



**MINUTES**  
**CAYUGA COUNTY LEGISLATURE**  
**Tuesday, May 28, 2019 at Emerson Park**  
**(Lunch at 12:00PM and Meeting at 1:00PM)**

**CALL TO ORDER:** Hon. Tucker Whitman, Chair called the meeting to order at 1:09PM

**ROLL CALL:** Sheila Smith, Clerk of the Legislature – all legislators present

**PLEDGE OF ALLEGIANCE:**

**MOMENT OF PRAYER:**

**DEATHS:** Our sincere condolences to the families and friends of:

**PUBLIC HEARING: Opened at 1:11PM**

- Public hearing on a Local Law amending Local Law No. 4 of 1992 changing the term of office from four years to two years for Cayuga County Legislators running for the term beginning January 1, 2022 and changing the term limit for legislators from three terms to three full elected four year terms.

**Petrus grants privilege of the floor to Mr. Rigby speaks on the local law and says it is simple and direct and should take away loop holes people would be inclined to take.**

**PROCLAMATIONS:**

- Senior Citizen's Month in Cayuga County – May 2019
- Senior Nutrition Program Volunteers Day – May 28, 2019

**ANNOUNCEMENT OF AWARDS: Senior Citizens of the Year 2019**

- Patricia Messina – Presented by Legislator Aileen McNabb-Coleman, District 6
- Betty M. Walowsky – Presented by Legislator Paul Pinckney, District 5

**Break at 1:26PM**

**20 minute break following the presentation – refreshments will be served immediately following the ceremony.**

**Meeting called back to order at 1:47PM**

**PRIVILEGE OF THE FLOOR:**

**MINUTES TO APPROVE:** April 23, 2019, May 9, 2019, & May 22, 2019, Motion by Bennett, 2<sup>nd</sup> by Batman, all in favor.

**PRESENTATION:** Dr. Adam Effler, Executive Director of the Owasco Lake Management Council Effler gives a synopsis on the council and their mission is to coordinate actions that protect and restore the watershed for the sake of a healthy lake water resource. He says leading scientist have indicated that our water pollution problems are overwhelmingly non-point source driven, meaning they have to do with land use practices within the watershed. He says from protection angle they are seeking compliance with the rules and regulations document that has already been set forth. The document states that no pollution shall be discharged into any water source in the watershed. They are looking to support restorative work, which includes planning for nutrient reductions throughout the watershed and proper planning to enhance soil stability with the erosion sediment control practices. They are also seeking buy in from the southern communities in the watershed. He also urges the legislature to be creative with program funding and support the watershed programs.

**Motion by Bennett to approve appointments, 2<sup>nd</sup> by Ripley, all in favor.**

**APPOINTMENTS AND RE-APPOINTMENTS:**

**OFA Advisory Board:**

Terry Debiaw, 8 Tex Pultz Pkwy, Port Byron, NY 13140, Term - 5/1/2019 – 12/31/2023 (New appt.)

**Alcohol & Substance Abuse Subcommittee:**

JoLynn Mulholland, 19 Hazlehurst Avenue, Auburn, NY 13021, Term – 1/1/16-12/31/19 (New appt.)

**Motion by Bennett to waive the reading of communications, 2<sup>nd</sup> by Dennison, all in favor.**

**COMMUNICATIONS AND ANNOUNCEMENTS:**

- 1.) Letter from Senator Schumer to Secretary of Commerce Wilbur Ross, in regard to the support of the application to the National Oceanic and Atmospheric Administration (NOAA) to create a National Marine Sanctuary in eastern Lake Ontario water.

**CCC REPORT:** Dr. Durant

**COMMITTEE REPORTS & INDIVIDUAL LEGISLATORS' REPORTS:**

Daly mentions in May 21<sup>st</sup> at CCC the workforce development 101 for employers was held that she attended. She would like to recognize the collaboration between CEDA, Workforce Career Center, Cayuga Works Career Center, and CCC They brought a panel of 11 workforce development resource providers together to let area businesses know what actions they can take to help in their efforts. She says the whole presentation is available on the CEDA website.

Didio mentions Cayuga County hosting the Inter County Association of Western NY Meeting June 21st at Springside. He asks the legislature for door prize donations.

Lattimore mentions the Memorial Day parade and it was very well attended and went well.

**COUNTY ADMINISTRATOR'S REPORT:** J. Justin Woods

Woods reports on the Lake Ontario water levels continuing to rise. He says we are prepared as we can be and working with the town and village over there with our deputy coordinators, DPW, Planning, and 911. He says the County Attorney and he are assisting local communities with drafting emergency orders and the no wake zone is still in effect. He says the Planning Department is moving forward with reviewing the RFPs for the strategic plan for CCPUSA. The compensation consultants were here last week and that project continues to move forward. He says they have identified a candidate for purchasing, but wanted to make sure the legislature is still on board going on that path. The shared services panels will kick off next month and there is a save the date out for the middle of June.

Lattimore asks for an update on the master plan in regards to the playground at some point.

Foley says to Woods that he read all of the memos and within each of those reports were remarks in regards to the compensation study that some salaries were based on. He says the legislature approved the compensation study earlier this year and Woods is making some acknowledgments and references to numbers, but the legislature has not seen a completed draft yet. He asks when the legislature will be presented with the compensation study. Woods says he does not have an answer for that, but he will get an update on the timeline. He says at the start of the process knowing we had these upcoming vacancies he asked the consultants to look at 4 or 5 position we knew we would be filling, so he had that data available.

**CHAIRMAN'S REPORT:** Tucker Whitman

Whitman says the flooding is consuming his time, but we are definitely more prepared this time around. He says as a heads up he was contacted earlier this week by someone looking to do a solar project in the north end of the county and he will pass that off to Planning and CCPUSA.

**CAYUGA COUNTY LEGISLATURE  
RESOLUTIONS 5-28-19**

**RESOLUTION NO. 155-19      05/28/19      AP Audit May 2019 (A)  
AUTHORIZING THE COUNTY TREASURER TO PAY APRIL 6-26, 2019 AUDIT OF CLAIMS**

BY: Patrick Mahunik, Chair, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on **May 28, 2019**, audit claims against the County of Cayuga in the aggregate sum of \$929,127.38 therefore be it

RESOLVED, that the Clerk of this Legislature file a certified list of claims so audited with the County Treasurer, and be it further RESOLVED, that the County Treasurer be and he hereby is authorized and directed to pay the several claims so audited and charge the amounts to the several appropriations made therefore in the County Budget finalized on November 27, 2018.

Signed by Mahunik, Bennett, Daly, DeForest, Foley, Petrus, and Pinckney, all in favor.

**RESOLUTION NO. 156-19      05/28/19      AP Audit May 2019 (B)  
AUTHORIZING THE COUNTY TREASURER TO PAY APRIL 27-MAY 10, 2019 AUDIT OF CLAIMS**

BY: Patrick Mahunik, Chair, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on **May 28, 2019**, audit claims against the County of Cayuga in the aggregate sum of \$2,547,359.46 therefore be it

RESOLVED, that the Clerk of this Legislature file a certified list of claims so audited with the County Treasurer, and be it further RESOLVED, that the County Treasurer be and he hereby is authorized and directed to pay the several claims so audited and charge the amounts to the several appropriations made therefore in the County Budget finalized on November 27, 2018.

Signed by Mahunik, Bennett, Daly, DeForest, Foley, Petrus, and Pinckney, all in favor.

**RESOLUTION NO. 157-19      05/28/2019      TRE extend Heritage Contract  
ADOPTING RESOLUTION TO EXTEND CONTRACT WITH HERITAGE ABSTRACT TO PROVIDE IN REM TAX  
FORECLOSURE SEARCHES FOR AN ADDITIONAL YEAR**

By: Joseph Bennett, Chair Ways and Means Committee

WHEREAS, resolution 135-16 authorized Cayuga County to enter into a contract with Heritage Abstract for In Rem Tax Foreclosure Searches; and

WHEREAS, the term of the contract was set to terminate May 15, 2017, with an option to extend annually for an addition period of four (4) years; and

WHEREAS, resolution 92-17 approved the first annual extension of the contract with Heritage Abstract; and

WHEREAS, resolution 152-18 approved the second annual extension of the contract with Heritage Abstract; and

WHEREAS, the Cayuga County Treasurer would like to enter into the third annual extension of the contract to May 15, 2020; now, therefore, be it

RESOLVED, that the County Legislature approve the annual extension of the contract with Heritage Abstract to provide services through May 15, 2020 for In Rem Tax Foreclosure Searches.

Signed by Mahunik, Bennett, Daly, DeForest, Foley, Petrus, and Pinckney, all in favor.

**RESOLUTION NO. 158-19      5/28/19      TRE Amend Agmt Foreclosure Attorney rev  
AUTHORIZATION TO SIGN AN AMENDED AGREEMENT WITH THE SPENO MacLEOD, PLLC TO PROVIDE  
REPRESENTATION TO CAYUGA COUNTY IN ALL ASPECTS OF REAL PROPERTY TAX LAW ARTICLE 11  
PROCEEDINGS AND LEGAL WORK**

By: Patrick Mahunik, Chair, Ways & Means Committee

WHEREAS, Cayuga County, pursuant to Article 11 of the New York State Real Property Tax Law forecloses tax liens by proceeding in Rem; and

WHEREAS, resolution 151-18 authorized Cayuga County to enter into an agreement with the Law Office of Rebecca M. Speno, Esq. for professional legal services relating to Article 11 proceedings; and

WHEREAS, the term of the agreement is set to terminate on April 30, 2021, with an option to extend annually for an additional period of three years; and

WHEREAS, the name of the law firm has changed to Speno MacLeod, PLLC; and

WHEREAS, the County desires to sign an amended agreement to reflect this change; and

WHEREAS, the agreement is the same as the original agreement in all other respects; now, therefore, be it

RESOLVED, that the Cayuga County Chair of the Legislature is hereby authorized to enter into and sign an amended agreement (attached) with the law firm Speno MacLeod, PLLC for professional legal services for tax foreclosure proceedings in Rem through April 30, 2021; and be it further

RESOLVED, that these services be paid from Account #A13624-54059 (Tax Advertising and Expense – Professional Services).

Signed by Mahunik, Bennett, Daly, DeForest, Foley, Petrus, and Pinckney, all in favor.

**RESOLUTION NO.159-19**

**5/28/19**

**TRE cancel penalty & interest**

**RESOLUTION AUTHORIZING THE CANCELLATION OF PENALTY AND INTEREST OF \$894.00 ON TAX MAP NUMBER 81.19-1-10 IN THE TOWN OF MENTZ**

By: Benjamin Vitale, Legislator, District #3

Patrick Mahunik, Chair, Ways and Means Committee

WHEREAS, New York State Real Property Tax Law Section 1182 permits the cancellation or reduction of interest, penalties and other charges if the governing body determines that it is in the best interests of the tax district and passes a resolution to authorize the enforcing officer to permit the cancellation in part or in whole of any interest, penalty or other charges; and

WHEREAS, extenuating personal circumstances have come to light regarding a parcel in the Town of Mentz, Village of Port Byron, Tax Map Number 81.19-1-10, commonly known as 8 Millner Street; and

WHEREAS, the owner, Raymond Staring, has requested interest and penalty be canceled; and

WHEREAS, current interest and penalty on the parcel is \$894.00, as follows by tax year; now therefore be it

Tax Year	Interest	Penalty	Total
2019 DLQT	\$123.85	\$147.35	\$271.20
2018 Lien	\$191.83		
2017 Lien	\$430.97		
Total	\$746.65	\$147.35	\$894.00

RESOLVED, that the Cayuga County Legislature finds it to be in the best interests of the county to cancel the penalty and interest in the amount of \$894.00 on Tax Map Number 81.19-1-10 in the Town of Mentz; and be it further

RESOLVED, that the Cayuga County Legislature authorizes the Cayuga County Treasurer to refund payment, if applicable, of the aforementioned penalty and interest.

Signed by Mahunik, Bennett, Daly, DeForest, Foley, Petrus, and Pinckney, all in favor.

**RESOLUTION NO. 160-19**

**5/28/19**

**RPS may mortgage tax 2019**

**AUTHORIZE THE COUNTY TREASURER TO PAY MORTGAGE TAX**

By: Patrick Mahunik, Chair, Ways & Means Committee

WHEREAS, it appears from the final report of Sue Dwyer, as County Clerk of Cayuga County, that there has been paid to the County Treasurer the sum of **\$396,565.85**, the same being the net amount collected from the taxation of mortgages for the period October 1, 2018, to March 30, 2019; and

WHEREAS, there is in the County Treasurer's Account No. T-58, the amount of **\$396,565.85**, which should be distributed among the City of Auburn and the Towns and Villages of the County; now therefore be it

RESOLVED, that the County Treasurer be directed and required to pay the sum of **\$396,565.85** to the City of Auburn and the several Towns and Villages of the County of Cayuga in the following amounts:

City of Auburn	92,064.53	Montezuma	\$	2,365.39
Aurelius	14,446.08	Moravia	\$	15,729.88
Cayuga Vlg	1,050.26	Moravia Vlg	\$	5,951.81
Brutus	12,164.52	Niles	\$	16,091.34
Weedsport Vlg	6,078.85	Owasco	\$	29,410.30
Cato	9,052.71	Scipio	\$	14,113.46
Cato Vlg	318.09	Sempronius	\$	4,043.11
Meridian Vlg	346.42	Sennett	\$	23,157.72
Conquest	7,943.40	Springport	\$	14,703.51
Fleming	23,474.90	Union Springs Vlg	\$	5,090.19
Genoa	6,605.54	Sterling	\$	11,701.23
Ira	11,231.57	Fair Haven Vlg	\$	7,830.63
Cato Vlg	570.68	Summerhill	\$	6,426.13
Ledyard	7,765.60	Throop	\$	12,878.71
Aurora Vlg	1,690.66	Venice	\$	11,663.40
Locke	9,478.74	Victory	\$	4,827.31
Mentz	4,116.12			
Port Byron Vlg	2,183.06			

**Grand Total \$ 396,565.85**

Signed by Mahunik, Bennett, Daly, DeForest, Foley, Petrus, and Pinckney, all in favor.

**RESOLUTION NO. 161-19      5/28/2019      COA BJ's Wholesale Club, Inc Settlement 2019**

**Authorizing the Settlement of the Matter of BJ's Wholesale Club, Inc vs. the Assessor, the Board of Assessment Review of the Town of Sennett and the Town of Sennett, Cayuga County, New York, (Index Nos. 2016-0618, 2017-0596 and 2018-0788) and the Execution of a Stipulation of Settlement and Judicial Order**

By: Hon. Patrick Mahunik, Chair Ways & Means Committee

WHEREAS, Petitioner BJ's Wholesale Club, Inc., commenced tax certiorari proceedings under New York State Real Property Tax Law, Article 7, for the assessment years 2016, 2017 and 2018, challenging the assessments on property it owns in the Town of Sennett within Cayuga County, located at 11 Plaza Dr., Sennett, known as Tax Map No.109.72-1-20.1; and

WHEREAS, the Town, County and School District duly and timely appeared in this proceeding; and

WHEREAS, the parties have since engaged in settlement discussions and have fully agreed to resolve their differences without further litigation as proposed and outlined in the Stipulation of Settlement and Judicial Order, which the County's Special Counsel, the County Attorney and attorneys for the Town and School District believe is preferable to the risk and expense of a trial in this instance; and

WHEREAS, the parties have agreed to the following assessment with refunds totaling \$9,876.70 for the years listed below:

Assessment Year	Tax Map No	Original/Current Assessed	Revised Assessed Value	Refunds
2016	109.02-1-23.2	\$6,000,000	\$5,550,405	\$4,180.59
2017	109.02-1-23.2	\$6,000,000	\$5,736,891	\$2,404.65
2018	109.02-1-23.2	\$6,000,000	\$5,643,648	\$3,291.46

WHEREAS, the parties have agreed to the following assessed values for the years as listed; and

Assessment Year	Tax Map No	New Assessed Value
2019	109.02-1-23.2	\$5,016,576
2020	109.02-1-23.2	\$5,016,576
2021	109.02-1-23.2	\$5,016,576

WHEREAS, the Town and School Attorneys have advised that the proposed settlement is acceptable to the Sennett Town Board and Board of Education, respectively, and

NOW, THEREFORE, BE IT RESOLVED by the Legislature as follows:

Section 1. The Cayuga County Legislature authorizes its Special Counsel to settle these tax assessment review proceedings.

Section 2. The Cayuga County Treasurer and Director of Real Property Tax Services shall cause the necessary entries to be made to tax and assessment records, and refunds to be issued, as required to implement the intent of the Stipulation of Settlement and Judicial Order once fully executed.

Section 3. This resolution shall take effect immediately.

Signed by Mahunik, Bennett, Daly, DeForest, Foley, Petrus, and Pinckney, all in favor.

**RESOLUTION NO. 162-19      05/28/2019      RPS Repurchase Parcels 2019 Rev 2****Authorizing the Purchase of Tax-Delinquent Property Owned By Cayuga County**

By: Patrick Mahunik, Chair, Ways &amp; Means Committee

WHEREAS, policies and procedures have been established for the sale, disposition and use of certain real property owned by Cayuga County, as approved in Resolution 109-18 and Policy No. 80; and

WHEREAS, the Director of Real Property Tax Services has received a request to purchase tax foreclosed property and, in accordance with said policies and procedures, is presenting the same for consideration by the Ways and Means Committee of the Cayuga County Legislature; and

WHEREAS, as required by policy, certified funds are being held in trust with the County Treasurer; all title search documentation has been updated and items listed under mortgages, judgments and liens have been satisfied or reinstated where applicable; and

WHEREAS, the Director of Real Property Tax Services recommends approval of the following purchase requests:

<b>Muni</b>	<b>Map #</b>	<b>Location</b>	<b>Amount</b>	<b>Name of Purchaser</b>
Aurelius	115.10-1-24	6525 Mullen Dr	\$ 8,619.89	Anthony Ciulla
Genoa	226.04-1-4	8731 State Route 90	\$ 3,665.18	David Smith
Genoa	239.00-1-10.2	484 State Route 34	\$ 8,704.94	Harold Rumpff
Locke	240.00-1-6	681 Bird Cemetary Rd	\$ 5,521.31	Randy Bossard
Mentz	75.00-2-12	Berger Rd	\$ 3,245.25	Joseph S. Messina III
Mentz (v)	81.20-1-8.2	78 Utica St	\$ 9,252.12	Lock 52 Historical Society of Port Byron
Mentz (v)	81.20-2-46.3	24 Tex Pultz Pkwy	\$ 17,689.81	Russell Bergner
Montezuma	86.00-1-20.541	8378 West Loop Rd	\$ 15,835.55	Jeffrey Smith
Moravia	189.00-1-14	2838 Buckley Hill Rd	\$ 10,585.75	Terry Rogers Kristan Rogers
Owasco	116.19-1-61.1	Melrose Rd	\$ 650.00	Town of Owasco
Owasco	123.07-2-5	Shearin St	\$ 650.00	Town of Owasco
Owasco	123.07-2-6	Shearin St	\$ 650.00	Town of Owasco
Owasco	123.08-2-2	Meadow Ln	\$ 650.00	Town of Owasco
Springport	135.00-1-27	1301 Powers Rd	\$ 4,920.21	William Woodman
Springport	150.00-1-4	768 Creager Rd	\$ 12,792.31	Jason C. Halverson
Springport	150.00-1-5.2	Creager Rd	\$ 3,093.43	Jason C. Halverson
Springport (v)	141.18-1-33	4 Evergreen St	\$ 22,336.99	Cayuga Nation Enterprises
Sterling	11.00-1-34.1	14223 Acre Rd	\$ 7,037.60	Dorothy Batrack
Sterling	16.00-2-19.11	15283 State Rt 104	\$ 4,123.56	Carol Waterman
Sterling	16.00-2-20	15287 State Rt 104	\$ 3,697.35	Carol Waterman
Sterling	16.00-2-38	13653 Queens Farms Rd	\$ 5,639.11	Lisa Bailey
Sterling	18.00-1-2.23	13389 Craine Rd	\$ 5,307.80	Kimberly Gardenier
Sterling (v)	9.13-1-18.111	4th St	\$ 4,165.99	Larry Cosser Sharon Cosser
Summerhill	233.08-2-6	1190 Lake Como Rd	\$ 18,882.10	Howard Lindh
Venice	196.00-1-31	2765 Putnam Pkwy	\$ 13,158.22	Hope Saville
Venice	197.00-1-42.114	Long Hill Rd	\$ 3,224.92	Kimberly MacDuffee
Victory	26.00-1-5.1	State Route 104	\$ 2,883.73	Shawn Johnson Kelly Johnson
Victory	26.00-1-5.2	14916 State Route 104	\$ 9,089.10	Shawn Johnson Kelly Johnson
Victory	37.00-1-25.112	Bell Rd	\$ 4,449.96	Patricia Rigdon
Victory	39.00-1-10.13	2040 Mott Rd	\$ 8,905.83	James Brown Tammie Brown
Victory	44.00-1-4.21	1661 Houghtaling Rd	\$ 14,986.66	Randall Hoyt Connie Hoyt

NOW, THEREFORE BE IT,

RESOLVED, that the Ways &amp; Means Committee hereby approves the recommendations as set forth above and directs the Office of Real Property Tax Services and the Chairman of the County Legislature to take whatever steps necessary to fully execute the sale of real property.

Signed by Mahunik, Bennett, Daly, DeForest, Foley, Petrus, and Pinckney, all in favor.

Motion by Dennison to table to the next legislature meeting, 2<sup>nd</sup> by Ripley.

Motion to table, passed by majority vote; Ayes – Dennison, Vitale, Petrus, McNabb-Coleman, Ripley, Lattimore, and Whitman; Noes – Pinckney, Batman, DeForest, Bennett, Daly, Mahunik, Didio, and Foley; 445/438.

**RESOLUTION NO. \_\_\_\_\_ 5/28/19 HR Admin/set salary**  
**Authorizing the Cayuga County Civil Service Commission to fill the Human Resources Administrator Positions in the Department of Human Resources and Civil Service Commission due to a retirement, and to set the salary of the newly appointed Human Resources Administrator**

By: Patrick Mahunik, Chair of Ways & Means Committee

WHEREAS, the Human Resources Administrator (PC#6037) retired effective 3/30/19; and

WHEREAS, resolution No. 43-19 authorized the Civil Service Commission to work with the Legislature to recruit and interview for a Human Resources Administrator to replace the retiree; and

WHEREAS, the Search Committee has concluded the interviews, identified a candidate, and an offer of appointment has been made contingent upon authorization to fill and setting the salary; now therefore be it

RESOLVED, that the Cayuga County Civil Service Commission be authorized to fill the Human Resources Administrator position; and be it further

RESOLVED, that the salary for the newly hired Human Resources Administrator be set at \$75,000; and be it further

RESOLVED, that the salary determined for the new hire by the Legislature be placed in the Cayuga County Compensation Plan, Part IV as an item under the Human Resources and Civil Service Commission; and be it further

RESOLVED, that the Treasurer be authorized to make any budget transfers to execute the intent of this resolution; and be it further

RESOLVED, that the newly hired Human Resources Administrator be granted one (1) week vacation to be used in 2019, and be it further;

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

**RESOLUTION NO. 163-19 5/28/19 OFA Reclass Typist**  
**Authorizing the Cayuga County Administrator and Director of the Office for the Aging to Reclassify the Typist Position in the Office for the Aging to Senior Typist**

**BY: Elane Daly, Chair, Health & Human Services Committee**

**Patrick Mahunik, Chair, Ways and Means Committee.**

WHEREAS, in an effort to support the overall functions of the Office for the Aging, the Typist has been assigned a variety of duties; and

WHEREAS, based on these recent assignments, the Civil Service Commission has reviewed these duties and is recommending the reclassification of the job to Senior Typist; and

WHEREAS, due to staff vacancies, there is sufficient funding in the Office for Aging 2019 budget salaries line to cover the costs associated with the reclassification to Senior Typist in 2019; and

WHEREAS, the position is expected to be budgeted with Older American Act and NYSOFA program funding in future years; now therefore be it

RESOLVED, that the Cayuga County Administrator and Director of the Office for the Aging be authorized and directed to reclassify the position of Typist, Grade 3, to Senior Typist, Grade 8, in accordance with Civil Service Rules and Regulations and the policies of the County of Cayuga; and be it further

RESOLVED, that once the incumbent is permanent in the Senior Typist position, the Typist position will be abolished.

Signed by Daly, Batman, Didio, Lattimore, McNabb-Coleman, Ripley, Vitale, Mahunik, Bennett, DeForest, Petrus, and Pinckney, all in favor.

**RESOLUTION NO. 164-19            5/28/19            HD CNYCC Reduce Premature Birth Grant**  
**Authorizing the Public Health Director to enter into a contract with Central New York Care Collaborative (CNYCC) for services related to the reducing premature births grant and accept funds associated with that grant.**

BY: Elane Daly, Chairman of the Health & Human Service Committee  
Patrick Mahunik, Chairman of the Ways & Means Committee

WHEREAS, The Cayuga County Health Department has applied for and been awarded a one-year extension grant through The Central New York Care Collaborative; and  
WHEREAS, the grant focuses on reducing premature births in Cayuga County; and  
WHEREAS, the contract term shall be one year with a start date of March 1, 2019 through February 28, 2020; NOW THEREFORE BE IT,

RESOLVED, that the Public Health Director and the Chairman of the Cayuga County Legislature be authorized to enter into contract with the CNYCC for the term of 3/1/19-2/28/20 and enter into any subcontracts necessary to carry out the goals of the grant; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to amend the Health Department’s 2019 Budget once funds are released for the following accounts:

- Increase Expenditure Account #A40104-54294.....\$25,000
- Increase Revenue Account #A40100-41640..... \$25,000

Signed by Daly, Batman, Didio, Lattimore, McNabb-Coleman, Ripley, Vitale, Mahunik, Bennett, DeForest, Petrus, and Pinckney, all in favor.

**RESOLUTION NO. 165-19            5/28/2019            HD PHP Grant 2019-2020**  
**Authorizing the Chairman of the Legislature and the Public Health Director to Extend the Public Health Preparedness Contract with HRI (Working in Collaboration with NYSDOH) and Accept Funding for the time period of 7/1/19-6/30/20**

BY: Elane Daly, Chairman of the Health & Human Services Committee  
Patrick Mahunik, Chairman of the Ways & Means Committee

WHEREAS, HRI (Health Research, Inc.) working in collaboration with NYSDOH wishes to contract with Cayuga County Health Department for the period of 7/1/2019 – 6/30/20 in the amount not to exceed \$79,989 for the purpose of continued development of public health preparedness in Cayuga County; NOW, THEREFORE, BE IT

RESOLVED, that the Chairman of the Legislature and the Public Health Director be authorized to enter into a contract with HRI in collaboration with the NYS Department of Health, to accept funding in the amount not to exceed \$79,989 for the time period of 7/1/19-6/30/20, for the purpose of continued development of public health preparedness in Cayuga County; and be it further

RESOLVED, that the Cayuga County Treasurer be authorized and directed to make all necessary journal and accounting entries to amend the Health Department’s 2019 budget in the following manner:

- Increase Revenue Account #A40250 43425.....\$79,989
- Increase Appropriation Account #A40254 54000.....\$79,989

And be it also

RESOLVED, that the Chairman of the Legislature and the Public Health Director be authorized to enter into any subcontracts necessary to carry out the goals of the grant and also accept any additional funds associated with this grant.

Signed by Daly, Batman, Didio, Lattimore, McNabb-Coleman, Ripley, Vitale, Mahunik, Bennett, DeForest, Petrus, and Pinckney, all in favor.



**RESOLUTION NO. 166-19**

**5/28/19**

**HD**

**Fill SPHN PT PHN rev**

**Authorizing the Public Health Director to fill a Supervising Public Health Nurse position and a part-time public health nurse position within the Health Department**

BY: Elane Daly, Chairman of the Health & Human Services Committee

Patrick Mahunik, Chairman of the Ways & Means Committee

WHEREAS, it has been determined that the Public Health Department could more efficiently utilize skilled nursing personnel for clinical needs, appropriate supervisory oversight and establishment of a path for succession planning within Community Health Services Division by rotating current personnel into different job titles without expanding the number of full time or part time personnel currently employed; and

WHEREAS, there is a vacant part-time public health nurse position (position control # 3919) and a vacant supervising public health nurse position (position control #2064) within the Community Health Services Division of the Health Department; and

WHEREAS, filling the full time Supervising Public Health Nurse position would better provide the necessary supervisory nursing oversight requirements and be able to perform essential field work and carry a patient caseload; and

WHEREAS, a part-time public health nurse position would provide the flexibility the Public Health Department needs to assist with covering the variety of clinical program areas performed; and

WHEREAS, the current positions of one full time family nurse partnership nurse and one part time supervising public health nurse would be vacated upon filling the aforementioned positions;

WHEREAS, sufficient funding exists in the Public Health Department's 2019 Budget to support these positions; NOW,

THEREFORE, BE IT

RESOLVED, that the Part IV of the compensation plan be amended to establish a SPHN position at grade 7 at minimum salary of \$55,000; and be it also

RESOLVED, that the Public Health Director is authorized to fill a Supervising Public Health Nurse position and a part-time public health nurse position in the Public Health Department in a manner consistent with the rules and regulations of the County of Cayuga and the Cayuga County Civil Service Commission.

Signed by Daly, Batman, Didio, Lattimore, McNabb-Coleman, Ripley, Vitale, Mahunik, Bennett, DeForest, Petrus, and Pinckney, all in favor.

**RESOLUTION NO. 167-19**

**5/28/19 MH 2Therapy Contracts-2019**

**AUTHORIZE THE CHAIR OF THE CAYUGA COUNTY LEGISLATURE AND THE DIRECTOR OF COMMUNITY SERVICES TO ENTER INTO CONTRACTS FOR MENTAL HEALTH COUNSELING**

By: Elane Daly, Chair, Health and Human Services Committee, and

Patrick Mahunik, Chair, Ways and Means Committee.

WHEREAS, the Cayuga County Mental Health Center (MHC) needs additional mental health counseling services to meet the needs of Cayuga County residents; and

WHEREAS, the MHC wishes to enter into contracts with two qualified individuals who are licensed in the State of New York to provide such services to the residents of our community; and

WHEREAS, the contractors will provide mental health counseling as defined by NY State Medicaid and Managed Medicaid regulations for a maximum of 21 hours per week at the rates of \$65 per 45-minute sessions, \$45 per 30-minute sessions, and \$20/hour for supervision and meeting attendance; and

WHEREAS, there are sufficient funds available in the 2019 budget line A43104-54059 Professional Services to cover the costs of these two contracts; and

WHEREAS, contracted services do not incur additional costs for time off resulting in lost revenue for the department, fringe benefits, or legacy retirement costs; now therefore, be it

RESOLVED, that the Chair of the Legislature and the Director of Community Services be authorized to enter into contracts with two qualified individuals for the provision of mental health counseling services for a period not to exceed 5 years.

Signed by Mahunik, Bennett, Daly, DeForest, Petrus, and Pinckney, all in favor.

**Closed Public Hearing at 2:14PM**

**RESOLUTION NO. 168-19**

**COA Local Law Changing Term for Legislators rev3**

**TO ADOPT LOCAL LAW NO. 1 FOR THE YEAR 2019 AMENDING LOCAL LAW NO.: 4 OF 1992 CHANGING THE TERM OF OFFICE FROM FOUR YEARS TO TWO YEARS FOR CAYUGA COUNTY LEGISLATORS RUNNING FOR THE TERM BEGINNING JANUARY 1, 2022 AND CHANGING THE TERM LIMIT FOR LEGISLATORS FROM THREE TERMS TO THREE FULL ELECTED FOUR YEAR TERMS.**

BY: Joseph DeForest, Chair government Operations Committee  
Patrick Mahunik, Chair, Ways & Means

WHEREAS, there has been duly presented and introduced at a meeting of the Cayuga County Legislature held on April 23, 2019, a proposed local law entitled:

“A LOCAL LAW AMENDING LOCAL LAW NO.: 4 OF 1992 CHANGING THE TERM OF OFFICE FROM FOUR YEARS TO TWO YEARS FOR CAYUGA COUNTY LEGISLATORS RUNNING FOR THE TERM BEGINNING JANUARY 1, 2022 AND CHANGING THE TERM LIMIT FOR LEGISLATORS FROM THREE TERMS TO THREE FULL ELECTED FOUR YEAR TERMS.”

WHEREAS, pursuant to law and after proper notice having been given, the County Legislature held a public hearing on said Local Law No. 1 for the year 2019 on May 28, 2019, now, therefore, be it

ENACTED, that a public hearing shall be held in connection with the proposed local law before the Cayuga County Legislature on May 28, 2019 at 1:00 P.M. at Emerson Park Pavilion, 6879 E. Lake Rd., Auburn, New York; and be it further

RESOLVED, that the Clerk of the Cayuga County Legislature is directed to publish notice of the adoption of Local Law No. 1 of 2019 in the official newspapers of Cayuga County, one time per week for each of two weeks, the first publication to be within ten (10) days of its effective date. This Local Law is subject to a mandatory referendum.

**LOCAL LAW NO. 1 OF 2019**

**COUNTY OF CAYUGA, STATE OF NEW YORK A LOCAL LAW AMENDING LOCAL LAW NO.: 4 OF 1992 CHANGING THE TERM OF OFFICE FROM FOUR YEARS TO TWO YEARS FOR CAYUGA COUNTY LEGISLATORS RUNNING FOR THE TERM BEGINNING JANUARY 1, 2022 AND CHANGING THE TERM LIMIT FOR LEGISLATORS FROM THREE TERMS TO THREE FULL ELECTED FOUR YEAR TERMS**

BE IT ENACTED by the County Legislature of Cayuga County, State of New York as follows:

**SECTION 1: LEGISLATIVE INTENT**

It is the intent of this Local Law, consistent with the powers granted to county government pursuant to County Law § 400(a), the Municipal Home Rule Law, and such other laws as may be applicable, to:

- A. Fix the term of office for Cayuga County Legislators from four years to two years for those legislators whose term of office begins on January 1, 2022 and setting the term of office for all Cayuga County Legislators to four years for the term of office beginning on January 1, 2024, so that all Legislators from that date forward will be elected to concurrent four-year terms.
- B. In addition, Local Law No. 8 of 2007 amended Local Law 7 of 1995 and Local Law 4 of 1992 to change the term limit for Cayuga County Legislators from twelve (12) years to three (3) terms. It is the intent of the Cayuga County Legislature to modify the limitation on service as a Legislator from three (3) terms to fourteen (14) years to accommodate the durational change of the term of Legislator as well as appropriately addressing mid-term appointments.

**SECTION 2: LEGISLATIVE FINDINGS**

The Cayuga County Legislature hereby finds as follows:

- A. Local Law No.: 7 of 1995 amended Local Law No.: 4 of 1992 effectuating staggered terms for Cayuga County Legislators such that elections for the Offices of Cayuga County Legislator occur every two years; elections for odd numbered districts in one year, followed by elections for even numbered districts two years later.

The population has historically shifted throughout the county, which will require a reapportionment and redistricting of legislative district lines. Staggered terms of the legislative body make redistricting difficult, if not impossible.

A decennial assessment of voting strength and district lines is critical to ensure a fair and democratic process.

Therefore, it is the intent of the Cayuga County Legislature to modify its election cycle such that the term of all members of the Legislature will expire at the end of 2023 thereby allowing, if necessary, modification of district lines, and continuing concurrent four-year terms for all members of the Cayuga County Legislature thereafter.

**SECTION 3: TERM, RESIDENCY, TERM LIMIT**

- A. Section 2 of Local Law No. 4 of 1992 for the County of Cayuga, New York, is hereby amended to read, in its entirety:

**Section 2: Term and Residency**

(2.1) **Residency**: Each Legislator shall be a resident of the district he or she represents.

(2.2) **Term**: The Term of Office for Legislators shall commence January 1<sup>st</sup> of the year following an election at where there is an election of Legislators and the Terms shall run as follows:

(2.2.1) At the General Election held in November of 2021, Legislators elected in districts with odd numbers shall have a two-year term.

(2.2.2) At the General Election held in November of 2023, and all subsequent elections, Legislators elected for any district shall have a four-year term.

(2.3) **Term Limit**: Any person who has been elected to three full four year terms on the Legislature shall be ineligible to run for an additional full or partial term. Service as a County Legislator before January 1, 2008 shall not be considered for purposes of this term limit calculation.

**SECTION 4: MANDATORY REFERENDUM**

This Local Law is subject to a Mandatory Referendum and pursuant to Section 23 of the Municipal Home Rule Law of the State of New York, shall be submitted for approval of the electors of Cayuga County and placed on the ballot for the General Election occurring in November of 2019.

**SECTION 5: REPEALER**

- A. Local Law No. 7 of 1995 is hereby repealed.
- B. Local Law No. 8 of 2007 is hereby repealed.

**SECTION 6: EFFECT ON OTHER LAWS**

- A. Local Law No. 4 of 1992 shall remain the same in all other respects except as specifically provided otherwise herein.
- B. If this Local Law is defeated by the negative vote of a majority of the qualified electors of the County of Cayuga at referendum, Local Laws Nos. 4 of 1992, 7 of 1995, and 8 of 2007 shall remain in full force and effect as therein enacted.

**SECTION 7: SAVINGS CLAUSE**

- A. If any portion of this Law shall be adjudged by the courts to be invalid, it is the intention of the Legislature that said judgment shall not affect the remainder thereof if the remainder is sufficient to carry out the intent of this Law.

**SECTION 8: EFFECTIVE DATE**

- A. This Local Law shall take effect as provided by law in the case of a local law subject to mandatory referendum.

Signed by Bennett, Daly, DeForest, Petrus, and Pinckney, all in favor.

**RESOLUTION NO. 169-19**

**5-28-19**

**IT Connectwise Automate**

**Authorize subscription of Connectwise Automate to improve IT support functionality, replacing eight existing subscriptions therefore reducing annual IT costs.**

BY: Mr. Joseph DeForest, Chair, Government Operations Committee

WHEREAS, the County currently maintains the following subscriptions for HelpSpot, SolarWinds, Spiceworks, PDQ Software, Absolute Software, Connectwise Connect, What's Up Gold and Netwrix applications and associated hardware at a cost of \$30,000 annually; and

WHEREAS, the Interim CIO solicited proposals to replace these individual subscriptions with more cost efficient and comprehensive bundles; and

WHEREAS, the County will be able to reduce the number of associated virtual servers, storage and associated maintenance required to operate the applications listed above at an annual savings of licensing and maintenance of approximately \$5,000; and

WHEREAS, Connectwise Automate provides improved functionality by having the equivalent or improved capabilities in a single application for IT staff to support and monitor IT systems, while saving the county a total of approximately \$4,000; and

WHEREAS, Connectwise Automate can be procured through the Omnia purchasing consortium for \$1566 per month, with \$2,100 in installation support services; now, therefore be it

RESOLVED, that County Administrator, subject to County Attorney approval, is authorized to sign the three year service agreement with Connectwise Automate in an amount not to exceed \$20,000.00 per year; and be it further

RESOLVED that the Interim CIO is directed to cancel or not renew the above subscriptions.

Signed by DeForest, Daly, Dennison, Didio, Foley, Mahunik, McNabb-Coleman, Bennett, Petrus, and Pinckney, all in favor.

**RESOLUTION NO. 170-19**

**5-28-19**

**PB Senior Planner FY2019**

**RESOLUTION AUTHORIZING TO FILL THE POSITION OF SENIOR PLANNER WITHIN THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT THROUGH THE PROMOTION OF INCUMBENT PLANNER**

Hon. Paul Pinckney, Chair, Planning and Economic Development Committee

Hon. Joseph Bennett, Chair, Ways and Means Committee

WHEREAS, the Planning Department budgeted for current staff in a Planner title to be promoted to the title of Senior Planner in the County FY2019 adopted Budget; and

WHEREAS, the promotion of the incumbent Planner to the Senior Planner title will reflect the added duties and expanded departmental and countywide responsibilities to be performed by the employee in FY2019 and going forward; and

WHEREAS, the County Administrator and Human Resources Department have reviewed and approved the Request to Fill Form required for legislative action on the requested promotion; NOW, be it therefore

RESOLVED, that the Director of Planning be hereby authorized to fill the fully funded position (2362-SYS) of Senior Planner at 2019 CSEA Grade 27, 2nd Step (promotional) at an annual salary of \$59,598.00 based on a 37 ½ hour work week; and be it further

RESOLVED, that the appointment be in accordance to Civil Service Rules and Regulations, CSEA Contract Language, and the Policies of County of Cayuga; and be it further

RESOLVED, that this resolution shall take effect immediately.

Signed by Pinckney, Batman, Mahunik, Vitale, Bennett, Daly, DeForest, and Petrus, all in favor.

**RESOLUTION NO. 171-19**

**5-28-19**

**PB Planning Servicesrev1**

**AUTHORIZING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO CONTRACT WITH OTHER CAYUGA COUNTY MUNICIPALITIES, DEPARTMENTS AND AGENCIES TO PROVIDE PLANNING SERVICES**

By: Hon. Paul Pinckney, Chair, Planning and Economic Development Committee

Hon. Joseph Bennett, Chair, Ways and Means Committee

WHEREAS, the Department of Planning and Economic Development routinely provides Planning Services to Towns, Villages, Agencies and other departments for fees that are paid directly to the Department of Planning and Economic Development by those entities; and

WHEREAS, the Department of Planning and Economic Development and the Planning and Economic Development Committee see a need to authorize the County Administrator and the Director of the Department of Planning and Economic Development to enter into contractual agreements with these entities for the provision of these services with such authorization to be provided for an initial, limited term and with certain reporting provisions back to the legislature via the Planning & Economic Development Committee; now therefore be it

RESOLVED, by the Cayuga County Legislature, that the County Administrator and the Director of the Cayuga County Department of Planning and Economic Development are hereby authorized to enter into agreements with these entities for Planning Services with the following guidelines:

Section 1: that the Planning staff assigned to the project(s) shall be under the supervision of the Director of the Department of Planning and Economic Development, not the contracted entity. Requests for services or changes to the method of services shall be made through the Cayuga County Department of Planning and Economic Development; and

Section 2: that the authorization to enter into service agreements shall be limited to agreements under which no more than forty-thousand dollars of in-kind staff services are provided in a fiscal year, with agreements that exceed this threshold requiring prior legislative approval; and

Section 3: that the agreement(s) shall contain such other provisions as the Director of the Planning and Economic Development Department, the County Administrator and/or the County Attorney shall deem appropriate; and

Section 4: Notification of such agreement(s) shall be provided to the Planning and Economic Development Committee as part of the monthly report within one (1) Month of the execution of such agreement(s); and

Section 5: this authorization shall sunset (end) on December 31, 2021 unless extended by resolution of the County Legislature; and be it further

RESOLVED, that this resolution shall take effect immediately.

Signed by Pinckney, Mahunik, Bennett, Daly, DeForest, and Petrus, all in favor.

**RESOLUTION NO. 5/28/19**

**HWY Adopt Highway rev**

**AUTHORIZATION FOR THE HIGHWAY DIVISION OF THE DEPARTMENT OF PUBLIC WORKS TO DEVELOP AND EXECUTE AN ADOPT-A-HIGHWAY PROGRAM**

BY: Joseph Bennett, Public Works Committee

Patrick Mahunik, Chairman, Ways & Means Committee

WHEREAS, on Earth Day 2019 (April 22) the Highway Division picked up 4,360 pounds of trash along various county roads; and WHEREAS, an adopt-a-highway program provides an avenue for individuals, organizations, or businesses to help maintain sections of roadside along county roads; and

WHEREAS, participation may include removing litter; planting and establishing trees or wildflowers; removing graffiti; and/or controlling vegetation; and

WHEREAS, adoptions span two-mile stretches of county roadway with permits issued for five-year periods; and

WHEREAS, groups in good standing may renew their permits indefinitely; and

WHEREAS, participation is free and signs are included at no charge; and

WHEREAS, the County Highway Division recognizes volunteer groups with signage along their stretch of adopted highway; now therefore be it

RESOLVED, the Director of Public Works is authorized to begin a county-wide Adopt-A-Highway Program.

Signed by Bennett, DeForest, Dennison, Foley, Lattimore, Petrus, Ripley, Mahunik, Daly, and Pinckney, all in favor.

**RESOLUTION NO. 173-19**

**5/28/19 HWY Purchase Gradall rev**

**AUTHORIZATION FOR THE HIGHWAY DIVISION OF THE DEPARTMENT OF PUBLIC WORKS TO PURCHASE A GRADALL HYDRAULIC EXCAVATOR**

BY: Joseph Bennett, Public Works Committee  
Patrick Mahunik, Chairman, Ways & Means Committee

WHEREAS, in the 2019 Highway Division budget, funds were budgeted in account DM51302 52002 for the purchase of an Gradall Hydraulic Excavator; and  
WHEREAS, the County can purchase a XL4100 Gradall Hydraulic Excavator for \$403,130.56, based upon availability from the state bid from NYS Contract OGS PC-66595; and  
WHEREAS, \$1,000 is transferred from DM51304 54135 (training) to DM 51302 52002 (equipment); and  
WHEREAS, this piece of equipment is a necessary and critical component of the Highway Division for maintaining ditches, excavating for pipe installation, backfilling, grading, and loading materials; now therefore be it  
RESOLVED, the Director of Public Works is authorized to purchase a XL4100 Hydraulic Excavator from appropriated and budgeted funds in DM51302 52002 and be it further;  
RESOLVED, that the total cost of the excavator with trade in is not to exceed \$403,130.56; and be it further;  
RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to make the journal and accounting entries necessary to carry out the intent of this resolution.  
Motion by Whitman, 2<sup>nd</sup> by Didio, all in favor.

**RESOLUTION NO. 174-19**

**5/28/19**

**HWY Purchase Plow Truck rev**

**AUTHORIZATION FOR THE HIGHWAY DIVISION OF THE DEPARTMENT OF PUBLIC WORKS TO PURCHASE A TANDEM DUMP TRUCK WITH PLOW PACKAGE**

BY: Joseph Bennett, Public Works Committee  
Patrick Mahunik, Chairman, Ways & Means Committee

WHEREAS, in the 2019 Highway Division budget, funds were budgeted in account DM51302 52002 for the purchase of a 2020 International HV513 6x4 Chassis Truck with Plow Package; and  
WHEREAS, the County can purchase a 2020 International HV513 6x4 Chassis Truck with Plow Package for \$197,799.00, based upon availability through Onondaga Contract # 8996; and  
WHEREAS, this piece of equipment is a necessary and critical component of the Highway Division for maintaining roadways; now therefore be it  
RESOLVED, the Director of Public Works is authorized to purchase a 2020 International HV513 6x4 Chassis Truck with Plow Package from appropriated and budgeted funds in DM51302 52002 and be it further;  
RESOLVED, that the total cost of the 2020 International HV513 6x4 Chassis Truck with Plow Package with trade in is not to exceed \$197,799.00; and be it further;  
RESOLVED, that the Cayuga County Treasurer is hereby authorized and directed to make the journal and accounting entries necessary to carry out the intent of this resolution.  
Signed by Bennett, DeForest, Dennison, Foley, Lattimore, Petrus, Ripley, Mahunik, Daly, and Pinckney, all in favor.

**RESOLUTION NO. 175-19**

**5/28/19**

**BLD purchase pickup with plow 5 19**

**AUTHORIZING THE PURCHASE OF A PICKUP TRUCK WITH PLOW**

By: Joseph Bennett Chair, Public Works  
By: Patrick Mahunik, Chair, Ways & Means Committee

Whereas, in the 2019 Budget the Buildings and Grounds Division budgeted for a pickup truck with plow at a cost of \$40,000 in Account No. A16202-52100; and  
Whereas, the truck is needed to replace a 2004 pickup truck with plow that has over 118,407 miles that is very rusty and will be sent to Emerson Park; and  
Whereas, a 1997 flatbed Ford truck from Emerson Park (or other truck as determined by the Director of Public Works) with 160,318 will be sent to auction; now therefore be it  
Resolved, the Director of Public Works is authorized to purchase a pickup truck with plow per County Purchasing Policy utilizing the budgeted funds in Account No. A16202-52100; and be it further  
Signed by Bennett, DeForest, Dennison, Foley, Lattimore, Petrus, Ripley, Mahunik, Daly, and Pinckney, all in favor.

**RESOLUTION NO. 176-19**

**5/28/19**

**BLD Upstate HPO HVAC Agreement 5 19**

**Authorization to enter into a 24 Hour Temperature Control Service Agreement with Upstate Temperature Control Inc. for the controls of the Johnson Controls pneumatic temperature controls for the HVAC equipment in the Historic Post Office**

BY: Joseph Bennett, Chair Public Works Committee

Patrick Mahunik, Chair Ways & Means Committee.

Whereas, the Johnson Controls computer control system for the HVAC in the Historic Post Office is an intricate system requiring calibration and maintenance of thermostats, temperature controls, pressure controls, humidistats, damper motors, relays, control air compressors, PRV's, damper linkages, control panels, and other control system components; and

Whereas, the County does not have the specialized tools or an employee that is trained or certified to work on this system, and

Whereas, Upstate Temperature Control, Inc. is proposing a one year Agreement to provide this service for \$4,307; and

Whereas, there is funding in the budget for the Historic Post Office building Account, A16234 54001, Air Conditioning Service to cover the 2019 agreement; now therefore be it

Resolved, that the County enter into a one year 24 Hour Temperature Control Service Agreement with Upstate Temperature Control Inc. for control service on the Johnson Controls pneumatic control system in the Historic Post Office HVAC at a cost of \$4,307.00; and be it further

Resolved, that the Cayuga Attorney is authorized and directed to review the agreement provided by Upstate Temperature Control Inc.; and be it further

Resolved, that the Chair of the Cayuga County Legislature is authorized and directed to sign the agreement with Upstate Temperature Control Inc.; and be it further

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

Signed by Bennett, DeForest, Dennison, Foley, Lattimore, Petrus, Ripley, Mahunik, Daly, and Pinckney, all in favor.

**RESOLUTION NO. 177-19**

**5/28/19**

**BLD Parking Soules & Dunn Associates 5 19**

**Authorizing the Chairman of the Cayuga County Legislature to sign the annual Lease Agreement with Soules & Dunn Associates for 10 parking spaces in the County Parking lot at 172 Genesee Street, Parcel ID number 115.60-1-36**

BY: Joseph Bennett, Chair, Public Works Committee

Patrick Mahunik, Chair, Ways & Means Committee

Whereas, last year Soules & Dunn Associates leased 10 parking spaces at the County parking lot at 172 Genesee Street, Auburn, NY, Parcel ID number 115.60-1-36 at a cost of \$350.00 per space as was authorized by Resolution 240-18; and

Whereas, Soules & Dunn has stated they would like to lease 10 spaces for another year, and

Whereas, the County Administrator advised the Superintendent of Buildings and Grounds to request \$350/space for a total of \$3,500.00/year; and

Whereas, last year Soules & Dunn Associates agreed to the new rate, now therefore be it

Resolved, that Soules and Dunn will lease the 10 spaces at \$350.00 each for a total of \$3,500.00 for a 1 year period starting in July 1, 2019 and ending June 30, 2020 with the understanding that it can be revoked with a 30 day notice; and be it further

Resolved, that the Cayuga County Attorney is authorized and directed to update all necessary documents to carry out the intent of this resolution; and be it further

Resolved, that the Chair of the Cayuga County Legislature is authorized and directed to sign all necessary documents to carry out the intent of this resolution; and be it further

Resolved, that the funds from the lease will be deposited in the Capital Reserve Fund A18865 for "Parking Lot Maintenance" that was created by Resolution 424-13 and; be it further

Resolved, that the Superintendent of Buildings and Grounds will monitor the agreement; and be it further

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

Signed by Bennett, DeForest, Dennison, Lattimore, Petrus, Ripley, Mahunik, Daly, and Pinckney, all in favor.

**RESOLUTION NO. 178-19      5-28-19      HWY NYS Restore EWR funds**  
**Resolution calling on NYS to Restore Emergency Winter Recovery Funds & Increase CHIPS**

By: Joseph Bennett, Chair Public Works Committee

Patrick Mahunik, Chair ways & Means Committee

Whereas Counties and local municipalities maintain almost 90% of the roads and more than half of all bridges in New York State; and Whereas Counties and local municipalities rely heavily on state funds such as Emergency Winter Recovery funds (EWR) and Consolidated Highway Improvement Program (CHIPS) funds to pay for the winter and construction maintenance of roads and bridges; and

Whereas the NYS Budget did not restore \$65 Million in Emergency Winter Recovery funds (EWR), which will leave an approximately \$830,000 gap to be made up by local taxpayers in Cayuga County and the local municipalities; and Whereas the NYS Budget did not include the proposed \$150 Million increase to CHIPS despite a Comptroller study showing that New York's local highway infrastructure (outside of NYC) is underfunded by \$1.3 Billion annually; now therefore be it Resolved, the Cayuga County Legislature hereby calls on the New York State Legislature to pass, and Governor Cuomo to approve, a supplemental capital budget that restores \$65 Million in EWR funds and increases CHIPS funding by \$150 Million; and be it further Resolved, that the Clerk of the Cayuga County Legislature shall forward certified copies of this Resolution to Governor Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Senate Minority Leader John Flanagan, Speaker of the New York State Assembly Carl Heastie, Assembly Majority Leader Crystal D. Peoples-Stokes, Assembly Minority Leader Brian M. Kolb, Senator Robert Antonacci, Senator Pamela Helming, Senator James L. Seward, Assemblyman Gary Finch, Assemblyman Brian Manktelow, the New York State Association of Counties, Inter-County of Western New York, and any other party deemed necessary and proper. Signed by Bennett, DeForest, Dennison, Foley, Lattimore, Petrus, Ripley, Mahunik, Daly, and Pinckney, all in favor.

**RESOLUTION NO. 179-19      5/28/19      SHR Fill Patrol Vacancy**  
**AUTHORIZE THE SHERIFF TO FILL ONE VACANT DEPUTY SHERIFF POSITION IN THE LAW ENFORCEMENT DIVISION OF THE CAYUGA COUNTY SHERIFF'S OFFICE**

By: Mr. Christopher Petrus, Chair, Judicial & Public Safety Committee

Mr. Patrick Mahunik, Chair, Ways & Means Committee

WHEREAS, a vacancy in the Cayuga County Sheriff's Department Law Enforcement Division will occur due to the resignation of a Deputy Sheriff (Position Control No. 00001923-SYS) on April 24, 2019; and

WHEREAS, the services provided by the position of Deputy Sheriff are critical for smooth and efficient operations of the Sheriff's Office Law Enforcement Division and maintaining safety and well-being in Cayuga County; and

WHEREAS, this position is clearly designated and accepted in the 2019 Cayuga County Sheriff's Law Enforcement Budget Line - Salaries Full Time (A31101 51001); now therefore be it

RESOLVED, that the Sheriff be hereby authorized and directed to fill one Deputy Sheriff position; and be it further

RESOLVED, the employee hired will be placed at the appropriate step within the Deputy Sheriff's Police Association Compensation Plan for 2017-2019; and be it further

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

Signed by Petrus, Batman, Bennett, Pinckney, Vitale, Mahunik, Daly, DeForest, and Foley, all in favor.

**RESOLUTION NO. 180-19      5/28/19      SHR GALLS UNIFORM rev**  
**AUTHORIZE THE CAYUGA COUNTY SHERIFF AND THE CHAIRMAN OF THE CAYUGA COUNTY LEGISLATURE TO ENTER INTO A CONTRACT WITH GALLS, LLC TO SUPPLY UNIFORMS TO CAYUGA COUNTY CUSTODY AND PATROL OFFICERS**

By: Mr. Christopher Petrus, Chair, Judicial & Public Safety Committee

Mr. Patrick Mahunik, Chair, Ways & Means Committee

WHEREAS, Albany County issued a Request for Bids in 2016 for Sheriff and Correctional Officer uniforms (#2016-029); said bid being expressly extended to all municipal subdivisions of the State of New York; and said bid being for a term of one year and eligible for two (2) consecutive one (1) year extensions; and

WHEREAS, Galls, LLC was the successful bidder and Albany County has extended their bid for the year beginning December 16, 2018 and ending on December 16, 2019; that the current pricing available through Galls, LLC is approximately 15% lower than the prices offered by the County's current vendor; and that Galls, LLC exclusively provides an online purchasing system for police and custody uniform items that will be a great deal more efficient and provide a better tracking and approval system for the purchase of uniforms; NOW THEREFORE BE IT

RESOLVED, that Cayuga County Legislature finds that the Albany County Request for Bid and subsequent bid award and extensions satisfies the requirements of Article 5-a of the General Municipal Law and adopts the bid of Galls, LLC for its uniform purchases; and be it further

RESOLVED, that the Cayuga County Sheriff and the Chairman of the Cayuga County Legislature are authorized to enter into contract with Galls, LLC to effectuate the intent of this resolution for a term through December 16, 2019.

Signed by Petrus, Batman, Bennett, Pinckney, Vitale, Mahunik, Daly, DeForest, and Foley, all in favor.





**RESOLUTION OPPOSING PROPOSED LEGISLATIVE BILLS S4676A/A4863 REMOVING PENALTY, CHANGING MAXIMUM INTEREST AND CHANGING THE ORDER IN WHICH MULTIPLE TAX LIENS ARE TO BE REDEEMED**

By: Patrick Mahunik, Chair Ways & Means Committee

WHEREAS, The County of Cayuga, New York (the "County") enforces real property taxes pursuant to Article 11 of the New York State Real Property Tax Law ("Article 11"); and

WHEREAS, Under Article 11, the County is responsible for enforcing school, village, town and County taxes on all parcels outside of the City of Auburn; and

WHEREAS, The County is responsible for guaranteeing town, school and village taxes; and

WHEREAS, For the year 2019, the County enforces taxes on approximately 30,612 parcels having a total taxable assessed value of approximately \$4,234,172,280 and a total tax amount of approximately \$51,246,652; and

WHEREAS, Enforcement of taxes under the current Article 11 has resulted in 99.68% of the parcels in the County being paid by the redemption date; and

WHEREAS, Legislative bills S4676A/A4863 (the "Bill"), have been introduced proposing to amend Article 11; and

WHEREAS, The Bill proposes to amend Article 11, Section 936 by removing Subdivision 2, which directs the collecting officer to add a five percent penalty to the amount of unpaid delinquent taxes; and

WHEREAS, The Bill proposes to amend Article 11, Section 1112(1), by changing the order in which a tax lien must be redeemed when the County holds more than one tax lien; and

WHEREAS, Article 11, Section 1112(1), currently provides that multiple tax liens must be paid in reverse chronological order. In other words, the most recent lien must be redeemed first; and

WHEREAS, The Bill proposes to amend Article 11 so that tax liens must be paid in chronological order. In other words, the oldest tax lien must be paid first; and

WHEREAS, The Bill proposed to amend Article 11, Section 924-a(2), by changing the maximum rate of interest applicable to unpaid real property taxes set by the commissioner of taxation and finance; and

WHEREAS, Article 11, Section 924-a(2), currently provides the rate of interest should be no less than twelve percent per year; and

WHEREAS, The Bill proposed to amend Article 11 so the rate of interest should be no more than twelve percent per year; and

WHEREAS, The Bill as proposed will have detrimental effects on both tax payers and the municipality collecting taxes; and

WHEREAS, The purpose for the five percent penalty added to unpaid delinquent taxes and interest of no less than twelve percent per year is to deter delinquency; and

WHEREAS, The County earns substantial revenue from penalty and interest, and

WHEREAS, The purpose for requiring that tax liens be paid in reverse chronological order is that pursuant to Article 11, Section 1123, the County cannot file its petition of foreclosure to enforce the taxes until twenty-one months after the lien date on commercial and vacant parcels or thirty-three months after the lien date on residential and agricultural parcels; and

WHEREAS, This requirement of a two or three year cycle combined with the Bill's change allowing the oldest tax lien to be paid first may result in taxpayers always being a year or two years in delinquency; and

WHEREAS, The Bill would result in the County's inability to enforce the most recent tax lien; and

WHEREAS, the Bill would further result in the County expending additional resources to manage the increased number of delinquent parcels; and

WHEREAS, Permitting taxpayers to be one to two year in arrears would be unfair to the taxpayers who timely pay their taxes; and

WHEREAS, Removal of the five percent penalty and lesser interest would be unfair to the taxpayers who timely pay their taxes in that the revenue shortfall would need to be generated through increasing the tax levy; now, therefore, be it

**RESOLVED**, that the Cayuga County Legislature opposes the Proposed Legislative Bills S4676A/A4863; and further resolved

**RESOLVED**, That certified copies of this resolution be sent by the Clerk of this Board to Senate Majority Leader Andrea Stewart-

Cousins, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Bob Antonacci, Senator Jim Seward,

Senator Pam Helming, Assemblyman Gary Finch, Assemblyman Brian Manktelow, County Town Supervisors, County School

Superintendents, County Village Mayors and the New York State Association of Counties.

**Motion by Bennett, 2<sup>nd</sup> by DeForest, all in favor.**

**Motion by Lattimore to bring resolution WM-5 (previously tabled) back to the floor, 2<sup>nd</sup> by Mahunik, passed by majority vote; Ayes – Pinckney, Batman, DeForest, Bennett, Daly, Mahunik, Lattimore, Didio, and Foley; Noes – Dennison, Vitale, Petrus, McNabb-Coleman, Bennett, and Whitman; 486/397.**

**RESOLUTION NO. 184-19**

**5/28/19**

**HR Admin/set salary**

**Authorizing the Cayuga County Civil Service Commission to fill the Human Resources Administrator Positions in the Department of Human Resources and Civil Service Commission due to a retirement, and to set the salary of the newly appointed Human Resources Administrator**

By: Patrick Mahunik, Chair of Ways & Means Committee

WHEREAS, the Human Resources Administrator (PC#6037) retired effective 3/30/19; and

WHEREAS, resolution No. 43-19 authorized the Civil Service Commission to work with the Legislature to recruit and interview for a Human Resources Administrator to replace the retiree; and

WHEREAS, the Search Committee has concluded the interviews, identified a candidate, and an offer of appointment has been made contingent upon authorization to fill and setting the salary; now therefore be it

RESOLVED, that the Cayuga County Civil Service Commission be authorized to fill the Human Resources Administrator position; and be it further

RESOLVED, that the salary for the newly hired Human Resources Administrator be set at \$75,000; and be it further

RESOLVED, that the salary determined for the new hire by the Legislature be placed in the Cayuga County Compensation Plan, Part IV as an item under the Human Resources and Civil Service Commission; and be it further

RESOLVED, that the Treasurer be authorized to make any budget transfers to execute the intent of this resolution; and be it further

RESOLVED, that the newly hired Human Resources Administrator be granted one (1) week vacation to be used in 2019, and be it further;

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

**Motion by Pinckney to go into executive session at 2:27PM, 2<sup>nd</sup> by McNabb-Coleman, all in favor.**

**Motion by Bennett to come out of executive session at 4:23PM. 2<sup>nd</sup> by Mahunik, all in favor.**

**Motion by Mahunik to pay the original amount of \$1,733.33, 2<sup>nd</sup> by Bennett, all in favor except Dennison and Lattimore.**

**RESOLUTION NO. 185-19 5/28/19 AP Audit April 2019 (C) rev1**

**AUTHORIZING THE COUNTY TREASURER TO PAY APRIL 28, 2019 AUDIT OF CLAIMS**

Authorizing the County Treasurer to pay the April 28, 2019 Audit of Claims

BY: Patrick Mahunik, Chair, and Ways and Means Committee

WHEREAS, The Legislature did at its regular meeting on **May 28, 2019**, audit claims against the County of Cayuga in the aggregate sum of ~~\$380.00~~ **\$1,733.33** therefore be it

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

RESOLVED, that the County Treasurer be and he hereby is authorized and directed to pay the several claims so audited and charge the amounts to the several appropriations made therefore in the County Budget finalized on November 27, 2018.

**Motion by Pinckney to adjourn at 4:34PM, 2<sup>nd</sup> by McNabb-Coleman, all in favor.**