Rate(07-08)	New season Amount(07-08)
BRUTUS	\$3,033.90	12.31	\$ 37,347.31	\$98.60	\$3,155.26	\$38,841.25
CATO	\$3,527.18	14.18	\$ 50,015.41	\$114.63	\$3,668.27	\$52,016.07
CONQUEST	\$3,527.18	26.78	\$ 94,457.88	\$114.63	\$3,668.27	\$98,236.27
GENOA	\$3,328.30	16.71	\$ 55,615.89	\$108.17	\$3,461.43	\$57,840.16
IRA	\$3,527.18	5.67	\$ 19,999.11	\$114.63	\$3,668.27	\$20,799.09
LEDYARD	\$2,678.54	26.96	\$ 72,213.44	\$87.05	\$2,785.68	\$75,101.93
LOCKE	\$3,527.18	16.61	\$ 58,586.46	\$114.63	\$3,668.27	\$60,929.96
MENTZ	\$2,917.21	16.81	\$ 49,038.30	\$94.81	\$3,033.90	\$50,999.85
MONTEZUMA	\$2,917.21	17.54	\$ 51,167.86	\$94.81	\$3,033.90	\$53,214.60
MORAVIA	\$3,739.34	15.98	\$ 59,754.65	\$121.53	\$3,888.91	\$62,144.78
OWASCO	\$2,731.58	1.79	\$ 4,889.53	\$88.78	\$2,840.84	\$5,085.10
SEMPRONIOUS	\$3,527.18	12.45	\$ 43,913.39	\$114.63	\$3,668.27	\$45,669.96
SENNETT	\$2,731.58	9.43	\$ 25,758.80	\$88.78	\$2,840.84	\$26,789.12
SPRINGPORT	\$2,731.58	16.65	\$ 45,480.81	\$88.78	\$2,840.84	\$47,299.98
STERLING	\$3,991.27	28.23	\$ 112,673.55	\$129.72	\$4,150.92	\$117,180.47
THROOP	\$3,328.27	8.39	\$ 27,924.19	\$108.17	\$3,461.40	\$29,041.14
VENICE	\$3,328.27	24.43	\$ 81,309.64	\$108.17	\$3,461.40	\$84,562.00
VICTORY	\$3,527.18	25.16	\$ 88,743.85	\$114.63	\$3,668.27	\$92,293.67
CAYUGA VILL.	\$2,731.58	1.36	\$ 3,714.95	\$88.78	\$2,840.84	\$38,863.54
PORT BYRON	\$2,917.21	1.63	\$ 4,755.05	\$94.81	\$3,033.90	\$4,945.25
<b>TOTALS</b>		<b>299.07</b>	<b>\$ 987,360.07</b>			<b>\$1,026,854.19</b>

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 599-07 Action: 9/25/07 hwyfillhmeopositionrev**  
**Authorization to fill a Heavy M.E.O. Position within the Highway Department**

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

WHEREAS, a current Heavy Motor Equipment Operator is retiring from that position on September 29, 2007 and the position will be vacant at that time; and

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

WHEREAS, the position has been budgeted to be filled 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, Mitchell, Schuster, Petrus.

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 600-07**

**Date September 25, 2007**

**HWYwntrwrtchmnrev**

**AUTHORIZATION TO HIRE PART TIME SEASONAL LABORERS**

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

WHEREAS, during the past several winter seasons individuals have been hired to cover the phones and radios during weekends and holidays; and

WHEREAS, it is more cost effective to staff the weekends and holidays with temporary personnel as compared to paying permanent personnel overtime; and

WHEREAS, seasonal laborers required from mid-November to the middle to end of April for weekends and holidays; now therefore be it

RESOLVED, that the County Highway Superintendent be authorized hire seasonal Laborer employees for the mid-November to the end of April time frame, and be it further

RESOLVED, that these personnel be paid at an hourly rate of \$8.75 without benefits; from Account No.5142.100-D; 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, Mitchell, Schuster, Petrus.

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 601-07 September 25, 2007 HWYcreatefillsraccountclerkpos**

**AUTHORIZATION TO CREATE AND FILL SENIOR ACCOUNT CLERK POSITION AND UPON FILLING OF SR ACCOUNT CLEK POSITION ABOLISH ACCOUNT CLERK TYPIST POSITION AND PART- TIME DATA ENTRY OPERATOR POSITION**

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

WHEREAS, the current person in the Account Clerk Typist position is resigning from that position effective September 24, 2007; and

WHEREAS, this position is the only position in the Motor Pool Section that does the billing to not just the County agencies but also the numerous outside agencies that the Motor Pool provides vehicle maintenance and gasoline to; and

WHEREAS, this position also inputs all of the work orders and processes and accounts for the numerous repair parts that are used by the motor pool in servicing the several hundred vehicles; and

WHEREAS, this is a critical position within the department; and

WHEREAS, the position of Account Clerk Typist has been funded for the entire year; and

WHEREAS, the position of part-time Data Entry Machine Operator has not been filled but was budgeted for at \$14,000 in the year 2007; and

WHEREAS, there is a need for an individual to keep track of revenue and expenditures of the Highway Department budget as well as the Motor Pool budget; and

WHEREAS, to accomplish this it is necessary to increase the responsibilities and the hours of this new position; now, therefore be it

RESOLVED, that one position of Senior Account Clerk be hereby created within the County Highway Department; and be it further

RESOLVED, that the hours be set at 40 hours per week with the following converted rates to be added to the CSEA Compensation Plan for a clerical grade 10 Senior Account Clerk within the Highway Department:

Year	Inc.	Prob	1 <sup>st</sup> Step	2 <sup>nd</sup> Step	3 <sup>rd</sup> Step	4 <sup>th</sup> Step
2007	259	33428	33778	34768	35778	36824

and be it further

RESOLVED, that the County Highway Superintendent be hereby authorized to fill the position upon the resignation of the current Account Clerk Typist; and be it further

RESOLVED, that the positions of Account Clerk Typist and Data Entry Machine Operator PT be hereby abolished upon the filling of the new Senior Account Clerk; 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, Mitchell, Schuster, Petrus.

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 602-07                      09/25/07                      BLDS Exit Signs CCOBrev**  
**Authorization to replace and upgrade Exit Signs for The Cayuga County Office Building**  
**(2/3)**

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

WHEREAS, the County Legislature has been working correcting the life safety issues in the Cayuga County Office Building; and

WHEREAS, the exit signs in the Cayuga County office building are in need of replacement; and

WHEREAS, it would be advantageous to upgrade the existing exit signs with exit signs with emergency lighting capability; and

WHEREAS, Buildings and Grounds Budget Account No. 1620-400-012-A has sufficient funds for this upgrade; now therefore be it

RESOLVED, that the Superintendent of Buildings and Grounds is authorized and directed to purchase 20 new fixtures from Grainger (who is on state bid for this item) at a cost not to exceed \$2,200.00, 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, Pappert, Tortorici, Lepak, Dudley, Mitchell, Schuster, Petrus.

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 603-07 (9/25/07)                      COA-SheriffReligiousServicesAgreementrev**  
**AUTHORIZING THE SHERIFF AND THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO**  
**SIGN AGREEMENTS TO PROVIDE RELIGIOUS SERVICES FOR THE SHERIFF'S CUSTODY**  
**DIVISION AT THE CAYUGA COUNTY PUBLIC SAFETY BUILDING THROUGH SEPTEMBER 6, 2008**  
**ONLY**

BY:     MR. LOCKWOOD, Chairman, Judicial & Public Safety Committee  
          MR. DUDLEY, Chairman, Ways & Means Committee

WHEREAS, inmates at county correctional facilities have an unrestricted right to hold any religious belief and are entitled to exercise their religious beliefs in any manner that does not constitute a threat to the safety, security or good order of a local correctional facility; and

WHEREAS, the regulations of the State of New York permit religious advisors to conduct congregate religious activities at least once per week at a local correctional facility by; and

WHEREAS, the Sheriff would like to enter in contracts with various religious advisors, at his discretion, to conduct congregate religious activities at the local correctional facility and to compensate a religious advisor at the rate of \$35.00 per week for conducting services at the local correctional facility; and

WHEREAS, sufficient monies exist in Account No. 3150.400.059-A, Professional Services, to pay the religious advisors; now therefore be it

RESOLVED, that the Cayuga County Sheriff and the Chairman of the Cayuga County Legislature are authorized to enter in contracts with religious advisors to conduct congregate religious activities at the local correctional facility and to compensate a religious advisor at the rate of \$35.00 per week for conducting services at the local correctional facility through September 6, 2008; and be it further

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

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 604-07                    9/25/07                    SHR-TraCS**  
**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO ACCEPT A GRANT FROM THE STATE OF NEW YORK TRACS PROGRAM FOR THE CAYUGA COUNTY SHERIFF'S DEPARTMENT ROAD PATROL.**

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

WHEREAS, monies were received from the State of New York TraCS Electronic Ticket and Accident Report Program for the Cayuga County Sheriff's Deputies road patrol via a Grant through TraCS; and

WHEREAS, the TraCS grant is provided through the New York State Police and it will automate traffic ticket and accident report systems, improving traffic records; and

WHEREAS, all equipment, contractual services and other costs are included in the grant; and

WHEREAS, the Cayuga County Sheriff's Department qualified for the Grant in the amount of \$26,298.98; and

WHEREAS, the County will share no cost for this program; now therefore be it

RESOLVED, that the Chairman of the Legislature be authorized to sign the necessary documentation to accept the State of New York TraCS grant; and be it further

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

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 605-07                    Date: 9-25-07                    cemoHMEP GRANT 2007rev**  
**AMENDING THE 2007 EMERGENCY MANAGEMENT BUDGET A3640 FOR ACTUAL FUNDS RECEIVED FROM THE HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS (HMEP) GRANT IN 2007.**

BY:     MR. RAYMOND E.LOCKWOOD, Chairman, Judicial & Public Safety Committee  
         MR. PAUL M. DUDLEY, Chairman, Ways & Means Committee

WHEREAS, in 1993 The New York State Emergency Response Commission (SERC) began receiving funds from the US Department of Transportation (DOT) under the Hazardous Materials Transportation Uniform Safety Act (HMTUSA) planning grant program currently known as the Hazardous Materials Emergency Preparedness (HMEP) Grant; and

WHEREAS, commencing in 1993 and continuing to the present, the Cayuga County Emergency Management Office has annually applied for and been awarded a Federal Grant through the HMEP for use by the Local Emergency Planning Committee (LEPC) to promote public awareness in accordance with SARA Title 3, Community Right to Know; and

WHEREAS, the County Treasurer's Office, in 1993, created as part of the Emergency Management Budget, Expense Line Account A3640.42 and Revenue Account A4307 to accommodate this grant; and

WHEREAS, the amount of this grant anticipated each year is conservatively based on the previous years' awards; and

WHEREAS, this amount does vary from year to year making it necessary to amend each current year's budget to reflect the actual amount received and available for grant activities; and

WHEREAS, the actual amount of the check received in 2007 was \$606.00 more than what was anticipated in the 2007 Budget; now therefore be it

RESOLVED, that \$606 be added to both Expense Line Account A3640.42 and Revenue Account A4307 to accommodate the increase of funds received; and be it further

RESOLVED, the Treasurer's Office be authorized and directed to make the journal and accounting entries required to implement the intent of this resolution.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 606-07 9/25/07 SHR-DisSurrev**  
**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO AUTHORIZE INCREASE OF DISCIPLINARY SURCHARGE FOR INMATES CONVICTED OF MISBEHAVIOR AT THE COUNTY JAIL**

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

WHEREAS, on May 25, 2003 the Cayuga County Legislature passed Resolution 122-03 authorizing imposing a five dollar (\$5.00) surcharge on inmates that were convicted of misbehavior; and

WHEREAS, of January 17, 2007, the Commission of Corrections has authorized the NY State Correctional Facilities surcharge to be raised, but not to exceed twenty five dollars (\$25.00) now; therefore be it

RESOLVED, that pursuant to 7006.9 © of the commission's minimum standards the disciplinary surcharge for inmates convicted of misbehavior at the Cayuga County Jail be raised from five dollars (\$5.00) to fifteen dollars (\$15.00); and be it further

RESOLVED, that all monies collected there from shall be deposited in the County General Fund and not specifically allocated to the facility.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 607-07 9/25/07 SHR-Purchase PistolsAmend**  
**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO AUTHORIZE THE SHERIFF OF CAYUGA COUNTY TO AMEND RESOLUTION NUMBER 556-07 TO PURCHASE PISTOLS, HOLSTERS, MAGAZINE HOLDERS AND AMMUNITION FROM AMCHAR, EAGLE POINT, AND NEW YORK POLICE SUPPLY AND AMEND THE BUDGET.**

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

WHEREAS, Resolution 556-07 was adopted on 8/28/07, inadvertently the correct name of the vendor was omitted. The intent of this resolution is to correct the names of the vendors only. All other terms and conditions of the previous resolution remain intact; and

WHEREAS, it is necessary that our law enforcement officers are equipped with continually and properly functioning pistols; and

WHEREAS, the Sheriff's Department deputies have experienced numerous problems with their current pistols; most of which are eleven years old; and

WHEREAS, Glock Inc. designs pistols for military and law enforcement use with many local, state, federal and international law enforcement agencies testing their reliability, dependability and simplicity in their designs and operations; and

WHEREAS, the purchasing price of (58) Glock pistols is \$25,590.00; (58) duty holsters are \$7,064.00; (58) magazine holders are \$1,267.00; 60,000 practice rounds of ammunition at \$11,640.00; 10,000 duty rounds of ammunition at \$3,312.00; with spare parts/accessories for new pistols is or about \$600.00; and

WHEREAS, the total cost to Cayuga County, including the trade in value of \$7,695.00 for the current duty pistols, is \$41,778.00.00; and

WHEREAS, the source of funding is the transfer from the Cayuga County Contingency Fund, Account No. A-1990; now therefore be it

RESOLVED, that the Sheriff of Cayuga County and the Chairman of the Cayuga County Legislature are hereby authorized and directed to purchase said pistols and equipment through Amchar, Eagle Point, and New York Police Supply; and be it further

RESOLVED, that the sum of \$41,778.00.00 be transferred from the transfer of funds from the Cayuga County Contingency Fund, Account No. A-1990 and disbursed as follows:

\$18,495.00, to Equipment line, Account No. 3110.200.000 for Pistols & Parts

\$8,331.00, to Clothing & Uniform line, Account No. 3110.400.062 for Holsters & Magazines

\$14,952.00, to the Ammunition & Flares line, Account No. 3110.400.214; and be it further

RESOLVED, that the Chairman of the Legislature is hereby authorized to allow for the purchase of Glock pistols; 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, Pappert, Dudley, Cuddeback, Petrus, Schuster.

Approved by 2/3 vote, all present voting aye, except Dudley and Netti excused and District 3 vacant 190/54

**RESOLUTION NO. 608-07 (9/25/07) COA-LLEXTWRKRSCOMP TOAUXPOL-FIX  
FIXING DAY AND NOTICE OF A PUBLIC HEARING ON A PROPOSED  
LOCAL LAW AUTHORIZING CREATION OF A CAYUGA COUNTY  
AUXILIARY POLICE UNIT AND EXTENDING WORKERS' COMPEN-  
SATION COVERAGE TO SUCH ORGANIZATION PURSUANT TO SEC-  
TION 2 OF THE WORKERS' COMPENSATION LAW.**

BY: MR. LOCKWOOD, Chairman, Judicial & Public Safety Committee, and  
MR. DUDLEY, Chairman, Ways & Means Committee.

WHEREAS, there has been duly presented and introduced at a meeting of this County  
Legislature held on September 25, 2007, a proposed Local Law entitled:

"A LOCAL LAW AUTHORIZING CREATION OF A CAYUGA COUNTY  
AUXILIARY POLICE UNIT AND EXTENDING WORKERS' COMPEN-  
SATION COVERAGE TO SUCH ORGANIZATION PURSUANT TO SEC-  
TION 2 OF THE WORKERS' COMPENSATION LAW.

**Now, therefore, be it**

RESOLVED, that a public hearing shall be held concerning said Local Law before the Cayuga County Legislature  
on October 23, 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 Dudley, Cuddeback, Lockwood, Mitchell, Murphy, Petrus, Schuster, Lepak, Palermo.

Approved by voice vote, all present voting aye.

Motion by Legislator Murphy to go inot executive session re: Personnel Issue, 8:00PM, approved by voice vote, all  
present voting aye.

Motion by Legislator Murphy to come out of executive session at 8:13PM, approved by voice vote, all present voting  
aye.

Motion by Legislator Murphy to adjourn at 8:15PM, approved by voice vote, all present voting aye.

Minutes approved by voice vote, all present voting aye 11-27-07