

**MINUTES**  
**CAYUGA COUNTY LEGISLATURE**  
**NOVEMBER 27, 2007, 6:30 PM**  
**CCOB 6<sup>TH</sup> FLOOR/CHAMBERS**

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

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**PUBLIC BE HEARD:**

If you wish to speak notify your Legislator, who will grant you privilege of the floor. You will be allowed to speak for 3 to 5 minutes. You must state your name and address.

**Legislator Ray Lockwood for Al Kozlowski, Director of Real Property:**

At this time of legislative reorganization OWLA would like to have you consider establishing a county legislative committee to increase emphasis on water quality progress. No funding should be necessary.

We have recently completed an unprecedented intermunicipal agreement to support and fund our new watershed inspector. However most Cayuga county families see this as just the first step, this concern clearly made water quality a major issue in the recent elections.

According to Wall Street experts we are in an economic correction period at best, yet we need to rebuild water quality with no negative economic impact. So now is a very important time to take ownership of water quality in our area. Our county is considered the leader in farmland protection and conservation and yet we face issues like the livestock operations proposed in Montezuma, windmill generation farms in Scipio, and how to help agriculture unload the nutrients from our water supply. Residential development along the lakes needs a real effective environmental organization. We are clearly struggling with town by town efforts to resolve these issues.

Another factor is that the two water suppliers, Auburn and Owasco have new leadership along with the county. This is the time we need you to step up to help coordinate and unite our community so we effectively and economically provide a path for necessary education, strategy and funding from private and public sources.

This is our fight locally, no one will accomplish it for us or better than us. The best example of that challenge is the state DEC's refusal to limit Groton phosphorus to the same level that Moravia has for the past 10 years, even after we offered to pay for it! We respectfully ask that water quality become one of your initial priorities. We thank you for your sincere consideration.

**MINUTES:** For Approval: 9-25-07, 10-11-07 and 10-16-07, motion By Legislator Murphy, approved by voice vote, all present voting aye.

For Reading: 10-23-07

**CCC REPORT:** Daniel Larson, President CCC, spoke on the Emerson Endowed Chair and Kauffman e-Professor Grant. A grant of \$500,000 awarded last Spring by the Emerson Foundation is funding an endowed chair in entrepreneurship, the first of its kind nationwide at a community college. The Kauffman Foundation has announced a slate of awards for the first "Initiative" projects, in a campus-community entrepreneurship initiative funded by a five-year, \$3 million grant. The College held Veterans Day observances at both campuses on Monday, November 12, 2007. The college head count is up 4.7% from last year, our highest total student population ever. In Early November the College hosted a group from Sunderland College in northeast England. I am pleased to announce that on October 26, the SUNY Board of Trustees approved my appointment as President of the College, I am committed to fostering this dynamic College-wide engagement to address all of our challenges and opportunities in the coming years.

**COMMITTEE REPORT:** None

**MANAGER’S REPORT:** Wayne Allen, there are three items I would like to discuss with you. Two of the items came out of results of three informational budget sessions; the first was Worker’s Compensation, what I have heard from municipalities, especially with volunteer services, they are having a difficult time acquiring affordable Worker’s Compensation coverage. My recommendation tonight, is to self fund the program. I’m asking you to seriously do this now so that we can but it in place by the first of the year, so that we can manager the program, oversee it and run it properly so we can control costs, but also enable other municipalities, including the College and Soil and Water, to be an active participant in the plan, I believe in the long run it will be economically to the benefit the County if we go this route. We are dependant on the State Insurance fund experience and other factors that dictate your premium costs, with a management group and proper rules and procedures in place I think it will work on your behalf and I ask that you move very quickly to do that. You previously asked to go out for request for proposal for a third party administrative, so we had that in place. They will actively administrate a program on our behalf we would put the centralized Worker’s Comp. in Human Resources so that it would not be scattered, it would be centralized and much more effectively be run. I ask that you seriously consider it and I ask you to consider two resolutions for the next Board meeting, but I need to get an Idea if this is something you would consider so that I can start getting the pieces in place by the first of the year. The other item that came out of those sessions was assessment, a few people have been looking at centralized assessment for County wide assessment. My suggestion is that you undertake a feasibility study County wide, look at it, provide informational sessions for the public, and then if it warrants public attention, put it out for a public referendum to allow the public to decide if this is something they wish to consider. It would alleviate some of the issues with the equalization rates if you went with centralized assessment, but again what I’m suggesting is you really look at and get all the information, provide it for the public and let the public decide if this is an avenue they think is worth while. The last item is the Capital program, I know that you have been working on the Capital program and the tentative budget and making recommendations, but please do not forget the Capital Plan, we need to have it in place, you can decide how you want to fund it next year, but it should be inclusive or passed at the same time as the 2008 County Budget.

**CHAIRMAN’S REPORT:** George Fearon, I would like to stress that this County has many, many excellent employees, but I have two letters thanking employees from Cayuga Home Health Agency for all their help, Jeanette Vanderhoof, Lourie Myers and Molly McKeon.

**EMERGENCY AUTHORIZATION FOR AUSTERITY SPENDING:**

911 Center – Radio Base Station at Frozen Ocean, approximately cost \$40,000.00

**EMERGENCY AUTHORIZATION FOR HIRING:**

Cayuga County Attorney, Part-Time Sr. Typist

**COMMUNICATIONS AND ANNOUNCEMENTS:**

1. Cayuga County Employees have pledged \$26,924.48 (105% of the Cayuga County Employee Campaign Goal) for the County Wide United Way Campaign.
2. Received a letter from the Assembly State of New York acknowledging receipt of a certified copy of Res. # 642-07, supporting Medicaid County Protection Act of 2007.
3. Received 2 copies of Resolutions adopted in Dutchess County, 207302 – In Opposition of Motor Vehicles to Change License Policy and 207309 – Requesting the Dutchess County Clerk to Comply with New York State Vehicle and Traffic Law when Issuing New York State Drivers’ Licenses and Non-Driver Identification Cards.
4. Received a letter from the New York State Office of Cyber Security & Critical Infrastructure Coordination, re: a toolkit to help promote delivery of consistent cyber security awareness.
5. Received a copy of the CCIDA adopted budget for the fiscal year 1-1-08 to 12-31-08.
6. Received a letter form Senator Michael Nozzolio, thanking Chairman, George Fearon for contacting him re: the Volunteer Peace Officer Benefit Law.
7. Received a letter from the Town of Brutus, re: Town of Brutus Proposed Zoning Amendment to establish a new Industrial Zoning Regulation and two new Industrial Zoning Districts.
8. Received a thank you card from The New Visions Medical Professions Class of 2008, re: Student Government Day.
9. Received a letter from the U.S. Dept of Justice, re: United States v. John Chick, the State will not pursue criminal charges against the County for its role in the asbestos removal.
10. Received a letter from Brian Kolb, 129 th Assembly District, re: support of assembly bill #A.8779 peace officers benefits law.

11. Received a copy of introductory Local Law 6 (Second Extension of the Temporary Moratorium on Certain Applications and Approvals within the Town of Sennett) and Local Law 7 (2007 Zoning Law of the Town of Sennett Update) from the Town of Sennett.
12. Received a letter from Mary Ann Beaulieu, Moravia, NY, re: the 2007 budget, salaries that are paid to people, and taxes.
13. Received a adopted resolution from the Town of Scipio, re: Opposition the the New York State Dept. of Environmental Conservation proposed permit limits for phosphorus discharge from the upgraded Village of Groton, NY Sewage Treatment Plant into the Owasco Lake Inlet and Owasco Lake.
14. Received a letter from Annelise Riles, Cornell University Law School, thanking Chairman, George Fearon for his interview for her course at school.
15. Received a certified resolution from the County of Fulton re: Supporting Federal Medicaid County Protection Act of 2007.
16. Received a copy of the Fall 2007 Ward W. O'Hara Agricultural Museum Newsletter.
17. Received a thank you letter from Mr. &Mrs. Spencer, Auburn, NY, thanking Jeanette Vanderhoof, a nurse at CHHA, for her services in helping Mr. Spencer.
18. Received a letter from Joan Hogan, thanking two nurses at CHHA, Louise Myers and Molly McKeon, for their help with her recent hip surgery.
19. Received a copy of resolution from The County of Schuyler, re: In Support of federal Bill H.R. 326 Titled "Medicaid County Protection Act of 2007"

Legislator Lockwood made the motion to waive the reading of Correspondence, except # 9, which was read in it's entirety, approved by voice vote, all present voting aye.

**Correspondence #9**



U. S. Department of Justice



OCT 30 2007

United States Attorney  
Northern District of New York

U.S. Box 7198  
100 South Clinton Street  
Albany, New York 12261-7198

TEL: 518-461-2672  
FAX: 518-461-2655

October 29, 2007

Frederick Westphal, Esq.  
Cayuga County Attorney  
County Office Building  
160 Genesee Street  
Auburn, N.Y. 13021

Re: United States v. John Chick

Dear Mr. Westphal:

This letter is to advise that the United States does not intend to pursue criminal charges against the County for its role in the February/March 2006 illegal asbestos removal in the Board of Elections/Courthouse buildings.

GLENN T. SUDDABY  
United States Attorney

By:

Craig A. Benedict  
Assistant U. S. Attorney

CAB/c

cc: Thomas DeSimon, Esq.

**RESOLUTION NO. 663-07 1-27-07 COA apptAxton07rev**  
**APPOINTING DAVID R. AXTON CAYUGA COUNTY LEGISLATOR TO FILL VACANCY IN DISTRICT #3**

BY: Hon. George Fearon, Chairman, Cayuga County Legislature.

WHEREAS, the position of County Legislator for the 3rd District has been vacant since August, 2007; and WHEREAS, County Local Law No. 4 of 1982 gives this County Legislature authority to fill the vacancy; and WHEREAS, David R. Axton, 8160 State St. Rd., in the Town of Mentz, has been elected to the position of County Legislator on November 6, 2007 to fill the unexpired term of Hon. Bernard Smith, deceased; now there fore be it

RESOLVED, that David R. Axton is hereby appointed to the position of County Legislator for the 3rd District.

Signed by Chairman George Fearon

Approved by voice vote, all present voting aye.

Mr. David Axton was escorted by Legislator Murphy and Legislator Schuster, with his family present, was sworn in by Cayuga County Clerk Susan Dwyer.

**Privilege of the Floor:**

Legislator Mitchell for Pauline Raymond, RE; Gas tax, she owns a small trucking Company on Venice Ctr, NY, without the gas cap it will make a big difference in cost not only to her but will effect everyone in the County. Small business's are the back bone of the County, please reconsider, this will have a dramatic effect on the County, and she can see a recession coming.

## RESOLUTIONS

**RESOLUTION NO. 664-07**

**Audit 11.27.07**

**AUTHORIZING THE COUNTY TREASURER TO PAY AUDIT OF CLAIMS**

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

WHEREAS, The Legislature did at its regular meeting on November 27th, 2007 audit claims against the County of Cayuga in the aggregate sum \$2,027,042.19, therefore be it

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

RESOLVED, that the County Treasurer be and he hereby is authorized and directed to pay the several claims so audited and charge the amounts to the several appropriations made therefore in the County Budget finalized on December 13, 2006.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 665-07**

**11/27/07**

**AUTHORIZING THE PAYMENT OF CLAIMS SUBMITTED BY THE WAYS & MEANS COMMITTEE FOR PAYMENT OF UTILITY BILLS.**

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

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

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

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

Gas & Electric	:	\$ 122,405.52
Water & Sewer		\$ 14,354.24
Telephone:		\$ 28,595.99
Landfill/Rubbish		<u>\$ 603.75</u>
Total:		\$ 165,959.50

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

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 666-07**

**11/27/07**

**PURCHSVCOCT**

**AUTHORIZING THE CAYUGA COUNTY TREASURER TO CHARGE DEPARTMENTS FOR CENTRAL SERVICES AND PURCHASES FOR THE MONTH OF OCTOBER 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	\$8,505.86
	TOTAL	\$8,505.86

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 667-07      Date of meeting: November 27, 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 \$83,471.71 for the month of October 2007, now therefore be it

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

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 668-07    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 \$11,216.78 covering the period through 10-26-07 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, Cuddeback, Dudley, Pappert, Sedor, Tortorici, Lockwood, Murphy, Schuster.

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 669-07    11/27/07**  
**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:

October - 2007 - \$ 115.66

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

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 670-07    11/27/07 Creditrev.**  
**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:

October - 2007 - \$ 3837.03

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

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 671-07**

**11/27/07**

**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 – \$4,012.61

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

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

**RESOLUTION NO. 672-07 (11/27/07)**

**COA-CAPH11PAY**

**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 #03-7 (Phase 4/ Integration of Services (IOS)):

GREGORY & PICCIANO ELECTRIC CO., INC.:

Inv. No. 69163.....\$ 401.90

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

SIRACUSA MECHANICAL, INC.:

Application & Certificate for Payment No. 5 dated 10/29/07..... \$ 47,642.31

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

KNAPP ELECTRIC:

Inv. No. 3192.....\$ 18,370.10

And be it further

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

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

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

**RESOLUTION NO. 673-07 (11/27/07)**

**COA-CAPH10PAYAMD**

**AMENDING RESOLUTION NO. 619-07 AUTHORIZING TO PAYMENT OF CLAIMS AGAINST VARIOUS CAPITAL "H" PROJECTS TO CORRECT CLERICAL ERROR.**

**BY: MR. DUDLEY, WAYS & MEANS COMMITTEE.**

WHEREAS, due to a clerical error, some of the payments set forth under Capital "H" Project #00-01-C in Resolution No. 619-07 are incorrect; now, therefore, in order to rectify the same, be it RESOLVED, that Resolution No. 619-07 is hereby amended to correct the amounts due in regard to the following bills under Capital "H" Project #00-01-C:

- 1. Project #00-1-C Project #00-01-C (Implementation of Master Facilities Plan for CCC Auburn, Campus):

COMMISSIONER OF LABOR:

Notice to Withhold/Release Payment dated 8/17/07.....\$ 45,349.07

J. D. TAYLOR CONSTRUCTION CORP.:

Application & Certificate for Payment dated 9/20/07.....\$ 5,400.93

And be it further

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

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 674-07 11/27/07**

**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:	\$ 9,955.06
Postage Leases:	\$ 763.00
Misc. Leases:	<u>\$ 11,657.55</u>
Total	\$ 22,375.61

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

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 675-07 11/27/07**

**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:

October – 2007 \$ 127.31

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

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

Approved by voice vote, all present voting aye.

**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 2007/2008 School Tax Roll shall also be corrected as follows:

Town of Cato: TM# 57.00-1-5. Assessed to Scott and Vicky Jodway. Clerical Error. Property should have received the STAR B exemption (30960) which was not received. The 2007 Final roll should be corrected to reflect this change. The 2007-2008 Cato Meridian School tax bill should be corrected with any refund issued.

Town of Cato: TM# 47.00-2-11.1. Assessed to Dean Cummins. Clerical Error. Property owner successfully grieved assessment to \$400 but was entered at \$4,000 in the tax roll. The 2007 Final roll should be corrected to reflect this. The Cato Meridian School tax bill should be corrected to reflect the assessment change and the bill recalculated. If already paid, the school should issue a partial refund.

Town of Genoa: TM# 228.02-1-43. Assessed to Barbara Littlejohn and Margaret Wiegand. Clerical Error. Property should have the Aged Exemption in the amount of 27,930. The 2007 Final roll should be corrected to reflect this change. The 2007-2008 Southern Cayuga School district should correct the tax bill and issue any refunds.

Town of Locke: TM# 221.00-1-9. Assessed to Gary Bouck and Samantha Cabisca. Clerical Error. Property was eligible for the STAR B exemption (41854) which was not received. The 2007 Final roll should be corrected to reflect this change. The 2007-2008 Moravia Central School district should issue any refunds.

Town of Scipio: TM# 172.00-1-44.2. Assessed to Williard and Marlena Nivison. Clerical Error. Property was eligible for the STAR B exemption (41854) which was not received. The 2007 Final roll should be corrected to reflect this change. The 2007-2008 Southern Cayuga School district should issue a corrected tax bill with any refunds issued.

Town of Scipio: TM: 153.00-1-2.1. Assessed to Marilyn Chamberlain, Susan Sullivan and Kathy Howell. Clerical Error. Property was eligible for the Enhanced STAR exemption (41834) which was incorrectly removed upon transfer from Marilyn to Marilyn with Reserved Life Use and her children. The 2007 Final roll should be corrected to reflect this change. The 2007-2008 Southern Cayuga School district should issue a corrected tax bill with any refunds issued.

Town of Sterling: TM# 4.00-1-1.12. Assessed to Lakewood Enterprises. Error in essential fact. Property was split with tax bills going to split parcels. This parcel should be deleted from the Sterling 2007 Final roll. The 2007-2008 Hannibal School Tax bill should be rescinded.

Town of Summerhill: TM#244.00-1-24.1. Assessed to John Miller. Clerical Error. Property owner was eligible for the Aged Exemption (41802) but did not receive it. The 2007 Final roll should be corrected to reflect this change. The 2007-2008 Homer School tax district should issue any refund.

Town of Throop: TM# 94.01-1-42. Assessed to Alice Wilson. Clerical Error. Property owner was eligible for the Aged Exemption (41802) but did not receive it. The 2007 Final roll should be corrected to reflect this change. The 2007-2008 Port Byron School tax bill should issue any refund.

Town of Throop: TM# 100.00-1-6.11. Assessed to Leo Herrling. Clerical Error. Property owner received the Basic STAR exemption when it was eligible for the Enhanced (41834) STAR exemption. The 2007 Final roll should be corrected to reflect this. The 2007-2008 Port Byron School district should recalculate the tax bill and issue any refunds.

Town of Throop: TM# 101.03-1-75. Assessed to Mary Kane. Clerical Error. Property owner received the Basic STAR exemption when it was eligible for the Enhanced (41834) STAR exemption. The 2007 Final roll should be corrected to reflect this. The 2007-2008 Port Byron School district should recalculate the tax bill and issue any refunds.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 677-07 (11/27/07) rpsOmittedtaxesnov2007rev**

**Authorizing the Levy of Omitted Taxes**

By: Paul Dudley, Chairman, Ways & Means Committee

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

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

RESOLVED, the following omitted taxes in the amount of **\$34,297.67** shall be levied against the property owners in their respective Towns who are liable for said tax; and be it further

Town	Amount	Town	Amount
Brutus	\$1,871.44	Cato	\$ 818.45
Fleming	\$4,417.43	Genoa	\$ 111.17
Ledyard	\$1,674.47	Mentz	\$8,101.24
Montezuma	\$ 341.13	Niles	\$1,602.17
Owasco	\$6,273.02	Scipio	\$4,919.05
Sempronius	\$ 291.57	Sennett	\$1,346.56
Springport	\$ 66.53	Sterling	\$ 195.79
Summerhill	\$ 747.42	Throop	\$1,520.23

**Total \$35,273.29**

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

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 678-07 (11/27/07) rpsprobatecostofservice**

**Prorate Costs of Service Provided to Towns**

By: Paul Dudley, Chairman, Ways & Means Committee

WHEREAS, the County Legislature did by adoption of Local Law No. 1 of 1968, as amended by Local Law No. 3 of the year 1991, initiate a program of Tax Installment Collection; and

WHEREAS, the County of Cayuga does prepare the necessary forms to institute this installment collection service, as well as the machine preparation of new assessment rolls and extension of taxes on a yearly basis, and to cover computer expenses; and

WHEREAS, tabulating expenses in preparing Town and School Assessment Rolls is a Town charge; now therefore be it

RESOLVED that the Office of Real Property Services is hereby authorized to prorate the cost back to the Towns on service performed by the County in the amount of \$52,764.05 (\$32,022.59 to the Office of Real Property Services, and \$20,741.46 to the Treasurers office.) This total is computed on one-third salary of Tammy Morehouse (\$ 49,651.15), Glen Seamans (\$46,416.62), and Fred Lewis (\$62,224.37). This cost is then prorated back to the towns by the number of parcels per town; and it is

RESOLVED that the Office of Real Property Services is hereby authorized to charge the cost back to the Towns for the annual licensing fee for users of the New York State Real Property System, in the amount of \$21,850. This licensing fee has been established in accordance with Section 190-5.4(B) of the Rules for Real Property Tax Administration.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 679-07 (11/27/07)**

**rpsCCCapportioncostres**

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

By: David Pappert, Chairman, Ways & Means Committee

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

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

City of Auburn	\$105,989.83	Town of Moravia	\$39,234.24
Town of Aurelius	21,859.72	Town of Niles	8,704.78
Town of Brutus	18,952.27	Town of Owasco	27,082.30
Town of Cato	31,467.81	Town of Scipio	33,915.75
Town of Conquest	10,537.41	Town of Sempronius	22,711.07
Town of Fleming	23,355.85	Town of Sennett	17,133.86
Town of Genoa	47,780.67	Town of Springport	14,495.70
Town of Ira	15,573.00	Town of Sterling	27,488.21
Town of Ledyard	27,493.67	Town of Summerhill	39,087.29
Town of Locke	47,007.62	Town of Throop	8,138.50
Town of Mentz	11,076.71	Town of Venice	21,015.51
Town of Montezuma	6,158.30	Town of Victory	10,138.00

**\$636,398.07**

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 680-07 (11/27/07)**

**COA-Repeal2%GasolineSalesTax(Rev)**

**RESOLUTION**

of the

Legislature of the County of Cayuga, repealing its cents per gallon rate of sales and compensating use taxes on motor fuel and diesel motor fuel, thus restoring its percentage rate of such taxes, pursuant to the authority of Article 29 of the Tax Law of the State of New York.

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

Be it enacted by the Legislature of the County of Cayuga, as follows:

SECTION 1. Section 4-B of Resolution No. 40 of 1968, is hereby REPEALED.

SECTION 2. This resolution shall take effect March 1, 2008.

Legislator Dudley, I support this resolution, worst tax is the property tax.

Legislator Palermo, I do not support this resolution, only people that buy gas in Cayuga County will pay.

Legislator Cuddeback, why is this a good idea?

Chairman, George Fearon, we make about 1% per gallon and it decreases the tax levy by 1%, give people a break on the tax levy.

Legislator Murphy, impact on business and will impact property taxes I will support.

Legislator Petrus, I agree with Murphy, lesser of two evils.

Legislator Lockwood, travel around the state, we are usually higher than other people in the state.

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

Approved by majority vote, Ayes – Murphy(51), Dudley(81), Petrus(53). Lockwood(63), Cuddeback(64), Schuster(47), Lepak(48), Fearon(63). Noes – Palermo(58), Axton(68), Mitchell(57), Tortorici(51). Excused – Sedor(79), Papert(49), Netti(50) vote – 470/234/178

**RESOLUTION NO. 681-07 11-27-07 COACNGETENTATIVEBDGT08  
 CHANGES, ALTERATIONS AND REVISIONS TO THE 2008 TENTATIVE BUDGET FOR THE FISCAL  
 YEAR COMMENCING JANUARY 1, 2008**

By: Hon. Paul Dudley, Chairman Ways and Means Committee

WHEREAS, the Cayuga County Budget Officer (the "County"), on November 2, 2008, duly filed the 2008 tentative budget of said County for the fiscal year beginning January 1, 2008, with the Clerk of the Cayuga County Legislature; and

WHEREAS, the Ways and Means Committee reviewed the tentative budget of the County for the 2008 fiscal year beginning January 1, 2008, duly filed its report on November 23, 2008 with the Clerk of the Cayuga County Legislature; and

WHEREAS, the Cayuga County Legislature, after due deliberation, has made a proposal for changes, alterations or revisions in the tentative budget as set forth on attachment 1 annexed hereto and made a part hereof; and

WHEREAS, the Ways and Means Committee has increased the anticipated 2008 sales tax revenues based on projections provided by the Cayuga County Treasurer; NOW, THEREFORE, BE IT

RESOLVED that the tentative budget for the fiscal year beginning January 1, 2008 be changed, altered and revised as set forth on attachment 1 annexed hereto and made a part hereof; and be it further

Legislator Lockwood, when we hold the Public Hearing you can still make amendments.

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

Approved by voice vote, all present voting aye.

**Attachment 1**

**Changes after November 1:**

November 5

**Civil Service:** (Budget neutral)

A1430.400.066 (Reproduction)	Reduce by \$3,500.00
A1430.400.046 (Machine Rental)	Increase by \$3,500.00

**Jail Revenue** (Negative effect on bottom line)

Eliminate A4328 Federal Aid S.C.A.A.P.	\$2,500.00
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**Health** (Budget neutral)

Decrease A4012.100.000 (Overtime)	\$12,000.00
Increase A4012.400.059 (Professional Services)	\$12,000.00

<b>Treasurer</b> A1325.200.000-A Accounting hardware/software	\$300,000.00
Decrease to	\$220,000.00
	Saving \$ 80,000.00

November 12

**Veterans**

Add \$14,300.00 in A6510.400.059 (Professional Services)	
Eliminate Driver, PT in A6510.100.000	\$11,440.00
Eliminate Driver, PT in A6510.100.000	\$11,440.00
Reduce Social Security A6510.800.001	\$ 1,750.00
	Saving \$10,330.00

**District Attorney**

Increase Revenue –

A (State Aid – DA Recruitment & Retention) from \$7,384.00 to \$11,167.00	
Increase A1165.100.000 (DA Recruitment & Retention Program) to \$10,313.00	
Increased Overtime/Traffic Administration A1165.100.000 from \$3,500 to \$6,875.00	
Increase A1165.800.001 (Social Security) from \$61,552.00 to \$62,599.00	
	Increasing levy by \$10,952.00

**Probation**

Decrease Revenue A3310.000.000 (State Aid – Probation Department) from \$175,653.00 to \$158,653.00	
	Increasing levy by \$17,000.00

**Emergency Management/Fire/EMS**



Decrease A7530.400.059 (Professional Services) from \$50,000.00 to \$0  
Savings of \$85,000.00

**Board of Elections**

Add Overtime in Salaries (A1450.100.000) \$4,000.00  
Increase Fringe Benefits, Social Security (A1450.800.001) from \$9,241.00 to \$9,547.00  
Decrease A1450.400.074 (Election Materials) from \$27,000.00 to \$20,000.00  
Savings of \$2,694.00

**Planning**

Eliminate Revenue – CCPUSA Contribution by \$25,000.00  
Eliminate A6420.400.000 (Promotion of Industry Contractual) – CCPUSA Expense by \$50,000.00  
Savings of \$25,000.00

**Clerk of Legislature**

Decrease A3620.400.059 (Professional Services, Compliance Officer) from \$25,000.00 to \$0  
Savings of \$25,000.00

**Clerk/Treasurer**                      Budget neutral

Decrease A1040.400.055 (Postage) from \$5,000.00 to \$3,000.00  
Increase A1325.400.055 (Postage) from \$4,500.00 to \$6,500.00

November 20

**County Attorney**

Eliminate position of Paralegal (A1420.100.000) from \$35,890.00 to \$0  
Reduce Fringe Benefits, Social Security (A1420.800.001) from \$30,575.00 to \$27,829.00  
Reduce Fringe Benefits, State Retirement (A1420.800.002) from \$35,653.00 to \$32,609.00  
Reduce Fringe Benefits, Health Insurance (A1420.800.003) from \$55,001.00 to \$49,394.00  
Reduce Fringe Benefits, Dental Insurance (A1420.800.004) from \$2,764.00 to \$2,370.00  
Reduce Fringe Benefits, Worker's Comp (A1420.800.005) from \$6,415.00 to \$5,839.00  
Saving \$ 48,257.00

**Information Technology**

Increase Contingency Account (A1990) by \$30,000.00 – Designated for Information Technology Training  
Increasing levy by \$30,000.00

Decrease Machine Maintenance (A1020.400.045) from \$37,950.00 to \$36,950.00  
Savings of \$1,000.00

**Legislative Board**

Increase Sales Tax Revenue (A1110.000.000) from \$36,924,000.00 to \$38,868,000 due to new retail  
Increase Distribution of Sales Tax, County Portion (A1985.000.000) from \$18,462,000.00 to \$19,434,000.00  
Savings of \$972,000.00

Increase Sales Tax Revenue (A1110.000.000) from \$38,868,000 to \$39,518,000.00 due to removal of reduction of tax on gasoline.

Increase Distribution of Sales Tax, County Portion (A1985.000.000) from \$19,434,000.00 to \$19,759,000.00  
Savings of \$325,000.00

Increase Cooperative Extension Service Contract (A2981.400.000) from \$272,500.00 to \$279,500.00  
Increase levy by \$7,000.00

Increase Soil Conservation District Contract, Contractual Expense                      (A8730.400.000) from \$415,360.00 to \$455,360.00  
Increasing levy by \$40,000.00

Decrease Contingent Fund (1990.000.000) from \$400,000.00 to \$350,000.00  
Savings of \$50,000.00

Increase Options for Independence Contract (A4047.400.118) from \$5,000.00 to \$7,000.00  
Increase levy by \$2,000.00

Increase Municipal Association Dues, National Association of Counties (A1920.000.000) from \$0 to \$1,000.00  
Increase levy by \$1,000.00

### **Sheriff**

Decrease A3110.200.000 (Sheriff, Equipment) by \$70,000.00 for the purchase of GPS units for Sheriff's cars from \$200,000.00 to \$130,000.00

Savings of \$70,000.00

### **Mental Health**

Decrease Revenue Mental Health COPS Fees (A1627.000.000) from \$1,005,021.00 to \$880,000.00

Decrease Expense Mental Health Administration, Medicaid Eligible Services (A4310.420.000) from \$680,000.00 to \$600,000.00

Eliminate Mental Health C.S.S. Equipment (A4311.200.000) for 12 Passenger Van from \$18,000.00 to \$0  
Increase levy by \$27,021.00

Decrease Mental Health Administration Salary, Director of Community Mental Health Services (Position # 2093) (A4310.100.000) from \$88,935.00 to \$86,178.00 (3.9% raise for 2008)

Decrease Mental Health Administration Salary, Director of Community Mental Health Services (A4310.100.000) from \$86,178.00 to \$57,452.00

Create position of Executive Director to Community Services Board in the amount of \$28,726.00

Decrease Mental Health Administration, Fringe Benefits, Social Security (A4310.800.001) from \$157,259.00 to \$157,048.00

Savings of \$ 2,968.00

### **County Auditor/County Manager** budget neutral

Move Salary of Account Clerk Typist (position #1652) from County Auditor, Salary (A1320.100.000) to County Manager, Salary (1230.100.000)

Reduce Fringe Benefit, Social Security (A1320.800.001) by \$2,192.00

Increase Fringe Benefit, Social Security (A1230.800.001) from \$14,763.00 to \$16,955.

Eliminate funding of County Auditor (A1320):

Eliminating salary (A1320.100.000) for County Auditor, PT - \$28,000.00 to \$0

Eliminating Contractual Expenses for County Auditor – from \$2,250.00 to \$0

Eliminating Fringe Benefits for County Auditor – from \$2,142.00 to \$0

Savings of \$32,392.00

### **Purchasing**

Eliminating Salary and Fringe Benefits from Purchasing Budget

Eliminate Purchasing Agent (A1682.100.000) from \$40,000.00 to \$0

Eliminate Clerk, PT (A1682.100.000) from \$14,000.00 to \$0

Eliminate Fringe Benefits, Social Security (A1682.800.000) from \$4,131.00 to \$0

Eliminate Fringe Benefits, State Retirement (A1682.800.002) from \$3,393.00 to \$0

Eliminate Fringe Benefits, Health Insurance (A1682.800.003) from \$5,607.00 to \$0

Eliminate Fringe Benefits, Dental Insurance (A1682.800.004) from \$395.00 to \$0

Eliminate Fringe Benefits, Worker's Comp (A1682.800.005) from \$867.00 to \$0

Savings of \$68,393.00

### **County Treasurer**

Eliminating Treasurer's Equipment, Accounting Hardware/Software (A1325.200.000) from \$220,000.00 to \$0  
Savings of \$220,000.00

**Savings of \$2,027,668.00**

**RESOLUTION NO. 682-07 11/27/07 COL Public Hearing to Adopt Budget 08rev  
SETTING DATE FOR PUBLIC HEARING ON TENTATIVE COUNTY BUDGET.**

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

WHEREAS, a tentative County Budget for the year 2008 has been prepared and is hereby presented by the Budget Officer of the County of Cayuga; now, therefore, be it

RESOLVED, that the tentative budget as amended and revised by the Ways & Means Committee and the Cayuga County Legislature, reflecting appropriations, revenues and resultant effects for the year 2008, shall be submitted to a public hearing as required by Section 359 of the County Law and that the Clerk of the Legislature is hereby authorized to prepare 100 copies of the budget pursuant to law; and be it further

RESOLVED, that the salaries for the Legislators shall be as follows:

Chairman	\$30,000
Vice Chairman	11,600
Majority and Minority Leaders	10,850
Legislators	10,100
Additional for Chairs of standing Committees	2,000
Additional for Majority & Minority Leaders	750
Additional for Deputy Chairman of Legislature	2,000

And be it further

RESOLVED, that a public hearing on the budget for the year 2008 is set for December 11, 2008 at 6:30 PM, at the County Legislative Chambers and that the Legislature Clerk is hereby instructed to advertise same pursuant to law.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 683-07 11/27/07 TREREMextension  
AUTHORIZING THE CAYUGA COUNTY CHAIRMAN TO EXTEND THE CONTRACT FOR IN REM  
TAX FORECLOSURE SEARCHES.**

By: Mr. Paul Dudley, Chair, Ways and Means Committee

WHEREAS, Resolution No. 217-06 authorized the Chairman of the Legislature to sign an agreement with Heritage Abstract for In Rem Tax Foreclosure Searches; and

WHEREAS, the agreement provides that the contract may be extended annually for an additional three years; and

WHEREAS, due to the increasing costs associated with preparing these searches, Heritage Abstract and the County Legislature has agreed to a slight increase as follows:

<u>2006</u>		<u>2007</u>	
New searches	\$95.00	New searches	\$105.00
Redates	\$60.00	Redates	\$ 65.00

Now therefore be it

RESOLVED, that the Cayuga County Chairman is authorized to extend the contract with Heritage Abstract for In Rem Tax Foreclosure Searches.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 684-07 (11/27/07) COA-NBPRDEDPLNunum**  
**APPROVING PAYROLL DEDUCTION PLAN FOR CERTAIN COUNTY EMPLOYEES TO BE ABLE TO BUY DISABILITY INCOME INSURANCE.**

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

WHEREAS, Resolution No. 552-00 adopted on December 12, 2000 approved a payroll deduction plan for certain County employees to be able to buy disability insurance, cancer expense insurance and life insurance; and

WHEREAS, Resolution No. 506-07, adopted on August 28, 2007, approved payroll deduction plan for certain County employees to be able to purchase long term disability insurance; and

WHEREAS, the present disability plans do not provide coverage for the deputy sheriffs and corrections officers; and

WHEREAS, this Committee wishes to make available to non-CSEA members long-term disability insurance available to sheriff's officers and corrections officers; and

WHEREAS, First Unum Life Insurance Company has made a presentation to the Committee suggesting that the County make available to its employees certain long-term disability insurance; and

WHEREAS, this Committee has gathered information in regard to all of the above-described non-CSEA programs and is of the opinion that this program should be made available for purchase through payroll deduction Cayuga County employees who are not CSEA members; now, therefore, be it

RESOLVED, that the First Unum Life Insurance Company Long-term Income Disability Program is hereby approved for the County employees who are not CSEA members to be a part of the County's payroll deduction plan and that First Unum Life Insurance Company is hereby approved to be included in the County's Flexible Spending Plan.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 685-07 (11/27/07) Rps-internetconnection07**  
**A RESOLUTION AUTHORIZING THE CLERK OF THE LEGISLATURE TO SEEK BIDS FOR THE PURCHASE OF A DEDICATED INTERNET CONNECTION CAPABLE OF SUPPORTING THE HOSTING OF INTERACTIVE MAP APPLICATIONS**

BY: Paul Dudley, Ways & Means Committee

WHEREAS, the Cayuga County Office Of Real Property Services currently purchases remote website hosting services for publishing assessment data on the Internet with the ImageMate application; and

WHEREAS, a new custom designed agricultural land assessment application was recently delivered to the Cayuga County Office Of Real Property Services, together with the computer hardware and software required to make the application available over the Internet; and

WHEREAS, the Cayuga County Office Of Real Property Services lacks the in-house dedicated Internet connection required to take full advantage of its new hardware and software; and

WHEREAS, the Cayuga County Office Of Real Property Services desires to review the costs and benefits of obtaining a dedicated Internet connection originating from the County Office Building to host applications including the agricultural land assessment application and other possible future interactive map applications; now, therefore, be it

RESOLVED, that the Clerk of the Legislature is authorized to seek bids for the purchase a dedicated Internet connection capable of supporting the hosting of GIS based interactive map applications.

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

Approved by voice vote, all present voting aye.

**Resolution No. 686-07 11.27.07 coeabscontract**  
**Authorizing the Chairperson of the Cayuga County Legislature to sign a contract with EBS Benefit Solutions, Inc**

By: Hon. Paul Dudley, Chairperson, Ways and Means Committee

Whereas, the County contracts with EBS Benefits Solutions, Inc. to administer the County Flexible Savings Account Plan; and

Whereas, the contract is subject to annual renewal; and

Whereas, EBS submitted a 2008 Administrative Services Agreement for review and approval; now therefore be it Resolved, that the Chairperson of the Cayuga County Legislature is hereby authorized and directed to sign the 2008 Administrative Services Agreement with EBS Benefit Solutions, Inc.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 687-07 11/27/07 COL annexfinalmeet07  
DESIGNATING DECEMBER 18, 2007, AS THE DATE OF THE FINAL MEETING OF THE CAYUGA COUNTY LEGISLATURE FOR THE FISCAL YEAR 2007(M).**

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

WHEREAS, at the November 27, 2007 meeting of the Cayuga County Legislature, it was agreed that the final meeting of the year be held, December 18, 2007; now, therefore, be it RESOLVED, that it is hereby confirmed that this December 18, 2007 meeting is hereby designated to be the final meeting of the Cayuga County Legislature for the fiscal year 2007, subject to the right of the Chairman to call a special meeting if necessary.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 688-07 (11-27-07) COAamend2007cobdgt  
AUTHORIZING THE AMENDMENT OF THE 2007 COUNTY BUDGET (2/3).**

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

MR. DUDLEY, Chairman, Ways and Means Committee

WHEREAS, the County Attorney's Office is in receipt of unanticipated income from work with the Public Health Department in the amount of \$3,257.37 in August, 2007 and in the amount of \$531.01 in September, 2007 for a total of \$3,788.38; and

WHEREAS, after submission of the 2007 County Attorney Budget, expenditures in various accounts have been greater than anticipated and it is desirable to transfer the unanticipated revenue to the affected appropriation accounts; now, therefore, be it

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

Increase the following appropriation accounts as follows:

<u>Account No.</u>	<u>Amount</u>
1420.400.049-A (Office Supplies)	\$ 300.00
1420.400.055-A (Postage)	\$ 100.00
1420.400.058-A (Dues & Fees)	\$ 800.00
1420.400.059-A (Juvenile Attorney Contract)	\$2,000.00
1420.400.075-A (Telephone Line Charges)	\$ 588.38

Increase Revenue Account No. 1274.000.000-A in the amount of \$3,788.38; 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, Murpy, Petrus, Schuster, Lepak.

Approved by 2/3 vote, all present voting aye, except excused Sedor, Pappert, and Netti. 195/49

**RESOLUTION NO. 689-07 11-27-07  
AUTHORIZING THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE AND THE ADMINISTRATOR OF THE NURSING HOME TO ENTER INTO AN AGREEMENT FOR THE ENGINEERING OF THE FIRE CONTROL SYSTEM AND ROOM HEATING AND AIR CONDITIONING UNITS AT THE CAYUGA COUNTY NURSING HOME**

BY: Ann Petrus, Health & Human Service

Paul Dudley, Ways & Means

Whereas, the Cayuga County Nursing Home requires engineering services for the replacement of the fire control system and room air conditioning and heating units, and

Whereas, a capital fund has been established that includes the replacement of those systems; and

Whereas, proposals have been received from Argus Engineering (47,000), C&S Engineers (38,000), and Erdman, Anthony & Associates, Inc. (28,000); now therefore be it

Resolved, that the Chairman of the Cayuga County Legislature and Administrator of the Cayuga County Nursing Home are authorized to enter into an agreement with Erdman, Anthony & Associates, Inc. for engineering services of the fire control and room heating/air conditioning units.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 690-07 (November 27, 2007) HD Bike/Pedestrian Safety 2007**  
**Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter Into a Contract with the State for Bicycle Helmet Distribution, Safety and Pedestrian Injury Reduction Program**

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

WHEREAS, the State has offered the Cayuga County Health Department a Grant of \$15,000 for the period October 1, 2007 through September 30, 2008 for the "Bicycle Helmet Distribution, Safety and Pedestrian Injury Reduction Program," and

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

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

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

RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the Health Department's 2006 Budget in the following manner:

Increase Revenue Account #3409.....\$15,000  
Increase Appropriation Account #4010.490.....\$15,000

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 691-07 (November 27, 2007) HD HRI Bioterrorism Grant 2007**  
**Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter into a Contract with Health Research, Inc. (HRI) and Accept Funding**

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

WHEREAS, HRI has been awarded a grant from the Centers for Disease Control and Prevention; and

WHEREAS, part of the overall project involves "Public Health Preparedness/Response for Bioterrorism" which would involve building the public health infrastructure to respond to bioterrorism; and

WHEREAS, the Cayuga County Health Department has represented to HRI that it is knowledgeable, qualified, and experienced in the skills required for this project, and is willing and capable of performing the services required for Cayuga County; 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 Health Research, Inc. to accept funding in the amount of \$83,342 for the period 8/31/07 through 8/9/08 for the purpose of developing a "Public Health Preparedness/Response for Bioterrorism Plan" for Cayuga County; and be it further

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to enter into all contracts necessary to execute this grant and that the Cayuga County Health Department through this 100% reimbursable grant be authorized to purchase equipment and supplies necessary to implement this grant; and be it also

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make all the necessary journal and accounting entries and to amend the Health Department's 2007 budget in the following manner:

Increase Revenue Account #3407.000.....\$83,342  
Increase Appropriation Account #4010.470.....\$83,342

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 692-07 (November 27, 2007) HD Amend NYSNA Contract  
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Enter Into a Memorandum of Agreement With the New York State Nurses' Association (NYSNA) to Modify Article 3, Section 3.13 of the 2005-2009 Collective Bargaining Agreement Between NYSNA and the County of Cayuga**

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

WHEREAS, there are now positions for Registered Professional Nurses (RPNs) in the Department of Social Services; and

WHEREAS, the open positions may be filled by RPNs currently working in the Department of Public Health; and  
WHEREAS, if the positions in the Department of Social Services are filled by the RPNs working in the Department of Public Health, those RPNs could, pursuant to the terms set forward at Article 3, Section 3.13, Layoff and Recall: Non-Competitive of the collective bargaining agreement (2005-2009), lose their accrued seniority due to their entry into the Department of Social Services; and

WHEREAS, in an effort to address this issue and to accommodate the interest of both the County and the Association, the parties have agreed on a non-precedent setting basis to modify the terms set forward in Article 3, Section 3.13 (see the attached MOA); NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized and directed to enter into a Memorandum of Agreement with the New York State Nurses' Association to modify Article 3, Section 3.13 of the 2005-2009 Collective Bargaining Agreement between NYSNA and the County of Cayuga.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 693-07 (November 27, 2008) HD Jablonski, Physical Therapist  
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Contract with Kim Jablonski to Provide Physical Therapy Services for CHHA**

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

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

WHEREAS, the Department relies to an extent on obtaining services through certain professional independent contractor providers; 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 Kim Jablonski for PT services in the northern Cayuga County area for the period of December 1, 2007 through December 31, 2008 at the following rates:

<u>Disciplines</u>	<u>Rates</u>	<u>Comment</u>
Initial Evaluation.....	\$62.00/Evaluation	To Include All Reporting
Routine Visit.....	\$57.00/Visit	To Include All Reporting
Orientation Inservices.....	\$25.00/Hour	

and be it further

RESOLVED, that the costs of the above services be paid out of account #4012.400, line item #.127 of the Health Department Budget.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 694-07 (November 27, 2007) HS Facilitated Enrollment 2008  
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Renew its Contract with the State to Accept Funding for the Facilitated Enrollment Grant**

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

WHEREAS, Cayuga County Department of Health & Human Services wishes to renew its contract with the NYS Department of Health by accepting a second year of funding for the purpose of managing the 100% funded Facilitated Enrollment Program for the period January 1, 2008 through December 31, 2008; now, therefore, be it RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to renew the contract with NYS Department of Health in order to continue participation in the 100% funded Facilitated Enrollment Program and to authorize them to enter into any subcontracts necessary to implement this grant; and be it further

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

Increase Account #6010.48.....\$149,800

Increase Account #3651.....\$149,800

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 695-07 (November 27, 2007) HD Accept 2007-08 COLA Funds  
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Accept COLAs Attached to the Health Department's 100% State Funded Programs and Authorize the County Treasurer to Make the Appropriate Adjustments in the Health Department's Budget**

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

WHEREAS, Part C.15 of Chapter 57, Laws of 2006 provide for the Commissioner of Health to establish an annual cost of living adjustment (COLA) for programs outlined in the statute; and

WHEREAS, this COLA is based on a Congressional Budget Office calculation for state fiscal year 2007-08, and has been established at 5.15%; and

WHEREAS, to accept the COLAs attached to our programs we must certify that these funds have been or will be used for expenditures associated with the recruitment and retention of staff or other critical non-personal services costs between April 1, 2007 and March 31, 2008; NOW, THEREFORE, BE IT

RESOLVED, that as the Health Department receives notification of the cost of living adjustments to grant programs that fall in this category, the Chairman of the Legislature and the Director of Health & Human Services be

authorized to sign the required certifications to accept the COLAs attached to these programs; and be it further

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

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 696-07 (November 27, 2007) HS FSNEP Cornell Coop 2007  
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Accept  
Funding for the Food Stamp Nutrition Education Program (FSNEP) and Contract With Cornell Cooperative  
Extension for Services Related to FSNEP**

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

WHEREAS, the Human Services Department, a division of Health & Human Services, will act as the lead agency in regards to the claiming and reporting of the Food Stamp Nutrition Education Program to the State; and

WHEREAS, this program will provide nutrition education activities to any individual or household potentially eligible to participate in the Food Stamp Program, as well as current recipients; and

WHEREAS, the Department of Health and Human Services desires to renew their contract with Cornell Cooperative Extension which would allow the Human Services Division to reimburse Cornell Cooperative Extension and claim these expenditures at 100% Federal reimbursement; and

WHEREAS, the Human Services Department relies on Cornell Cooperative Extension to assist the above noted food stamp applicants and recipients, by providing them with nutritional education in order to help them adopt a more nutritional lifestyle as well as utilize their food stamp benefits more efficiently; NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be authorized to accept 100% federal funding for the Food Stamp Nutrition Education Program for the period October 1, 2007 through September 30, 2008 in the amount of \$76,014, and enter into a contract for the above services with Cornell Cooperative Extension; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the Human Services 2007 budget in the following manner:

Increase Account A6070.400.227 Services to Recipients.....\$76,014

Increase Account A4670 Federal Aide Client Services.....\$76,014

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 697-07 (November 27, 2007) HS WRAP 2007-2008  
Authorizing the Chairman of the Legislature and the Director of Health & Human Services to Accept 100%  
Funding for the Provision of Services Related to the Home Energy Assistance Program (HEAP)  
Weatherization Referral and Packaging (WRAP) and Contract With Cayuga/Seneca**

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

WHEREAS, the Department of Health and Human Services (Human Services Division) has received a 100% federally funded WRAP allocation in the amount of \$10,299; and

WHEREAS, these funds are for the provision of home energy assessments to help low income HEAP eligible individuals who are at risk because they are unable to heat or cool their homes adequately; and

WHEREAS, the Department of Health & Human Services has in the past relied on the Cayuga/Seneca Community Action Agency, Inc. to identify eligible families to receive these services; now, therefore, be it

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

Increase Appropriation Account #6010.42.....\$10,299

Increase Revenue Account #4610.....\$10,299

and be it further

RESOLVED, that the Chairman of the Legislature and the Director of Health & Human Services be allowed to enter into a contract with Cayuga/Seneca Community Action Agency, Inc. for the period October 1, 2007 - September 30, 2008.

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

Approved by voice vote, all present voting aye.

**Resolution No. 698-07 (November 27, 2008) HD Amend Health Budget November 2007  
Authorizing the County Treasurer to Amend the 2007 Cayuga County Health Department Budget/Transfer Funds.**

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

WHEREAS, after the submission of the 2007 Health Department Budget, it has been determined that additional funding is needed for unanticipated expenses in Account 4045.4 related to providing services to physically handicapped children; and

WHEREAS, funds are available in the Health Department's Salary Account due to unexpected under spending;  
NOW, THEREFORE, BE IT

RESOLVED, that the County Treasurer be authorized and directed to transfer funds in the following manner:

<u>Appropriation Accounts</u>	<u>Increase</u>	<u>Decrease</u>
A4045.400.305 Tuition PHC	\$20,000	
A4045.400.306 Transportation	\$10,000	
A4012.100.000 Salary		\$30,000

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.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 699-07 Date of Meeting: 11/27/07 nhtransferfunds  
AUTHORIZING THE TREASURER OF CAYUGA COUNTY TO TRANSFER FUNDS AUTHORIZED IN  
THE BUDGET TO THE CAYUGA COUNTY NURSING HOME ACCOUNT.**

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 for funding the operations of the facility; and,

WHEREAS the budget of the County of Cayuga contains a total amount of \$794,000 for the operation of the nursing home; and,

WHEREAS the Cayuga County Nursing Home anticipates an amount of \$ 547,013 that is necessary at this time;

Now therefore be it

RESOLVED that the Treasurer of Cayuga County be authorized to transfer funds from Account Number 9903 in the amount of \$547,013 (Five Hundred Forty –Seven Thousand Thirteen Dollars) to the Cayuga County Nursing Home Account.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 700-07 DATE: 11/27/07 OFANewsletterBidNov07rev  
Authorizing the Clerk of the Legislature and the Purchasing Agent to advertise for sealed  
proposals for the printing of the Cayuga County Office for the Aging Senior Citizen quarterly newsletter and  
authorizing the Chairman of the Legislature to award bid to the lowest qualified, responsible bidder.**

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

Mr. Paul Dudley, Chair, Ways and Means Committee.

WHEREAS, The Cayuga County Office for the Aging publishes a quarterly newsletter for the benefit of 10,000 Senior Citizen residents of Cayuga County; and

WHEREAS, funds have been received from the New York State Office for the Aging to continue this publication; and

WHEREAS, the Health and Human Services Committee of this legislature has reviewed and approved the attached bid specifications for the printing of a quarterly newsletter; now, therefore be it

RESOLVED, that the Clerk of the Legislature and Deputy Clerk/Purchasing Agent be authorized and directed to advertise and receive sealed bids in accordance with General Municipal Law, Section 103, for the quarterly printing of the Cayuga County Office for the Aging Senior Citizen Newsletter; and be it further

RESOLVED, that the Chairman of the Legislature be authorized to award said bid to the lowest qualified, responsible bidder.

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

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

**Resolution No: 701-07 November 27, 2007 nhbidrmsigns**

**AUTHORIZING THE CLERK OF THE CAYUGA COUNTY LEGISLATURE AND THE ADMINISTRATOR OF THE NURSING HOME TO ADVERTISE AND RECEIVE SEALED BIDS FOR ROOM SIGNS FOR CAYUGA COUNTY NURSING HOME**

BY: ANN PETRUS, CHAIRPERSON

HEALTH & HUMAN SERVICES COMMITTEE

Whereas, the Cayuga County Nursing Home requires room signs; and

Whereas, the Health and Human Services Committee of this legislature has reviewed and approved the bid specifications for signage; now therefore be it

Resolved, that the Clerk of the Cayuga County Legislature and Administrator of the Cayuga County Nursing Home are authorized to advertise and receive sealed bids for the room signage at the nursing home.

Signed by Petrus, Sedor, Dudley, Cuddeback, Tortorici, Pappert.

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 702-07 Date of Meeting: 11/27/07**

**nhnursingsuperadjsalaryrev**

**AUTHORIZATION TO ADJUST THE SALARY OF THE POSITION OF A SUPERVISING NURSE AT THE CAYUGA COUNTY NURSING HOME.**

BY: Paul Dudley, Chairman, Ways and Means Committee

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

WHEREAS, Alice Amoia has agreed to assist the Nursing Home on a temporary basis while the person in that position is out on an approved leave of absence; and

WHEREAS, Ms. Amoia has served the county in other positions for over 17 years; Now be it therefore

RESOLVED, that Ms. Amoia be hereby placed on the fourth step of the salary plan of this particular position of Supervising Nurse at Cayuga County Nursing Home because of her experience and expertise; and be it further RESOLVED, that Ms. Amoia continue on the fourth step of Supervising Nurse pursuant to the Cayuga County Compensation Plan, Part II should this temporary appointment continue in 2008.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 703-07 (November 27, 2007) HD Fill PHN and RN at CHHA**

**Authorizing the Director of Health & Human Services to Fill One PHN and One RN Vacancy at the CHHA**

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

Paul Dudley, Chairman of the Ways & Means Committee

WHEREAS, there is a Public Health Nurse (PHN) vacancy due to retirement effective 11/29/07 and an RN vacancy due to resignation effective 11/13/07 at the Health Department's Home Care Agency (CHHA); and

WHEREAS, these positions are 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 PHN vacancy and the RN vacancy and any fill behinds that may occur in a manner consistent with the rules and regulations of the County of Cayuga and the Cayuga County Civil Service Commission; and be it further

RESOLVED, that if the Department is unable to recruit a candidate for the PHN position due to the Bachelor Degree requirement, that the Department be able to fill this vacancy with an RN (Position Control #02026 - unfunded) and fund it through PHN Position Control #03884.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 704-07 (11/27/07) COA-OFIRAMP-FLEMINGrev**  
**AUTHORIZING PAYMENT TO OPTIONS FOR INDEPENDENCE IN REGARD TO THE RAMP**  
**CONSTRUCTION PROGRAM.**

BY: MR. DUDLEY, Chair, Ways & Means Committee and  
MRS. PETRUS, Chair, Health & Human Services Committee.

WHEREAS, the sum of \$5,000.00 was appropriated in the 2007 County Budget to assist Options for Independence with its program for the construction of handicapped ramps at various sites throughout the County; and

WHEREAS, Options For Independence has submitted a voucher for payment in the total amount of \$5,000.00, which represents work performed by Auburn Siding, Window & Door to build a ramp for Frank Janas at 2820 Stone School Road, Fleming, New York in the amount of \$4,500.00, plus the Options for Independence Administration Fee of \$500.00 now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to make payment to Options for Independence for the above in the amount of \$5,000.00 from Account #A-4047.400.118 (Contractual) budgeted for 2007.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 705-07 11/27/07 COL NightQuarantineDogs08**  
**AUTHORIZING THE CONTINUATION OF THE NIGHT QUARANTINE ON DOGS IN CAYUGA**  
**COUNTY.**

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

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

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

RESOLVED, that this Legislature hereby orders that the night quarantine on dogs be continued until December 31, 2008 in accordance with Section 123 of the New York State Agriculture and Markets Law which defines "night" as between sunset and one hour after sunrise; and be it further

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

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

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 706-07 11/27/07 COL dogquarantine08**  
**DECLARING A 24 HOUR DOG QUARANTINE DURING THE WINTER SEASON.**

BY: Hon. Francis Mitchell, Chairman Government Operations.

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

RESOLVED, that this Cayuga County Legislature hereby orders that all dogs in the County of Cayuga be securely confined for a period of twenty four hours per day, effective immediately and until April 30, 2008, pursuant to Article 7, Section 122 and 123 of the New York Agriculture Markets Law, and be it further,

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

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

Approved by voice vote, all present voting aye.

## CAYUGA COUNTY, NEW YORK

November 27, 2007

A regular meeting of the County Legislators of Cayuga County, New York was held at the Legislature Chamber on the 6<sup>th</sup> floor of the Cayuga County Office Building, 160 Genesee Street, Auburn, New York on November 27, 2007, at 6:30 P.M. (Prevailing Time).

**There were present:** (County Legislators)

Linda Murphy  
Christopher Palermo  
Paul Dudley  
David Axton  
Ann Petrus  
Raymond Lockwood  
Francis Mitchell  
Steven Cuddeback  
Peter Tortorici  
Daniel Schuster  
Michael Lepak  
George Fearon

**There were Absent:** (County Legislators)

Michele Sedor - Excused  
David Pappert - Excused  
Steven Netti - Excused

Approved by 2/3 vote, all present voting aye, except Excused Sedor, Pappert and Netti 195/49

**BOND RESOLUTION OF CAYUGA COUNTY, NEW YORK, ADOPTED ON NOVEMBER 27, 2007 AMENDING AND RATIFYING A BOND RESOLUTION ADOPTED ON JULY 24, 2007 AUTHORIZING THE ACQUISITION OF PROPERTY LOCATED AT 25 PROSPECT STREET, AUBURN, NEW YORK AT AN ESTIMATED MAXIMUM COST OF \$235,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF UP TO \$235,000 BOND ANTICIPATION NOTES AND SERIAL BONDS OF THE COUNTY TO PAY THE COST OF THE PROJECT**

Offered by Honorable Francis Mitchell, Chairman, Governmental Operations Committee, who moved for adoption, and Hon. Paul Dudley, Chairman, Ways and Means Committee, who second its adoption, to wit:

**WHEREAS**, Section 215 of the County Law empowers the County Legislators of Cayuga County, New York (the "County") to adopt a resolution for the general care and control of real and personal property of the County; and

**WHEREAS**, by Resolution No. 469-07 adopted on July 24, 2007, the County Legislators of the County determined that it is necessary for the County to acquire a parcel of property located adjacent to Cayuga Community College (the "Project"); and

**WHEREAS**, the County Legislators now desire to ratify and amend the July 24, 2007 resolution to authorize the Project and the method of financing the cost thereof.

**NOW, THEREFORE BE IT RESOLVED ON NOVEMBER 27, 2007 BY THE COUNTY LEGISLATORS OF CAYUGA COUNTY, NEW YORK (by favorable vote of not less than two thirds of said Board), AS FOLLOWS:**

**Section 1.** The acquisition of property located at 25 Prospect Street, Auburn, New York together with all other necessary costs incidental to such acquisition, at a maximum estimated cost of \$235,000, which is estimated to be the total cost thereof, is hereby approved.

**Section 3.** The plan for the financing of the aforesaid specific object or purpose is by the issuance of up to \$235,000, or such amount less than \$235,000 as may be necessary, of serial bonds or any bond anticipation notes in anticipation of the issuance and sale of the bonds of said County, hereby authorized to be issued pursuant to the Local Finance Law and the levy of a tax to pay interest on said obligations.

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

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

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

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

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

- (a) Pursuant to subdivision 21 of paragraph a of Section 11.00 of the Local Finance Law, the period of probable usefulness of the Project is thirty years (30) years; and
- (b) Current funds are not required by the Local Finance Law to be provided prior to the issuance of the bonds and any notes issued in anticipation thereof authorized by this resolution; and
- (c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.
- (d) The County reasonably expects to reimburse itself for expenditures made out of the County's General Fund for the Project from the proceeds of the bonds or notes herein authorized.
- (e) This resolution is a declaration of official intent to reimburse for purposes of Treasury Regulation Section 1.150-2.
- (f) The bonds authorized herein are not being issued for an assessable improvement.

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

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

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

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

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

**Section 13.** This Resolution shall become effective immediately. The County Clerk is hereby directed to cause the publishing and posting of a notice in substantially the form provided in Section 81.00 of the Local Finance Law together with a summary of this Bond Resolution.

**WHEREFORE**, the foregoing Resolution was put to a vote of the members of the County Legislators of the County on November 27, 2007, the result of which vote was as follows:

**I HEREBY CERTIFY, THAT I HAVE COMPARED THE FOREGOING COPY OF A RESOLUTION DULY PASSED AND ADOPTED BY THE LEGISLATURE OF CAYUGA COUNTY AT A MEETING HELD ON THE 27TH, DAY OF NOVEMBER, 2007 WITH THE ORIGINAL RESOLUTION, AND THAT THE SAME IS A TRUE AND CORRECT COPY AND TRANSCRIPT THEREOF, AND THE WHOLE THEREOF.**

11/28/2007 10:06 AM

\_\_\_\_\_  
CLERK, CAYUGA COUNTY LEGISLATURE

**CERTIFICATE**

I, the undersigned County Clerk of Cayuga County, State of New York, **HEREBY CERTIFY:**

That I have compared the annexed extract of the minutes of a meeting of the County Legislators of said County including the resolution contained therein, held on November 27, 2007, with the original thereof on file in my office, and that the same is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relates to the subject matters therein referred to.

**I FURTHER CERTIFY** that all members of said County Legislators had due notice of said meeting.

**I FURTHER CERTIFY** that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law) proper notice was given relative to said meeting and said meeting was open to the general public.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the corporate seal of the Cayuga County, New York, this 28 day of November, 2007.

\_\_\_\_\_  
**Susan M. Dwyer, County Clerk**

[SEAL]

**NOTICE OF BOND RESOLUTION**

The resolution, a summary of which is published herewith, was adopted on November 27, 2007. The validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Cayuga County, New York is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the constitution.

\_\_\_\_\_  
**Susan M. Dwyer, County Clerk**

**SUMMARY OF BOND RESOLUTION**

A Resolution adopted by the County Legislators of the Cayuga County, New York (the "County") on November 27, 2007 authorizes the issuance of bonds and other obligations to finance the acquisition of property located at 25 Prospect Street, Auburn, New York together with all other necessary costs incidental to such acquisition, and to expend a total maximum estimated sum of \$235,000 which is estimated to be the total maximum cost thereof (the "Project"), and to pay for such Project by the levy of a tax for the foregoing object or purpose in an amount not to exceed \$235,000, which shall be levied and collected in annual installments in such years and in such amounts as may be determined by the County Legislators and that in anticipation of the collection of such tax, bonds and notes of the County are hereby authorized to be issued at one time, or from time to time, in the principal amount not to exceed \$235,000 and a tax is authorized to pay the interest on said obligations when due. Under the Local Finance Law, the Project has a period of probable usefulness of thirty (30) years. Such resolution shall be kept available for public inspection in the County Clerk's Office during regular business hours for twenty days following this publication.

**RESOLUTION NO. 708-07 (11.27.07) COMsoftwarepurchrev4  
ACCEPTING PROPOSAL FOR MUNICIPAL FINANCIAL SOFTWARE, ESTABLISHING CAPITAL  
"H" PROJECT NO. 07-05 (TYLER SOFTWARE) FOR THE PURCHASE, INSTALLATION,  
TRAINING AND OTHER ASSOICATED COSTS FOR TYLER TECHNOLOGIES, INC., AUTHORIZING  
THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO SIGN AGREEMENTS AND  
AUTHORIZING TRANSFER OF FUNDS.**

BY: Hon. Francis Mitchell, Chairman Government Operations Committee

Hon. Paul Dudley, Chairman Ways and Means Committee

WHEREAS, Cayuga County continues to experience failures, mistakes and significant down time with its present financial software application; and

WHEREAS, this financial software application was purchased over 20 years ago; and

WHEREAS, the financial software application is outdated nor does it meet the County's needs in the current and future technological advancements in municipal accounting and processes; and

WHEREAS, it has been identified that a new financial software management software solution will significantly improve efficiency and accountability throughout County government; and

WHEREAS, Resolution No. 197-07 authorized requests for proposals for municipal financial software; and

WHEREAS, proposals were received from three vendors: KVS Information Systems, Inc, New World and Systems East, and Tyler Technologies, Inc.; and

WHEREAS, the County started its study and analysis of software solutions seven months ago; and

WHEREAS, the County sought a financial software, property tax and personnel software applications that are fully integrated that would eventually lead to the ability of any County taxpayer to connect to the County system to conduct their business;

WHEREAS, Tyler Technologies, Inc. agreed to complete the project a cost of \$750,000.00; and

WHEREAS, the County Legislature has appropriated \$350,000.00 in the 2007 budget for the initial investment of a capital project for purpose of purchasing and installing an integrated fiscal, property tax and personnel management software applications; and

WHEREAS, the sum of \$80,000.00 is available for this project in Account No. 4012.2, Equipment; and the sum of \$20,000.00 is available in Account No. 6129, State training Schools;

now, therefore be it

RESOLVED, that after extensive review by County end users, Department Heads and Legislators, the County selects Tyler Technologies, Inc. and their proposal to meet the County's financial, personnel and property tax applications at a cost not to exceed \$750,000.00; and, be it further

RESOLVED, that the County Legislature authorizes the Chairman to sign a contract with Tyler Technologies, Inc; and, be it further

RESOLVED, that in order to carry out this project, the County Treasurer be and he is hereby authorized and directed to create Capital "H" Project No. 07-05 (Tyler software) not to exceed \$750,000.00, is the transfer of the sum of \$350,000.00 from Account No.A-1375.2, Equipment; the sum of \$80,000.00 from Account No. 4012.2, Equipment; and, the sum of \$20,000.00 from Account No. 6129, State training Schools; with the balance of \$300,000.00 be transferred from Account No. A-1990; and be it further

RESOLVED, that the County Legislature recognizes this Capital Project will be span over 24-30 months and said project shall be completed in 3 phases; and be it further

RESOLVED, that the County Legislature will cap the cost of this project at a sum not to exceed \$750,000.00; 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 Dudley, Lockwood, Cuddeback, Mitchell, Murphy, Petrus, Schuster.

Approved by 2/3 vote, all present voting aye, except Excused Sedor, Pappert, and Netti 195/49

**RESOLUTION NO. 709-07**

**11/27/07**

**boeinspectorpayrev**

**AUTHORIZING THE BOARD OF ELECTIONS AND COUNTY TREASURER  
TO PAY ELECTION INSPECTORS AND CUSTODIANS**

BY: Mr. Mitchell, Chairman, Government Operations Committee

BY: Mr. Dudley, Chairman, Ways & Means Committee

WHEREAS, § 3-420.1 and § 3-302.6 of the New York State Election Law mandate that as of January 1, 2006, towns and cities in New York State will no longer pay election inspectors and machine custodians and establishes this process as a function of each county, and

WHEREAS, the Election Law provides that each county legislative body approves the payment amount for each election inspector and machine custodian, and

WHEREAS, there was insufficient time to complete the Election Board's November audit due to the general election being held on the due date of the audit; and be it

RESOLVED, that the County Treasurer be and he hereby is authorized and directed to pay the claims so audited and charge account A1450.400.078 (General Election Inspectors) made therefore in the County Budget finalized on December 13, 2006.

RESOLVED, that the County Treasurer is authorized to issue payment in the amount of \$39,105.00 to the election inspectors

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 710-07 November 27, 2007**

**PB\_Cntrct\_FL\_A\_Grant\_rev1**

**AUTHORIZING THE SIGNING OF A CONTRACT WITH THE FINGER LAKES ASSOCIATION FOR  
THE TRANSFER OF NYSDEC FUNDING FOR THE FINGER LAKES-LAKE ONTARIO WATERSHED  
PROTECTION ALLIANCE, SFY 2006 – 2007 Special Projects Fund**

BY: Mr. Daniel Schuster, Chair, Planning and Economic Development Committee

Mr. Paul M. Dudley, Chair, Ways and Means Committee

WHEREAS, Cayuga County, as one of the twenty-five (25) voting members of the Water Resources Board of the Finger Lakes-Lake Ontario Watershed Protection Alliance (FL-LOWPA), has been allocated NYS Department of Environmental Conservation (NYSDEC) grant funds for its water quality program under FL-LOWPA; and

WHEREAS, NYSDEC has agreed to transfer funding for the twenty-five (25) member programs to the Finger Lakes Association (FLA) via a single contract between NYSDEC and FLA, thereby requiring that Cayuga County enter into a contract with the Finger Lakes Association to access these grant funds; now, therefore, be it

RESOLVED, that the Chairman of the Cayuga County Legislature is hereby authorized and directed to execute any and all contracts between Cayuga County and the FLA to allow transfer of these grant funds to Cayuga County from the FLA as specified in said contract, and to act as the official representative of Cayuga County in connection with any and all contracts between Cayuga County and the FLA for these SFY 2006-07 Special Project funds; and be it further

RESOLVED, that the Planning and Economic Development Department's 2007 budget is hereby amended so as to add \$5,573 to the Department's 3994.000.000-A State Aid – FL/FLOWPA GRANT revenue account, and the WQMA's 2007 budget is hereby amended so as to add \$5,573 to the agency's 8740.410.000-A FLOWPA GRANT expenses account, with no net change in the Planning Department budget to accommodate this project; and be it further

RESOLVED, that a signed, certified copy of this Resolution be submitted to the Finger Lakes Association along with said executed contract.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 711-07 11.27.07**

**Hwysempsaltshdagrrev**

**AUTHORIZING THE PREPARATION AND SUBMITTAL OF SHARED MUNICIPAL SERVICES INCENTIVE GRANT APPLICATION TO NYS DEPARTMENT OF STATE.**

By: Steven E. Cuddeback, Chair, Public Works

By: Paul Dudley, Chair, Ways and Means Committee

WHEREAS, the County of Cayuga and the Town of Sempronius are eligible to receive grant funds under the NYS Department of State's Shared Municipal Services Incentive Grant Program that provides funds to undertake projects that encourage intermunicipal cooperation; and

WHEREAS, the County of Cayuga and Town of Sempronius currently store approximately 3800 tons of highway deicing materials included sand and salt at the site of the Town Highway garage on NYS Route 41A in the Town of Sempronius, two-thirds of which is County and one-third of which is Town deicing material; and

WHEREAS, the current method of storage of these materials, which is outside without cover, causes loss of highway materials to the elements; decreased performance due to contamination from foreign substances; and subsequent increased demands on staff and vehicle usage for winter roadway maintenance as a result of increased product performance; and

WHEREAS, the current storage site is located within 500 feet of a tributary within the Owasco Lake watershed, and raises environmental concerns related to soluble salt pollution into Owasco Lake tributaries and into the Lake itself; and

WHEREAS, construction of a shared salt shed to be used by both the Town and County would resolve these issues associated with the current storage system; and

WHEREAS, the Shared Municipal Services Incentive Grant Program will fund 90% of the total project cost of \$281,769, and requires a minimum 10% local cash match of 28,176.90; and

WHEREAS, the Shared Municipal Services Incentive Grant Program requires designation of a lead applicant and one or more co-applicants, the lead applicant of which shall administer the grant and enter into all required agreements with NYS DOS; now therefore be it

RESOLVED, that Cayuga County Legislature Chairman George C. Fearon is hereby authorized to submit a Shared Municipal Services Incentive Grant Program application in the amount of \$253,592 in conjunction with the Town of Sempronius for the above cited objective, with the County of Cayuga serving as applicant and the Town of Sempronius serving as co-applicant, and with Cayuga County Highway Department Superintendent George Wetthey serving as the contact person; and be it further

RESOLVED, that the Cayuga County Legislature hereby authorizes commitment of \$18,800, which is approximately two-thirds of the required 10% cash match, to come from Account No. 5130.400.012 with the understanding that the Town of Sempronius will commit \$9,377, which is approximately one-third of the required 10% match, and both of which are based on the anticipated usage of the proposed salt shed, only if funding is secured; and be it further

RESOLVED, that the Chairman of the County Legislature is hereby authorized to take such steps and to execute such agreements as may be required to transmit said application to NYS Department of State, and to accept and process said application if funded, including entering into an intermunicipal agreement with the Town of Sempronius for long-term shared use of the salt shed; and be it further

RESOLVED that the Cayuga County Treasurer establish such accounts and make such journal entries as may be needed to receive and expend these funds and the Cayuga County Highway Department is hereby authorized to administer the project.

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

Approved by voice vote, all present voting aye.

**Resolution No. 712-07 November 27, 2007 Hwybudtraequip  
Authorization to Amend the 2007 Cayuga County Highway Budget for Internal Equipment Rental**

BY: Steve Cuddeback Chairman, Public Works Committee

Paul Dudley Chairman, Ways and Means Committee

WHEREAS, after the submission of the 2007 Cayuga County Highway Budget, it appears that the usage of Highway equipment has been different than originally predicted; and

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

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

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

<u>Appropriation Accounts</u>	<u>Increase</u>	<u>Decrease</u>
D5148.400.093 Machinery Rental	\$ 4,000	
D5113.400.093 Capital Improvements		\$ 4,000

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, Palermo, Pappert, Tortorici, Lepak, Dudley, Lockwood, Murphy, Schuster, Petrus.

Approved by voice vote, all present voting aye.

**Resolution No. 713-07 November 27, 2007 hwytransferplowingrev  
Budget Transfer of the 2007 Cayuga County Highway Budget for contract snow removal**

BY: Steve Cuddeback Chairman, Public Works Committee

Paul Dudley Chairman, Ways and Means Committee

WHEREAS, in the 2007 Highway Budget, a total of \$1,061,720.00 was budgeted for hiring the towns to plow county roads; and,

WHEREAS, it is necessary to amend the 2007 Highway Budget to do a 3.25% negotiated increase in their contracts; 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 5130.400.079 (paving)		\$14,821
D 5142.400.105 (contract plowing)	\$14,821	

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, Palermo, Pappert, Tortorici, Lepak, Dudley, Lockwood, Murphy, Schuster, Petrus.

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 714-07 11/27/07 BLD HPO Budget transfer rev  
Authorization to transfer funds.**

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

Hon. Paul Dudley, Chairman, Ways & Means Committee

WHEREAS, the responsibility of the Historic Post Office maintenance budget was transferred from the Treasury Department to the Building and Grounds Department; and

WHEREAS, the design cost of the new boiler system was not considered in the HPO 7530 budget and has depleted line 7530.400.012 Building Maintenance; and

WHEREAS, sufficient fund are available in line 7530.400.024 Gas Service;

Now let it be

RESOLVED, that the sum of \$6000.00 be transferred from Account No. 7530.400.024 (Gas service) to Account No. 7530.400.012; 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, Pappert, Tortorici, Lepak, Dudley, Lockwood, Murphy, Schuster, Petrus.

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 715-07 Date: 11/27/07 hwy 07-08TownRateIncForSnowRemamend  
AMENDING RESOLUTION 598-07 TO APPROVE PER MILE RATES FOR SNOW REMOVAL FOR  
THE VILLAGE OF CAYUGA**

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

Whereas, Resolution No. 598-07 approved the per mile rate for snow removal; and  
Whereas, an error was made on Resolution No. 598-07 2007 for the per mile rates for snow removal for the Village of Cayuga; and

Whereas, the amount should read \$3,863.54; 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 in the amount of \$3,863.54 for 07-08 winter season; and be it further

Resolved, that Resolution No. 598-07 is amended to reflect this change.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 716-07 Date: November 27, 2007hwygenfund  
AUTHORIZATION FOR THE HIGHWAY DEPARTMENT TO BORROW FUNDS FROM THE  
GENERAL FUND**

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

WHEREAS, the CHIPS Capital Reimbursement has been submitted to the State of New York for payment, and this payment is scheduled to be made on or about December 17, 2007; and

WHEREAS, this claim for reimbursement is for \$2,175,612.63 which is the total balance available for Cayuga County; now therefore be it

RESOLVED, to allow the Highway Department to borrow \$2.1 million from the General Fund, as authorized by Section 9A of the New York State Municipal Law, to enable the Highway Department to pay bills and the Snow Plow Contracts with the towns of Cayuga County that are due, and the agreement that these monies will be paid back to the General Fund upon receipt of the CHIPS Reimbursement from the State of New York and no later than December 31, 2007; 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, Palermo, Pappert, Lepak, Tortorici, Dudley, Murphy, Petrus, Schuster.

Approved by voice vote, all present voting aye.

**Resolution No. 717-07 November 27, 2007 itreploutersrevC  
AUTHORIZING THE INFORMATION TECHNOLOGY DEPARTMENT TO REPLACE CISCO  
NETWORK ROUTERS**

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

WHEREAS, the existing Cisco network routers for controlling County network traffic are obsolete and no longer supported by the manufacturer; now therefore, be it

RESOLVED, that the Information Technology Department is authorized to purchase and install 3 new Cisco routers on New York State contract in the amount of \$26,398.00; and be it further

RESOLVED, that the Cayuga County Treasurer is hereby authorized to transfer the amounts not to exceed \$18,398.00 from Account No. A1020.100.000 (IT) to Account No. A1020.200.000 for the purchase and installation of Cisco network routers; 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, Pappert, Tortorici, Dudley, Murphy, Petrus, Schuster.

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 718-07 (11/27/07) P&TSTERLINGTRAILGRANT82807REV3  
 CLARIFYING THE FUNDING SOURCE FOR RESOLUTIONS 124-01, 273-02, 371-02 AND 518-05 AND  
 AUTHORIZING TRANSFER OF FUNDS INTO CAPITAL “H” PROJECT NO. 02-2.**

By: Mr. Steve Cuddeback, Chairman, Public Works  
 Paul M. Dudley, Chair, Ways and Means Committee

Whereas, Resolution Numbers 124-01, 273-02, 371-02 and 518-05 called for applying for and accepting a grant and establishing Capital “H “ Project No. 02-2 for the completion of a trail at Sterling Nature Center; and

Whereas, these resolutions did provide for a local share of \$20,000, to be amortized in future operating budgets of the Sterling Nature Center; and

Whereas, Resolution 518-05 authorized funding Capital H Project #02-2 with \$5,150 from the 2005 budget of The Sterling Nature Center, and

Whereas, the Director of the Sterling Nature Center and the Park Maintenance Supervisor propose that remaining funds from the 2007 operating budget of The Sterling Nature Center (Budget Account Numbers 7113) be transferred into Capital H Project No. 02-2 as part of the \$20, 000.00 local share; and

Whereas, Resolution 371-02 stated that Cayuga Park LLC was to provide \$40,000 of the match for the project; and

Whereas, Cayuga Park LLC is no longer going to provide funding for the project; and

Whereas, The Dr. Joseph F. Karpinski Sr. Foundation did donate \$10,000 as a Challenge Grant to the Friends of Sterling Nature Center; and

Whereas, The Friends have generated the matching \$10,000 plus an additional \$2,000 (so far) for a total of over \$22,000; now, therefore, be it  
 Resolved, the Cayuga County Treasurer is hereby authorized and directed to transfer the following remaining fund balance from the 2007 operating budget of The Sterling Nature Center (Budget Account Numbers 7113) to Capital H Project No. 02-2 to serve as part of the county \$20,000 match;

7113.2	Equipment	not to exceed \$ 3,600
7113.4.012	Building Maintenance	not to exceed \$ 3,200
7113.4.022	Electric Repairs	not to exceed \$ 800
7113.4.043	Landfill Charge	not to exceed \$ 200
7113.4.048	Books	not to exceed \$ 200
7113.4.049	Office Supplies	not to exceed \$ 200
7113.4.055	Postage	not to exceed \$ 200
7113.4.058	Dues and Memberships	not to exceed \$ 100
7113.4.059	Professional Services	not to exceed \$ 2,500
7113.4.070	Stationary and forms	not to exceed \$ 150
7113.4.074	Dept. expense	not to exceed \$ 700
7113.4.132	Promotion	not to exceed \$ 1,200
7113.4.150	Exhibit creation	not to exceed \$ 1,800
<b>Total</b>		<b>not to exceed \$14,850</b>

and be it further

Resolved, that The Friends will continue to generate funds for the project until it begins and at that time will deposit the funds generated into the Capital “H” Account No. –2-2; 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, Lepak, Lockwood, Pappert, Tortorici, Dudley, Murphy, Petrus, Schuster.

Approved by voice vote, all present voting aye.

**Resolution No. 719-07 11/27/07**

**P&TSnomobGrtpayFds2007**

**AUTHORIZING THE PAYMENT TO LOCAL SNOWMOBILE CLUBS FROM THE SNOWMOBILE GRANT FUNDS**

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

WHEREAS, Cayuga County applied for and received a state grant in the amount of \$60,075 and revenue A3812 has a balance of \$4,214 for a total of \$64,289.00, which have been allocated in the County's 2007 Budget, and

WHEREAS, resolution #276-07, adopted April 24, 2007 to accept these grants; and

WHEREAS, Cayuga County Snowmobile Clubs are entitled to these funds for the grooming, maintenance, and improvements of these trails

WHEREAS, these funds were sent to the County Treasurer's Department on November 11, 2007, which delayed the invoices from being on the November audit; now therefore be it

RESOLVED, the Cayuga County Treasurer is authorized to pay the various snowmobile clubs as set out on the attached vouchers in an amount not to exceed, \$19,282.50, and be it further

RESOLVED, that the Treasurer make the journal and accounting entries necessary to accomplish the foregoing. Signed by Cuddeback, Plaermo, Lepak, Lockwood, Pappert, Tortorici, Dudley, Murphy, Petrus, Schuster.

Approved by voice vote, all present voting aye.

**CAYUGA COUNTY, NEW YORK**

**coacobbond**

**November 27, 2007**

A regular meeting of the County Legislators of Cayuga County, New York was held at the Legislature Chamber on the 6<sup>th</sup> floor of the Cayuga County Office Building, 160 Genesee Street, Auburn, New York on November 27, 2007, at 6:30 P.M. (Prevailing Time).

**There were present:** (County Legislators)

Linda Murphy  
Christopher Palermo  
Paul Dudley  
David Axton  
Ann Petrus  
Raymond Lockwood  
Francis Mitchell  
Steven Cuddeback  
Peter Tortorici  
Daniel Schuster  
Michael Lepak  
George Fearon

**There were Absent:** (County Legislators)

Michele Sedor – Excused  
David Pappert – Excused  
Steven Netti - Excused

The following resolution was offered by Paul Dudley, who moved its adoption, and second by Daniel Schuster to wit:  
Approved by 2/3 vote, all present voting aye, except Excused Sedor, Pappert and Netti 195/49

**RESOLUTION NO. 720-07 OF CAYUGA COUNTY, NEW YORK, ADOPTED ON MAY 22, 2007 AMENDING AND RATIFYING A BOND RESOLUTION ADOPTED ON DECEMBER 19, 2006 AUTHORIZING CONSTRUCTION, RENOVATION AND IMPROVEMENTS TO THE CAYUGA COUNTY OFFICE BUILDING'S HEATING SYSTEMS AT AN ESTIMATED MAXIMUM COST OF \$865,725, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF UP TO \$865,725 BOND ANTICIPATION NOTES AND SERIAL BONDS OF THE COUNTY TO PAY THE COST OF THE PROJECT**

**WHEREAS**, Section 215 of the County Law empowers the County Legislators of Cayuga County, New York (the "County") to adopt a resolution for the general care and control of real and personal property of the County; and

**WHEREAS**, by resolution adopted on December 19, 2006, the County Legislators of the County determined that it is necessary for the County to undertake a capital improvement project consisting of the construction, reconstruction and improvement of the heating systems servicing the Cayuga County Office Building (the "Project"); and

**WHEREAS**, the County is a local agency pursuant to the New York State Environmental Quality Review Act ("SEQRA"), ECL Section 8-0101, *et seq.*, and implementing regulations, 6 NYCRR Part 617 (the "Regulations"), and

**WHEREAS**, the County has reviewed the classifications of actions contained in the Regulations; and

**WHEREAS**, the County Legislators now desire to ratify and amend the December 19, 2006 resolution to authorize the Project and the method of financing the cost thereof.

**NOW, THEREFORE BE IT RESOLVED ON MAY 22, 2007 BY THE COUNTY LEGISLATORS OF CAYUGA COUNTY, NEW YORK (by favorable vote of not less than two thirds of said Board), AS FOLLOWS:**

**Section 1.** The County hereby determines that the Project constitutes a Type II Action pursuant to Part 617.5(c)(2) of the Regulations and as such is not subject to review under SEQRA.

**Section 2.** The construction, reconstruction and improvement of the heating systems servicing the Cayuga County Office Building together with all related site improvements, original furnishings, fixtures, equipment, machinery and apparatus required for such purposes, architectural fees and all other necessary costs incidental to such work at a maximum estimated cost of \$865,725, which is estimated to be the total cost thereof, is hereby approved.

**Section 3.** The plan for the financing of the aforesaid specific object or purpose is by the issuance of up to \$865,725, or such amount less than \$865,725 as may be necessary, of serial bonds or any bond anticipation notes in anticipation of the issuance and sale of the bonds of said County, hereby authorized to be issued pursuant to the Local Finance Law and the levy of a tax to pay interest on said obligations.

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

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

and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

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

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

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

- (g) Pursuant to subdivision 13 of paragraph a of Section 11.00 of the Local Finance Law, the period of probable usefulness of the Project is ten years (10) years; and
- (h) Current funds are not required by the Local Finance Law to be provided prior to the issuance of the bonds and any notes issued in anticipation thereof authorized by this resolution; and
- (i) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.
- (j) The County reasonably expects to reimburse itself for expenditures made out of the County's General Fund for the Project from the proceeds of the bonds or notes herein authorized.
- (k) This resolution is a declaration of official intent to reimburse for purposes of Treasury Regulation Section 1.150-2.
- (l) The bonds authorized herein are not being issued for an assessable improvement.

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

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

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

be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the County Treasurer shall determine.

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

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

**Section 13.** This Resolution shall become effective immediately. The County Clerk is hereby directed to cause the publishing and posting of a notice in substantially the form provided in Section 81.00 of the Local Finance Law together with a summary of this Bond Resolution.

**I HEREBY CERTIFY, THAT I HAVE COMPARED THE FOREGOING COPY OF A RESOLUTION DULY PASSED AND ADOPTED BY THE LEGISLATURE OF CAYUGA COUNTY AT A MEETING HELD ON THE 27TH, DAY OF NOVEMBER, 2007 WITH THE ORIGINAL RESOLUTION, AND THAT THE SAME IS A TRUE AND CORRECT COPY AND TRANSCRIPT THEREOF, AND THE WHOLE THEREOF.**

11/28/2007 10:06 AM

\_\_\_\_\_  
CLERK, CAYUGA COUNTY LEGISLATURE

**WHEREFORE**, the foregoing Resolution was put to a vote of the members of the County Legislators of the County on November 27, 2007, the result of which vote was as follows:

<b><u>COUNTY LEGISLATOR</u></b>	<b><u>VOTE</u></b>
Linda Murphy	Yes
Michele Sedor	Excused
Christopher Palermo	Yes
Paul Dudley	Yes
David Axton	Yes
Ann Petrus	Yes
Raymond Lockwood	Yes
Francis Mitchell	Yes
Steven Cuddeback	Yes
Peter Tortorici	Yes
David Pappert	Excused
Daniel Schuster	Yes
Michael Lepak	Yes
Steven Netti	Excused
George Fearon	Yes

**DATED:** November 27, 2007

**CERTIFICATE**

I, the undersigned County Clerk of Cayuga County, State of New York, **HEREBY CERTIFY**:

That I have compared the annexed extract of the minutes of a meeting of the County Legislators of said County including the resolution contained therein, held on November 27, 2007, with the original thereof on file in my office, and that the same is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relates to the subject matters therein referred to.

**I FURTHER CERTIFY** that all members of said County Legislators had due notice of said meeting.

**I FURTHER CERTIFY** that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law) proper notice was given relative to said meeting and said meeting was open to the general public.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the corporate seal of the Cayuga County, New York, this 28 day of November 2007.

\_\_\_\_\_  
**Susan M. Dwyer, County Clerk**

[SEAL]

## **NOTICE OF BOND RESOLUTION**

The resolution, a summary of which is published herewith, was adopted on November 27, 2007. The validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Cayuga County, New York is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the constitution.

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**Susan M. Dwyer, County Clerk**

## **SUMMARY OF BOND RESOLUTION**

A Resolution adopted by the County Legislators of the Cayuga County, New York (the "County") on November 27, 2007 authorizes the issuance of bonds and other obligations to finance the construction, reconstruction and improvement of the heating systems servicing the Cayuga County Office Building together with all related site improvements, original furnishings, fixtures, equipment, machinery and apparatus required for such purposes, architectural fees and all other necessary costs incidental to such work, and to expend a total maximum estimated sum of \$865,725 which is estimated to be the total maximum cost thereof (the "Project"), and to pay for such Project by the levy of a tax for the foregoing object or purpose in an amount not to exceed \$865,725, which shall be levied and collected in annual installments in such years and in such amounts as may be determined by the County Legislators and that in anticipation of the collection of such tax, bonds and notes of the County are hereby authorized to be issued at one time, or from time to time, in the principal amount not to exceed \$865,725 and a tax is authorized to pay the interest on said obligations when due. Under the Local Finance Law, the Project has a period of probable usefulness of ten (10) years. Such resolution shall be kept available for public inspection in the County Clerk's Office during regular business hours for twenty days following this publication.

**Authorization to renovate Mental Health area in the Historic Post Office**

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

WHEREAS, The New York State Office of Mental Health has concerns about the space that is being provided for services in Cayuga County, and

WHEREAS, As a temporary solution the New York State Office of Mental Health has requested the existing clinic at the Historic Post Office be modified to accommodate a separate waiting area, for children and adults, until other arrangements for space is made available, and

WHEREAS, the County will utilize Contracted and County personnel to renovate this area,  
Now let it be

RESOLVED, that the sum of \$7,500 be transferred from Account No. A1990 to Buildings Account No. 7530.400.178em Construction/Renovation, to be used for the renovation of this space, and be it further

RESOLVED, that the Superintendent of Buildings and Grounds is authorized and directed to complete this renovation, and be it further

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

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

Approved by 2/3 vote, all present voting aye, except excused Sedor, Pappert, and Netti 195/49

**RESOLUTION NO. 722-07            11/25/07            SHR-ChildPassengerSafetyGrant  
AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO ACCEPT A GRANT FROM THE NEW  
YORK STATE GOVERNOR’S TRAFFIC SAFETY COMMITTEE DMV FOR CHILD PASSENGER  
SAFETY.**

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

WHEREAS, monies were awarded from the State of New York Governor’s Traffic Safety Committee for “Child Passenger Safety”; and

WHEREAS, the Child Passenger Safety grant would help to increase the proper use and installations of child safety seats in NYS.

WHEREAS, all safety training, car seats and educational materials are included in the grant for registered technicians Det. Brian Schenck and Dep. Nicole Stewart; and

WHEREAS, the Cayuga County Sheriff’s Department qualified for the Grant in the amount of \$6,875; 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 New York State Governor’s Traffic Safety Committee DMV 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, Murphy, Palermo, Pappert, Cuddeback, Dudley, cuddeback, Petrus, Schuster.

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 723-07 (11/25/2007)            SHRAWDFOODBID  
AWARDING PROPOSAL FOR FOOD SERVICE AT THE CAYUGA COUNTY JAIL.  
BY: MR. LOCKWOOD, CHAIRMAN, JUDICIAL AND PUBLIC SAFETY**

WHEREAS, the Clerk of the Legislature was authorized to advertise and receive Proposals for FOOD SERVICE AT THE COUNTY JAIL; and

WHEREAS, the proposal opening was held on Monday, October 15, 2007 and only one vendor sent in a proposal; and WHEREAS, after analysis of the proposal (see attached), this committee is of the opinion that the proposal is reasonable; now, therefore, be it

RESOLVED, that the County Legislature hereby awards the recommended proposal for the food service to Canteen Correctional Services; and be it further

RESOLVED, that the Chairman of the County Legislature is hereby authorized to execute any documents necessary to carry out the intent of this Resolution.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 724-07**

**ACCEPT A NEW YORK STATE LEGISLATIVE GRANT AWARD FOR RECRUITMENT AND RETENTION OF ASSISTANT DISTRICT ATTORNEYS AND AUTHORIZE THE EXPENDITURE ACCORDING TO THE DISTRICT ATTORNEYS PLAN APPROVED BY THE DIVISION OF CRIMINAL JUSTICE SERVICES**

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

WHEREAS, the New York State Budget for fiscal year 2006-2007 included an appropriation of funds to support the New York State Legislature’s District Attorney’s Recruitment and Retention Program; and

WHEREAS, the Cayuga County Attorney’s Office received an award of \$7,384.00 to implement and administer the District Attorney’s Recruitment and Retention Program in Cayuga County, and

WHEREAS, the \$7,384.00 award can only be used towards improving the recruitment and retention of assistant district attorney’s and cannot be used to supplant or offset current county appropriations or expenditures, and

WHEREAS, the District attorney of Cayuga County proposed a plan to use the appropriation in the form of “Year-End Performance Bonuses” for designated assistant district attorneys and the State of New York Division of Criminal Justices Services approved that plan, now therefore, be it

RESOLVED, that the District Attorney’s 2007 budget shall be amended to include a new revenue account entitled “STATE AID-DA RECRUITMENT AND RETENTION PROGRAM” in the amount of \$7,384.00; and be it further

RESOLVED, that the District Attorney’s 2007 budget shall be amended to include a new expense account entitled “SLAARIES-DA RECRUITMENT AND RETENTION PROGRAM” in the amount of \$6820.00; and be it further

RESOLVED, that the District Attorney’s 2007 budget shall be amended to increase the Fringe Benefits Account (1165.800) \$564.00 (\$7,384.00 x 7.64% FICA=564.00); and be it further

RESOLVED, THAT THE treasurer of Cayuga County be hereby directed to pay “Year-End Performance Bonuses” to the Following Assistant District Attorneys in the final payroll of 2007:

Christopher T. Valdina.....	\$1,705.00
Charles M. Thomas.....	\$1,705.00
Samuel J. Finnessey, Jr.....	\$1,705.00
Heather M. De Stefano.....	\$1,705.00

And be it further

RESOLVED, that the Treasurer shall make such journal entries in the books of Cayuga County as are necessary and appropriate to record the foregoing.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 725-07 11/27/07 SHR-Cust.Bdgt.transrev.**

**AUTHORIZING A BUDGET TRANSFER WITHIN THE SHERIFF’S 2007 CUSTODY BUDGET IN 3150.400 (CONTRACTUAL)**

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

WHEREAS, there is a \$40,000 (forty thousand dollar) shortfall in the Sheriff’s Custody budget line 3150.400.056, Prescriptions and Drugs; and

WHEREAS, there is a surplus in the Sheriff’s Custody Budget Line 3150.400.024, Gas/Heat New Jail; now therefore be it

RESOLVED that the sum of \$40,000.00 (forty thousand dollars) be transferred fdrom Sheriff’s Custody Line 3150.400.024 (Gas/Heat for New Jail) to the Sheriff’s Custody Line 3150.400.056(Prescriptions and Drugs); and further be it

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

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 726-07      11.27.07 E911 budget transfer rev**  
**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO ALLOW THE TRANSFER OF MONIES WITHIN THE E-911 2007 BUDGET.**

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

WHEREAS, the Cayuga County E-911 Center needs to transfer monies within the 2007 budget to accommodate upcoming bills; and

WHEREAS, account number 3020.400.135, Training, was budgeted to account for in-house Power Phone training that was not attainable for the year 2007; and

WHEREAS, the account for Radio Equipment Maintenance, 3020.400.063, was not sufficiently budgeted to accommodate all costs expected for radio repairs; now therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to allow for the transfer of monies in the amount of \$5,000.00 from account number 3020.400.135 to account number 3020.400.063; and therefore be it

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, Murphy, Palermo, Pappert, Cuddeback, Dudley, Petrus, Schuster.

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 727-07      11/25/07      SHR-Property/Evidence Auction**  
**AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO ALLOW THE CAYUGA COUNTY SHERIFF'S DEPARTMENT TO UTILIZE PROPERTY ROOM.COM'S SERVICES FOR THE AUCTIONING OF PROPERTY AND EVIDENCE**

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

WHEREAS, the Cayuga County Sheriff's Department will be able to utilize Property Room.com for disposing of unclaimed property and evidence that has been seized; and

WHEREAS, Property Room.com removes not only the inventory from our Department but also keeps proper audit trail forms and eliminates much of the paperwork and time consuming maintenance of the property, and

WHEREAS, with the aide of bar coding with our manifest and many digital pictures through Property Room services, we would be able to track all inventory with an audit trail of items available 24/7 on-line; and

WHEREAS, Property Room.com offers timely pickup and removal of all sales, they will clean, repair, test, appraise, evaluate all property and will group or ungroup to create higher sale values as well as dealing with qualified bidders with credit cards; and

WHEREAS, Property Room.com shall either destroy, donate to charity or return all unsold items

WHEREAS, the County will share no cost for Property Room.com; now therefore be it

RESOLVED, that the Chairman of the Legislature be authorized to allow the Cayuga County Sheriff's Dept. to use the services of Property Room.com.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 728-07**

**Date: 11/25/07**

**SHR lawenf. vacancy**

**AUTHORIZE THE SHERIFF TO FILL ONE VACANT DEPUTY SHERIFF POSITION IN THE LAW ENFORCEMENT DIVISION OF THE CAYUGA COUNTY SHERIFF'S OFFICE.**

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

WHEREAS, one Deputy Sheriff has relocated to another Police Agency leaving one vacancy in the Cayuga County Sheriff's Department Law Enforcement Division; and

WHEREAS, the services provided by this position are critical for maintaining the smooth and efficient operations of the Sheriff's Office Law Enforcement Division; and

WHEREAS, it is now necessary to fill the one new vacant Deputy Sheriff position from the civil service eligibility list so that the recruit may attend the academy in January of 2008; and

WHEREAS, this position is clearly designated and accepted in the 2008 Cayuga County Sheriff's Law Enforcement Salaries Operating Budget 3110.0; now therefore be it

RESOLVED, that the Sheriff be hereby authorized and directed to fill the Deputy Sheriff position; and be it further RESOLVED, the employee hired be placed at the appropriate step within the Deputy Sheriff's Police Association Compensation Plan for 2006; and be it further

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

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 729-07 (11/27/07) PROvestpur**

**AUTHORIZING THE PURCHASING AGENT TO PURCHASE PROTECTIVE VESTS FOR PROBATION OFFICERS AND AUTHORIZING THE TRANSFER OF FUNDS**

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

BY: Paul Dudley, Chairman, Ways & Means Committee

WHEREAS, Cayuga County Probation Officers partnering with local law enforcement agencies has drastically increased; and

WHEREAS, the Cayuga County Probation Officers duties are expanding to provide more public protection which exposes them to an increased risk of bodily harm; and

WHEREAS, the Cayuga County Probation Officers have a definite need for protective vests; and

WHEREAS, the County authorizes the transfer of \$275 from account A3140.400.138 to account A3140.200.000 for a total of \$6325 in account A3140.200.000; now, be it therefore

RESOLVED that the County Purchasing Agent is hereby authorized and directed to purchase on state contract from Stay Safe Security, 8648 Honeycomb Path, Cicero, NY 13039 ten (10) PACA RTGS IIIA Ballistic Vests with SVS carriers for \$553.85 each and ten (10) quilted carriers for \$78.65 each, total \$6325; and be it further

RESOLVED, that the purchase be made in accordance with the purchasing policies of the County of Cayuga.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 730-07 (11/27/07)**

**J&PSsherifftransf**

**TRANSFER OF FUNDS WITHIN THE LAW ENFORCEMENT DEPARTMENT AND THE CUSTODY DIVISION OF THE SHERIFF'S AND JAIL BUDGETS**

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

Hon. Paul Dudley, Chairman Ways and Means Committee

WHEREAS, there are shortfalls in the .4 (Contractual) Accounts of the Sheriff's Law Enforcement Budget and in the .4 (Contractual) Accounts of the Custody Division of the Jail budget; now therefore be it

RESOLVED, that the County Treasurer be and he is hereby authorized and directed to transfer the following:

Transfer \$1,000.00 from A3110.400.009 (Auto Expense)

Transfer \$1,000.00 from A3110.400.008 (Auto Expense, Motor Pool)

Transfer \$ 947.65 from A3110.400.065 (Rental of Facilities)

Transfer \$1,000.00 from A3110.400.062 (Clothing and Uniforms)

\$3,947.65 to A3110.400.046 (Machine Rental – Teletype) for civil office for lease agreement.

Transfer \$2,000.00 from A3150.400.146 (Repairs Other/Driveway Lights)

Transfer \$1,000.00 from A3150.400.054 (Physical Exams – Employees)

Transfer \$1,000.00 from A3150.400.029 (Contractual Food Service)

Transfer \$1,000.00 from A3150.400.024 (Gas Heat – Jail)

Transfer \$1,000.00 from A3150.400.032 (Auto Expense – Gasoline)

Transfer \$1,000.00 from A3150.400.135 (Training)

\$7,000.00 to A3150.400.012 (Building Maintenance) for building maintenance to make Jail facility compliant with recent fire inspection

Transfer \$1,000.00 from A3150.400.036 (Doctors & Hospitals)

Transfer \$1,000.00 from A3150.400.135 (Training)

\$2,000.00 to A3150.400.059A (Professional Services) for Administrative service for SCAAP trust account; and, be it further

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

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 731-07 (11/27/07) COA-AuthCollbrtnW-VillageOfCatoForNYSSharedMunServsGrant**

**AUTHORIZING CAYUGA COUNTY TO COLLABORATE WITH THE VILLAGE OF CATO FOR THE 2007-2008 NEW YORK STATE DEPARTMENT OF STATE SHARED MUNICIPAL SERVICES INCENTIVES GRANT PROGRAM.**

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

WHEREAS, Resolution No. 426-07 authorized the Cayuga County Sheriff to establish a substation at the Village of Cato Municipal Building; and

WHEREAS, Resolution No. 03 of 2007 was adopted by the Village of Cato on November 8, 2007 authorizing the Village to collaborate with Cayuga County for the 2007-2008 New York State Shared Municipal Services Incentives Grant Program; and

WHEREAS, the Cayuga County Sheriff is in support of the Grant application; and

WHEREAS, the County of Cayuga agrees to collaborate with the Village of Cato in its application for funds through this Grant Program to be used to allow the Village of Cato to expand its Village Office Building at a cost not to exceed \$250,000.00, to be jointly used with the Cayuga County Sheriff and New York State Police; and

WHEREAS, the Village of Cato will commit \$50,000.00 in matching funds for the Grant of \$250,000.00; and

WHEREAS, there will be no local County match; now, therefore, be it

RESOLVED, that Cayuga County is hereby authorized to serve as co-applicant for the 2007-2008 New York State Department of State of State Shared Municipal Services Incentives Grant Program, with the Village of Cato serving as the lead applicant; and be it further

RESOLVED, that the Chairman of the County Legislature authorized and directed to sign any and all documents necessary to carry out the intent of this Resolution.

Signed by Lockwood, Lepak, Mitchell, Murphy, Cuddeback.

Approved by voice vote, all present voting aye.

Motion by Legislator Murphy to go into executive session 8:03PM, re: Personnel Issue, approved by voice vote, all present voting aye.

Motion by Legislator Murphy to come out of Executive session 9:01PM, approved by voice vote, all present voting aye.

Motion by Legislator Murphy to adjourn 9:02PM, approved by voice vote, all present voting aye.

Minutes approved 1-22-08 by voice vote, all present voting aye.