



**AGENDA**  
**GOVERNMENT OPERATIONS COMMITTEE**  
**Thursday, February 13, 2020, Chambers – 5:30PM**

**CALL TO ORDER:** By Hon. Ryan Foley, Chair

**MEMBERS:** Legislators Tricia Kerr, Timothy Lattimore, Christopher Petrus, Paul Pinckney, Charlie Ripley, and Ben Vitale (Vice Chair)

**MINUTES TO APPROVE:** January 9, 2019

**APPOINTMENTS:**

**RECORDS ADVISORY COMMITTEE**

Dr. Ruth Bradley, PO Box 276, King Ferry, NY 13081- Term 1/1/20- 12/31/2021

Paul Bornemann, Acting IT Director, 160 Genesee St., Auburn, NY 13021 – Term 1/1/2020- 12/31/2021

**DEPARTMENT UPDATES FOR COMMITTEE:**

**Cherl Heary and Katie Lacey (Board of Elections) –**

- Deputies have been compiling statistical data for 2019 in order to complete our required annual report.
- Surveys have been sent to all previous poll workers to gauge availability for working our 27 early voting days, as well as, our 3 election days.
- The anticipated scheduling of a special election to coincide with the April 28<sup>th</sup> Primary has cause great tribulation. The programming of multiple elections on poll books and voting machines is a challenge.
- The Commissioners are in the process of finalizing siting of early voting and Election Day polling places. District 11, in the City, will be consolidated to the Alliance Church on Seward Ave (no longer using Auburn Grove or Northbrook Heights, both of which had parking issues.)

**Sheila Smith (Clerk of the Legislature) –**

- All Department Heads have received the new Committee Appointments, Legislature Roster and Signature pages for Resolutions.
- Most Departments are on track with using their County credit card for county purchasing and uploading the correct documentation so the payment can be made.
- Chris Palermo has agreed to let Lacey learn how to do Committee Minutes and she will be attending committee Meetings with Amanda in February.

**Christopher Palermo (County Attorney) – No updates**

**Susan Dwyer (County Clerk) –**

My Monthly Report is on the County website and it contains data for December 2019, and 2019 Year End numbers.

Some of the highlights are:

- DMV Exceeded the budget revenue by \$94,812
- Total retention is \$692,671
- Total Transactions IN our County DMV Office: 78,926; Total online transactions conducted by Cayuga County residents: 19,070
- Every year our county has increased the number of individuals that are enrolled in the NYS Donate Life Registry; while New York's total average is 39%, as of Dec 31, Cayuga County was at 50%! Thank you to our DMV staff for being the major reason why Cayuga County has steadily increased the number of donors every year. We will continue to raise awareness and promote organ donation because it saves lives.
- In 2019, the County Clerk's Recording Office remitted \$648,899 to the County Treasurer's office.
- Revenue from passports and passport photos: \$47,747
- Revenue from our online records: \$21,834

- We celebrated Bill Hulik’s retirement after 20 years of service, and my team has been interviewing candidates. I will hire a new (provisional) County Records Retention Center Manager at the beginning of March.
- We have several ongoing projects at our Records Center, including a large Environmental Health Dept. scanning project. In addition this year we scanned more than 270,000 documents, and destroyed 458 boxes of records.
- I am very proud of the community partnerships that Dr. Ruth Bradley, our County Historian, has developed. This year she has partnered with Seymour Library several times; once to digitize the Auburn “Advertiser Journal” newspaper, 1913-1931, and another time to co-sponsor a symposium: “Creating Connections”: The Cayuga County History Symposium. Dr. Bradley has also published eight historical newspaper articles which were featured in The Citizen this year.

**Paul Bornemann (Information Technology) –**

- IT Steering, initial meeting with Ryan and Tricia in January, monthly meetings scheduled just prior to future Gov’t Operations meetings.
- IT team member Joe Feenin (contract with Entre) resigned mid-January to pursue another opportunity in North Carolina where he lived. Joe provided remote technical management of county systems since 2011. He managed & maintained server operating system, virtualization, storage hardware, data base systems, physical host servers, and provided support for applications. Entre will provide remote support for servers from the Rochester office on an interim basis, a new team member has been identified and will take many of Joe’s responsibilities and also bring significant Cyber Security experience, this person will be starting on-site upon County approval.
- Completing Nationwide Cyber Security Review (NCSR) assessment with Amy Russett and Rich Graham - as a prerequisite for the EMO to receive funds from Homeland Security Grant.
- Reviewing results of NYS BOE Cybersecurity Assessment that spanned 2018/2019.

Active Project Updates:

- 2020 Phone System Replacement underway
  - Meeting with departments in project, kickoff meeting with 8x8, working out deployment plans, will schedule configuration meetings with each department
  - Schedule:
    - 1/6 – 2/15 – Planning, IT training, data validation coordination with departments
    - 2/15-3/6 – Pilot and configuration
    - 3/15-4/6 – Training and Deployment
    - 4/6-4/30 – Changes and Support

- CPS – Northwoods Traverse Implementation, in coordination with NYS

- Schedule:
- 2019

Kickoff  
 Approval from NYS  
 Implementation of Server  
 Updated Notebooks & Scanners deployed to staff  
 Online Forms customized & validated  
 Data feeds completed

2020

Week 1/20 Initial staff training (completed)  
 Week 1/27 Staff scanning case load into Traverse  
 Week 2/3 Traverse mobile app training for Coaches  
 End of week Pilot group begins working 100% in Traverse  
 Week 2/17 & 2/24 review pilot team results, complete training  
 all staff and all staff using Traverse, fully implemented by March

**Jessica Strassle (Veterans) –**

- New York State Department of Transportation announced the availability of \$26.1 million in funding to enhance mobility options for seniors and person with disabilities. Applications are due by March 16, 2020.
  - Quotes form Shepard Bros-\$62,325.00 and \$63,205.15
  - Quote from Matthews Buses Commercial-\$63,797
- Reached out to Senator Helming’s office to request funding for the Dwyer Grant, request was sent to Jesse Wolf-Gould in the Senators Albany Office.
- Working with providers to expand Optum network in Cayuga County which will improve access to care for veterans through the Mission Act.
- Will be doing outreach on February 11, 2020 at the Summerhill Clerks Office.
- Working on getting staff dual accredited as Veteran Services Officer through the Department of Veteran Affairs. Will increase timely claims processes and increase training availability.

**RESOLUTIONS:**

**COUNTY ATTORNEY:**

2-20-GO-1 Amending the Rules of Order for the Cayuga County Legislature

2-20-GO-2 Authorization to fill and fund the position of Assistant County Attorney and abolish the Paralegal position in the Office of the County Attorney

**CLERK OF LEGISLATURE:**

2-20-GO-3 Update the Cayuga County Purchasing Policy

**IT:**

2-20-GO-4 Amend and extend Master Services Agreement between Cayuga County and Entre Computer Services

**EXECUTIVE SESSION: re: Contract negotiations and employment history of a particular person**

**ADJOURNMENT: Thursday, March 12, 2020 at 5:30PM**

If you have a disability and need accommodations, please call the Clerk of the Legislature's Office at 253-1308 at least 48 hours before the scheduled meeting to advise what accommodations will be necessary.

**COUNTY OF CAYUGA  
REQUEST FOR APPOINTMENT FORM**

**Requested Appointment To:** Dr. Ruth Bradley

**Name of Recommended Appointee:** PO Box 276  
**Address:** King Ferry, NY 13081

**This appointment is recommended by:** Legislature Appointment

**Length of Term: (Start date and End date, not just years)** 1/1/20 12/31/21

**New Term or Unexpired Term?**  New Term  Unexpired Term

**Name of person previously in this position:** Linda Frank, Former County Historian

**Is this a compensated position?**  Yes  No

**Is this a new appointment or reappointment?**  New appt.  Re-appt.

**If it is a reappointment, how long have they served?** 2 years

**Describe briefly the duties required of the proposed appointee.**

Attend quarterly Records Advisory Committee meetings to discuss the retention, storage, and preservation of all county records.

**Please provide a brief sketch of the proposed appointee(s) background (education, outside interests, etc.)**

Dr. Bradley is the County Historian, and as such, will sit on this committee in that capacity.

**COUNTY OF CAYUGA  
REQUEST FOR APPOINTMENT FORM**

**Requested Appointment To:** Paul Borneman

**Name of Recommended Appointee:** 160 Genesee Street  
**Address:** Auburn, NY 13021

**This appointment is recommended by:** Legislature Appointment

**Length of Term: (Start date and End date, not just years)** 1/1/20 12/31/21

**New Term or Unexpired Term?**  New Term  Unexpired Term

**Name of person previously in this position:** Steven Tobin, former I T Director

**Is this a compensated position?**  Yes  No

**Is this a new appointment or reappointment?**  New appt.  Re-appt.

**If it is a reappointment, how long have they served?**

**Describe briefly the duties required of the proposed appointee.**

Attend quarterly Records Advisory Committee meetings to discuss the retention, storage, and preservation of all county records.

**Please provide a brief sketch of the proposed appointee(s) background (education, outside interests, etc.)**

Mr. Borneman is the County Acting IT Director and as such, will sit on this committee in that capacity.

2-20-60-1

RESOLUTION NO. \_\_\_\_\_ 02/25/20

COA Amend Rules of Order

**AMENDING THE RULES OF ORDER FOR THE CAYUGA COUNTY LEGISLATURE**

BY: Hon. Ryan Foley, Chair, Government Operations Committee  
Hon. Christopher Petrus, Chair, Ways & Means Committee

**WHEREAS**, the Cayuga County Legislature’s Rules of Order (“Rules”) provide a framework under which the Legislature operates; and

**WHEREAS**, from time to time, circumstances or situations arise which necessitate amending the Rules to resolve unanticipated events or to improve efficiency in the operations of the Legislature; now, and

**WHEREAS**, the Government Operations Committee proposes making certain changes to the Rules as annexed hereto; now, therefore, be it

**RESOLVED**, that the Cayuga County Legislature hereby adopts the Rules of Order as the same are attached hereto.

**Government Operations Committee**

**Ways & Means Committee**

\_\_\_\_\_  
Ryan Foley, Chair

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Christopher Petrus, Chair

\_\_\_\_\_  
Tricia Kerr

\_\_\_\_\_  
Keith Batman

\_\_\_\_\_  
Timothy Lattimore

\_\_\_\_\_  
Elane Daly

\_\_\_\_\_  
Chris Petrus

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Andy Dennison

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Paul Pinckney

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Ryan Foley

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Charlie Ripley

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Benjamin Vitale

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Benjamin Vitale

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Tucker Whitman

## RULES OF ORDER – CAYUGA COUNTY LEGISLATURE

### Major Sections:

I – Definitions and Terms.....	1
II – Meetings of the Legislature.....	3
III – Committees.....	6
IV – Rules of Order.....	8
V – Ethics.....	11

### I – DEFINITIONS AND TERMS

**Chair<sup>1</sup>:** Unless otherwise stated, the term “Chair” shall, in the event of the Chair’s inability to act, death, resignation, or absence, be substituted with “Vice-Chair” in each instance until such time as the Chair’s disability is removed, a successor is elected, or the Chair returns, as the case may be.

**Conflict of Interest:** A real or perceived incompatibility between one’s private interests and one’s public or fiduciary duty.<sup>2</sup>

**Vice-Chair:** Unless otherwise stated, the term “Vice-Chair” shall, in the event of the Vice-Chair’s inability to act, death, resignation, or absence, be substituted with “Chair of the Judicial & Public Safety Committee” in each instance until such time as the Vice-Chair’s disability is removed, a successor is elected, or the Vice-Chair returns, as the case may be.

**Emergency:** Unless otherwise stated, the term “Emergency” shall be defined as a situation, which may result in harm to person or property, or cause the County significant operational difficulty, or significant potential expense if corrective action is postponed until a meeting of the Legislature may be assembled.

**Majority:** Unless otherwise stated, the term “majority” shall mean a majority of the weighted votes of the Legislature when used in Section II, Meetings of the Legislature.

Unless otherwise stated, the term “majority” shall mean a majority of the assigned members present when used in Section III, Committees.

**Majority Caucus:** Majority Caucus shall mean a subset of the Legislature predominantly comprised of the same political party who, when taken as a whole, constitute ~~a weighted majority~~ the largest number of weighted votes of the Legislative body. The weighted vote of any member of the Legislature not sharing the predominant political affiliation of the Majority Caucus shall be included in determining the size of the Majority Caucus upon agreement of those members sharing political affiliation and the member requesting inclusion in the Majority Caucus.

**Majority Leader:** The Majority Leader shall be a member of the Majority Caucus selected by the members thereof to fulfill the duties of such position as may be prescribed by law, resolution, or these Rules of Order. The selection of Majority Leader shall not be subject to a vote of the Legislature and shall be made at the Organizational Meeting ~~and at other such times as the Majority Caucus may determine~~. The Majority Leader shall serve in such capacity until a successor is selected.

<sup>1</sup> Local Law 2 of 1994 established the position of Chair of the County Legislature and indicated that the position should be referred to as “Chair”

<sup>2</sup> General Municipal Law §800 et seq.

**Minority Caucus:** Minority Caucus shall mean a subset of members of the Legislature, predominantly comprised of the same political party who, when taken as a whole, constitute the second largest weighted minority number of weighted votes of Legislative body. The weighted vote any member of the Legislature not sharing the predominant political affiliation of the Minority Caucus shall be included in determining the size of the Minority Caucus upon agreement of those members sharing political affiliation and the member for inclusion in the Minority Caucus.

**Minority Leader:** The Minority Leader shall be a member of the Minority Caucus selected by the members thereof to fulfill the duties of such position as may be proscribed by law, resolution, or these Rules of Order. There may only be one (1) Minority Leader of the Legislature. The selection of Minority Leader shall not be subject to a vote of the Legislature and shall be made at the Organizational Meeting ~~and at other such times as the Minority Caucus may determine~~. The Minority Leader shall serve in such capacity until a successor is selected.

**Notice:** Unless otherwise stated, the term "Notice" shall be defined to mean written notice personally delivered or sent by e-mail and by U.S. Postal Service to each member at each member's last known Post Office address.

**Quorum:** Unless otherwise stated, the term "quorum" shall mean the number of Legislators carrying such weighted vote as to constitute more than one-half of the total weighted votes when in Section II, Meetings of the Legislature.

Unless otherwise stated, the term "quorum" shall mean one more than half of the total members assigned to a committee when used in Section III, Committees.

**Recess:** A break from the meeting's agenda with the intention of re-convening and returning to the agenda at a time later in the same day.

**Weighted Vote, Simple Majority:** Each member of the Legislature shall carry the following number of votes when a simple majority is required, based on the Legislator's district:

District 1:	53
District 2:	75
District 3:	65
District 4:	51
District 5:	62
District 6:	86
District 7:	68
District 8:	61
District 9:	67
District 10:	49
District 11:	52
District 12:	47
District 13:	48
District 14:	48
District 15:	51

**Weighted Vote, 2/3 Majority:** Each member of the Legislature shall carry the following number of votes when a 2/3 majority is required, based on the Legislator's district:

District 1:	15
District 2:	21
District 3:	18
District 4:	15
District 5:	17
District 6:	22
District 7:	19
District 8:	17
District 9:	19
District 10:	14
District 11:	15
District 12:	14
District 13:	14
District 14:	14
District 15:	15

**II - MEETINGS OF THE LEGISLATURE**

The following shall apply to the County Legislature and shall supersede any previous rules to the contrary.

**RULE NO. 1: REGULAR MEETING** - There shall be only one (1) regular meeting per month of the County Legislature. The regular meeting shall be held on the fourth Tuesday of the month, except in such instances where the Chair shall otherwise order. The time of the regularly scheduled meeting shall be 6:00 PM, excepting the May meeting (Senior Citizen Day) which shall begin at 1:00 PM unless otherwise ordered by the Chair, and the October meeting (Student Government Day) which shall begin at 10:00 AM, unless otherwise ordered by the Chair. In the event a majority of Legislators vote to hold such meeting at a time different from that ordered by the Chair, the decision of the Legislature shall be final.

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**RULE NO. 2: SPECIAL MEETINGS** - Special meetings shall be held at the call of the Clerk of the Legislature upon the direction of the Chair, or upon request signed by a majority of the members of the Legislature. The Clerk of the Legislature shall serve Notice of the time, place, and purpose of the special meeting at least forty-eight (48) hours before the date fixed for holding the special meeting.

**RULE NO. 3: EMERGENCY MEETINGS** - In case of an emergency, or if the facts make less notice necessary to avoid serious consequence, the Legislature, by unanimous vote of all members, may waive notice entirely. Notice of less than forty-eight (48) hours may be ordered by a majority of the Legislature. The Chair may order the most reasonable method of notice possible, such as overnight service. Upon ordering such method of notice, prompt personal contact by the Clerk of the Legislature shall also be attempted by phone or in-person.

**RULE NO. 4: HOLIDAYS** - Whenever the day fixed for a meeting shall fall on a legal holiday, or a day celebrated as a legal holiday, the Legislature shall meet on a date set by the Chair of the Legislature. In the event a majority of Legislators vote to hold such meeting at a time different from that ordered by the Chair, the decision of the Legislature shall be final.

**RULE NO. 5: ORGANIZATIONAL MEETING** – 1. The organizational meeting of the County Legislature shall be held on or before January 8<sup>th</sup> of each year. The County Legislature shall, by resolution, duly adopted in the month of December, set forth the date, time, and place of the organizational meeting.<sup>3</sup>

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<sup>3</sup> County Law, Article 4, §151(1)

2. The Clerk of the Legislature shall serve upon each member a written notice stating the date, time, and place of such meeting to organize the Legislature and that a Chair will then be selected. Notice shall be sent at least forty-eight (48) hours before the date of the meeting. <sup>4</sup>

3. The Clerk shall call the members to order and the members, by a majority vote, shall select the Chair and Vice-Chair immediately following the roll call. Subsequent to the selection of the Chair and Vice-Chair, the Rules of Procedure shall be adopted by a majority of the Legislature as the next item of business.

4. In the event that a Chair is not selected on or before February first, the County Clerk shall appoint a member of the board as Chair until the end of the calendar year in which he/she is appointed.<sup>5</sup>

**RULE NO. 6: ORDER OF BUSINESS** – The order of business shall be:

1. Roll Call
2. Approval of Minutes
3. Communications and Petitions
4. Reports of Standing Committees
5. Reports of Special Committees
6. Presentation of Claims
7. Motions, Resolutions and Notices
8. Unfinished Business
9. Special Orders

**RULE NO. 7: AGENDA** – An agenda of the order of business shall be available electronically not less than five (5) days prior to the regular meeting.

**RULE NO. 8: MINUTES** – ~~minutes~~ Minutes shall be taken and recorded for each meeting. Minutes shall cover all items listed on the agenda or considered by the committee. Original print minutes will be kept in the Clerk of the Legislature Office. Draft Electronic copies of the minutes will be available to the Legislature prior to the meeting. Legislators may report errors or omissions to the Clerk of the Legislature Office giving the Clerk the opportunity to do corrections before the minutes are considered at a meeting. Minutes will be approved at the next regularly scheduled committee meeting; once final approval is received they will be posted electronically for public access.

**RULE NO. 9: CLAIMS** – 1. All claims are to be itemized by name of claimant and total amount claimed<sup>6</sup>. Such shall be prepared and available for approval by the County Administrator ~~or designee~~ before 5:00 PM of the Second Tuesday of each month. All claims shall be presented to the Legislature by the County Administrator ~~or designee~~ for audit prior to the commencement of the regularly scheduled monthly meeting of the Ways and Means Committee.

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2. The County Administrator ~~or designee~~ shall present such claims itemized by name of claimant, nature of claim, and total amount claimed. The County Administrator ~~or designee~~ shall indicate on the claim whether or not such claim is approved. Approved claims reported by the County Administrator or designee may be passed in the aggregate, but any claim objected to shall be acted upon separately, notwithstanding the recommendation of the County Administrator

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<sup>4</sup> County Law, Article 4, §151(1)  
<sup>5</sup> County Law, Article 4, §151(5)  
<sup>6</sup> County Law, Article 7, § 369(2)

“or designee”.

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3. Upon receipt of the warrant recommending the payment of bills or claims, any Legislator may move that any specific claim shall be withdrawn from the consideration of the Legislature, and shall be considered as a claim to be presented at the next Legislative meeting.

4. “If the County Administrator “or designee” is unavailable, the Chair of the Legislature may act in place of the Administrator”.

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**RULE NO. 10: RESOLUTIONS & MOTIONS** – Notwithstanding emergency resolutions, all resolutions shall be submitted in writing to each member of the Legislature, and all resolutions shall require a second before being put to vote unless the resolution has been previously signed by more than one member of the legislature, in which case a second is presumed to have been made by all signed. Upon the request of any member, any amendment to a resolution shall be put forth in writing.

2. All motions shall require a second before being put to a vote. Any motion not having a second shall be presumed defeated.

**RULE NO. 11: EMERGENCY RESOLUTIONS** – An emergency requiring the passage of a resolution by the Legislature shall be deemed to be passed by the Legislature upon the consent of the Chair of the Legislature, the Chair of Ways & Means, The Oversight Committee Chair, the Majority Leader, and the Minority Leader.<sup>7</sup>

**RULE NO. 12: ROUTINE RESOLUTIONS** – 1. Routine resolutions shall include any resolution of a recurring nature. Routine Resolutions may be grouped and acted upon by a single vote. Every Legislator has the right to request that any item so grouped be acted upon separately. Such request shall be granted without debate or vote.

2. Routine Resolutions shall be placed on the agenda with all other resolutions, except that Routine Resolutions shall be grouped together and be the first resolutions to be acted upon.

**RULE NO. 13: SPECIAL ORDERS** – Special orders shall consist of matters set down by a previous resolution of the Legislature to a certain day and shall be taken in order under Rule 6.

**RULE NO. 14: UNFINISHED BUSINESS** – All reports, resolutions, and other matters laid on the table may be brought and shall be taken in order under Rule 6.

**RULE NO. 15: ADJOURNMENT** – At evening meetings, when the hour of 11:00 PM arrives, the topic of discussion at the moment shall continue until completed and then before any new business is brought up, a vote will be taken and decided by a majority of those present whether to continue in session or adjourn until the following evening at 6:00 PM.

**RULE NO. 16: RESOLUTIONS NOT GOING THROUGH COMMITTEE** – Any member may present in accord with Section II, Rule 10, a resolution for consideration at the conclusion of Motions, Resolutions and Notices without committee consideration. When possible, such a resolution shall be provided to members in advance of the meeting but if not, it shall be presented in writing at the meeting to each Legislator and the public.

### **III – COMMITTEES**

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<sup>7</sup> Local Law No. 2 of 2011 identifies the positions required for the passage of emergency resolutions.

**RULE NO. 1: STANDING COMMITTEES** - Standing Committees aid and assist the Legislature in the transaction of business. Each Standing Committee shall provide general supervision through the County Administrator of the County Departments, Agencies, Authorities, and activities set forth under each Standing Committee. The Standing Committees shall have the power to decide governmental matters relating to the several departments, subject to final approval of the Legislature.

The Standing Committees are:

**1. Ways and Means**

- a. Auditor
- b. Budgets & Budget Officer
- c. Central Purchasing
- d. Finance
- e. Insurance
- f. Real Property
- g. Salaries and Personnel
- h. Taxes
- i. Treasurer

**2. Public Works Committee**

- a. Department of Public Works
- b. Water and Sewer Authority
- c. Building & Fire Code Inspector

**3. Planning and Economic Development**

- a. Agriculture
- b. Cayuga Economic Development Agency, Inc. (CEDA)
- c. Cooperative Extension
- d. Employment and Training
- e. Energy
- f. Environmental Management
- g. Planning
- h. Publicity
- i. Soil and Water Conservation District
- j. Tourism
- k. Water Quality Management

**4. Health and Human Services**

- a. Animal Protection Organizations
- b. Cayuga County Action Program
- c. Health Department
- d. Mental Health
- e. Office for the Aging
- f. Social Services
- g. Youth Bureau

**5. Government Operations**

- a. Board of Elections
- b. Cayuga Community College<sup>8</sup>
- c. Clerk of the Legislature

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<sup>8</sup> For Resolutions only. Monthly reports from the College are to be presented to the full Legislature at the regular monthly meeting.

- d. County Administrator<sup>9</sup>
- e. County Attorney
- f. County Clerk/DMV
- g. County Legislature and Rules
- h. Education
- i. Historian
- j. Information Technology
- k. Records Retention
- l. Veterans

**6. Judicial and Public Safety**

- a. Assigned Counsel
- b. Commissioner of Jurors
- c. Communications System (E-911)
- d. Coroner
- e. District Attorney
- f. Emergency Management Office
- g. Emergency Medical Services
- h. Fire
- i. Grand Jury
- j. Justices & Constables
- k. Probation
- l. Sheriff / Jail

**RULE NO. 2: STANDING COMMITTEE STRUCTURE** – The Standing Committees shall consist of seven (7) members. The Chair of the Legislature shall, as soon as practical after the Organizational Meeting, appoint a Chair for each Standing Committee and appoint each of its members from the members of the Legislature, except where the Legislature shall otherwise order by a majority weighted vote. The Chair of each Standing Committee, once appointed, shall select a Vice-Chair for that committee.

**RULE NO. 3: STANDING COMMITTEE MEETINGS** – 1. The Chair of a committee shall call the meeting to order upon appearance of a quorum, provided that the meeting is not called to order prior to the scheduled time of the meeting.

2. A majority of those present shall be sufficient to vote upon and pass any motion or resolution before the committee.

3. The County Rules of Order shall apply to all Committee Meetings.

**RULE NO. 4: WAYS AND MEANS COMMITTEE** – The Ways and Means Committee shall be comprised of the Chair of Ways and Means Committee, Chairs of the other Standing Committees and one at Large member of the Legislature, all to be appointed by the Chair of the Cayuga County Legislature. In the event that the Chair of one or more of the other Standing Committees is not present, then in that event the Vice-Chair of that Standing Committee may under certain conditions substitute for the absent Chair of a Standing Committee. In a situation wherein the Vice-Chair of a Standing Committee is in a position to participate and vote at the Ways and Means Committee meeting, as the result of being a Chair of another Standing Committee then in that event the Vice-Chair of a Standing committee may not so participate as a Vice-Chair of another Standing Committee. Then in that event the an individual may not participate at the Ways and Means Committee as a Vice-Chair of that Standing Committee then

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<sup>9</sup> For Resolutions only. Monthly reports from the County Administrator are to be presented to the full Legislature at the regular monthly meeting.

said Standing Committee shall be unrepresented. In the event of the absence of the Ways and Means Chair or the at large member, then said positions shall be unrepresented at the meeting. In the absence of the Chair of the Ways and Means Committee, the Vice-Chair of the Ways and Means Committee shall conduct the meeting and participate as Chair of their Standing Committee. In no circumstance, may a Vice-Chair of a Standing Committee substitute for more than one Chair of a Standing Committee or participate as a member of the Ways and Means Committee meeting if he or she is already a participating member of the Ways and Means Committee. In any possible case no legislator can have more than one vote in a Ways and Means Committee meeting.

**RULE NO. 5: COMMITTEE MINUTES** – minutes shall be taken and recorded for each meeting. Minutes shall cover all items listed on the agenda or considered by the Legislature. Original print minutes will be kept in the Clerk of the Legislature Office. Draft Electronic copies of the minutes will be available to the Legislature prior to the meeting. Legislators may report errors or omissions to the Clerk of the Legislature Office giving the Clerk the opportunity to do corrections before the minutes are considered at a meeting. Minutes will be approved at the next regularly scheduled committee meeting; once final approval is received they will be posted electronically for public access. Committee minutes shall include a listing of the members present and the members absent, the subject matter for which the meeting was called, action taken and other pertinent information.

**RULE NO. 6: SPECIAL COMMITTEES** – The Legislature may, from time to time, create and abolish Special Committees. Any resolution creating a Special Committee shall specify the powers and duties of the committees and the number of its members. The Chair shall appoint the members of all Special Committees, except where the Legislature shall order by a weighted majority vote.

**RULE NO. 7: TERM** – Each committee member shall serve as a member of such committee until their successor is appointed.

**RULE NO. 8: REFERRAL TO COMMITTEE** – All positions, communications, reports, and motions requiring action of a committee shall be referred by the Chair, without motion, to the committee having charge of matters relating to the same.

**RULE NO. 9: ATTENDANCE** – 1. Every member of the Legislature shall have the right to attend the meetings of any committee, whether regular, special, or executive session, unless otherwise prohibited by the rules.

2. Every member of the Legislature shall inform the Clerk of the Legislature in the event that such member is unable to attend a meeting of a committee to which such member is assigned. Failure to do so shall cause such absence to be recorded as an unexcused absence.

#### **IV – RULES OF ORDER**

**RULE NO. 1: RULE MODIFICATION** – No standing rule or standing order of the Legislature shall be rescinded, suspended or changed, or any rule added thereto unless it is by Weighted Majority Vote.

**RULE NO. 2: PRECEDENCE** – When a question shall be under consideration, no action shall be received except as herein specified, which motion shall have the precedence in the order named, to wit:

1. For an adjournment of the Legislature.
2. To call a Caucus.
3. To call the question.
4. To lie on the table.
5. To postpone indefinitely.
6. To postpone to a certain day.
7. Executive session.
8. To go into a committee of the whole pending subject immediately.
9. To commit to a committee of the whole.
10. To commit to a Standing Committee
11. To commit to a special committee.
12. To amend.
13. To Reconsider.

**RULE NO. 3: PRIORITY** – 1. All questions relating to the priority of business, that is, the priority of one question or subject matter over another, under the same order of business, shall be decided without debate.

2. When a blank is to be filled or several sums or times are proposed the question shall first be put on the largest sum and the longest time.

**RULE NO. 4: ORDER** – The Chair shall preserve order and decorum and decide all questions of order, which decision shall be final unless an appeal is taken to the Legislature. On an appeal from the decision of the Chair, the Legislature shall have the right in their place to assign their reason for their decision. The Legislature shall also have the right to substitute any member to perform the duties of the Chair but such substitution shall not extend beyond the next adjournment.

**RULE NO. 5: RECOGNITION** – 1. A member rising to debate, to give a notice, to make a motion or report, or to present a petition or other paper shall address the Chair and shall not proceed further until recognized by the Chair.

2. When two or more members shall rise at once, the Chair shall name the member who is to speak first.

**RULE NO. 6: PERMISSION OF THE FLOOR** – 1. Persons not members of the Legislature may, with the permission of the Chair, be permitted to speak in regard to matters pending before the Legislature.

**RULE NO. 7: PRIVILEGE OF THE FLOOR** – 1. Each Legislator may request privilege of the floor on behalf of another during the portion of the meeting designated as such. Those addressing the Legislature during privilege of the floor need not be limited in subject to matters currently before the Legislature, and may speak to any topic.

2. The Chair shall have the authority to grant or deny such request, and may limit the time that a person having been granted privilege of the floor may be allowed to speak.

**RULE NO. 8: ANNOUNCEMENT** – 1. Every motion or resolution shall be first stated by the Chair or read by the Clerk before debate, and immediately after the question is put.

2. After a motion or resolution is stated it shall be in the possession of the Legislature and may be withdrawn at any time before decision or amendment.

**RULE NO. 9: DEBATE** – 1. If any member is speaking or otherwise transgresses the Rules of Order, the Chair may call the member to order, in which case the member so called to order shall immediately stop unless permitted to explain.

2. While a member is speaking, no other member shall entertain any private discourse, or pass between the member speaking and the Chair.

3. No member shall speak more than twice on the same general question, without leave of the Legislature.

4. No member shall speak more than once on any question until every member choosing to speak shall have had the opportunity to speak.

**RULE NO. 10: OBLIGATION TO VOTE:** 1. Every member who shall be present when any question is stated from the Chair shall vote thereon, unless excused by the Chair of the Legislature after presentation of a suitable excuse prior to the beginning of the roll call, or unless the member is directly interested in the question, in which case, the member shall not be allowed to vote.

2. While the Chair is putting the question, no member shall walk across or out of the room.

3. The Chair shall, in all cases, have the right to vote unless otherwise restricted under Section V, Ethics.

**RULE NO. 11: TIE** – When the Legislature is equally divided, including the Chair's vote, the question shall be deemed to fail.

**RULE NO. 12: SEPARATING THE QUESTION** – If the question in debate contains several distinct propositions, the same shall be divided by the Chair at the request of any member, to the end that a vote may be taken on each proposition; but a motion to strike and insert shall be deemed indivisible.

**RULE NO. 13: COMMITTEE OF THE WHOLE** – In forming a committee of the whole, the Chair shall leave the chair and appoint a Chair to preside.

**RULE NO. 14: RECORDING OF VOTES** – When any proposition or question is submitted a member may ask for a yes or no vote and the same shall be recorded by the clerk, except that the Chair may ask the members how many wish to have their votes recorded so indicate.

**RULE NO. 15: VOTES NECESSARY** – 1. On the final passage of any resolution, having for its object the appropriation of any money, or the levying of any tax, the consent by Weighted Vote, Simple Majority, of the Legislators elected shall be necessary and shall be determined by recording a roll call vote.

**RULE NO. 16: ACCEPTANCE OF REPORTS** - The acceptance of a report by the Legislature shall not carry with it an appropriation without the accompaniment of a resolution to that effect.

**RULE NO. 17: CALLING FOR A RECESS** – 1. It shall be in the Chair's sole discretion to call for a recess of the meeting. Upon calling a recess, the chair will indicate the time at which the meeting is expected to reconvene. However, the meeting will not reconvene until a majority

of the legislature is present and the Chair, in his/her sole discretion; call the meeting back to order.

**RULE NO. 18: CALLING A CAUCUS** – Any member may request a caucus. Such request shall include a time to reconvene and will be granted without vote. The Chair shall reconvene the meeting at the appointed time. The caucus may be extended at the request of the Majority or Minority Leader, but only after the meeting has been reconvened.

**RULE NO. 19: RECONSIDERATION** – A vote on any resolution or motion made during the meeting of the Legislature may be reconsidered during the same meeting by and only by a motion and a second by Legislators who voted with the majority on the initial vote. A motion to reconsider requires a vote and majority support of the full body.

## V – ETHICS

**RULE NO. 18: CONFLICT OF INTEREST** – 1. It is the duty of each office holder, and each office holder is primarily responsible to disclose and resolve questions concerning a conflict of interest.

2. Advisory determinations from the Board of Ethics are available to help resolve conflict questions. Such determinations are particularly useful when a question is raised early and the Board of Ethics has sufficient time to investigate the matter.

3. In the event a conflict of interest question arises and the Board of Ethics is unable to make a timely determination, any Legislator may ask the County Attorney to render a non-binding opinion, or if any member so chooses, the full Legislature may vote to decide a question of conflict of interest.

4. Every Legislator has the right to call for and vote in such proceeding. Each vote is to be considered separately.

### History:

December 20, 2011 Resolution 541-11

March 27, 2012 Resolution 118-12

March 27, 2012 Resolution 119-12

February 26, 2013 Resolution 73-13

October 22, 2013 Resolution 359-13

August 26, 2014 Resolution 309-14

January 4, 2016 Amendment by Motion 1-16

January 3, 2017 Amendment by motion

August 27, 2019 Resolution 280-19

January 2, 2020 Amendment by motion

**AUTHORIZATION TO FILL AND FUND THE POSITION OF ASSISTANT COUNTY ATTORNEY AND ABOLISH THE PARALEGAL POSITION IN THE OFFICE OF THE COUNTY ATTORNEY**

BY: Hon. Ryan Foley, Chair, Government Operations Committee  
Hon. Christopher Petrus, Chair, Ways & Means

**WHEREAS**, the County Attorney's Office presently has two support staff positions – Confidential Secretary to the County Attorney and Paralegal; and

**WHEREAS**, the incumbent Confidential Secretary has successfully taken the New York State Bar exam and fulfilled all of the requirements for admission to the New York State Bar; and

**WHEREAS**, the workload of the County Attorney's Office has steadily increased over the years as a result of increased complexity in rules and regulations throughout all departments, imposition of Raise the Age legislation, and more turnover at the Department Head level requiring more legal support, while advancements in technology have made the workload less dependent on support staff; and

**WHEREAS**, the expense of the statutorily required prosecution of JD's has increased from \$22,694 in 2017 to \$36,029 in 2019, and increases are expected into 2020; and

**WHEREAS**, one of the duties an additional Assistant County Attorney would assume is to prosecute a significant portion of the Juvenile Delinquents; and

**WHEREAS**, in order to fund the Assistant County Attorney (PC#0037) it is necessary to abolish the Paralegal position which results in a savings of \$43,640 plus fringes; and

**WHEREAS** the incumbent in the Paralegal position has expressed interest in the Confidential Secretary Position which more closely aligns with the duties required in the office; now therefore be it

**RESOLVED**, that the County Attorney be authorized to fill the position of Assistant County Attorney (PC#0037) at the starting salary of \$63,968.00 per year and backfill the Confidential Secretary to the County Attorney position that will occur, and be it further

**RESOLVED**, that the salary of \$63,968 for the Non-Bargaining Assistant County Attorney be placed in Part IV of the Cayuga County Compensation Plan, and be it further

**RESOLVED**, that the position of Paralegal (PC#6592) within the County Attorney's Office is hereby abolished; and be it further

**RESOLVED**, that the funding for the Assistant County Attorney position be accomplished with the salary savings of the abolished Paralegal position and the remaining funding coming from the reduction in the professional services contractual budget line as a result of the shared prosecution of Juvenile Delinquents between the Assistant County Attorney and the contracted attorney for the Juvenile Delinquent prosecution; and be it further

**RESOLVED**, that the County Treasurer Office be authorized and directed to transfer \$15,000.00 from A14204-54059 to 14201-51001; and be it further

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

Government Operations Committee

\_\_\_\_\_  
Ryan Foley, Chair

\_\_\_\_\_  
Tricia Kerr

\_\_\_\_\_  
Timothy Lattimore

\_\_\_\_\_  
Chris Petrus

\_\_\_\_\_  
Paul Pinckney

\_\_\_\_\_  
Charlie Ripley

\_\_\_\_\_  
Benjamin Vitale

Ways & Means Committee

\_\_\_\_\_  
Christopher Petrus, Chair

\_\_\_\_\_  
Keith Batman

\_\_\_\_\_  
Elane Daly

\_\_\_\_\_  
Andy Dennison

\_\_\_\_\_  
Ryan Foley

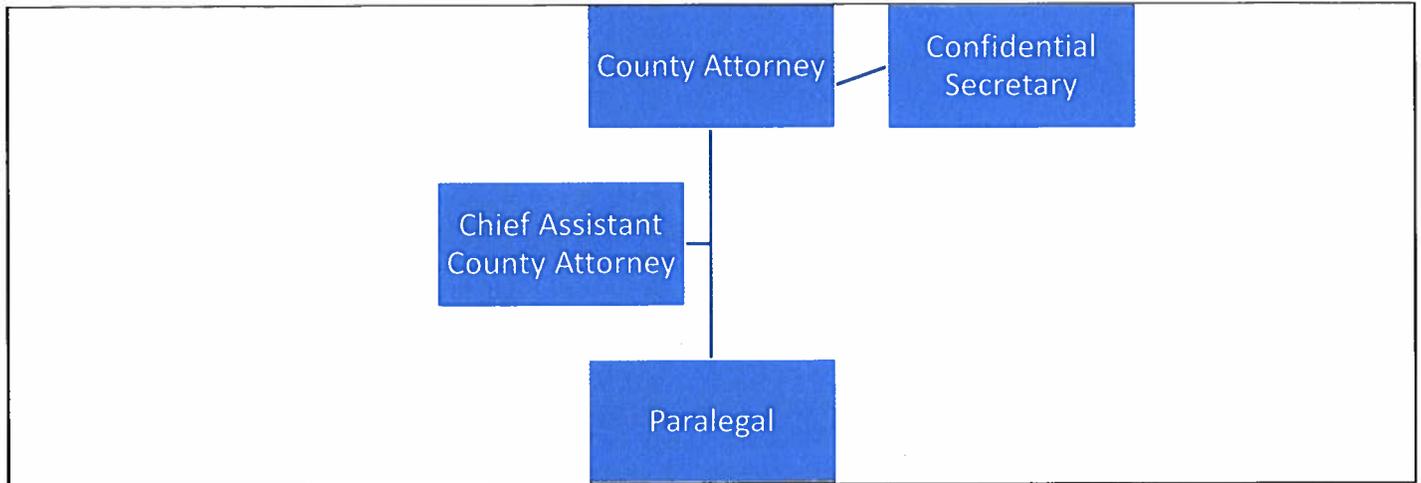
\_\_\_\_\_  
Benjamin Vitale

\_\_\_\_\_  
Tucker Whitman

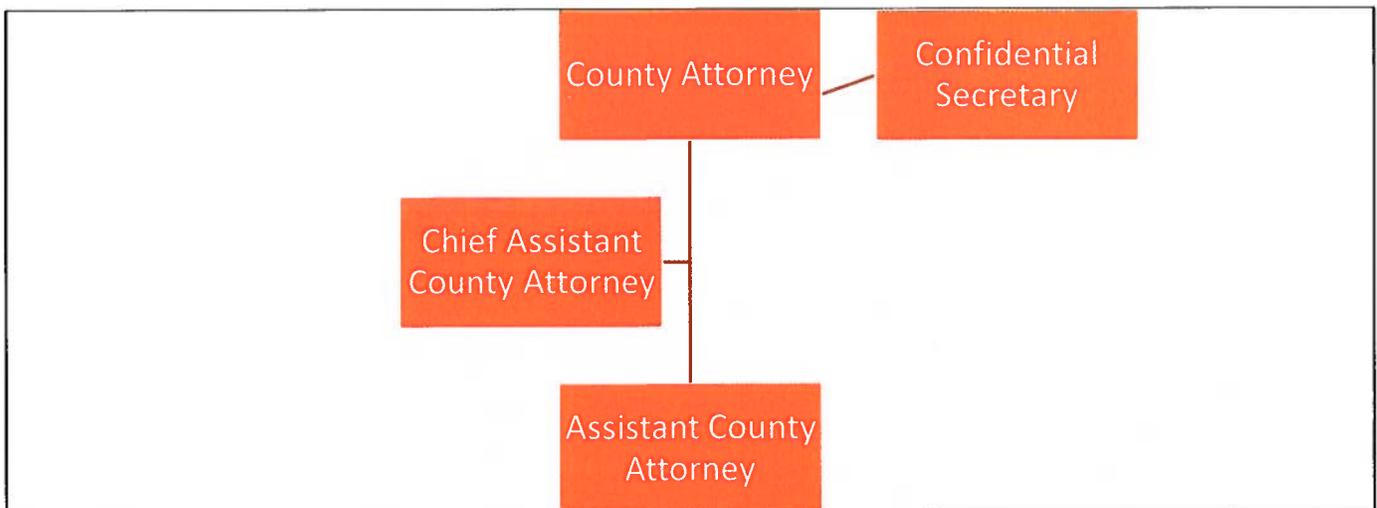
Co. Atty: 

# Cayuga County Attorney's Office

## Current Structure



## Proposed Structure



## Authorization to Create/Fill

A copy of this completed form **MUST** be attached to ALL Civil Service MSD-426 forms when filling a position.

---

Date 1/30/2020

---

Authorization To: Fill Only

---

**\*\* New Position Duties Statement (NPDS) - Short Form**

***REQUIRED IF the title exists within the department***

---

**\*\* New Position Duties Statement (NPDS) - Long Form**

***REQUIRED IF the title does NOT exist within the department***

---

Do you anticipate this request to result in fill-behinds? Yes

---

Cayuga County Department County Attorney

---

Job Title Being Requested (Exact Civil Service Title) Assistant County Attorney

---

Position Control Number 000037-SYS

---

Position Status Permanent

---

Position Designation Full-Time

---

Budget Account Number A14201-51001

---

Is a position being abolished to create the new position? No

---

Is the salary of requested position in the current comp plan? No

---

Comp Plan Requested Position WILL BE IN Part IV

---

Part IV Grade 9

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Minimum Salary (Part IV)	\$63,968.00
Base/Current Salary (Part IV)	\$63,968.00
Starting Salary for Position Requested	\$63,968.00
Justification for Salary Requested	No full-time assistant county attorney positions exist in the compensation plan. Salary is based upon the position of full-time Social Services attorney.
Does position include fringe benefits?	Yes
What is the justification for filling this position AND why is it important for your department?	Needs of the department require less support staff and additional assistance by a licensed attorney.
How is this position funded?	Budget
Is this a reimbursed position?	No
What will the fiscal impact of filling this position in your budget this year and in future fiscal years?	Ongoing costs will be the additional non-healthcare fringe benefits attributable to the difference in salary between the positions of paralegal and assistant county attorney. The additional salary will be covered by the transfer of funds from the professional services contractual line and the FT salary line.
Department Head	Christopher M. Palermo
Date	1/31/2020
Attestation	I am the department or agency head listed above authorized to submit by the appointing authority

(Section Break)

LHLippoldt HR Administrator Approved 2/3/2020

2-20-60-3

RESOLUTION NO. \_\_\_\_\_

2/25/20

PUR update purchase policy 20

**UPDATE TO CAYUGA COUNTY PURCHASING POLICY**

By: Ryan Foley, Chair Government Operations

WHEREAS, Section 104-B of the General Municipal Law requires the governing board of the County of Cayuga to adopt written internal policies and procedures governing all procurement of goods and services not required by law to be made pursuant to competitive bidding; and

WHEREAS, the County desires to update its current Cayuga County Purchasing Policy and Procurement Manual; and

WHEREAS, the County declares its intention to purchase competitively without prejudice and to seek maximum operational value for every dollar expended; now, therefore, be it

RESOLVED, that the attached Cayuga County Purchasing Policy and Procurement Manual, be updated and approved, effective February 25<sup>th</sup>, 2020.

**Government Operations**

\_\_\_\_\_  
Ryan Foley, Chair

\_\_\_\_\_  
Tricia Kerr

\_\_\_\_\_  
Tim Lattimore

\_\_\_\_\_  
Benjamin Vitale

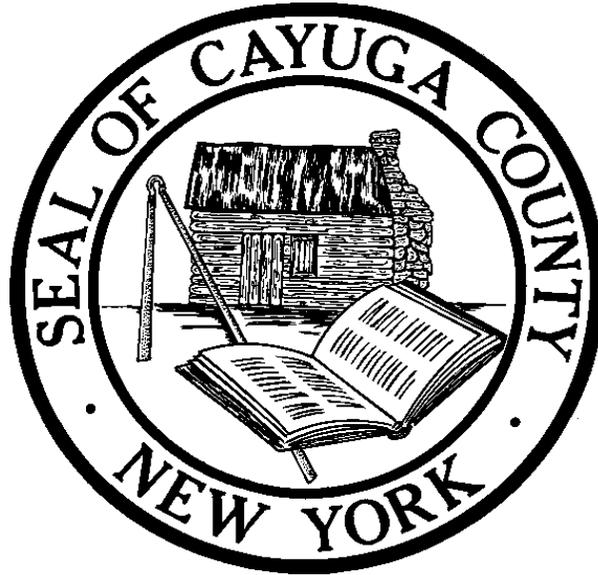
\_\_\_\_\_  
Charles Ripley

\_\_\_\_\_  
Christopher Petrus

\_\_\_\_\_  
Paul Pinckney

Co. Atty 

# *Cayuga County Purchasing Policy and Procurement Manual*



# 2020

**Resolution No.  
Adopted, February 25, 2020**

"Establishing effective and proper procurement policies is one of the most important responsibilities that governing boards have. When the State Legislature adopted General Municipal Law Section 104-b in 1991, it required governing boards to adopt written procurement policies and to update them at least once a year."

NYS Office of the State Comptroller (OSC)

## **CAYUGA COUNTY POLICY MANUAL**

### **Section 60**

**POLICY NAME:** PURCHASING POLICY AND PROCUREMENT MANUAL

**EFFECTIVE DATE:** FEBRUARY 25, 2020

**RESOLUTION NUMBER:**

**SUPERSEDES POLICY OF:** 7-27-10, Resolution 339-10

## **Purchasing Policy and Procedures Manual Index**

<b>Annual Review</b>	<b>Page 12</b>
<b>Bid Approval Process</b>	<b>Page 7</b>
<b>Definitions</b>	<b>Page 5</b>
<b>Emergency Purchases</b>	<b>Page 10-11</b>
<b>Ethics of Purchasing</b>	<b>Page 4-5</b>
<b>Introduction</b>	<b>Page 2-4</b>
<b>Invoice Entry</b>	<b>Page 12</b>
<b>Journal Entry</b>	<b>Page 12</b>
<b>Limits and Guidelines</b>	<b>Page 6-8</b>
<b>Mission Statement</b>	<b>Page 2</b>
<b>Policy and Control</b>	<b>Page 8-9</b>
<b>Petty Cash</b>	<b>Page 12</b>
<b>Professional Services</b>	<b>Page 7-8</b>
<b>Public Works</b>	<b>Page 7</b>
<b>Purchase Requisition</b>	<b>Page 9-10</b>
<b>Receipt of Goods</b>	<b>Page 11</b>
<b>Second Hand Equipment</b>	<b>Page 12</b>
<b>Sole Source &amp; Single Source Purchases</b>	<b>Page 9</b>
<b>Standardization</b>	<b>Page 12</b>

**Cayuga County  
Purchasing Policy and Procedures**

**MISSION STATEMENT**

The Cayuga County Legislature dedicates itself to the procurement of the right goods and services at the right price for the various County departments in a timely manner assuring the prudent and economical use of public monies. We will facilitate the acquisition of goods and services at the lowest possible cost and at the same time guard against favoritism, extravagance and fraud.

It is, therefore, essential that the purchasing policies and procedures of Cayuga County be clearly established and understood by all concerned.

This Purchasing Manual has been prepared at the direction of the Cayuga County Legislature as a statement of the policy upon which our purchasing practices and procedures are based.

The County declares its intention to purchase competitively without prejudice and to seek maximum operational value for every dollar expended

**INTRODUCTION**

Pursuant to General Municipal Law Section 104-b, goods and services which are not required by law to be procured by political subdivisions or any districts therein pursuant to competitive bidding must be procured in a manner so as to assure the prudent and economical use of public moneys in the best interest of the taxpayers of the political subdivision or district, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption. To further these objectives, the governing board of every political subdivision and any district therein, by resolution, will adopt internal policies and procedures governing all procurement of goods and services which are not required to be made pursuant to the competitive bidding requirements of section one hundred three of this article or any other general, special or local law.

The purchase function involves the procurement of materials, supplies, equipment, and services at the lowest possible cost consistent with the quality needed to meet the required standards of the County. Although procedures change, fundamentals do not. Our goal is the promotion of the County's best interest through intelligent action and fair dealing which will result in obtaining the maximum projected value for each dollar of expenditures.

This policy has been prepared as a guide to performing the procurement function in accordance with County policies. It is intended to serve as a continuing reminder of the duties and responsibilities involved in procuring required items, while at the same time maintaining the County's reputation for fairness and integrity.

- ❖ Members of the County shall maintain effective and professional public, vendor and customer relationships.

- ❖ To maintain a high level of quality service to our customers, we encourage our staff to participate in the numerous educational opportunities offered in the purchasing field; and to keep abreast of current developments in market conditions, pricing, new products and New York State laws as they pertain to the purchase of goods and services for Cayuga County.
- ❖ The Purchasing policy herein shall be administered in accordance with all ethical rules called for by the County of Cayuga and the National Institute of Governmental Purchasing Code of Ethics.
- ❖ The purchasing procedures employed will comply with all applicable laws and regulations of New York State and shall be subject to the approval of the County Legislature.
- ❖ Each procurement request will be examined by the Cayuga County Purchasing Office and processed according to the guidelines set forth under the appropriate section of the attached Purchasing Procedures.
- ❖ The Cayuga County Purchasing Office, in conjunction with the departments, will maintain adequate documentation of all action taken in connection with each method of procurement. Such documentation shall include but not be limited to any and all pertinent Board resolutions, memoranda, written quotes, contracts and any other appropriate form of documentation.
- ❖ Opportunity will be provided to all responsible suppliers to do business with the county. To this end, the County Purchasing Office or specific departments will maintain a listing of potential bidders for the various types of material equipment and supplies used by county departments. This list will be used for the distribution of notices for bids and quotes. Any supplier may be included on the list upon request. This list will be reviewed and updated as deemed appropriate by the County Purchasing Office.
- ❖ Suppliers will be removed from the bidders list if they make a formal written request, or if the County finds the supplier to be an irresponsible bidder. This is determined by failing to provide proof of responsibility, having repeatedly made slow or unsatisfactory delivery of supplies or services or having been found by a court of competent jurisdiction to have engaged in unlawful employment or business practices within the previous twelve (12) months.
- ❖ When soliciting bids, a “General Conditions” will be included with all specifications provided to suppliers. These general conditions will be incorporated into contracts awarded for the purchase of materials, equipment and services.
- ❖ Purchases should be made under County contract pursuant to Section 408-a of County Law, through available state contracts (OGS), or Sub 3 of GML 103 which allows purchases of materials, equipment or supplies, or to contract for services, other than services subject to article eight or nine of the labor law, through any county within the state, whenever such purchases are deemed to be in the best interest of the County.
- ❖ The County is also authorized to purchase goods under GML 104b not covered by GML 103 from ANY source duly quoted/bid by any state or federal governmental agency

where the vendor is willing to supply said goods and/or services to Cayuga County at the exact price quoted and meeting the exact specifications offered in the original solicitation.

- ❖ Supplies used by various county departments should be uniform whenever consistent with operational goals in the interest of efficiency and economy.
- ❖ Officials and employees shall have no financial interest in contracts entered into by the municipality (as defined in Section 800 of General Municipal Law). This also precludes acceptance of gratuities, financial or otherwise, as stated in the Cayuga County Code of Ethics.
- ❖ The County of Cayuga will not be deemed responsible for any commitment made at the departmental level circumventing these procedures. If County procedures are circumvented, disciplinary action may be taken. This may include holding the person personally liable for the unauthorized purchase.
- ❖ Salespersons are encouraged to visit the Purchasing Office prior to or in conjunction with initial, individual department contact.
- ❖ The Government Operations Committee will annually review the policies and procedures set forth in this manual prior to adoption by the Cayuga County Legislature.

### **ETHICS OF PURCHASING**

In order to eliminate any suspicion of wrongdoing, unfairness or conflicts of interest prior to any purchase of materials, goods, or supplies, Purchasing will:

1. Consider the interest of the County in the betterment of its government;
2. Endeavor to obtain the greatest value for every dollar expended;
3. Be receptive to advice and suggestions from department heads, insofar as such advice and suggestions are not in conflict with legal or moral restriction in purchasing procedures;
4. Strive for knowledge of municipal equipment and supplies in order to recommend items that may either reduce cost or increase municipal efficiency;
5. Insist on and expect honesty in sales representations whether offered verbally or in writing, through advertising or by providing samples of a product;
6. Give all responsible bidders equal consideration and the assurance of unbiased judgment in determining whether their product meets specifications;
7. Discourage the offer of, and to decline any and all gifts which in any way might influence the purchase of municipal equipment and supplies.
8. Accord a prompt and courteous reception, insofar as conditions permit, to all who call on legitimate business missions, and cooperate with governmental and trade associations in the promotion and development of sound business methods in purchasing the County's equipment and supplies.

### **PURCHASING POLICY DEFINITIONS**

- "Blanket Order" will be used to eliminate the necessity for the issuance of

separate orders for groups of items that are purchased frequently from the same vendor.

- "Legislature" will mean the governing body of the County.
- "Confirming Purchase Order" is used to provide a purchase order number in cases where necessity for immediate action exists.
- "Encumbering" will mean the act of reserving funds from the current operating budget for payment of goods and services ordered but not received.
- "Invoice" will mean a formal billing submitted by a vendor showing the amount due and terms of payment for supplies delivered or services rendered.
- "Municipality" will mean the County of Cayuga.
- "Professional and Personal Services" will mean those services which are provided to the County of Cayuga which will be exempt from the competitive bidding procedures as outlined in this policy.
- "Public Emergency" will mean an accident or other unforeseen occurrence or condition, whereby circumstances affecting public buildings, public property, or the life, health, safety or property of the inhabitants of the County are involved allowing for procurement of goods without competitive bidding.
- "Purchase Order" will mean formal notice to a vendor to furnish the supplies or services described in detail thereon. A Purchase Order is a formal contract with the vendor.
- "Purchasing" will mean the act of obtaining supplies, equipment, or services necessary to carry out a particular function of the County.
- "Purchasing Director" will mean the person who is responsible for the Purchasing function of the County.
- "Quotation" will mean an informal notice, either verbal or written, from a vendor setting forth the terms in which supplies or services will be supplied to the County.
- "Requisition" will be a written request to the Purchasing Office for one or more items or necessary services.
- "Requisitioner" will mean the official or department head, or the authorized subordinate, initiating a request for goods or service.
- "Specifications" will mean a written description of needed supplies, equipment or services setting forth in a clear concise manner the characteristics of the items and/or services to be purchased, and the circumstances under which the purchase will be made.
- "Vendor" will mean a supplier of goods or services to the County.

## **PURCHASING POLICY LIMITS AND GUIDELINES**

Pursuant to General Municipal Law Section 104-b, procedures for purchasing goods or services that fall below monetary bid limits must be established and approved by the governing board. The following guidelines are established for all purchases made by Cayuga County Departments.

All orders will be placed through the purchase order system to allow for proper encumbering of the funds. In all cases, the requesting department is responsible for supplying Purchasing with adequate information to purchase the item requested.

**GOODS/COMMODITIES**

<b>Purchase Amount</b>	<b>Requisition Required?</b>	<b>3 Quotes Needed?</b>	<b>Type of Quotes Required</b>	<b>Responsible to obtain quotes</b>	<b>Purchase order to be issued?</b>
Up to \$3,000	Yes	No	N/A	N/A	Yes
\$3,000.01- \$10,000	Yes	Yes	Verbal or Written	Department	Yes
\$10,000.01 - \$19,999.99	Yes	Yes	Written	Department (with Purchasing's assistance)	Yes
\$20,000 & over	Sealed Bid			Purchasing	

*All amounts represent an aggregate amount over a rolling 12 month period starting with the first purchase of that commodity*

A single purchase of a good/commodity less than \$25 does not require a purchase order. Order may not be split up to keep purchases below \$25.

All items purchased in excess of \$3000 must have 3 quotes unless they are available from a contract such as a New York State Contract, an approved County Contract or an approved Group Purchasing Contract. All quotes obtained by the department must be attached to the purchase requisition in MUNIS. The requisition number (assigned by the system) must be noted on the quote form. Upon approval of Purchasing, a purchase order will be issued.

When obtaining verbal or written quotes the record should, at a minimum, include the date, item or service desired, price quoted, name of vendor and the name of the vendor's representative and contact information such as phone, fax and e-mail address.

**ALL PUBLIC WORKS**

(Public Works applies to those items or projects involving labor or both materials and labor)

\$250 -\$1,000.99	1 verbal or written quote to be obtained by the department
\$1,001 -\$5,000.99	1 written quote to be obtained by the department
\$5,001 -\$ \$34,999.99	3 written quotes to be obtained by the department with purchasing's assistance

\$35,000 & over	Sealed Bid
-----------------	------------

*All amounts represent an aggregate amount over a rolling 12 month period starting with the first purchase of that public work*

All items purchased in excess of \$5001 up to \$34,999.99, must have 3 quotes unless they are available from a contract such as a New York State Contract, an approved County Contract or an approved Group Purchasing Contract.

How do you define a “Public Works Contract”? Any time an item or project involves labor or both materials and labor (other than simple delivery of goods) it qualifies, such as contracts for construction, demolition, remodeling, maintenance, painting, paving, printing and repair contracts.

**BID APPROVAL PROCESS**

Bids for goods and services will be awarded pursuant to authorization by the Cayuga County Legislature after the following conditions are met:

1. Sufficient appropriations are contained within the departments’ current budget (or budget transfer has been completed)
2. The department head or their designated representative and the County Administrator have certified in writing that the bids were received and meet the intent of the specifications
3. The award is made to the bidder submitting the lowest responsive and responsible bid per specifications and insurance requirements.
4. The requisitioning department shall document the rejection of any low bid deemed non-responsive or non-responsible and have offered the vendor(s) the opportunity to meet with the Purchasing Director and County Attorney to discuss the rejection. The requisitioning department shall attach a copy of said documentation to the resolution and a copy shall be supplied to Purchasing. Said documentation shall be attached to the bid evaluation form in the bid folder.

**PROFESSIONAL SERVICES**

For the procurement of non-contract professional services as defined by the General Municipal Law, the following procedures shall apply:

- A) Cost of up to \$5,000.99 – 1 verbal or written quote to be obtained by the department.
- B) Cost of \$10,001 - \$74,999.99 – Three formal written quotes will be obtained, reviewed and evaluated by a County committee of at least three people (consisting of Purchasing Director, Department head and others chosen by Purchasing Director) based on criteria necessary to obtain the best value for the County with the award made to the vendor who is ranked highest in accordance with procedures developed by the County. If the service can only be obtained from a sole source, this must be documented in the procurement record.
- C) Cost over \$75,000 – Formal Request for Proposal process will be completed in accordance with procedures developed by Cayuga County.

A minimum of three firms and/or individuals shall be solicited for each professional service contract. In all cases a good faith effort shall be made to obtain the required number of quotations or proposals. In the event that the required number of quotations or proposals are not obtained supporting documentation shall be maintained to record the circumstance. Under no circumstance shall the inability to obtain the quotations or proposals lead to the purchasing process being circumvented.

Contracts for professional services must be made in the best interest of the County. RFQs and RFPs will consider multiple factors such as price, staffing, reliability, skill, education and training, experience and references.

The Chair of the Legislature, or his/her designee can waive the RFP and quoting procedure for professional services in instances where a waiver is in the public interest based on the circumstances including, but not limited to, financial, legal or public necessity grounds.

All awards will be made to the lowest responsible bidder. Circumstances, which must be documented, may dictate purchase from other than a low bidder (i.e., delivery requirements, quantity requirements, location of the vendor, known past experience of a vendor, etc.)

### **PURCHASING POLICY AND CONTROL**

1. The Purchasing Department will be responsible for developing and administering the Purchasing program.
2. Purchase contracts for materials, equipment and supplies involving an estimated annual expenditure of more than \$20,000 and public works contracts involving more than \$35,000 will be awarded only after public advertising soliciting formal bids (Section 103 of the General Municipal Law.)
3. All bid packages for competitive bidding will be prepared by Purchasing. The requesting departments are to submit the necessary information as outlined in the competitive bidding section of this policy.
4. All requests to purchase any technology related equipment, software or services must be researched and approved by the Information Technology Department prior to purchase order being approved.
5. The Purchasing procedures employed will comply with all applicable laws and regulations of the State and County.
6. All contracts that require public advertising and competitive bidding will be awarded as provided by law and this policy.
7. Purchases will be made through available State Contracts of the Office of General Services. All New York State Contracts can be found at [www.ogs.state.ny.us/purchase](http://www.ogs.state.ny.us/purchase) or by contacting Purchasing. A requisition must be completed and a Purchase Order will be issued for all purchases from State Contracts, additional quotes need not be obtained.
8. Requests for renovations or maintenance to County property are to be submitted to the Buildings and Grounds Superintendent. Upon receipt the issues will be reviewed with the County Administrator.
9. Supplies used by various officers and departments should be uniform whenever consistent with operational goals and in the interest of efficiency or economy. The department head may be required to justify the need for a special type of item.
10. The Annual Financial Disclosure Form should be filled to assist in identifying any conflict of interest.

11. Cayuga County will always make a good faith effort to meet any MWBE requirements set forth by funding sources.

Legal notices are published in the three official County newspapers and the bidnet website, informing the public of the products or services being bid and any other sources the Purchasing Director deems appropriate

Where formal bidding procedures are not required by law and/or resolution, pricing will be solicited by the Administrator's Office pursuant to the procedure set forth in Section 104-b of General Municipal Law.

The only exceptions are for procurement made pursuant to General Municipal Law, Section 103 (3) (through County contracts) or Section 104-b (through state contracts); State Finance Law, Section 175-b (from agencies for the blind or severely handicapped); Correction Law, Section 186 (articles manufactured in correctional institutions), or DSS programs such as HEAP where the program has a set procurement process and the County is a pass through for funding only.

In certain situations, solicitation of alternative proposals or quotes is not practical. These may include: emergencies, true leases and sole source situations and combinations of professional services/purchases. In the case of emergencies, true leases and sole source, the requesting department and the Purchasing Office shall analyze, justify and clearly document the reasons behind the award. No awards shall be made before contacting the Purchasing Department. For professional service please refer to the Professional Service portion of this policy.

### **SOLE SOURCE & SINGLE SOURCE**

A sole source can be a manufacturer, software developer or service provider that sells direct and there are no other sources offering an "or equal". Prior to a vendor being considered a sole source, a letter on the vendor's official letterhead must be on file with the Purchasing Director detailing their sole source status.

A single source could be a distributor/wholesaler/retailer that has a contractual agreement for a specific territory to the exclusion of others. Should you have a situation involving a single source supplier, a letter on the manufacturer's letterhead must be on file with the County's Administrative Office confirming the single source authorized vendor.

### **PURCHASE REQUISITION**

#### **Preparation:**

The requisitioning department will enter the following information on the county financial software system. (MUNIS)

1. Date
2. Reason for the purchase
3. Vendor
4. Contract Information
5. Ship to location
6. Deliver by

7. Quantity and unit of measure
8. Item number and full description
9. Account number to be charged
10. Comments (resolution number, contract & insurance information, etc.)
11. Quote number, if applicable

If the department has a definite reason for ordering from a specific vendor it should be noted in the comments, the Purchasing Office will make the final decision as to price and vendor after reviewing the requisition and consulting with the using department. Adequate documentation shall also be provided with all requisitions, such as catalogs, references and full descriptions of the items/service being ordered, so that the Purchasing Office may procure the desired items/service in a timely fashion.

## **EMERGENCY PURCHASES**

- **DEFINITION:** To provide a purchase order number in cases where necessity for immediate action exists.

**Emergency Purchase** -General Municipal Law Section 103 (4) clearly states, "in case of a public emergency arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting public buildings, public property or the life, health, safety or property of the inhabitants require immediate action which can not await competitive bidding, contracts for public work or the purchase of supplies may be let by the appropriate officer, board or agency."

A true emergency does not exclude the need for securing competitive pricing, only the formal bidding process. The Purchasing Office should be contacted as soon as the emergency need is identified to secure pricing. If the Administrator is not available then follow the chain of command attached to this policy.

- **PROCEDURE:** When a department has an urgent situation, the following procedures will be followed:  
Prior to calling the Purchasing Department (if not available, contact the County Administrator, if he's not available, follow the chain of command), the requisitioning department should be prepared to supply the following information:
  - The reason the purchase is urgent.
  - The department name and budget code.
  - A complete description and accurate cost of the item to be purchased.
  - The name and address of the vendor from whom the goods are to be purchased.

Requisitioning department will verify the necessary budgetary appropriation. Purchasing, in conjunction with the County Attorney if necessary, will determine if a purchase is in fact urgent.

If it is determined that an urgent situation does exist the immediate availability of the required goods or services will be given prime consideration in the selection of the vendor.

The approving parties will verbally approve the purchase of emergency orders and keep record of it.

The ordering department will prepare a requisition containing the required

information. The requisition should be marked Confirming Purchase and entered into the purchase requisition system as soon as possible.

The individual who picks up the items from the vendor must obtain an extended invoice containing:

- Quantity and description of items purchased.
- The unit and total cost.
- The purchase order number assigned by the Purchasing Department after confirming order is issued.
- Signature of the person receiving the goods.

The Purchasing Department prepares the confirming purchase order and provides the regular distribution

**RESPONSIBILITY:** The Purchasing Department WILL NOT approve a confirming purchase order when the purchase is not justified, where the purchase is being made to circumvent established procedures, or where there is lack of proper planning

### **RECEIPT OF GOODS –DEPARTMENT**

Upon receipt of deliveries to County departments, before the employee signs for shipment should make an inspection of the goods. If there are any discrepancies or damages noticed at the time of delivery, the employee will note these on the delivery slip before affixing his or her signature accepting deliveries. This procedure will assist the County from incurring payments for damaged goods and/or goods not actually received.

Upon receipt of goods and/or services by the each department, if it is determined that the goods and/or services are not what was initially ordered or not acceptable due to quality or some other reason, every attempt should be made by the Department to resolve the problem with the vendor. In the event that a resolution is not reached, a vendor complaint memo and all documentation should be forwarded to the Purchasing Department for immediate action. The Purchasing Department will pursue all avenues to resolve the discrepancies that exist.

In the event of a partial order, a notation should be made on the receiving copy. This copy should be retained by the department until all goods and/or services have been rendered.

Upon receipt of goods and/or services, the department enters into MUNIS with the exact quantity received noted by receiving signature. The appropriate copy is signed and scanned then returned to the Payable Department for the file and a copy is submitted with the voucher for payment.

The Purchasing Department will be responsible for insuring that all purchases were made in accordance with these procedures. The requisitioning department is responsible for being sure that the receiving copy of the Purchase Order has been completed properly. All invoices, packing slips and other necessary information are to be retained by the department or submitted with the voucher for payment.

As standard business procedure, all County vendors are entitled to prompt payment.

If the County Administrator receives any claims for materials, supplies or services for which a purchase order was not issued and approved, and the funds were not encumbered as per policy, the County Administrator will have the authority to nullify the payment of such claim.

## **SECOND HAND EQUIPMENT**

There is a statutory exception to competitive bidding requirements that permits the purchase of surplus and second-hand supplies, materials or equipment without competitive bidding from Federal or State government or from any other political subdivision or public benefit corporation within the State. However, purchases of used items from any other source (e.g. private sources like auctions or going-out-of-business sales) are not exempt from bidding requirements.

## **ANNUAL REVIEW**

The governing board will annually review these policies and procedures. The County Purchasing Office will be responsible for conducting an annual review of the procurement policy and the County Auditor will evaluate the internal control structure established to ensure compliance with the procurement policy.

## **AP INVOICE ENTRY**

There are certain expenditures for which the processing of a purchase order is unnecessary. AP Invoice Entry is used for transactions that have already taken place and now just require payment; this is considered AP Invoice Entry in MUNIS.

AP Invoice Entry may be used for the following:

Advertising costs/legal notices- proof of publication must be attached to the invoice

Employee reimbursements

Mileage/Travel/Conference-submitted with standard County Travel request

All utilities: Phones (including cellular), Sewer, Water and Electric

Dues and Memberships

Postal fees

Pre-employment physicals

Subscriptions

Contract payments of professional services approved by board resolution

## **JOURNAL ENTRY**

Interdepartmental Charges: Will be recorded through journal entries

All receipts or invoices are to be coded with the proper account numbers and sent directly to the Accounts Payable Department for payment.

## **Petty Cash**

Cayuga County does not allow departments to have Petty Cash, except as authorized by resolution of the Legislature.

## **STANDARDIZATION**

General Municipal Law Section 103 makes it possible for the County to standardize on a particular type of material or equipment.



2-20-60-4

RESOLUTION NO. \_\_\_\_\_

2/25/20

IT Extend Entre

**Amend and Extend Master Services Agreement between Cayuga County and Entre Computer Services**

BY: Hon. Ryan Foley, Chair, Government Operations Committee  
Hon. Christopher Petrus, Chair, Ways and Means Committee

WHEREAS, Cayuga County's and Information Technology Department is staffed by a combination of employees and contractors provided by Entre pursuant to a Master Services Agreement ("Agreement"), and

WHEREAS, Entre has provided contract CIO services since the resignation of the former CIO Director, and

WHEREAS, the current Agreement expired December 31, 2019 and the county wishes to continue the relationship as it evaluates the future of the county's IT needs; now therefore be it

RESOLVED, that the Chair of the Legislature is hereby authorized to Extend Master Services Agreement between Cayuga County and Entre Computer Services under the previous terms and conditions from January 1, 2020 through December 31, 2020.

**Government Operations Committee**

**Ways & Means Committee**

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Ryan Foley, Chair

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Christopher Petrus, Chair

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Tricia Kerr

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Keith Batman

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Timothy Lattimore

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Elane Daly

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Chris Petrus

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Andy Dennison

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Paul Pinckney

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Ryan Foley

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Charlie Ripley

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Benjamin Vitale

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Benjamin Vitale

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Tucker Whitman

Co. Atty: 