

**MINUTES  
SPECIAL MEETING OF THE  
CAYUGA COUNTY LEGISLATURE  
TUESDAY, DECEMBER 11TH, 2007, 6:30 PM  
160 GENESEE ST., 6<sup>TH</sup> FLOOR, CHAMBERS**

**CALLED TO ORDER:** By The Hon. George Fearon, all Legislators present, except Netti excused

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**PUBLIC HEARING: On 2008 COUNTY BUDGET 6:30PM, opened at 6:30PM**

**PUBLIC BE HEARD:**

**George Jones**, I would like you to know that I support the funding for Mental Health. I am a disabled Vet, if it wasn't for the Mental Health Services I have received; I'm not sure where I would be today. Please support the Mental Health Services.

**Sharon Porter**, spoke in support of the Mental Health services, I have been in the Mental Health system since I was a child they are a great help.

**Pamela McIntyre**, I am here in support of the mental health issues, please continue to support the day treatment program, and all programs that help with mental health. We don't need a social worker; we need a doctor that can write prescriptions. Both Buildings 157 Genesee St. and 146 North St. needs to be updated, I want to thank David Blair and the Mental Health Board for their support.

**Cindy Mazzeo**, employee of Mental Health, as well as the chair of the Alcohol and Substance Abuse Committee, sub-committee of Community Services Board. I would like to address the budget issues; I would like to see all cuts to Mental Health are restored. I am appalled at some of the Legislators and what has been said, I would like to refer to one of the meetings that I attended it was said that a check was given to David Blair, that is absolutely not true and there was six or seven other witnesses. It was an absolute lie from the Legislator that said she was there and said she saw a check be handed to David Blair. I would like the press to start talking to employees of Mental Health Center, clients of the Mental Health Center, and stop talking to just a few people and get both sides. I will be available to talk to the press.

**Patricia Sepulveda**, I'm a client of Mental Health, I just want to say thank you to the Mental Health Services, and I appreciate everything you have done for me. I suffer with real bad depression, if it wasn't for the group help that I receive, I would be nowhere and I wouldn't be sober for seven years. I would like to add, if it wasn't for the Mental Health people I would have never got my children back. They are very supportive and a wonderful staff, I wouldn't be where I am today without them.

**Terri Wasilenko**, I am president of NAMI of Cayuga County (National Alliance on Mental Illness). NAMI provides support, advocacy, and education for families and friends of individuals with serious chronic mental illness. Under personal services (4310.1), we are asking the Legislature to vote yes to position #2133, the full time psychiatrist position. The Ways and Means Committee recently reinstated this position as a half time Psychiatrist position. We are asking for a full time Psychiatrist because of the increasing severity of mental illness among our children and adolescents through out Cayuga County. Current caseloads are approximately 300 clients per Psychiatrist, per month. Without another full time Psychiatrist position the waiting list grows and services are seriously impacted. We are asking the Legislature to vote yes to a full time Community Mental Health Nurse position. The individual in this position will provide direct care to clients needing treatment. We are also asking the Legislature to vote yes to a full time clerk position in the billing department at Cayuga County Mental Health. Much of our state aid has been replaced with an enhanced reimbursement rate. When billing certain services, the state adds a supplemental payment; this assures that facilities maintain levels of care, but makes timely billing critical. A full time billing clerk is essential to keeping the billing process on time and not behind. Under equipment (4310.2) we are asking the Legislature to vote yes for a vehicle needed by an intensive case manager to transport clients in, they are ill and need assistance in daily living activities. We are asking the vehicle remain in the budget at a cost of \$13,500. Under equipment (4313.2) we are asking to reinstate a 7-passenger van at the cost of \$13,500. The Ways & Means Committee recently removed (4313.2) from the budget. This van transports clients in the continuing day treatment program. These clients are dependent on transportation to and from their programs as well as to medical and therapist appointments. Once again I cannot believe I have to come up here and ask you to put this in the budget.

**Michele Breese**, I have worked over 30 years, paid lots of taxes, because I get hurt at work we have lousy lawyers, you get devastated, feel worthless, and if it wasn't for the mental health system, who knows what would happen to us. We need the to continue the day treatment program, it's not fair to cut our budget.

**William Reardon**, spoke on the day treatment program and how much it has helped him.

**Mike Baldwin**, I have been receiving mental health services since I was a teenager without the mental health services I'm not sure where I would be, please keep it going.

**Anita Stoudymire**, I am Executive Director Recovery Counseling here in Auburn, we are out patient chemical dependency program, and we serve mental ill people. These services are badly needed, they need to be enhanced and maintained for these clients, and anything else that needs to be done to help these clients. Your help is very much appreciated.

**Flora Gagliostro**, I have had the privilege of working at the Mental Health Center, for David Blair, since 1988. Satisfaction of working in a professional atmosphere is a great reward and motivator, I would like to thank Mr. Blair for fostering a professional atmosphere and for developing Mental Health Services to be proud of. We all have an impact on our communities, its measured in many ways. Let me assure you that your budget and the actions that you take impact peoples lives and I am here to pledge that I will keep you informed of that impact either way. Every job in Mental Health and Social Services, we fight for peoples lives everyday against illness, poverty and despair, these can be devastating. I'm here to support the restoration of staff to the Mental Health budget and to support the director of Mental Health, and the current board, who have my full confidence, my trust, respect, thanks and my admiration. Thank you for this opportunity to speak.

**Gary Temple**, I'm going to raise an opposition to the passage of the budget that's before this body tonight. Why is it that a little County like Cayuga has to wait until the last hour to pass the budget, when a County just to the East, which is many time larger passed theirs months ago. When the budget is passed, that is only part of what needs to be done to hold the check against compensatory tax increases. Compensatory tax increases are those that go up faster than the cost of living, pensions, pay raises, est. This budget and the budgets for the past few years has placed us almost a third higher in three years than it had been for the previous 100 years. This is why I call it compensatory, because no one can survive in this kind of climate, eventually no one will be able to own private property. Those of you that are sitting here with good pay jobs may think you are exempt from this, but it will get to you. Even people with good paying jobs are finding they can't afford to live in Cayuga County. Passage of the budget is just the first step; the next step is when the Legislature re-organizes after the first of the year. The Legislature Body has a duty to hold down spending, not to look at increases in revenue, yes increases in revenue can happen. I'd like to take a moment to thank the Legislator's who voted against the proposal to make the sales tax applicable on every last dollar, no matter what gas prices may go to, those Legislators I believe did the right thing. There are many things a Legislator can do to hold down the ever-rising tide of demands on taxpayers spending. In the past four years we have had what is called two sides to the Republican Party governing this body. Four years ago we brought in a crop of freshman to this body, and for first time in my memory this county had tax increases or decreases because of some of the efforts of some of the people here tonight. I have to recognize Mr. Pappert, who came in as a freshman Legislator, and who served immediately as Chairman of the Ways & Means Committee. Thank you.

**MANAGER'S REPORT:** Wayne Allen, my report is on the tentative budget with the changes made by Ways & Means. The Ways & Means Committee has performed a through analysis of the 2008 County tentative budget, with the recommendation changes made by committee, the 2008 tax levy would decrease from an increase of 5.8% to minus ½% for approximately \$180,000. less than the 2007 tax levy. The Ways & Means Committee has continued to look and work on the 2008 County budget and 2008-2013 Capital Improvement Plan. They are a number of amendments recommended by various Legislators that should be considered to be included in the 2008 County budget. The committee has recommended including purchases for equipment and projects be placed back in the budget and funded by using un-appropriated fund balance. The net effect to the budget will be zero dollars. Other budgets amendments will cause the tax levy to increase, the most notable changes will be adding the following: purchasing a 10 wheeler dump truck \$145,000., Improvements for Emerson Park Pavilion \$67,000., Mental Health, creating a part-time position staff Psychiatrist, creating a position Community Mental Health Nurse and adding a vehicle back into that budget, creating a position for Senior Clerk, and if you do not self fund Workers Comp., you will have to increase your Workers Comp., cost by \$212,000. If these changes are approved the County tax levy will increase approximately \$459,000. or 1.45%. One thing people fail to realize year to year that there is an increase in your tax base, as a result of the increase in your tax base you have generated another \$1,150,000.00 this will help lower tax rates. Again Workers Compensation that is a big item to consider and that will have an impact on the budget. The Ways & Means Committee has recommended accepting the 2008-2013 Capital Improvement Plan; a Public Hearing must be scheduled to hear public comments. At the Public Hearing Cayuga County can formally adopt a plan, a Public Hearing has been scheduled for January 2008.

## **MANAGER'S REPORT CON'T:**

I am concerned with the grid lock that presently exists in Albany I fear that the State Government has become dysfunctional and the State of affairs will impact County services and the demand for more County tax dollars to support State and Federal programs. The word recession as been spreading around for weeks, if you listen to the media, there could be a down turn in the economy. I caution everyone, please remember when residence are at risk the County is their last stop to obtain much needed assistance.

**Legislator Pappert**, I would like to get a more complete explanation of how the Manager envisions handling the Workers Comp. situation, I know we won't vote on it as a resolution until next Tuesday. Either were going to assume that we are going to do that and factor in savings or not. I'm not completely understanding how it will save us some money and get coverage for volunteer, EMT, Fire, and things like that. I need to understand how that will happen, how money becomes available, where that money comes from, and are there any additional extensions that are going to be shouldered by the County Taxpayers. Who will be included in this group and who is going to be paying to include them?

**Chairman George Fearon**, We may want to vote on this tonight.

**Co. Manager, Wayne Allen**, what happens is if you opt out of purchasing Workers Comp. coverage from the State Insurance Fund is all of your claims as of the end of the year and any liability you have for those claims ends. You basically start at ground zero with any future claims. What the intend is to set up the fund, set up rules of procedures and policies for the County program, the Legislature must approve this and you must send a certified resolution to the State Comp. Board that you self-funding the program. One of the things you did earlier this year was to seek proposals for 3rd party administrator. Third party administrator will do the day-to-day work for you handling Worker's Comp, Cases so you have an administrator on board. How do you pay for it, you pay it out of your existing budget. You raised money in the past to pay for premium cost for State Insurance fund; you are doing basically the same thing. You will be able to manager it much more hands on, the way plan is designed is not only the County but any municipality, School Districts, some agencies, Soil and Water, Community College, that are a part of the existing plan and can join the new plan. They have to pass certified resolutions requesting that they can join. What I have told those entities is to budget the same amount of money that they did last year. Once they submit that it becomes part of the Workers Comp. Self-Insurance Fund. A fund similar to your Road fund, or Nursing fund, its entirely set up as its own entity. We put a budget together, and in the context of that budget you have revenues and expenses. You will have two line items, one for medical costs and two for Workers Comp. Benefits. When a claim comes in and it is approved by the 3<sup>rd</sup> party administrator the fund pays for that benefit and pays for that fee. One of the good things we do is the County purchases stop loss insurance; the purpose of the stop loss is to protect the fund, whether it's the County and all the other participants from an exorbitant case, a case that would be over \$350,000. for the life of the case. We take measures to protect the fund and we also take measures to look at it case by case basis with the 3<sup>rd</sup> party Administrator, what is the life expectance of the case and so forth. You manage it on a day-to-day basis with your participants, you do a risk management assessment and start doing safety programs, to lesson your costs, and that's part of your Workers Comp. Program. The money that you raise now to pay for your Workers Comp is the same money that you raise for the self-insurance fund, but you control it. The County manages it with the participants.

**Legislator Pappert**, that is a good background, specifically you mentioned municipalities would be eligible, College, Soil & Water, Volunteer Fire Departments, EMT's, ext. Who sets the rates, and who is going to pay for it.

**County Manager, Wayne Allen**, first of all it's the County plan, and the County must adopt rules of procedures and who can be part of the plan. Ultimately you decide whom you want in the plan. How that rate is determined, initially for the first year, we are saying to all the entities that wish to participate, what you have budgeted in the past that's what your assessment going to be. All the participants have to sit down and figure out a fair way of assessing each participant. There are a number of ways you can do that, the traditional way is, one, part of the rate concerns your payroll the second has to do with assessed value, the third your experience. There are some entities you don't have an assessed value for, you go by payroll, experience. Participants need to sit down and arrive at a formula or method in which is fairly based and must be approved by the Legislature. We have been approached by many Volunteer Fire Dept., Ambulances, Mayors, and Town Supervisors, saying their having a very difficult time securing affordable Workers Comp., Coverage for volunteers. If it's done right I believe we can provide affordable coverage for volunteers.

**Legislature Pappert**, I think what we need to careful of is we can't get into a situation where it will alleviate that situation where that rate is artificially low and other rates are artificially high and what we are doing is transferring what is a Town, Village, Fire Department, expense and turning it over to County taxpayers. We need to careful that there is not a cost shifting from another responsible party to the County taxpayers, because that's not right.

**County Manager, Wayne Allen**, correct and that's not the indent.

**Legislator Dudley**, in essence what we are doing is setting up another insurance company. Insurance will be provided but what we hope is we can provide it at a lesser cost. Is it fair to say that after five years we would save the County 30 to 40 percent?

**County Manager, Wayne Allen**, if you read the resolution it is sunset after three, you decide after three years whether this venture (1) saves the County taxpayers and participants money (2) whether your getting better service than if you went to an outside entity like the State Insurance Fund. Let me just remind everyone that the State Insurance Fund is the entity in what any individual, business, not for profit, gets Workers Comp. it's the last resort. If worse comes to worse, you can always go back to the State Insurance Fund and purchase Workers Comp. It is my hope that you'll have significant savings going this route. My aim is to prove it within three years.

**Legislator Palermo** is there any special reason to start this January 1, 2008 aside from the budget.

**County Manager, Wayne Allen**, the calendar year, the budget, I want to be able to get out of the State Insurance Fund and you have to give them 30 day notice.

**Legislator Palermo**, I applaud you for pursuing this I think it's the right thing to do. If it's voted on tonight I won't support it, I have some questions on the rules and procedures for the participants, I think that should be done first so we can look at that. I think we are rushing it and I've seen us rush things before and often times it comes up costing us more then it should. Some people have spoke hear tonight and regardless of how I feel it took a lot of courage for them to get up and speak and I applaud them.

**Chairman, Fearon**, the payments for that first year would be governed by what the rules and policies were that set the rate for the State Insurance Fund, you're taking their numbers.

**County Manager, Wayne Allen**, I had submitted to you draft rules several months ago, there areas that you need to fill in the blanks, they are pretty straight forward and I will work with you anyway I can.

**Legislator Dudley**, is this for Government entities only?

**County Manager, Wayne Allen**, based on your previous plan, you aloud School Districts, Community College, Soil & Water, Towns & Villages, Fire Departments and Water & Sewer to be part of it. It will be your call whether to open up the plan to allow those entities to participate.

**Legislator Pappert**, I do support doing this plan, it's just not right yet. We had problems with the Health Care Consortium a while back, one of the things that became apparent was the rules had not been well thought out. We don't know what we're being asked to approve, you just asked who we are going to allow in, by rules we have not yet adopted. Legislator Palermo is correct, it is the right thing to do, and when it's ready to be done it should be supported, but it's not ready to be done. When we pass the resolution that we are going to a Self Insured Workers Comp., we should be passing the rules the same night, so that everyone knows that night what that vote means.

**Chairman Fearon**, one of the problems we had in the past was increase cost, and people were not billed for this increase as it went up, Towns and Villages, ext. got retro bills for huge dollars.

**Legislator Mitchell**, if costs were higher than expected and rates started to clime so that were not competitive the same thing would happen as happened with the Medical System, people would start bailing out and going to a cheaper system. It's easy to get in, but not easy to get out.

**Legislator Lockwood**, I agree with Chris Palermo, I believe it will be the right thing to do, but we need to walk first.

**Chairman Fearon**, a decision we have to make is whether we do this for this budget, we need to make that decision by at least the 18<sup>th</sup>. If we make the decision that we're not going to do it then we can adopt the budget.

**Legislator Palermo**, I'd like to make a suggestion that we take the \$211,000 out of the fund balance and apply it to the Workers Comp., and if we can get into a Self Insurance Plan, it doesn't mean we have to spend that money, it can go right back to fund balance. That will give us a little bit of time to make sure we have it right, and it does not increase the levy.

**Chairman Fearon**, and we could still adopt the budget tonight.

### **Spoke on Mental Health Issues:**

**Peggy Lattimore**, I am a licensed Clinical Social Worker for the Department of Mental Health. I need to let you know that I take my licensure very seriously and what I am hearing is some people questioning that our services are compromised. I want to let you know that I would not be apart of any organization that would compromise my licensure. My colleges are here tonight and we represent these people, these are the people we work for day in and day out. The van that you want to cut, brought them here tonight, the Psychiatrist position that you want to cut, gives them their meds to keep them stable. Only a Psychiatrist can prescribe meds, please get that clear, we need our Psychiatrist on board. We need all of our services. This community needs us, these people need us please don't cut our services, please don't cut our budget. Our Executive Director, as you can see by the staff here and the clients here that he is number one and he has never let anyone down, staff or clients. He would never comprise his licensure or ours. We need him to keep leading us as he has done in the past 20 years. He is far above the acquisitions that have been thrown at him. Each day is a struggle for these people, if you have any questions please come to us. I will show you my Mental Health car, see if it's clean as if that is important, I will show you what I do everyday. Come and visit our three locations, we will show you what we do. The only thing that is amiss is our physical plant and it has been for a long time. This Legislature needs to get behind us and find us a decent place for our clinic. David Blair you have our vote, our backing, whatever you need we are their for you.

Chairman George Fearon, at this time we will close the Public Hearing, 7:40PM.

Recess 5 minutes, back in session 7:45PM.

**RESOLUTIONS/MOTIONS**

**RESOLUTION NO. 733-07**

**Action Date: 12/11/07**

**Implementation of the transfer of function of certain fiscal staff from the Community Mental Health Services Department to the Department of Social Services within Health and Human Services pursuant to the recommendation of the Health and Human Services Committee, and authorization for Chairperson of Legislature to sign any agreements for DSS with CMH Services.**

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

WHEREAS, the financial functions of the Department of Community Mental Health Services have been reviewed by the legislature; and

WHEREAS, it became apparent during the 2008 budget preparation that these functions need to be separate from the clinical and professional staff; and

WHEREAS, supervision by professional accounting staff could be accomplished by moving the aforesaid function to the Department of Social Services within Health and Human Services; and

WHEREAS, NYS CS Law, Section 70.2 states "As soon as practicable after the adoption of a law, rule, order or other action direction such a transfer of function, but not less than twenty days prior to the effective date of such transfer, the head of the department or agency from which such function is to be transferred shall certify to the head of the department or agency which such function is to be transferred a list of the names and titles of those employees substantially engaged in the performance of the function to be transferred, and shall cause copies of such certified list to be publicly and conspicuously posted in the offices of the department or agency from which such function is to be transferred, along with copies of this subdivision;" and

WHEREAS, funding for the positions within the Department of Community Mental Health Services for the year 2008 must also be transferred to a contractual line within CMH and the Department of Social Services would need to create a revenue account and expense accounts to accommodate the anticipated transfer for employees' payroll and fringe benefits; now, be it therefore

RESOLVED, that the Transfer of Function of certain fiscal staff as listed in the attachment in the Department of Community Mental Health Services be hereby ordered and initiated with the effective date of transfer to be January 1, 2008 or as soon as practicable as directed by the County Attorney; and be it further

RESOLVED, that the Director of Community Mental Health Services be hereby directed to post a certified list of employees as attached pursuant NYS CS Law, Section 70.2 "As soon as practicable after the adoption of a law, rule, order or other action direction such a transfer of function, but not less than twenty days prior to the effective date of such transfer, the head of the department or agency from which such function is to be transferred shall certify to the head of the department or agency which such function is to be transferred a list of the names and titles of those employees substantially engaged in the performance of the function to be transferred, and shall cause copies of such certified list to be publicly and conspicuously posted in the offices of the department or agency from which such function is to be transferred, along with copies of this subdivision;"; and be it further

RESOLVED, that the above list be posted the day after the adoption of this resolution; and be it further

RESOLVED, that the following plan be hereby adopted:

Add to existing Revenue Account for Inter-fund Revenue/DSS    A2802    \$121,775  
(from CMH to Department of Social Services)

Increase the following expense accounts in DSS:

Salary	A6010.100	\$89,022	Total Salary	\$89,022
FICA	A6010.800.001	\$6,811		
Retirement	A6010.800.002	\$7,551		
Health	A6010.800.003	\$16,172		
Dental	A6010.800.004	\$790		
W/C	A6010.800.005	\$1,429	Total Fringes	\$32,753

Increase CMH contractual account A4310.400.059 for Professional Services in the amount of \$121,775; and decrease the following expense accounts:

Salary	A4310.100	\$89,022	Total Salary	\$89,022
FICA	A4310.800.001	\$6,811		
Retirement	A4310.800.002	\$7,551		
Health	A4310.800.003	\$16,172		
Dental	A4310.800.004	\$790		
W/C	A4310.800.005	\$1,429	Total Fringes	\$32,753

; and be it further

RESOLVED, that the Treasurer be hereby authorized to make the appropriate journal entries to carry out the intent of this resolution; and be it further

RESOLVED, that the Legislative Chairman be hereby authorized to enter into any agreements between the Department of Social Services and the Department of Community Mental Health Services to implement the intent of this resolution; and be it further

RESOLVED, that this Transfer of Function be facilitated in accordance to NYS Civil Service Law, Cayuga County Civil Service Rules and Regulations, Bargaining Contracts, and the Policies of the County of Cayuga.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 733-07 12-11-07 mhdifiscal**

**Directing the County's Director of Community Mental Health Services to enter into an agreement with the County's Department of Social Services for fiscal and accounting services.**

By: Chairperson, Ann Petrus, Health & Human Services Committee

Chairperson, Paul Dudley, Ways and Means Committee

Whereas, the Cayuga County Legislature has authorized has authorized the transfer of certain fiscal and accounting staff from the County's Department of Community Mental Health Services to the Department of Social Services; and

Whereas, there is a need for the County's Department of community Mental Health Services to have the fiscal and accounting functions available to prepare and file the necessary daily financial transactions and reports to the County Community Mental Health Services Department of Social Services, County Legislature and the State of New York; now therefore be it

Resolved, that the County's Director of Community Mental Health Services is hereby directed to enter into an agreement with the County's Department of Social Services for fiscal and accounting services; and be it further

Resolved, that the Director of Community Mental Health Services shall be responsible to submit and is hereby directed to submit any and all necessary documentation to the designated personnel in the Department of Social Services in order to process all claims, reimbursements of other payments to Medicaid, insurance companies, vendors, not-for-profit agencies and independent contractors so that payments and reimbursements are paid in a timely manner and is hereby directed to submit all documentation for federal and state directives, compliance orders and reimbursements are prepared and filed without any delay to the designated personnel in the Department of Social Services.

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

Approved by voice vote, all present voting aye.

**RESOLUTION NO. 734-07 12/11/07 auditsnowtrail**

**AUTHORIZING THE COUNTY TREASURER TO PAY NOVEMBER 2007 AUDIT OF CLAIMS FOR SNOWMOBILE TRAIL GRANTS**

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

WHEREAS, resolution #719-07 authorized the County Legislature to pay snowmobile trail grants in the amount of \$19,282.50; and

WHEREAS, the payments need to be paid before the next audit of claims is approved by the Legislature; now therefore be it

RESOLVED, the Legislature approve the seven claims as audit of claims against the County of Cayuga in the aggregate sum of \$19,282.50; and be it further

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, Mitchell, Murphy, Petrus, Schuster.

Approved by voice vote, all present voting aye.

**Motion # 735-07 12-11-07**

Whereas, the 2008 County Budget was filed with the clerk of the Cayuga County Legislature; and  
Whereas, a motion has been made to make certain changes, alterations or revision in the 2008 Tentative Budget in the following fashion:

Increase Contingent Account (A1990) by \$38,000.00 for Emergency Management, Fire  
Legislator Mitchell, I thought it was reduced to \$30,000.00

Motion by Legislator Palermo to reduce amount to \$30,000.00, approved by voice vote, all present voting aye.  
Motion as amended approved by voice vote, all present voting aye.

**Motion # 736-07 12-11-07**

Whereas, the 2008 County Budget was filed with the clerk of the Cayuga County Legislature; and  
Whereas, a motion has been made to make certain changes, alterations or revision in the 2008 Tentative Budget in the following fashion:

Reinstate the position of Purchasing Agent in Central Purchasing, Salaries  
(A1682.100.000) from \$0 to \$41,420.00 and accompanying fringe benefits  
(A1682.800.001) Social Security from \$0 to \$3,169.00  
(A1682.800.002) State Retirement from \$0 to 3,513.00  
(A1682.100.003) Health Insurance from \$0 to 5,607.00  
(A1682.100.004) Dental Insurance from \$0 to \$395.00  
(A1682.100.005) Worker's Compensation from \$0 to \$665.00

Increase Central Purchasing, Equipment to include computer, printer, fax machine, telephone, desk in the amount of \$3,000.00

Total of \$57,769.00

Legislator Pappert, I won't support this, need to save, it will cause a hiring spree on the six floor. We need hiring restriction, we don't need to spend \$60,000.00 to buy things and drive taxpayers insane.

Legislator Schuster, we have tightened up internal procedures, which means more paper work, which means more work, need more people, I will support.

Legislator Petrus, just want to be clear the Clerk appoints the Deputy Clerk?

Legislative Clerk, Lee Brew, that is correct.

Motion by Legislator Palermo to table Motion #736-07, approved by Majority vote, all present voting aye, except Netti Excused 832/50

Motion by Legislator Palermo to remove Deputy Clerk's Position, total cost of \$54,769.00, approved by majority vote, Ayes Sedor(79), Palermo(58), Dudley(81), Axton(68), Lockwood(63), Mitchell(57), Tortorici(51), Pappert(49) Noes – Murphy(51), Petrus(53), Cuddeback(64), Schuster(47), Lepak(48), Fearon(63) Excused Netti(50) 506/326/50

Motion by Legislator Dudley to Create position of Purchasing Agent, minus \$3,000.00 for equipment, this was motioned by Legislator Schuster, approved by voice vote, all present voting aye, except Netti excused 832/50

**Motion # 737-07 12-11-07**

Whereas, the 2008 County Budget was filed with the clerk of the Cayuga County Legislature; and  
Whereas, a motion has been made to make certain changes, alterations or revision in the 2008 Tentative Budget in the following fashion:

Increase Information Technology, Equipment (A1020.200.000) by \$120,00.00 for computers and servers.

Legislator Pappert, \$120,000.00 is a lot of money for computers, if the computers cost \$800.00 each.

Director It Dept, Steve Johnson, there are 477 PC in the County, not including the Health Dept., 99 are 6 years or older, plus we would be replacing 3 servers.

Motion by Legislator to amend to move 60,000 into the contingency fund (Motion rescinded).

Director It Dept, Steve Johnson, it would be 99 PC's 8 servers plus 3 more servers.

Legislator Palermo, we have old computers, I will support, but I think it should be done by department, so we know where the computers are going.

Motion by Legislator to rescind his first motion, new motion to put \$120,000.00 in the contingency fund. Motion defeated by majority vote. Noes - Murphy(51), Dudley(81), Petrus(53), Lockwood(63), Mitchell(57), Schuster(47), Lepak(48), Fearon(63). Ayes – Sedor(79), Palermo(58), Axton(68), Cuddeback(64), Tortorici(51), Pappert(49).

Excused – Netti(50) 463/369/50

Motion approved by voice vote, all present voting aye, except Pappert voting NO and Netti Excused.

**Motion # 738-07 12-11-07**

Whereas, the 2008 County Budget was filed with the clerk of the Cayuga County Legislature; and  
Whereas, a motion has been made to make certain changes, alterations or revision in the 2008 Tentative Budget in the following fashion:

Decrease Jail Contractual, Construction/Renovation (A3150.400.178) by \$35,000.00

Approved by voice vote, all present voting aye, except Netti excused.

**Motion # 739-07 12-11-07**

Whereas, the 2008 County Budget was filed with the clerk of the Cayuga County Legislature; and  
Whereas, a motion has been made to make certain changes, alterations or revision in the 2008 Tentative Budget in the following fashion:

Increasing Sheriff Equipment (A3110.200.000) by \$40,000.00 for GPS Units for Deputies to include State Police.

Approved by voice vote, all present voting aye, except Netti excused.

**Motion # 740-07 12-11-07**

Whereas, the 2008 County Budget was filed with the clerk of the Cayuga County Legislature; and  
Whereas, a motion has been made to make certain changes, alterations or revision in the 2008 Tentative Budget in the following fashion:

Decreasing Sheriff Revenue – Traffic Enforcement Activities by \$12,000.00. This is a grant and accounting will be accomplished by resolution in 2008.

Approved by voice vote, all present voting aye, except Netti excused.

**Motion # 741-07 12-11-07**

Whereas, the 2008 County Budget was filed with the clerk of the Cayuga County Legislature; and  
Whereas, a motion has been made to make certain changes, alterations or revision in the 2008 Tentative Budget in the following fashion:

Increasing Parks & trails Emerson Park, Equipment (A7110.200.000) by \$67,000.00 for Emerson Park/Pavilion Upgrade

Approved by voice vote, all present voting aye, except Netti excused.

**Motion # 742-07 12-11-07**

Whereas, the 2008 County Budget was filed with the clerk of the Cayuga County Legislature; and  
Whereas, a motion has been made to make certain changes, alterations or revision in the 2008 Tentative Budget in the following fashion:

Increase County Office Building Security by \$136.00 for each Special Patrol Officer:

(A3110.100.000) Special Patrol Officer Position #6373 from \$12,500.00 to \$12,636.00

(A3110.100.000) Special Patrol Officer Position #6379 from \$12,500.00 to \$12,636.00

(A3110.100.000) Special Patrol Officer Position #6374 from \$12,500.00 to \$12,636.00

(A3110.100.000) Special Patrol Officer Position #6375 from \$12,500.00 to \$12,636.00

(A3110.100.000) Special Patrol Officer Position #6376 from \$12,500.00 to \$12,636.00

(A3110.100.000) Special Patrol Officer Position #6377 from \$12,500.00 to \$12,636.00

(A3110.100.000) Special Patrol Officer Position #6378 from \$12,500.00 to \$12,636.00

Increase County Office Building Security – Legislature Meeting Security Coverage (A3110.100.000) by \$1,200.00

Increase Sheriff Fringe Benefits, Social Security (A3110.800.001) by \$165.00

Approved by voice vote, all present voting aye, except Netti excused.

**Motion # 743-07 12-11-07**

Whereas, the 2008 County Budget was filed with the clerk of the Cayuga County Legislature; and  
Whereas, a motion has been made to make certain changes, alterations or revision in the 2008 Tentative Budget in the following fashion:

Increase Mental Health Administration, Salaries (A4310.100.000) by \$70,000.00 to include a Staff Psychiatrist, PT (Position#2133

Increase Mental Health Administration, Salaries (A4310.100.000) by \$38,756 to include a Community Mental Health Nurse (Position #\_\_\_\_\_

Increase Mental Health Administration, Fringe Benefits:

A4310.800.001 (Social Security) by \$8,320.00 \$165,368.00

A4310.800.002 (State Retirement) by \$15,162.00 \$189,859.00

A4310.800.003 (Health Insurance) by \$5,607.00 \$254,287.00

A4310.800.004 (Dental Insurance) by \$395.00 \$ 15,797.00

Increase Mental Health Int. Case Management, Equipment (A4313.200.000) by \$13,500.00 for the purchase of vehicle.

Reduce Medicaid Eligible Services (A4310.420.000) to \$0

Increase Contingent Fund (A1990) by \$600,000.00 designating for Medicaid Eligible Services.

Motion by Legislator to Dudley separate question into 3 parts, approved by voice vote, all present voting aye, except Netti Excused.

Motion by Legislator Dudley to move \$600,000.00 into the contingency fund, approved by majority vote, all present voting aye, except Netti excused 832/50

Motion by Legislator Dudley, Increase Mental Health Int. Case Management, Equipment (A4313.200.000) by \$13,500.00 for the purchase of vehicle, approved by voice vote, all present voting aye.

Motion by Legislator Lockwood to Table, Legislator Palermo 2<sup>nd</sup>, Motion withdrawn

Motion by Legislator Pappert to continue the discussion, motion defeated by majority vote Noes - Murphy(51), Sedor(79), Petrus(53), Lockwood(63), Mitchell(57), Cuddeback(64), Tortorici(51), Schuster(47), Lepak(48), Fearon(63) Ayes – Palermo(58), Dudley(81), Axton(68), Pappert(49) Excused Netti(50) 576/256/50

Motion by Legislator Dudley to stop discussion approved by majority vote, all present voting aye, except Schuster(47), Lepak(50) voting no and Netti(50) excused 737/95/50

Motion by Legislator Dudley to: Increase Mental Health Administration, Salaries (A4310.100.000) by \$70,000.00 to include a Staff Psychiatrist, PT (Position#2133

Increase Mental Health Administration, Salaries (A4310.100.000) by \$38,756 to include a Community Mental Health Nurse (Position #\_\_\_\_\_

Increase Mental Health Administration, Fringe Benefits:

A4310.800.001 (Social Security) by \$8,320.00 \$165,368.00

A4310.800.002 (State Retirement) by \$15,162.00 \$189,859.00

A4310.800.003 (Health Insurance) by \$5,607.00 \$254,287.00

A4310.800.004 (Dental Insurance) by \$395.00 \$ 15,797.00

Approved by majority vote, all present voting aye, except Netti excused 832/50

**Motion # 744-07 12-11-07**

Whereas, the 2008 County Budget was filed with the clerk of the Cayuga County Legislature; and  
Whereas, a motion has been made to make certain changes, alterations or revision in the 2008 Tentative Budget in the following fashion:

Increase County Clerk, Salaries (A1410.100.000) for a Senior Clerk by \$29,440.00

Increase County Clerk, Fringe Benefits:

A1410.800.001 (Social Security) by \$2,252.00 \$36,996.00

A1410.800.002 (State Retirement) by \$2,497.00 \$38,622.00

A1410.800.003 (Health Insurance) by \$5,607.00 \$61,164.00

A1410.800.004 (Dental Insurance) by \$395.00 \$ 4,739.00

Approved by voice vote, all present voting aye, except Netti excused.

**Motion # 745-07 12-11-07**

Whereas, the 2008 County Budget was filed with the clerk of the Cayuga County Legislature; and  
Whereas, a motion has been made to make certain changes, alterations or revision in the 2008 Tentative Budget in the following fashion:

Increase transfer to Road Machinery Fund by \$145,000.00

(1) 10 Wheel Dump (\$145,000.00) (this will make 2-10 wheel dump trucks) ( DM5130.200.000)

Approved by voice vote, all present voting aye, except Netti excused.

**Motion # 746-07 12-11-07**

Whereas, the 2008 County Budget was filed with the clerk of the Cayuga County Legislature; and  
Whereas, a motion has been made to make certain changes, alterations or revision in the 2008 Tentative Budget in the following fashion:

Increase cost of Worker's Compensation costs (if not self funded) by \$221,000.00

Total increase in tax levy - \$860,017.00

Legislator Dudley, I think we would like to be self insured but were not ready for it yet, if we can't do it right now we need to add \$221,000.00 into the budget and the next legislature will decide how they will take care of it.

Motion by Legislator Palermo to take the money out of the fund balance.

Approved by voice vote, all present voting aye, except Netti excused.

**Motion # 747-07 12-11-07**

Whereas, the 2008 County Budget was filed with the clerk of the Cayuga County Legislature; and  
Whereas, a motion has been made to make certain changes, alterations or revision in the 2008 Tentative Budget in the following fashion:

Increase Buildings, Contractual, Construction/Renovation (A1620.400.178) by \$8,000.00 for wiring upgrade and restroom ADA Compliance for Board of Elections

Approved by voice vote, all present voting aye, except Netti excused.

**Motion # 748-07 12-11-07**

Whereas, the 2008 County Budget was filed with the clerk of the Cayuga County Legislature; and  
Whereas, a motion has been made to make certain changes, alterations or revision in the 2008 Tentative Budget in the following fashion:

Increase Buildings, Contractual (A1620.420.000) Removal of Under Ground Tanks) by \$100,000.00 for the removal of underground tanks.

Approved by voice vote, all present voting aye, except Netti excused.

**Motion # 749-07 12-11-07**

Whereas, the 2008 County Budget was filed with the clerk of the Cayuga County Legislature; and  
Whereas, a motion has been made to make certain changes, alterations or revision in the 2008 Tentative Budget in the following fashion:

Increase Legislative Board, Contractual by \$25,000.00 to be used for Musical Festival Committee.

Approved by voice vote, all present voting aye, except Cuddeback voting No and Netti excused.

**Motion # 750-07 12-11-07**

Whereas, the 2008 County Budget was filed with the clerk of the Cayuga County Legislature; and  
Whereas, a motion has been made to make certain changes, alterations or revision in the 2008 Tentative Budget in the following fashion:

Increase Parks & Trails, Equipment (A7110.200.000) by \$14,000.00 for new roof on Sterling Nature Center.

Approved by voice vote, all present voting aye, except Pappert voting No and Netti excused.

**Motion # 751-07 12-11-07**

Whereas, the 2008 County Budget was filed with the clerk of the Cayuga County Legislature; and  
Whereas, a motion has been made to make certain changes, alterations or revision in the 2008 Tentative Budget in the following fashion:

Increase Jail, Equipment (A3150.200.000) to include the Following:

\$15,000.00 Jail Lobby

\$ 5,000.00 Lighting

\$ 5,000.00 Pylons

\*\$26,000.00 Jail Pod & Dorm Showers

\$ 415.00 Light Support Brackets

\$ 4,557.00 Seal and Stripe Parking Lots

\$ 9,800.00 New Intake Garage Door

\$ 9,800.00 Concrete Floor Pole Barn

\*\$15,000.00 Dishwashers and Steamers

\*\$10,000.00 Jail Security Doors

\$10,000.00 Rifles and Ammo

\* voted on separately

Motion by Legislator Pappert to separate 3 items, approved by voice vote, all present voting aye, except Netti excused.

1. \$26,00.00 Jail Pod & Dorm Showers
2. \$15,000.00 Dishwashers and Steamers
3. \$10,000.00 Jail Security Doors

Motion by Legislator Lepak to vote on remaining items, approved by voice vote, all present voting aye, except Pappert voting No and Netti excused.

**Motion # 752-07 (DEFEATED) 12-11-07**

Whereas, the 2008 County Budget was filed with the clerk of the Cayuga County Legislature; and  
Whereas, a motion has been made to make certain changes, alterations or revision in the 2008 Tentative Budget in the following fashion:

Increase Buildings, Contractual – Construction/Renovation (A1620.400.178) by \$25,000.00 for HVAC for 4<sup>th</sup> Floor  
“Old Jail building for voting machines

**Defeated** by voice vote, all present voting No, except Netti excused.

**Motion # 753-07 12-11-07**

Whereas, the 2008 County Budget was filed with the clerk of the Cayuga County Legislature; and  
Whereas, a motion has been made to make certain changes, alterations or revision in the 2008 Tentative Budget in the following fashion:

Increase transfer to Road Machinery Fund by \$88,729.00 for the purchase of:

(1) Hyster 50 Ton Low Boy (\$40,000.00)

(1) Leroi Air Compressor (\$28,000.00)

Garage Doors (4,729.00)

Environmental Safety Upgrades (\$16,000.00)

Increase transfer to Road Machinery Fund by \$88,729.00

Funding for the above projects to be extracted from the Fund Balance for a total of \$371,714.00

Motion by Legislator Cuddeback to take **Hyster 50 Ton Low Boy (\$40,000.00), Leroi Air Compressor (\$28,000.00)** and put in the Capital Plan, Motion approve by voice vote, all present voting aye, except Fearon voting No. and Netti excused.

Motion by Legislator Cuddeback to vote on remaining 3 items

Garage Doors (4,729.00)

Environmental Safety Upgrades (\$16,000.00)

Increase transfer to Road Machinery Fund by \$88,729.00

Motion approve by voice vote, all present voting aye, except Netti excused.

**Motion # 754-07 (DEFEATED) 12-11-07**

By Legislator Pappert to transfer \$500,000.00 un-appropriated funds into Casualty & Liability.

**Defeated** by Majority vote Noes – Murphy(51), Palermo(58), Dudley(81), Axton(68), Petrus(53), Lockwood(63), Mitchell(57), Cuddeback(64), Schuster(47), Fearon(63). Ayes – Sedor(79), Tortorici(51), Pappert(49). Excused Lepak(48) and Netti(50) 605/179/98

**Motion # 755-07 (DEFEATED) 12-11-07**

By Legislator Pappert to move \$1.8 million in un-appropriated funds into the restricted fund balance

**Defeated** by Majority vote Noes – Murphy(51), Petrus(53), Lockwood(63), Mitchell(57), Cuddeback(64), Schuster(47), Fearon(63). Ayes – Sedor(79), Palermo(58), Dudley(81), Axton(68), Tortorici(51), Pappert(49). Excused Lepak(48) and Netti(50) 398/386/98

**RESOLUTION NO. 756-07 12/11/07 COL ADOPTBUDGET2008  
TO ADOPT THE COUNTY BUDGET FOR 2008**

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

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

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

WHEREAS, the provisions of County Law, Section 358, have been complied with by the Cayuga County Legislature and pursuant to County Law, Section 359, a public hearing was held at 6:30 PM on December 11, 2007 after advertisement as required by law; now, therefore, be it

RESOLVED, that the tentative budget as heretofore amended be and hereby is adopted by this Legislature as the budget for the year 2008.

Approved by majority vote, Ayes – Murphy(51), Palermo(58), Dudley(81), Axton(68), Petrus(53), Lockwood(63), Mitchell(57), Cuddeback(64), Tortorici(51), Schuster(47), Fearon(63). Noes – Sedor(79), Pappert(49). Excused – Lepak(48), Netti(50) 656/128/98

**RESOLUTION NO. 757-07 12/11/07 COL annex07**

**DESIGNATING DECEMBER 18, 2007, AS THE DATE TO ANNEX THE TAX WARRANT (M).**

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

WHEREAS, pursuant to section 904 of the Real Property Tax Law of the State of New York the county Legislative body shall annex to or, in the case of assessment rolls prepared in accordance with the provisions of article fifteen-C now, therefore, be it

RESOLVED, that December 18th, 2007 is the date when, pursuant to Section 904 of the Real Property Tax Law of the State of New York, this Legislature hereby orders that there shall be annexed to the Tax Rolls of the constituent towns and city of this County, the warrant described in Section 904 of the Real Property Tax Law, under the Seal of this Legislature signed by the Chairman of the Legislature and the Clerk of the Legislature, authorizing and directing the collecting officers of the city and towns to collect from the several persons, corporations and other entities named in said Tax Roll, the amounts listed opposite their respective names, together with any interest or penalties thereon prescribed by law, ON or BEFORE the first day of February, 2008.

Approved by voice vote, all present voting aye.

Motion to adjourn by Legislator Murphy at 10:00PM, approved by voice vote, all present voting aye.

**Minutes approved 3-25-08 by voice vote, all present voting aye.**